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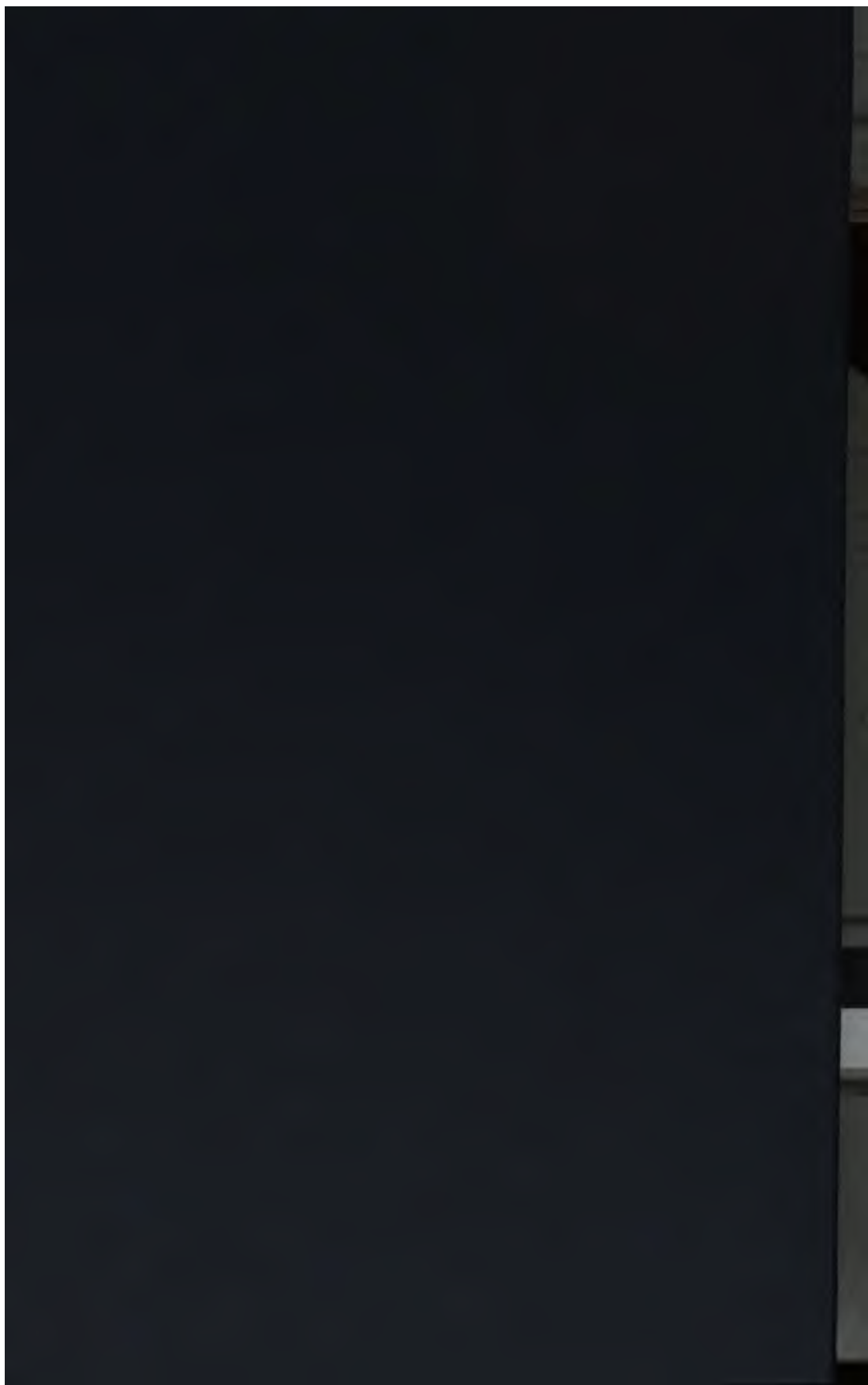
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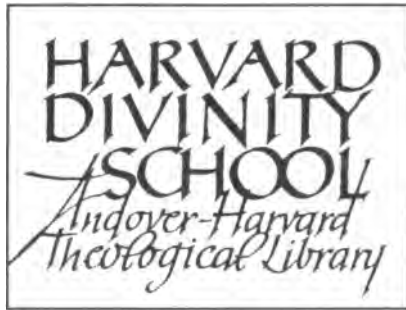
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The following table shows the results of the survey conducted in 1998. The data is presented in a table format with columns for the different categories and rows for the specific items. The table is slightly blurred but the structure is clear.

Category	Item 1	Item 2	Item 3	Item 4
Group A
Group B
Group C
Group D
Group E
Group F
Group G
Group H
Group I
Group J
Group K
Group L
Group M
Group N
Group O
Group P
Group Q
Group R
Group S
Group T
Group U
Group V
Group W
Group X
Group Y
Group Z

Table 1: Survey Results 1998



Figure 1: Object Description

THE
SPOTTISWOODE MISCELLANY:
2
A COLLECTION OF
ORIGINAL PAPERS AND TRACTS,
ILLUSTRATIVE CHIEFLY OF THE
CIVIL AND ECCLESIASTICAL HISTORY
OF
SCOTLAND.

EDITED BY
JAMES MAIDMENT, ESQ.
ADVOCATE.

VOLUME II.

EDINBURGH:
PRINTED FOR THE SPOTTISWOODE SOCIETY.
M.DCCC.XLV.

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PREFACE.



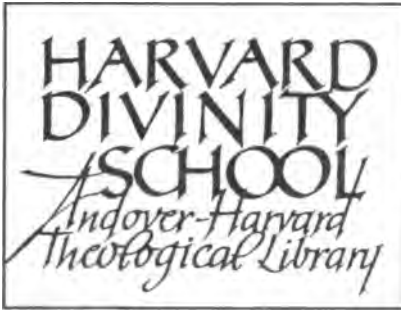
HN preparing for the press the Second Volume of the SPOTTISWOODE MISCELLANY, it has been the endeavour of the Editor to select such Papers as, independently of intrinsic worth or curiosity, might be acceptable to the general reader.

As introductory remarks have been prefixed to most of the Articles comprehended in the volume, recapitulation is unnecessary. But the Editor may here take the opportunity of mentioning, that the "Account of the Sufferings of the Episcopal Clergy" is only one amongst a great mass of papers shewing the depressed state of the Church before and after the Union. Government, so long as the arrangements for the junction of the two kingdoms were in progress, did not choose to embroil itself with the Presbyterian ministers, and much was overlooked for the sake of "expediency" that would have not otherwise passed unnoticed. When the Union was effected the case was altered, and the oppressive proceedings adopted at the instigation of the Presbytery—though nominally by the Magistrates of Edinburgh—against the Rev. James Green-shields, an Episcopal clergyman regularly ordained by James Ramsay, Bishop of Ross, in 1694, although sanctioned by the Court of Session, were quashed by the House of Peers to the infinite dismay of the persecutors.

That the Government took every method of conciliating the Presbyterian party, and getting it to lend its aid to the Union,¹ is undoubted. The following extract from a letter by Wodrow to his father, the Reverend "Mr James Wodrow, Professor of Divinity in the Colledge of Glasgow"—contains curious evidence on the subject:—

"This comes only to tell you that we came all safe here, blessed be God, on Wensday night late; my lady is very much indisposed, but nothing the worse of her journey. On Wensday, the Parliament ended the first reading of the

¹ Edin. Nov. 11, 1706. Wodrow Letters, MS. vol. iv.



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PROCESSUS FACTUS

CONTRA

TEMPLARIOS IN SCOTIA,

1309.





THAT the Knights Templars had, at an early period of our history, large possessions in Scotland, is undoubted. But the records and chronicles are singularly barren in throwing light on the rise, progress, and fall of this once powerful Order in this country; and although their estates appear, in point of fact, to have been partially, if not entirely, gifted to the Knights of St John of Jerusalem, not the smallest trace has been obtained as to the exact extent or precise period of the transfer. This is the more remarkable, as in the charters in favour of the last named Order, by which its territory was encreased, and its privileges extended, not one word is said until a comparatively recent date, about the "Terræ Templariæ."

The proceedings against the Templars adopted in Scotland in 1309, have, however, been preserved, owing to the circumstance of the kingdom being then under the domination of Edward, and as the Templars were prosecuted, or rather persecuted, at the same time throughout England, Ireland, and Scotland, the record of the entire process was transferred to the capital, and preserved amongst the English national muniments. It has on this account been inserted in Wilkin's Concilia, a work of great price and value, from which it has been transferred to the present volume.

A perusal of this document leads to a conviction that the charges brought against the Templars, at least so far as regards this country, were unfounded, and that the persecution of the Pope arose from jealousy or cupidity—probably both. The secrecy preserved at the meetings of the Chapters must have created distrust, and the haughty contempt with which the Templars treated the whole body of Priests, could not fail to make a deep and unfavourable impression on the Papal Court. Then their wealth was enormous, and it is not uncharitable to suppose that these facts had their due weight, when Pope Clement V. and his friend King Philip the Fair, resolved upon the destruction of the Order.

David I. is represented as a great patron of the Templars, and as "retinens eos diebus et noctibus, morum suorum fecit esse Custodes." His Majesty's morals must have been in a very unhealthy state under such guardianship, if the stories to the prejudice of the Knights are to be

credited. From this Monarch they are said, by Father Hay, to have obtained Torphichen, and from Fergus Lord of Galloway, Galwythe, now termed Galtua.¹

This assertion as to Torphichen is supported by the charter granted by King James IV., "Hospitali de Jerusalem ~~anno~~ Torfiching nuncupat," confirming previous charters by Malcolm and Alexander III. In none of these early charters is there any allusion to Torphichen. The earliest in date by Malcolm VI. confirms—"Deo et Sancto Hospitali de Jerusalem unum plenarium toftum in quolibet meo burgo totius mee terræ"—and the three charters by Alexander III. bear no reference to Torphichen.

It appears, however, from the following charter² to Adam Pakok—perhaps the oldest one in existence, granted by the head of the Hospitallers in Scotland—that as early as the reign of David II., the title of Thorpheyn or Torphichen had been assumed by William More, then "Custos Hospitalis de Jerusalem." It is in the following terms:—

"Omnibus Christi fidelibus hoc presens Scriptum visuris vel audituris, Willelmus More, Custos hospitalis Sancti Johannis de Thorpheyn, et frater Robertus de Culter procurator eiusdem hospitalis, Salutem, Nouerit vniuersitas vestra, nos, communi consilio et assensu fratrum nostrorum, concessisse et hac presenti carta nostra confirmasse, Ade pakok, et heredibus suis, dimidietatem totius terre nostre de Cowanston, cum omnibus suis pertinentiis, iuribus, commoditatibus et aysiamentiis, dicte terre spectantibus, seu quoquomodo spectare valentibus in futurum: quamquidem terram, cum pertinentiis, Henricus Serjiant dominus eiusdem nobis nuper sursum reddidit per fustum et baculum: Tenendam et habendam dictam dimidietatem totius terre predictæ, cum omnibus suis pertinentiis, vt supradictum est, predicto Ade et heredibus suis, libere, quiete, integre, bene et in pace, de nobis et successoribus nostris, hereditarie, imperpetuum: Reddendo inde annuatim nobis, et Domui nostre de Thorpheyn, duos solidos in festo beati Johannis Baptiste pro omni seculari seruitio, exactione seu demanda, Salua nobis secta curie nostre. Ita tamen quod in obitu dicti Ade et cuiuslibet heredum suorum decedencium, seu de dicta terra recedencium, nomine tertie partis honorum suorum, dimidia marca, domui nostre de Thorpheyn de predicta terra quiete persolvatur. In cuius rei testimonium Sigilla nostra presentibus apposimus. Hiis testibus Dominis Mauricio de Moravia tunc Vicecomite de Clidisdale, Thoma Sumiruille Domino de Carnwythe militibus, Johanne Chancelar, Roberto de le More Thoma Were, Willelmo de Brunton, Alano de Ledelle et multis aliis."

This interesting document has no date, but from Maurice de Moravia being mentioned as a witness, it is obvious that it was granted sometime during the reign of David II., for in a charter by that Monarch, confirming a gift by Sir Robert de Keth, Marischal of Scotland, to his nephew John Mantalant or Maitland of the Barony of Cowannystoun (now Covington) in Lanarkshire, dated at Lanark on the 5th of November, in the thirteenth year of his Majesty's reign (1342), Maurice de Moravia is a witness, along with Robert the Stewart of Scotland, Patrick of Dunbar Earl of March, William Earl of Ross, Thomas of

¹ Account of the Templars, p. 4

² In possession of Sir Norman Macdonald Lockhart, Bart. of Carnwath.

Carnock, Chancellor, Sir Malcolm Fleming, and Sir William Douglas. Maurice is designated as *Consanguineus Noster* in this charter.

In the Register or Chartulary of Dunfermline, there is a document entitled "Mandatum citationis pro Domo de Torpheyn." From this it appears that Alexander de Setton or Seton was then "Magister Domus de Torpheyn in Scotia," and that Sir William More, Knight, son and heir of Reginald More, and the said Reginald during his latter years, had seized and retained lands and possessions belonging to the Master and Brethren of St John of Jerusalem, and of the House of Torpheyn. The amount of these intrusions was stated at L.42l, 16s. 6d. Sterling. This sum he was charged to pay within the space of one month under pain of excommunication. There is no date to the writ; but as the Abbot who grants the mandate is represented as one of the Commissioners or Sub-delegates of William Bishop of St Andrews, it may be conjectured that the Prelate referred to was William de Landalis or Landal, who held the See of St Andrews from 1343-4, until the 15th of October 1385 when he died.

Could the Sir William More who had thus fallen under Ecclesiastical censure, have been the individual who granted the Charter to Adam Pakok? If so, he must never have been legally inducted as head of the Hospitallers in Scotland, otherwise Alexander Seton, who had received his appointment at Rhodes, would not have been entitled to displace and call him to account.

From Robertson's Index of Charters,¹ it appears that in the reign of Robert the Bruce Sir Reginald More obtained a Crown grant of the Lands of Templestoun and Sheills, gifted to him by Rodolph Lindsay "*dudum* Magister Hospitalis Sancti Johannis Jerosolomitani." And in the list of Charters in the time of David II., there is one to Alexander Haliburton, of the Lands of Dreme in the shire of Edinburgh, which William More resigned. Now Drem was a large property belonging originally to the Templars, which ultimately came to the Hospitallers, and was the estate when Lord Binning, in 1614, acquired the Temple lands, that gave the name to the new Barony. From all this it may be inferred, that during the troubles before the final settlement of the Scottish Crown, and perhaps during the greater part of the reign of the Bruce, the possessions of the Hospitallers and Templars had been open to pillage, and that Reginald and his son Sir William took advantage of the times, and by one means or other had contrived to get hold of the estates of the Hospitallers. If Sir William More possessed himself of the status of Master of the Hospitallers, without the proper confirmation from Rhodes, this will explain the proceedings at the instance of Sir Alexander Setton or Seton; and that a William More did assume that title is proved by the Charter to Pakok previously quoted. He was probably the William More who obtained the Barony of Abercorn in Edinburghshire, upon the resignation of John Graham,² *tempore* David II. There was another powerful family at this time of the name—viz. More of Rowallan, from which Elizabeth the wife of Robert II. was descended. Sir Reginald More was Great Chamberlain of Scotland, and, according to Crawford, died before 1341.³

¹ P. 11.

² Robertson's Index, p. 40.

³ Officers of State, p. 286.

Torphichen now belongs to Lord Torphichen, the heir-male general of Sir James Sandilands, the last Preceptor of the Hospitallers, who resigning the possession of the Order in the hands of the Crown, obtained a regrant from Queen Mary, with consent of the three Estates of Parliament on the 24th January 1663 in his own favour, for payment of ten thousand crowns of the sun, and an annual feu-duty of five hundred merks. Torphichen is, it is believed, the sole remaining fragment of this vast property that has been retained by the family; and it is a remarkable fact, that although Queen Mary's Charter contains no express creation of a Peerage, it is the only title under which the Noble family of Sandilands sat as Lords in the Scottish Parliaments. This instance—and various other ones might be adduced—affords decisive evidence of the soundness of the opinion entertained by Lord Hailes in regard to territorial honours in Scotland, and the fallacy of the assumptions of Lord Mansfield.



PROCESSUS FACTUS

CONTRA

TEMPLARIOS IN SCOTIA,

1309.



HÆC inquisitio facta per reverendum in Christo Patrem Dominum Willielmum,¹ Dei gratia, Sancti Andreae Episcopum, et Magistrum Johannem de Solerio, Domini Papæ clericum, contra ordinem Templariorum, et duos fratres ipsius ordinis inferius nominatos, solos in regno Scotiae in suo habitu existentes, de mandato Domini nostri Sanctissimi Domini Clementis, divina providentia Papæ Quinti, in Abbazia Sanctæ Crucis de Edeneburgh, regni et episcopatus prædicti, 15 cal. mensis Decembris, Anno Gratiae M.CCC.IX.

¹ William Lamberton was an eminent Churchman of his time. He purchased from the Abbots and Monks of Reading in Berkshire, the Isle of May, gifted to them by King David I., and bestowed it upon the canon-regulars of his own Cathedral, for whom he built a cell upon it. He finished the Cathedral of St Andrews, and got it consecrated in 1318, besides building the Episcopal Palace. He died in 1328, and was buried at the north side of the great altar in the High Church.

In the *Monthly Magazine* for July 1816, p. 523, there occurs the following account of the expenses of the Bishop and his servants, whilst a prisoner in Winchester Castle in the year 1306, for adhering to the cause of Robert de Bruce:—

For the Bishop's own daily expence,	0 6
One man-servant to attend him,	0 3
One boy to attend likewise,	0 1½
A chaplain to say Mass to him daily,	0 1½
	<hr/>
	1 0

This is said to be taken from a MS. in the British Museum.

PRIMUS TESTIS. Inprimis Frater Walterus de Clifton juratus, tactis sacrosanctis evangeliiis, et interrogatus, de qua natione erat oriundus; respondit, quod ex Anglia. Item requisitus, de quo ordine erat; respondit, quod de ordine Militiæ Templi. Item requisitus, quot annis stetit in dicto ordine; respondit, quod in festo Omnium Sanctorum proxime præterito fuerunt decem anni elapsi. Item interrogatus, ubi fuit ad habitum dicti ordinis receptus, respondit apud Brueram¹ in comitatu Lincolnensi in Anglia. Item interrogatus, quis recepit eum ad dictum ordinem, et dedit ei habitum; dixit, quod frater Willielmus de la More, oriundus de comitatu Eboraci, tunc et nunc Magister dicti ordinis in Anglia et Scotia. Item interrogatus, a quo Magistro receperunt observantias ordinis sui fratres regni Scotiæ; respondit, quod a Magistro Angliæ. Item interrogatus, a quo dictus Magister Angliæ recepit observantias sui ordinis; respondit, quod a majori Magistro ordinis Templi Jerusalem prædicti, scilicet a Magistro Cypri, et ex statutis et observantiis sui capituli generalis. Item interrogatus, utrum dictus Magnus Magister ipsum ordinem consuevit visitare, vel facere visitari ordinem Militiæ Templi in regno Angliæ, et personas ipsius ordinis; respondit, quod sic. Item interrogatus, qui modus fuit observatus in receptione sua ad habitum præfati ordinis; respondit, quod cum dictus Magnus Magister ordinis teneret capitulum suum apud Brueram in comitatu Lincolnensi, dictus frater Walterus petiit societatem habitus ipsius ordinis; cui dixerunt fratres ibidem existentes, videlicet fratres Thomas de Tholouse, Willielmus de la Forde, Johannes de Faversham, Radulphus Prior Templi Londonensis, Henricus de la Wole, Johannes de Hartil, et Johannes de Hufflet, de regno Angliæ oriundus, et plures alii fratres ipsius ordinis, nunc rebus humanis exempti; maximum quod petis, petendo nostræ religionis ingressum, abdicando propriam voluntatem, et te obedientiæ majorum ipsius ordinis obligando; qui adhuc petiit instan-

¹ Temple Bruer, in the county of Lincoln, about ten miles south of Lincoln. It was built after the form of the Temple situated near the Holy Sepulchre in Jerusalem. It was a Commandery, founded by the Lady Matilda de Cauz; Tempore Henrici III. There is a fine engraving and account of the ruins in "Selection of Views in the County of Lincoln," Lond. 1805, 4to.

tius habitum et societatem ipsius ordinis ; tunc ductus ad cameram ipsius Magistri, ubi iidem tenebant capitulum suum iterum flexis genibus, et junctis manibus petiit habitum et societatem ipsius ordinis ; tunc ab eo petierunt dictus Magister et præfati fratres responsionem ad quæstiones præsentibus : utrum erat ad aliqua ratiocinia vel debita obligatus, vel alicui mulieri matrimonialiter affidatus, vel aliqua secreta infirmitate corporis, aut alio impedimento, quo minus in ipsa religione remanere possit, detentus, dixit, quod non ; et tunc dictus Magister petiit a dictis fratribus circumstantibus ; “ Præbetis vos consensum vestrum receptioni fratris Walteri ? ” responderunt unanimiter, “ quod sic. ” Et tunc dictus Magister, et fratres astantes prædicti receperunt dictum fratrem Walterum in hunc modum : videlicet dictus frater Walterus, flexis genibus, et junctis manibus, promisit se esse servum perpetuum et Magistri ordinis et fratrum, ad defendendum terram orientalem. Et tunc dictus Magister erexit se, et accepto a fratre capillano ipsius ordinis libro evangeliorum, in quo crux erat depicta, idem Walterus supponens manus libro et cruci, promisit per juramentum Deo et beatæ Mariæ esse in perpetuum, castum, obedientem, et vivere sine proprio. Et tunc Magister dedit sibi mantellum et imposuit pileum capiti suo et admisit eum ad osculum ad os ; tunc fecit eum sedere ad terram, injungens sibi quod exinde jaceret in camisia, femoralibus, et caligis linteis, cinctus una cordula super camisiam, et quod nunquam hospitaretur in domo ubi mulier jaceret in puerperio, nec interesset nuptiis, nec purificationibus mulierum ; in certis eum causis ac rationibus instruens et informans. Item requisitus, utrum aliquis secularis clericus aut alterius religionis fratres interfuerunt receptioni suæ, dixit, quod non, nec in receptione aliorum fratrum ipsius ordinis Templi interesse consueverunt, quod ipse sciverit, vel dicere audiverit.

Item interrogatus, utrum eadem observantia ipsius ordinis, eadem fratris receptio, et eadem professio sit per universum orbem, dixit, quod sic, ut credit, et ut dici audivit ab aliis fratribus ipsius ordinis ; tamen non est certus nisi de hoc quod vidit in Anglia in receptione sua et in receptione fratrum suorum ipsius ordinis, quorum receptioni interfuit ; sed eorum nomina haud meminit. Item interrogatus, num ex quo fuit in ordine, vidit aliquem visitatorem

sui ordinis de Francia venire, et visitare in Anglia; dixit, quod sic, scilicet fratrem Hugonem Perraut, sed non vidit eum tenere capitulum, sed credit, et dici audivit, quod capitulum ibidem tenuerit, et etiam visitaverit. Item requisitus, ubi moram traxit, postquam fuit in ordine; respondit, quod per tres annos stetit in Scotia apud Blancrodoks;¹ et per tres annos in Anglia apud Newsom;² et London, per unum annum; et per tres annos apud Reckelay³ et Haselakeby.⁴

Item interrogatus, utrum propter scandalum exortum contra ordinem Templi fuerunt aliqui fratres ob timorem hujusmodi, derelicto habitu, fugitivi; dixit, quod sic. Frater Thomas Tooci, et frater Johannes de Huseflete, qui fuit Præceptor ante eum apud Blancrodoks in Scotia per biennium, et erant dicti duo fratres ex Anglia oriundi. Item interrogatus diligenter, singulariter et singillatim super omnibus et singulis articulis in bulla domini Papæ inclusis; respondit ad quemlibet articulum simpliciter negative; hoc excepto, quod dixit quod Magnus Magister ipsius ordinis et alii Magistri, Præceptores, et visitatores, inferiores clerici

¹ Balintrodo, now Arniston, in Mid-Lothian, on the Eak.

² Temple Newsom, about four miles and a half to the eastward of Leeds, and not far from the north bank of the Aire. This Preceptory was, on the suppression of the Templars in England, granted to Sir John D'Arcy, in whose family it remained until 1544, when it reverted to the Crown through the attainder of Thomas Lord D'Arcy, who was beheaded by Henry VIII. on account of the insurrection called the "Pilgrimage of Grace." His guilt, however, is doubtful; but suspicion was quite enough in those days. It was gifted to Mathew Earl of Lennox, and descended to his grandson James VI., who presented it to his kinman the Duke of Lennox. His Grace sold it to the son of a wealthy London trader of the name of Ingram, whose grandson was created Viscount Irvine in Scotland, 23d May 1661. This title is now extinct, but the representation in the female line of the Ingrams is in the Marquesses of Hertford, who hold the estate.

³ Rekelay may indicate either Temple Rockley in Wiltshire, or Temple Rothely in Leicestershire—probably the former, which is described by Britton in his Beauties of Wiltshire, as "a small Preceptory of the Knights Templars, founded in the reign of Henry the Second. On the suppression of the Order, this property was given to the Knights Hospitalers, and after the Reformation, it was granted to Sir Edward Baynton and his wife Isabel." Rockley Park is a modern mansion, which formerly belonged to General St John, and was afterwards acquired by Sir John Smyth, Bart. of Ashton Park, near Bristol.

⁴ Aslakeby was a small Preceptory in Lincolnshire.

vel laici possunt absolvere fratres sibi subditos a quibuscunque peccatis, excepto homicidio, et violenta manuum injectione in sacerdotem; et dixit quod hanc potestatem habebat dictus Magnus Magister ex gratia domini Papæ, et ipsam receperat ab antiquo. Item dicit, quod ipse vidit in duobus capitulis celebratis apud Dineslee in Anglia, quod Magister præfatus absolvebat generaliter omnes fratres in recessu suo, auctoritate, quam habebat, signando eos signo crucis cum manu. Item dixit, quod propter clandestinam fratrum ipsius ordinis professionem, et receptionem, vehemens suspicio habetur, et diu habebatur. Item dixit, quod in receptione sua prædicta cum jurare fecerunt, quod de ipso ordine nunquam recederet, et sic credit quod faciunt omnes alii. Item dixit, quod non utuntur in ordine suo anno probationis, immo statim habetur receptus pro professo. Item interrogatus, quis est major Præceptor sui ordinis in regno Sotie; dixit, quod ipse est, habens ibidem custodiam totius ordinis sui, nec sunt ibi fratres, nisi solum ipse, et socius suus subscriptus.

SECUNDUS TESTIS. Item, Willielmus de Middleton, deferens habitum ordinis Militiæ Templi, juxta Novum Castrum in Anglia, ut asserit, oriundus; juratus, tactis sacrosanctis evangeliiis, et interrogatus ubi fuit ad dictum ordinem receptus; respondit, quod apud Newsom prope Eboracum die sanctæ Susannæ virginis in autumno proxime præterito septem ab hinc annis elapsis. Item requisitus, quis eum recepit ad dictum ordinem, dixit, quod frater Brianus le Jay, tunc Magister ordinis sui in Anglia, præsentibus fratre Thoma de Tholouse, nunc superstite et habitum deferente, fratre Johanne de Husflete, fratre Thoma Tocci, et fratre Johanne de Caraton, qui, habitu rejecto, statim fugerunt, quum audiverunt captionem confratrum suorum, ultra mare, prout dici audivit, et pluribus aliis, nunc rebus humanis exemptis. Item requisitus, in quibus domibus sui ordinis traxit moram a tempore receptionis suæ prædictæ; respondit, quod in Anglia per diversa loca per quinquennium. Item in Scotia apud Culthur,¹ et apud Blancrodoks per biennium; et in Northumbria per vices per triennium, per diversa loca. Item requisitus, utrum viderit aliquem recipi ad habitum

¹ Maryculter in Kincardineshire.

ordinis in regno Scotiæ, dixit, quod non. Item interrogatus de statutis et observantiis sui ordinis in Scotia; dixit, quod easdem recipiunt a Magistro Angliæ et Magister Angliæ a Magistro Franciæ, et Magister Franciæ a Magistro Cypriæ, ut audivit dici; et propter hoc credit quod idem modus recipiendi et profitendi fratres sui ordinis sit per universum orbem. Item, utrum magnus Magister totius ordinis sui consuevit visitare vel facere visitari in Anglia religionem suam, et personas ipsius religionis; dixit, quod sic, quia vidit fratrem Hugonem Perraut, qui venerat de Francia ad visitandam Angliam bis in tempore suo; et una vice locutus fuit secum in Anglia, et alia vice non vidit eum, quia tunc fuit in Scotia; sed audivit dici, quod visitaverit ordinem suum in Anglia. Item dixit, quod superior Magister Angliæ consueverit ire ad capitulum in Francia de quinquennio in quinquennium, prout, ut dicit, semper audivit a fratribus. Et quumdictus frater Hugo Perraut secunda vice prædicta visitavit Angliam, frater Willielmus de la More, tunc Superior Magister Angliæ iverat ad magnum Magistrum ultra mare, tanquam ad Superiorem totius ordinis sui, tunc in ejus absentia dictus frater Hugo quosdam præceptores Angliæ amovit, et alios in eorum loco subrogavit.

Item interrogatus diligenter, et singillatim examinatus super omnibus quæstionibus prædicto Waltero socio suo superius factis, et super singulis articulis in bullis Domini Papæ contentis sibi singillatim expressis; respondit idem in omnibus, quod dictus frater Walterus; hoc adjuncto, quod inhibitum fuit, sibi in receptione sua per dictum Magistrum, qui eum recepit ad ordinem, quod non reciperet servitium aliquod a mulieribus, nec etiam aquam ad abluendum manus. Et dixit quod videt et audivit Magnum Magistrum ordinis sui Angliæ laicum absolventem fratres sui ordinis per hæc verba: "Auctoritate Dei, et beati Petri, et Domini Papæ, nobis commissa, absolvimus vos a quocunque peccato:" committebat super hoc vices suas fratri sacerdoti ejusdem ordinis; tamen dicit quod credit, quod casus domini Papæ intelliguntur excepti.

TESTES IN PRÆSENTI NEGOTIO CITATI ET EXAMINATI
SEQUUNTUR.

PRIMUS TESTIS. Dominus Hugo, Abbas de Dunfermelyn,

testis juratus, et interrogatus super statu et conversatione fratrum prædictorum superius examinerum, et aliorum fratrum sui ordinis, et super omnibus articulis in bulla Domini Papæ contentis; dixit, quod nunquam scivit pro certo, dici tamen audivit ipsos talia sinistra perpetrare; suspicionem tamen sinistram habet contra eos, et semper habuit, de clandestina fratrum suorum receptione, et eorum professione, et nocturna capitulorum suorum celebratione. Item dixit, quod credit easdem observantias, et eadem statuta esse ubique in toto ordine illo; et hoc credit, quia visitator Franciæ solebat visitare ordinem eorum in Anglia, et visitator Angliæ ordinem eorum in Scotia; et undique consueverunt congregari fratres ipsius ordinis ad suum capitulum generale et per consequens videntur secreta sui ordinis communicari. Dixit etiam, quod nunquam audivit dici aliquem fratrem dicti ordinis recipi in Scotia, propter quod non poterant secreta sua illuc sciri.

SECUNDUS TESTIS ET ALII TESTES. Dominus Elias, Abbas Sanctæ Crucis de Edeneburgh;¹ Dominus Gervasius, Abbas de Newbotyl; Magister Robertus² de Kydlawe, et frater Patricius, Prior fratrum Prædicatorum de Edeneburgh, jurati et examinati, in omnibus fere concordant cum Hugone, Abbate de Dunfermelyn.

SEXTUS TESTIS. Frater Andreas de Douraid, Gardianus fratrum Minorum de Hadyngton, juratus et interrogatus super præmissis, dixit idem, quod dominus Abbas de Dunfermelyn prædictus; hoc addito quod dixit se non scivisse fratres dicti ordinis militiæ Templi confiteri fratribus minoribus, vel prædicatoribus, vel aliis secularibus presbyteris.

SEPTIMUS TESTIS. Frater Adam de Kenton, etc. concordat in omnibus cum Andrea de Douraid.

OCTAVUS TESTIS. Frater Adam de Wedale, monachus Abbatissæ de Newbotyl, juratus et interrogatus super præmissis, dixit idem quod dominus Abbas de Dunfermelyn

¹ In the Liber Cartarum Sanctæ Crucis, p. xxv, it is supposed that Adam, Abbot of Holy Rood, is the individual who obtained, 8th August 1310, an order for restitution of certain corns and cattle taken from the lands of Carse for the supply of Edinburgh and Stirling; but this seems to be a mistake, for Elias is proved to be Abbot in 1309, by appearing as a witness against the Templars. This error is not surprising, as accuracy in dates at this remote period is almost impossible.

² Robertus †

prædictus; hoc addito, quod de injusto conquestu sunt Templarii multipliciter diffamati; nam indifferenter sibi appropriari cupiunt, perfas vel nefas, bona et prædia suorum vicinorum, et quod hospitalitatem non tenent, nisi divitibus et potentibus, timoris causa ne eleemosynas largiantur.

NONUS ET TRES ALII TESTES.—Item fratres Johannes de Byrea, ejusdem Abbatiae monachus, Johannes de Munphut, canonicus Sanctæ Crucis de Edeneburgh, Gilbertus de Had-nyngton, canonicus Sanctæ Crucis, et Adam de Winis, monachus de Dunfermelyn, jurati, etc. dixerunt idem, quod frater Adam de Wedall prædictus.

DECIMUS TERTIUS TESTIS.—Item Magister Johannes de Lyndeseye, rector ecclesie de Rachon, juratus, etc. dixit idem, quod abbas de Dunfermelyn prædictus.

DECIMUS QUARTUS TESTIS.—Item dominus Robertus capellanus de Lyston,¹ vicinus Templariorum Scotiæ, juratus super præmissis, dixit idem, quod Abbas de Dunfermelyn prædictus; hoc addito, quod dixit, quod conscientia sibi dictat quod Templarii Scotiæ, et alii ejusdem ordinis non sunt penitus immunes a criminibus, per suos majores in curia confessis; et hoc propter identitatem statutorum et observantiarum suarum, et mutuam visitationem. Item dixit, quod nunquam audivit pro certo, nec vidit ubi aliquis frater Templi fuisset sepultus, vel quod naturali morte mortuus sit. Item dixit, quod quantumcunque possunt, semper fuerunt contra ecclesiam, et super hoc laborat publica vox et fama.

DECIMUS QUINTUS AD 25 TESTES.—Item domini Henricus de Leth, rector ecclesie de Restalrik, Walterus, rector ecclesie de Malavilla, Alanus, rector ecclesie de Stryvelyn, Nicolaus, vicarius de Laswald, Willielmus, capellanus de Stenton, Johannes, capellanus Hospitalis Sancti Leonardi prope Edeneburgh, Alanus de Theryngton, Johannes de Lyberton, Richardus de Anandia, Johannes de Clerkynton, et Walterus de Halbourn, capellani; vicini, et servitores Templariorum Scotiæ, et domus suæ de Blancrodoks, jurati, etc. dixerunt idem, quod Abbas de Dunfermelyn prædictus.

VICESIMUS SEXTUS AD 34 TESTES.—Item dominus Henricus de Sancto Claro, Fergusius Marescallus, Willielmus

¹ Temple Liston in the County of Edinburgh.

de Ramesaye, Hugo de Rydale, Willielmus Byseti, Alanus de Waldingford, Rogerus de Sutton, Willielmus de Disseford, et Willielmus præpositus, jurati et examinati, cum aliis supra concordant.

TRICESIMUS QUINTUS AD 40 TESTES.—Item Willielmus de Preston, et Johannes de Wyggemer, senior, Willielmus de Sancto Claro, Adam Halybourtoun, Michael Clenk, et Matthæus Constabularius, domicelli, jurati, et diligenter examinati super præmissis; dixerunt, quod contra personas dictorum dominorum fratrum nihil sciunt dicere, nec de receptione fratrum dicti ordinis aut professione, quia nunquam viderunt aliquem in Scotia, vel alibi, in fratrem recipi, vel etiam profiteri, quia semper illud clandestine faciebant; propter quod tam ipsi, quam progenitores sui contra præfatum ordinem, et fratres ejusdem ordinis malam præsumptionem habuerunt; et maxime cum viderint certos religiosos publice recipi, ac etiam profiteri, et in suis receptionibus et professionibus amicos, parentes, et vicinos vocare et magnas solemnitates et convivia celebrari. Item dicunt, quod firmiter credunt, quod eadem fratrum receptio et professio, eadem statuta et observantiæ sint in suo ordine per universum orbem, et quod per majores suos ubique terrarum visitantur; et quod fratres sui ad sua capitula undique transmittuntur; propter quod credunt, quod sua secreta omnes communicant; et per consequens eisdem videntur criminibus esse irretiti. Item dixerunt, quod pauperes ad hospitalitatem libenter non recipiebant, sed timoris causa divites, et potentes solos; et quod multum erant cupidi aliena bona per fas vel per nefas pro suo ordine acquirere. Item dixerunt, quod progenitores sui asserebant, quod, si Templarii fuissent fideles Christiani, Terram Sanctam nullatenus amisissent.

QUADRAGESIMUS PRIMUS TESTIS.—Johannes Thyng, qui fuit servus Templariorum per 17. annos in Scotia, juratus, etc. dixit idem, quod domicelli superius immediate examinati; hoc addito, quod dixit se vidiisse plures fratres Templariorum laicos indifferenter absolvere omnes excommunicatos, dicentes se habere super hoc a domino summo Pontifice potestatem; dixit etiam, quod quandoque de die, quandoque de nocte tenerunt capitula sua adeo occulte, quod nemini patebat accessus ad eos. Cum isto teste concordant in omnibus

vicini sui, terrasque Templariorum excellentes, quorum nomina inferius subscribuntur: videlicet, Adam Faber, Alanus Pay, Michael Fyder, Thomas Stagger, Thomas Tenaunt, Johannes Sergaunt, Adam Lay, et Johannes Gruub. Haec inquisitio solennius fieri nequivit propter hostium incursus, et guerræ continuam expectationem.

Et ad evidencias præmissorum testimonium reverendus in Christo pater dominus Willielmus, providentia divina Sancti Andreæ Episcopus, et Magister Johannes de Solerio prædicti, sigilla sua præsentis inquisitioni appenderunt, et eisdem sigillis post subscriptionem meam eandem inquisitionem clausurunt. In quorum etiam firmiter testimonium, Ego Willielmus de Spottiswood, auctoritate imperiali notarius, qui prædictæ inquisitioni interfui, die, anno, et loco prædictis, testibusque præsentibus supradictis: signum meum solitum eidem apposui requisitus, et propria manu scripsi rogatus.



CHARTER
BY
MARY QUEEN OF SCOTS,
WITH
CONSENT OF THE THREE ESTATES,
IN FAVOUR OF
JAMES SANDILANDIS, LORD ST JOHN,
OF
THE POSSESSIONS OF THE TEMPLARS AND HOSPITALLERS.
24TH FEBRUARY 1563.





In the reign of James III. the high office of Preceptor of Torphichen was held by Sir Henry Levynstone, a second son of William Levynstone¹ of Wester Kilsyth, by Elizabeth daughter and one of the coheirs of William de Caldoat. The elder brother Edward was the ancestor of the Viscount of Kilsyth and Barons of Campsie. Upon the 25th February 1460, Sir Henry appointed Sir John Ross of the Hawkhead, Knight, and John of Modyrvell, chaplain, his procurators in all things pertaining to the lands and inhabitants of the Ryvra lying within the Barony of Renfrew, "quhilk is a tenandry and toft of ours and Sanct John."²

Sir Henry Livingstone was the immediate predecessor of Sir William Knollis, who, upon Sir Henry's demise in 1463, became Preceptor of Torphichen. He was a man of great talent, and held the important office of Lord High Treasurer to James IV., whose fate he shared at the fatal battle of Flodden. He was the first Lord St John, and one of the Plenipotentiaries appointed to negotiate a marriage between his Monarch and Margaret eldest daughter of Henry VII.

In the Parliament 1488, it appears that the claim of Sir William Knollis, Preceptor of Torphichen, and his brethren, "touching fee and forfaltour, custume, and tholl clamis" was considered, and the Three Estates declared "that the house of Torphiching, and the Preceptor and brether for the tyme, ar infeft of fee and forfaltor of ther awne fre tenants, and that it is lefull to thame to put thaimself in sasing and possessioun in ony sic lands forfalt ony tyme to cum: and anent the custume clamit be the said Preceptor, the Estatis can nocht as now declare that matter." At this period, and previously, the Preceptor took his seat in Parliament at the head usually of the feudal barons as Preceptor of Torphichen. In the Parliamentary roll of the 3d of February 1489, he no longer sat as a tenant in chief under the crown in virtue of his barony, but as Lord Sanct John was placed amongst the Peers of the Realm, and from that date, with one exception in 1525—perhaps an error of the clerk—down to the resignation by the last Preceptor in 1563, the head of the Hospitallers was recognized as a Lord of Parliament, by the style and title of Lord St John.

¹ He was a younger son of Sir John Levynstone of Callendar.

² The original document is privately printed in a rare collection of *Miscellaneous Papers*, of which not more than six complete copies exist, entitled *Nugæ Deralotæ*, royal 8vo. 1532.

Sir George Dundas became the next Lord St John, and as such sat in Parliament at least down to 2d September 1527, when he appears as one of the Commissioners for James V. to hold the Parliament then summoned. He was succeeded by Sir Walter Lindsay, a Nobleman of great talent, who stood high in the favour of his Sovereign. On his demise in 1543, Sir James Sandilands became the last Lord St John.

James Sandilands was the youngest son of Sir James Sandilands of Calder, by his wife Marion, daughter of Archibald Forrester of Corstorphine. "Being," says Crawford, "a young man of good parts and bred a scholar," he was recommended to the great master of the Knights at Malta by Sir Walter Lindsay, Lord St John, as a person well qualified to be his successor in the Preceptory of Torphichen. Through this recommendation, the youthful candidate for honours was kindly received at Malta, where he resided for several years. "He gave," continues Crawford, "such proofs of his learning and sufficiency for the discharge of that function, that he was, with all the necessary forms, received by the Grand Prior of the Hospital and his chapter to be one of the Knights of that ancient Military Order, and inaugurate future successor to Sir Walter Lindsay, by whose death in the [year] 1543 he was fully invested in the title, power, and jurisdiction of Lord St John of Jerusalem in Scotland, and entirely to the possession of the revenue thereof, which was very great, and spread through the whole kingdom. Sir James being looked on as a man of a wonderful gravity and wisdom, was employed both in the time of King James V. and Queen Mary, in several embassies, as in England and in France, in which negotiations he behaved with great prudence and dexterity.¹

The father² as well as the elder brother³ of Lord St John, at an early period embraced the reformed doctrines; and it has been asserted that the first Sacrament after the Reformation was dispensed in the Hall at Calder,⁴ the family seat of the chief of that family. Whatever truth there may be in this, it is an undoubted fact that the Hospitaller followed the example of his father and brother, and was rewarded for his desertion of the old religion, with the estates of the Order he chose to repudiate. Accordingly the Charter, which is now for the first time published, was granted in his favour, and the united possessions of the Templars and Hospitallers, became the property of the Lord St John, who, upon obtaining the Charter, and passing infertment, eschewed his former title, and as Lord Torphichen took his place in Parliament. His Lordship died 29th November 1596, leaving no issue, although married to Janet Murray, a daughter of the Laird of Polmaise, whereupon his title and estates devolved on his grand-nephew James Sandilands of Calder, who became second Lord Torphichen.

On the 9th of November 1599, the second Peer alienated the "Templandis," and Robert Williamson, writer, and James Tennent of Lynehouse, became the purchasers. This sale was confirmed by Act of Parliament 1606, chap. 82. Tennent afterwards sold his moiety to Williamson, who obtained a charter disjoining his purchase from the

¹ Peerage of Scotland, p. 479. Edin. 1716, folio.

² Sir James Sandilands, according to Wood's Peerage, died "after 1563."

³ John Sandilands, grandfather of James second Lord Torphichen.

⁴ A portrait of Knox is still preserved at Calder, with this inscription on the back—
"The Rev. John Knox—the first Sacrament of the Super given in Scotland after the Reformation was dispensed in this Hall." M'Crle's Life of Knox.

Barony of Torphichen, and erecting it into the "Tenandry of the Temple lands."

From the sale to Williamson and Tennent were excepted the Baronies of Torphichen and Liston in the county of Edinburgh, Denny within the county of Stirling, Thankerton in the county of Lanark, Balintrod (Arniston) in Edinburghshire, Maryculter in Kincardineshire, and Stanhope in Peebles-shire; besides these Baronies, there were also excepted the Temple lands of Paistoun, Templehall, Templehirst, a Temple land in Corstorphine, Halkerstoun, Rylawknow, Castletoun, Snypis Deniside, Harberstoun, a Temple land in Crichton, Langton, Harperrig and Kirknewton, all in the county of Edinburgh.¹

Williamson then sold the tenandry, by a deed to which Lord Torphichen was a party, to Lord Binning, afterwards Earl of Melrose and Haddington, who obtained a Crown-Charter, erecting the Temple lands into the Barony of Drem, and his infestment was confirmed by the following Parliamentary ratification (1617, cap. 45) :—

"**OUR SOVERAINE LORD** and Estaitts of this present Parliament **RATIFIES** and **APPREVES** the Infestment made and granted be his Maiestie with Consent of his hienes officeris of Estate and Commissioneris of this realme of Scotland To his hienes Traist Cowaigne and Counsellor Thomas Lord Bynning Secretarie to his Maiestie, and President of his hienes collidge of Justice of the samyne Kingdome his airis mail and successours heretablie Off **ALL AND SINDRIN** the Tempill Landis and Tempill Tenementis pertening of before to James Lord Torphechin in propertie or Tenandrye quhaireur the same ly within the said Kingdom off Scotland alsweil within Burgh as without burgh in Landwairt, with Castellis, Toures, fortalices, maner places, housis, biggingis, zairdis, orcheardis, mylines, woddis, fischeingis, Teyndis alsweil personage as vicarage of the samen, landis, tennentis, tenandries, seruice of frie tennentis, annexis, connexis, dependences, and all and sindrie priuiledgis, liberties, immunities, and pertinentis off the samen, specefiet in the said Infestment Except as is thairin Exceptit To **BE HALDIN** of our said Souerane Lord and his successours in frie blonche for payment of ane pennie zeirlie at the feast of witsunday in name of blenche ferme giff it beis askit allenerlie, Of the date at Roystoune the threttene day of October the zeir of God sixteen hundred and fourtene zearis In all and sindrie heades, articles, clauses, and conditiones quhatsumeur thairin contenit with the precept and Instrument of seasing following thairupoun, lyk as his Maiestie and Estaittis forisaidis willes decernis and declaris that this present ratificatioun Is, and sal be, als valide, effectuell and sufficient in all respectis, As gif the said Infestment precept and Instrument of seasing following thairupoun wer at lenthe insert and ingrossed in this present (act) *de verbo ad verbum*."

In the Haddington Family the Barony of Drem remained until nearly the middle of the last century, when it was sold in virtue of an Act of Parliament to the Honourable John Hamilton, Advocate. Mr Hamilton left no son, and his four daughters became his heirs. It was acquired by the late Robert Hill, Esq., and the greater portion of it is now vested in the person of John Black Gracie, Esq. W.S.

¹ The greater part of these subjects had been previously sold either by the second Lord or his predecessor.

Although the Family of Sandilands had for more than two centuries ceased to have right to any portion, except Torphichen, of the original barony erected by Queen Mary, with consent of the Three Estates, in 1563, the general description was retained in their Crown titles. Nor was this all, entries had been granted by the Lords Torphichen to vassalls in various Temple lands in several parts of the kingdom. In order to have the question of right determined, Mr Gracie instituted judicial proceedings, and ultimately obtained a decision recognizing his title to the fullest extent, and putting an end to all farther interference on the part of his Noble opponent.

It may be proper here to mention, that in the wood-cut which follows these observations, the building to the left of the Hospitaller, is the old preceptory of Torphichen, and the one to the right are the ruins of the Church at Temple.

The following explanations relative to some of the privileges conferred on the Baron of Torphichen by the following Charter may not be out of place, see p. 29:—

“In sum auld buikes,” says Skene, “Sak is called *placitum et emenda de transgressionem hominum in curia nostra*.” It may be “called the unlaw or amerciament payed be him quha denies that thing quhilk is proven against him to be trew, or affirmis that thing quhair of the contrair is of veritie.”

“He quha is infest with sok,” continues Skene, “hes power and libertie to hald courtes within his awin Barronie or Landes.”

Theme “is power to have servandis and slavis, quhilk are called *nativi, bondi, bellani*, and all Barounes infest with Theme, hes the same power.” Infangthief means the right of a Baron infest to “cognosce” upon theft committed by his vassals within his own domain, and taken there. Outfangthief, the right to bring back a thief, although in other persons’ grounds, for theft committed within the Baron’s jurisdiction.

It may be only necessary to add, that the Charter has been printed as written, and that no portion has been pointed by the Editor excepting what is now technically called the Testing Clause.



CHARTER

BY

MARY QUEEN OF SCOTS.



MARIA dei gratia regina Scotorum Omnibus probis hominibus Totius terre sue clericis et laicis salutem Sciatis nos considerantes fidele nobile et gratuitum servitium nobis nostrisque charissimis quondam patri et matri bone memorie in reipublice et regni nostri commodum impensum per dilectum nostrum domesticum servitorem Jacobum Sandelandis Dominum de Sanct-Johnnis ac recordantes supplicationum per nobilitatem et tres regni nostri status in eius gratiam paulo ante nostram e francia profectionem nobis directarum quarum in ultimo nostro parlamento apud Edinburgh quarto die mensis Junij ultime elapsi tento, haud immemores easdem ad nostre nobilitatis et trium statuum prescriptorum memoriam reduxinus in plano parlamento proprio ore declarando nobis esse gratum dictum nostrum servitorem tanti ab illis estimari quanti nos eum etiam estimamus cuius servitii respectu ac supplicationum prescriptarum animum gratum ac nostrum erga ipsum favorem declarare promisimus Cui rei dicti nostri Status gratanter assentierunt. Nos propterea ac pro augmentatione patrimonij corone nostre annuatim in summa quingentarum marcarum pro terris subscriptis de quibus nos nec nostri predecessores nullum ante hac commodum retulimus. Necnon pro summa decem millia scutorum aureorum solarium, vulgari appellatione crownis of the Sone nuncupata nobis per dictum nostrum servitorem gratanter persoluta, Dedisse concessisse et hac presenti carta nostra confirmasse hereditarie dicto Jacobo Domino de Sanct-Johnnis heredibus suis et assignatis

Totas et integras terras et baronias de Torphechin listoun ballintrodu tankertoun denny maryculter stanehoip galtua cum tenentibus tenandriis liberetenentium servitiis advocacionibus et donationibus ecclesiarum beneficiorum et capellaniorum omnium et singularum dictarum terrarum et baroniarum cum molendinis multuris siluis piscariis castris turribus fortiliis et maneriebus earundem Jacentes infra vicecomitatus nostros de Edinburgh peblis Linlithquhow striuiling lanark kincardin et senescallatum de kirkcudbrycht Nec non omnes annuos redditus terras templarias vulgo tempillandis nuncupatas decimas loca possessiones ac alias terras quasunque tam non nominatas quam nominatas infra regnum nostrum existentes Cum omnibus priuilegiis immunitatibus preeminentijs dignitatibus officiis regalitatibus cum libera capella et cancellaria infra bondas quaruncunque terrarum per dictum Jacobum et suos predecessores tanquam preceptores de torphechin aliquo tempore ante datam presentium possessorum Quequidem omnes et singule terre et baronie de torphechin listoun ballintrodu tankertoun denny maryculter stanehoip galtua cum tenentibus tenandriis liberetenentium servitiis aduocationibus et donationibus ecclesiarum beneficiorum et capellaniarum omnium et singularum dictarum terrarum et baroniarum Molendinis multuris siluis piscariis castris turribus fortiliis et maneriebus earundem Vna cum omnibus annuis redditibus terris templariis decimis locis possessionibus et aliis terris quibuscunque tam non nominatis quam nominatis infra regnum nostrum existentibus Ac cum omnibus priuilegiis immunitatibus preeminentiis dignitatibus officiis regalitatibus cum libera capella et cancellaria infra bondas quaruncunque terrarum per dictum Jacobum et suos predecessores tanquam preceptores de torphechin aliquibus temporibus retroactis possessorum fuerunt prefati Jacobi tanquam preceptoris prescripti per prius Et quas idem tanquam omnimodum et indubitatum titulum ad easdem habens in manibus nostris tanquam nunc ac omnibus temporibus futuris superioris earundem dimisit Insuper pro causis suprascriptis ac aliis causis et considerationibus nos mouentibus vnimus annectimus erigimus creamus et incorporamus tenore presentis carte nostre omnes et singulas prenominate terras et baronias de torphechin listoun ballintrodu tankertoun denny maryculter stanehoipe galtua

cum tenentibus tenandriis liberetenentium seruitiis aduocationibus et donationibus ecclesiarum beneficiorum et capellaniarum omnium et singularum dictarum terrarum et baroniarum cum molendinis multuris siluis piscariis castris turribus fortiliis et maneriebus earundem unacum omnibus annuis redditibus terris templariis decimis locis possessionibus ac aliis terris quibuscunque tam non nominatis quam nominatis infra regnum nostrum existentibus ac cum omnibus priuilegiis immunitatibus preeminentiis dignitatibus officiis regalitatibus Cum libera capella et cancellaria infra omnes bondas quarumcunque terrarum per dictum Jacobum et eius predecessores tanquam preceptores prescripti per prius possessarum ac nunc ut dictum est dimissarum In unam integram et liberam baroniam, baroniam de torphechin omnibus temporibus affuturis nuncupandam ac etiam volumus et concedimus ac pro nobis et successoribus nostris Ordinamus quod maneries et fortilicium de torphechin erit principale messuagium dicte baronie Et quod unica sasina nunc et omnibus temporibus affuturis per dictum Jacobum heredes suos et assignatos apud dictam maneriem et fortalioium de torphechin capienda stabit extendet et sufficiens erit sasina pro omnibus et singulis suprascriptis terris et baroniis cum tenentibus tenandriis libere tenentium seruitiis aduocationibus et donationibus ecclesiarum beneficiorum et capellaniarum turribus fortiliis molendinis multuris siluis piscariis annuis redditibus terris templariis decimis locis possessionibus priuilegiis immunitatibus preeminentiis dignitatibus officiis regalitatibus ac cum libera capella et cancellaria infra omnes bondas dictarum terrarum et omnibus suis pertinentiis absque ulla alia particulari sasina apud quemcunque alium locum de eisdem capienda non obstante quod eodem non jacent insimul contigue Propterea nos ex potestate nostra regali damus concedimus ac pro perpetuo confirmamus tenore presentes carte nostre dicto Jacobo heredibus suis et assignatis totum ius clameum iuris titulum interesse petitorium possessorium que nos nostre predecessores aut successores habuimus habemus seu quouismodo habere seu acclamare poterimus in et ad predictas terras et baroniam cum tenentibus tenandriis liberetenentium seruitiis aduocationibus et donationibus ecclesiarum beneficiorum et capellaniarum turribus fortiliis molendinis multuris siluis piscariis

annuis redditibus terris templariis decimis locis possessionibus priuilegiis immunitatibus preeminentiis dignitatibus officiis regalitatibus cum libera capella et cancellaria infra omnes bondas dictarum terrarum aut quarumlibet partium earundem firmis proficuis et deuoriis earundem propter quamcunque actionem et preteritam tam non nominatam quam nominatam quas pro expressis in hac presenti carta haberi et interpretari volumus Exonerando quieteclamando et renunciando eisdem pro nobis et successoribus nostris dicto Jacobo heredibus suis et assignatis imperpetuum Exonerando nostre concilij et sessionis dominos ac omnes alios nostros iudices officarios ac nostros ministros thesaurarium comptorum nostrorum rotulorum et advocatum presentes et futuros omni de citatione et prosecutione quarumcunque summonitionum aut actionis contra prefatum Jacobum heredes suos et assignatos pro recuperatione ab ipsis dictarum terrarum baroniarum decimarum regalitatum et priuilegiorum prescriptorum aut quarumcunque earundem partium et de eorum officiis in hac parte renunciando eisdem imperpetuum Cum supplemento omnium defectuum Ac etiam in consideratione priuilegiorum per dictum Jacobum et eius predecessores preceptores de torpheckin gauisorum ac per nostros nobilissimos progenitores prius ratificationum Eximimus dictum Jacobum heredes suos et assignatos ab omnibus taxationibus lie scattis stentis contributionibus ac alijs oneribus et impositionibus quibuscunque ac ab omni Jurisdictione ordinaria et extraordinaria ac omni compartentia coram iudice aut iudicibus quibuscunque infra regnum nostrum submittendo ipsos nobis nostrique secreti concilij dominis tantum Ac eximimus ipsius tenentes et dictarum terrarum suarum occupatores ab omni compartentia coram quocunque iudice aut iudicibus criminalibus aut ciuilibus spiritualibus seu temporalibus nisi coram prefati Jacobi propriis balliuis predictarum terrarum per ipsum heredes suos et assignatos deputatis seu deputandis aut coram dominis nostre sessionis tantum submittendo illos ipsorum iurisdictioni solum in hac parte Et exonerando similiter omnes alios iudices ac iuris ministros ab omni processione contra ipsos aut ipsorum aliquem et ab illorum officiis in hac parte imperpetuum Et ordinamus tenore presentis carte nostre ipsos emendi et vendendi liberum priuilegium habere

infra omnes regni nostri partes absque vllarum solutione munitarum custumarum Secundum priuilegia preceptoribus Torphechin antea concessa TENENDAS et habendas omnes et singulas prenominatas terras et baronias de Torphechin listoun ballintrodo thankertoun denny maryculter stanehoip galtua Cum tenentibus tenandrijs liberetenentium seruitiis aduocationibus donationibus ecclesiarum beneficiorum et capellaniarum omnium et singularum terrarum et baroniarum prescriptarum Cum molendinis multuris siluis piscariis castris turribus fortiliis maneriebus earundem unacum omnibus annuis redditibus terris templariis decimis locis possessionibus et aliis terris quibuscunque tam non nominatis quam nominatis infra regnum nostrum existentibus Cum omnibus priuilegiis immunitatibus preeminentiis dignitatibus officijs regalitatibus IN libera capella et cancellaria infra omnes bondas predictarum terrarum per dictum Jacobum et eius predecessores preceptores de Torphechin possessorum Ac cum omnibus alijs priuilegiis et exemptionibus particulariter superius specificatis memorato Jacobo heredibus suis et assignatis de nobis et successoribus nostris in feodo et hereditate ac libera baronia imperpetuum Per omnes rectas metas suas antiquas et diuisas prout dicte terre jacent in longitudine et latitudine bossis planis moris marresiis viis semitis aquis stagnis riuulis pratis pascuis et pasturis aucupationibus venationibus piscationibus petariis turbariis carbonariis lignis lapicidiis lapide et calce fabrilibus brasinis brueriis et genestis cum curiis et earum exitibus herezeldis bludewis escheatis et amerchiamentis predictarum curiarum cum furca fossa sok sak thole theme infangtheif outfangtheif pitt et gallows Cum communi pastura libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus asiamentis ac justis suis pertinentibus quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram procul et prope ad dictas terras et baronias ac alia superscripta cum pertinentibus spectantes seu iuste spectare valentes quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliqua reuocatione aut contradictione quacunque. SOLUENDO inde annuatim dictus Jacobus heredes sui et assignati nobis et successoribus nostris pro predictis terris baroniis priuilegiis et regalitatibus suprascriptis summam quingen-

tarum marcarum monete nostri regni ad duos anni terminos Penthecostes et Sancti Martini in hieme per equales portiones nomine feudifirme tantum absque ulla duplicatione feudifirme in introitu hæredum successorum seu assignatorum dicti Jacobi et pro prefatis decimis tenendo et sustentando infra ecclesias dicte preceptorie perprius spectantes habiles et idoneos ministros prout ordo pro presenti seu postea communiter infra regnum nostrum erit magis usitatus Nec non pro causis antedictis et pro pecuniarum summis nobis per dictum Jacobum pro confectione presentis infeofamenti expositis et persolutis in verbo principis et fideli promissione obligamus nos et successores nostros dicto Jacobo heredibus suis et assignatis quod quandocunque etatem viginti quinque annorum completorum attigerimus ratificare et approbare presens infeofamentum in omnibus suis punctis in plano nostro parlamento pro perpetua corroboracione earundem. In cuius rei testimonium sigillum nostrum huic presenti cartenostre magnum apponi precepimus, Testibus Reuerendissimo patre in Christo, Johanne Archiepiscopo Sancti andree¹ &c., dilectis nostris consanguineis Jacobo comite de mortoun domino dalkeith cancellario nostro,² Willelmo comite mariscalli domino de keith,³ dilectis nostris familiaribus ac conciliaris richardo maitland de lethingtoun⁴ equite aurato

¹ John Hamilton, natural son of James first Earl of Arran, was Abbot of Paisley in 1525. He became afterwards Bishop of Dunkeld, which See he retained until his elevation to the Primacy, which had become vacant by the murder of Cardinal Bethune. He published a catechism in the vernacular tongue, at St Andrews 1552, (4to.), a work well known to bibliographers for its rarity. Being a zealous adherent of Queen Mary, the Primate was declared a traitor by the Earl of Moray, and having been captured in Dumbarton Castle, was, with that humane policy that characterized the actings of the dominant party, hanged in the town of Stirling, on the 1st of April 1570.

² James Douglas, the well known Regent, who lost his head for being a party to the murder of Darnley.

³ William, fourth Earl Marischal. He died 7th October 1581. In the charter he is styled Lord "Dalkeith," but this is an evident mistake for De Keith.

⁴ Sir Richard Maitland of Lethington was one of the most distinguished persons of the time of Queen Mary, whether considered as a politician—a senator—or a poet. To Richard Bannatyne, an Edinburgh writer, and to Sir Richard, we owe the preservation of the great body of early Scottish poetry, and they have in consequence given their respective names to the two Book Clubs of Edinburgh and Glasgow. Sir Richard's Poems

nostri secreti sigilli custode, magistro Jacobo m^cgill de ranke-
lour nether,¹ nostrorum rotulorum registri ac concilij clerico,
et Johanne bellenden de Auchnoule² milite nostre justiciarie
clerico. Apud Edinburgh vicesimo quarto die mensis Januarii
Anno Domini millesimo quingentesimo sexagesimo tertio et
regni nostri vicesimo secundo.³

were privately printed for the Maitland Club, under the editorial care of the late Joseph Bain, Esq. 4to. 1830. His History of the House of Seytoun has been also printed for the use of both Clubs, as well as in a separate form, by C. K. Sharpe, Esq. Sir Richard died on the 20th March 1586, in the ninetieth year of his age. His widow, who had been his attached and faithful companion for sixty years of his eventful life, is said to have died on the day of his funeral. She was a daughter of Thomas Cranston of Crosby. Of this marriage the Earls of Lauderdale are descended.

¹ Mr James Macgill was Clerk-Register in 1554, but was turned out for being concerned in Rizzio's murder in 1565. He was restored in December 1567, and continued in the office till 1577.

² Sir John Bellenden, Lord Justice Clerk in the reigns of Queen Mary and King James VI.

³ This Charter contains no creation of a peerage. It unites the entire Temple and Hospital possessions to the barony of Torphichen, under which general name the whole estates were thereafter to be comprehended. As appertaining to this barony the Crown grants all privileges, immunities, pre-eminences, dignities, offices, and regalities possessed by Sir James Sandilands and his predecessors, Preceptors of Torphichen; but there is no gift of the status of a Lord of Parliament separate from the baronial right; on the contrary, the *dignities*, &c. are incidental to the barony.

It cannot be doubted that this territorial charter created a peerage in the person of Sir James Sandilands, for not only was he recognized as Lord Torphichen, and sat as such in Parliament, but what is more decisive, having no issue, his grand-nephew became his successor, and upon taking up the territorial barony of Torphichen by service, at the same time took up the title. Beyond the charter 1563, the second Baron had no earthly right to a peerage, for it will not do in this instance to *imagine* a patent of creation, separate from the feudal grant, as has sometimes been so conveniently assumed by the House of Peers in modern times, because there is direct evidence that Queen Mary's Charter *did* constitute the sole right to the peerage of Torphichen.

In consequence of the disputes between the Scottish Peers as to precedence, both before and after the ascension of James VI. to the English diadem, his Majesty issued a commission under the Great Seal to "ascertain the number of Peers and Privy-Councillors, for the purpose of adjusting these differences, and to pronounce a "decreet of ranking." There had been, in 1600, a Commission to the said Council for the same purpose, under which, however, nothing had been done.

Under the second Commission the Peers produced the necessary evidence as to their respective titles, and amongst other Noblemen, Lord Torphichen "compeired" and "produced a charter made and given be Mary Queen of Scots, whereby the Barronie of Torphichen is erected in

[*In dorso*]

Curia Justiciarie Serenissimi Domini Nostri Regis
Tenta et inchoata in pretorio ciuitatis glasguensis,
penultimo die mensis merchii anno Domini millesimo
quingentesimo sexagesimo octavo, Per nobilem et
potentem dominum Archibaldum Comitem ergadie,
dominum campbell et lorne, Justiciarium generalem
dicti Serenissimi Domini Nostri Regis Totius regni
sui ubilibet constitutum Sectis vocatis, Curia
affirmata.

Visa et admissa per dictum Justiciarium
generalem

JOANNES BELLENDEN
clericus iusticiarie.

a free barrony, but all priuiledges and dignities of his predecessors Lords of Torphichen ; according to quhilk election he produced sundry precepts of Parliament directed to his predecessors as Lords Torphichen, whereby they had vote in Parliament : quhilk charter was granted Anno Domini 1563." ¹ This is the charter now printed.

A decret of ranking was pronounced, which establishes that Lord Torphichen appeared by Mr Robert Learmonth as his procurator, and that the writings respectively founded on by the Peers, were at " diverse tymes, and at diverse dyets, verie diligentlie and exactlie sighted, tryed, examinat, and considerit." Accordingly Lord Torphichen is placed after Lord Boyd, and before Lord Paisley.

Not the least remarkable circumstance connected with this Peerage is, that the second Lord from time to time alienated almost the whole of the component parts of the newly erected barony, and retained only Torphichen, yet this was held not to affect the Peerage which remained in his person, and has since been enjoyed without objection or cavil by his descendants.

¹ Miscellany of the Maitland Club, Part II. P. 388.

² Printed in the Maitland Miscellany, Part II. p. 301, from the original found in the Dennistoun Charter Chest.

LETTER
FROM
SIR ROBERT ANSTRUTHER
TO
LORD CHANCELLOR HAY,
RELATIVE TO THE
RANSOM OF ANGUS MORRAYE,
DETAINED AS A SLAVE IN BARBARY.



THIS Letter ought to have been inserted in the First Volume of the Miscellany, after the Epistle from Harison to James VI. relative to the liberation of Christian captives in Barbary, but having been mislaid at the time, a place is now given to it in this Volume. It has no date, but as it is addressed to Lord Chancellor Hay, who was raised in 1622 to that high office, on the death of Lord Dunfermline, and who was created Viscount Dupplin in 1627,¹ it must have been written between these years.

It is a curious document, both as shewing the general opinion of the power of the Grand Turk at the time, which seems to have been so great as to render a demand by the British Parliament for liberation of a countryman dangerous, and as indicating the way in which the rescue of such unfortunate persons was effected by procuring a royal warrant, or a warrant from the Privy-Council, to collect money for his ransom.

Robert Anstruther, by whom the letter in question was written, was the second son of Sir James Anstruther of that Ilk, by Jean, daughter of Thomas Scott² of Abbotshall, Lord-Justice-Clerk in the reign of James V. Sir James was Heritable Carver to James VI., an office he obtained in 1585. He died in 1606, and was succeeded in his estates by his son Sir William, who was created a Knight of the Bath at the Coronation of James VI. as King of England in 1603. He held the appointment of Gentleman-Usher of the Privy-Chamber in the reign of Charles I., with whom he was a great favourite, and to whom he was much attached. Although married, he had no family, and died, according to Douglas, in 1649.

His only brother Robert, the writer of the ensuing letter, was greatly esteemed both by James and Charles. By the former he was sent, in 1620, as Ambassador Extraordinary to Christian IV. King of Denmark. By the latter monarch he was frequently employed in diplomatic affairs. In 1627 he went as Ambassador to the Emperor and States of Germany. He was also appointed, jointly by Charles I. and his brother-in-law Frederick, Elector Palatine and titular King of Bohemia, as their Plenipotentiary to the Diet of Ratisbon. In 1630 he was again sent to attend the meeting of the Princes of Germany at Hailburn.

¹ 4th May.

² He is said to have sprung from the Scots of Balwearie, a family with which the late Earl of Hildon apparently was desirous of connecting himself.

He married Katharine Swift, daughter of Sir Edward Swift, of the county of York, Knight, with whom he got the estate of Weetly in Yorkshire, and by her had two sons, the eldest of whom leaving no sons,¹ the male representation vested in his brother Philip, who, upon the demise of his uncle William, inherited the family estates in Scotland. He is the direct ancestor of the present Sir Wyndham Anstruther, Bart.

Sir Robert was the translator of the "Oration, or Substance of that which was delivered before his Maestie of Great Britaine, by the Emperour's Ambassador, the high and excellent Lord Count Schwartzberg, at his day of audience, being the seventh of Aprill, in the Parliament Chamber." On the title of this rare tract, printed at London for Thomas Archer, 18th April 1622, it is declared, that "this is the true copie of the Ambassadour's Speech, delivered by him in High Dutch, and repeated in English by Sir Robert Anstruther, Knight, Gentleman of his Maestie's Privie Chamber."

¹ He left by his wife Anne, daughter of Sir John Corbet of Stoke, in Shropshire, a daughter who succeeded to the English estate.

LETTER

FROM

SIR ROBERT ANSTRUTHER

TO

LORD CHANCELLOR HAY.

RIGHT HONORABILL AND MY WERIE GOOD LORD,



HIS bearer Angus Morraye haith bien with the Magistrats of this towne, and haith obtained a cartificat of them in the behalfe of his sone, that was taiken prisonner by the Tureks pirats out of a schip of this towne, that doe assure me that his sone is detained and kept prisoner in Barbarie. This poore man is weel known vnto Coronell Makaye,¹ whoe haith alsso recommended him and his cause vnto me, and with me is a humbill suiter vnto your Lordschip, that your Lordschip would be plaised to taik

¹ Sir Donald Mackay, Knight. He obtained permission from Charles I. to raise a regiment to assist Ernest Count Mansfeldt, the General of the Bohemian army. He levied upwards of 3000 men, the greater part of whom he embarked at Cromarty in October 1626, but being sick at the time, he did not leave this country till the beginning of the ensuing year—a circumstance tending to fix 1627 as the year when Sir Robert's letter was written. Amongst the soldiers under his command was Robert Abrach M'Gregor, who, with other prisoners in the Tolbooth of Edinburgh, was delivered to Sir Donald by an order of the Privy-Council, 22d August 1626. Mansfeldt being dead when Mackay arrived, he took service under Christian IV. King of Denmark, and an account of his services will be found in Monro's Account of the Expedition. Sir Donald returned to England for reinforcements in January 1628, and on the 19th February following, was created a Scottish Peer by the style and title of Lord Reay, with remainder to his heirs-male for ever, bearing the name and arms of Mackay.

into your consideration his miserabill estaite, and out of your accoustumat fauore and goodnes to pitie his estaite, whoe haith no other hoope of reliefe for his sone out of that slaerie, but out of the charite of good Christians that have a fellowefeeling of his misere; and therefore bien thus destituet of all other helpe, he onlie expects that grace and fauore from your Lordschip and the Lords, that he might be permitet and countenanced by the Kings or Counsellis warrant to present this his miserabill estaite vnto such plaices and in such countres as shall seeme moist for the poore man's confort, and maye stand with your Lordschips good lykinge; for which fauor he and his will euer reest bound to praye to God to give vnto your Lordschip and yours increase of all hailth and happines. Thus crauinge pardon for my too much presumption, comitinge your Lordschip to the protection of the Almightye, I reest,

Your Lordship's

humbill seruand

at command,

ROBERT ANSTRUTHER.

By Mr Robert Parker, your Lordschip shall heere, God willinge, at lairge of all our good estaite heere, which I pray God he send increse dailie. The kinge and his sonne are, God be thanked, in good order, onlie deest.¹

Hamburg, 3 Maij.

To the right honorabill and my werie good Lord,
Sir George Haye knight, Lord Chanchlor of Scotland, and of his Maiestes most honorabill Priuie Counsell of both the kingdomes.

¹ Sic in MS.

TRIAL

OF

ISOBEL YOUNG FOR WITCHCRAFT,

FEBRUARY 4, 1629.



THE ensuing remarkable trial for witchcraft is abridged by Lord Pitmedden from the original Records in the Justiciary Office, usually termed the Books of Adjournal. His Lordship's MS. Abridgement is in the Library of the Faculty of Advocates, and as it contains his own notes and observations, it is on that account justly held in great estimation.¹

In no country, probably, was a belief in witchcraft more generally entertained than in Scotland, and from the earliest times which our Records reach, down to a very recent period, his Satanic Majesty, and his retinue of witches and warlocks, were usually understood to have a very decided partiality for the barren heaths and lofty hills of the North.

To those who take an interest in the popular superstitions of the earlier times, the trial of Isobel Young, and those that follow afterwards, will not be unacceptable. Finnie's trial is given as abridged by Lord Pitmedden, but the remainder consists merely of notes of cases, and there is really so much repetition and sameness in prosecutions for this offence, that any thing like a lengthened report would be irksome.

It is strange—but not on that account the less true—that in some portions of the kingdom there does still exist a belief in the existence of witchcraft. Indeed, it is not very long since some people were tried in England for subjecting a fancied witch to the ordeal of the water trial, and the following extract from the Hull Advertiser is pretty tolerable evidence that the good folks of Yorkshire, who usually get the credit of being wiser than their neighbours, do not always merit that character.

“ A WITCH.—At Sculcoates Hall, on Tuesday week, Charles Ashton was charged with assaulting Ellena Winslow. The complainant, a very old woman, stated that Ashton sent for her to a public-house, to have a sixpenny-worth with him. He took hold of her hand, and with a sharp instrument cut her arm, saying—“ There, you old witch, you can't bewitch me any more; I have drawn your blood.” She replied she had not bewitched him, it was his own bad conduct. She had lived near him four or five years, and never had an ill word.—Ashton, who seemed to have a great dread of the old lady, admitted having cut her arm. She had said she could *lig* a curse upon *any* man, and he did it with a pin. He had been above four years under the doctor's hands for a

¹ In Pitcairn's Criminal Trials are various cases of sorcery and witchcraft; but these are so much obscured by a rigid adherence to antiquated phraseology, and by preserving the whole form of procedure, as given in the record, that few persons are at the trouble of looking into them.

complaint that was laid upon him, and he did not know what for. [laughter].—Magistrate: You stupid fellow, do you mean to say you believe this old woman can lay a complaint upon you?—Ashton: She has told people so; I can bring a man who heard her say so.—Magistrate: If you can prove that this woman has followed the line of profession termed witchcraft we can punish her; but to say that she has affected you is most absurd.—Ashton: It may seem very queer to you, but it is true. I was under Dr Alderson, Dr Turnbull, and Mr Hardy, and they could none of them find out what it was.—The Magistrate ordered the bewitched to retire, and see if he could not satisfy the “weired sister” for the hurt he had caused her, and she succeeded in laying so potent a spell upon him as to extract 5s. from his canvass purse.”—Aug. 4, 1830.

There is a very remarkable reference in the following trial to the Lee Penny—an amulet presently in possession of the representative of the Lockharts, and which was received by an ancestor as part ransom of a Saracen Prince. It is represented as a stone of a dark red colour, set in a shilling of Edward I., and to have been in the Family of Lockhart of Lee since 1320. It is reputed to cure all diseases in cattle, and the bite of a mad dog both in man and beast. It is dipped in water, which is applied both internally and externally.

TRIAL

OF

ISOBEL YOUNG.



ISOBEL YOUNG, spouse to George Smith, Portioner of Eastbarns, indyted for Witchcraft and Sorcerie. There are many articles contained in her Dittay, such as her having conceived malice against George Sandie in Brands Mill about the year 1600 (no later than 29 years before), and that she had by devilish enchantment stopped his milne for many days—had by the like arts occasioned his going back in the world, and that nothing prospered with him; particularly his fishing boat which he used at the herring drave, took no fish, tho' all the other boats did. Item, that she crosst the water betwixt the said milne and her own house; tho' the water was so high that it was not passable, which she did by the assistance of the Devil.

Mr Laurence Mackill¹ and Mr David Primrose² appeared

¹ Second son of David Macgill, Lord Advocate, and uncle of Sir James Macgill, created Viscount of Oxenford, and Lord Macgill of Cousland, 19th April 1651. Laurence married, 21st January 1598, Jean Crichton, by whom he had several children.

² Eldest son of Archibald Primrose, who acquired the small estate of Burnbrae in the county of Perth, a person of humble origin, and designed in a charter, 15th January 1611, as "*clericus mineralium*." According to Wood, Archibald was "a young gentleman of no small abilities," who was employed by the Abbot of Culross in managing the revenues of the Abbey—a very elevated employment truly, "and requiring" no small "ability." David, his son and heir, was an Advocate. He married 5th June 1608, Marion Purdie, by whom he had a large family. His descendants both in the male and female line still exist, and the estate of Burnbrae, which was entailed, continued with them till recently; when, by an Act of Parliament, it was sold to Viscount Keith's Trustees, and the price was ordered to be invested in the purchase of lands to be entailed on the same series of heirs. The cause of this sale was, that though a very small property, Burnbrae was in the heart of the Tulliallan estate, and only a short distance from the mansion-house. It thus became a matter of great

as prolocutors for the pannall, and argued that the facts lybelled, tho' true, did not inferr the crime of witchcraft, and might be ascribed to common natural causes.

The reply made to it by Sr Thomas Hope, Advocate, was that such points of Dittay were always sustained relevant by the practice of the Court, as was done lately in the case of Margaret Wallace, no more being requisite for inferring the relevancie of the Dittay, but *precedentes minæ*, and *damnum secutum*.

Duplied, that *minæ* or *malum minatum* and *malum secutum* are not relevant, unless the means by which they are perpetrated were condescended on, for without such *modus* be condescended on, there is no connection betwixt the *termini a quo et ad quem*.

The second point of Dittay is, that she threatned Thomas Kerse that he came along with a messenger, who gave the pannall a charge of horning; that thereafter the said Kerse, by her devilish sorcerie, lost the power of his leg and one arm.

Answered—She never knew him: 2dly, Offered to be proven he was lame before the threatning lybelled was said to be uttered: 3dly, No particular mischeif lybelled to have been uttered, nor by what kind of sorcerie brought about.

All the reply made is, that the answer ought to be repellit, in respect of the Dittay.

Nota.—Strange argument.

The lybell consists of many articles, such as, That she entertained several witches in her house, one of whom went out at a hole in the roof of the house, in likeness of a catt, and then re-assumed her awn shape.

Item, That she took a disease off her husband, and having laid the said disease under her barn floor, laid it afterwards on her brother's son, who comeing into the barn, saw the firlot hop up and down amongst the stuff. He ran upon the pannell with a sword to kill her for bewitching him, and struck the lintle of the door in following, the mark whereof is to be seen yet, and that he died thereof.

importance for his Lordship's Trustees to buy it, and they effected this object in the above manner, paying, it is understood, thrice the real value. David Primrose died in 1661. The Burnbrae Primroses are the elder branch of the Noble Family of Rosebery.

Answered—This is a ridiculous idle fable, of laying diseases under a door, taken probable from the like out of Ariosto. Besides, it is offered to be proven, there intervened two years betwixt her husband's sickness and her nephews. As to the dancing of the firloft, its certain that it was a distemperature in the subject; i. e. in the person's brain that saw it—for he was mad. As to the mark on the lyntill, denies any such mark. As to his death, offers to prove he was cured by John Purves, surgeon, lived eleven years after, and had children.

The same learned reply is made to this as was made to the preceeding. Strange!

Item, She is charged with several malefices by laying on sickness on sundrie persons. *Item*, Of having been in company with other two witches lately burnt of that crime on the Dounehill of Spott, and there consulting with the devil about the death of George Clerksone, as was confest by the said witches at their tryal.

Answered—Their depositions or declarations could not hurt third parties, more especially they being infamous by being guilty of the devilish cryme acknowledged by themselves.

Replied—*In criminibus atrocibus*, as this is the depositions of persons infamous *infamia juris*, are received as violent presumptions *ad torturam vel questionem*, and has been constantly sustained in this Court as is established by a Statute of Session anno 1591, and was practised in Eupheme Maccalzean's case the same year 1591.

Another article charges her with using a charm to preserve herself and catle, viz. burying a white ox and a catt alive with salt thrown in with them.

Answered—The fact was, that her two sons finding their cattle were seized with the rotting ill, resolved to go to the Laird of Lee for the loan of his curing stane, but were advysed by one of their servants to use the charm mentioned in the Dittay, viz. to bury one of the sick oxen alive, and make the rest pass over it, which they did, but to no purpose, and thereafter went to Lee, who refused to lend them his stone, but gave them some water in which the stone had been dipt, which they gave to their cattle to drink, and they fancied their cattle were thereby cured; but they were

obliged to make public repentance in the Kirk of Dunbar for using such unlawful charms : but the pannall was no-ways guiltie, or so much as ever suspected of being therein concerned.

The 24th and last Article, charges her with being upwards of 28 years a notorious witch, and consulter with the devil, whose mark she had received under her left pape, and that she renounced her baptism.

Answered—The whole of this, as well as the preceeding Articles, are groundless facts, and malicious. As to the mark under the pape, the same is no other then the scar of a beel or ulcer, verie comon for child bearing women to have. As to renouncing her baptism, no person condescended on who should have been witness to it.

The general Answer is likewise repeated to this, viz. ought to be repelled in respect of the Dittay, and as to the truth thereof, the same ought to be remitt to the knowledge of the assyse.

The Justice continues the pronouncing Interlocutor, and the assysors ordained to attend, each under the pain of 500 merks, which is more than now usually done, the penalty being 200 merks.

The Interloquitor is, finds the witchcraft laid on Brands Miln, and also anent the pannal's transportation over the water be devilish means relevant, together with bewitching of the dovecoat mentioned in the 18 art. all taine and tryit conjunction. And also, finds that branch of the Dittay relevant anent the herring fishing pertaining to George Sandie, taking the same frae him be sorcerie and witchcraft. And also finds the 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 15 poynts of Dittay ilk ane of them relevant *per se*. And als finds the 14 art. being conjoined with the 18 art. relevant ; and finds the 17, 18, 19, 20, 21, 22, 23, and 24 art. ilk ane of them relevant *per se*, and the pannal and articles of Dittay are found relevant to pass to the knowledge of ane assyse.

There is a proof adduced upon the several points found relevant. The first is proven only by the oath of George Sandie, to whom the injurie of stopping his miln is lybelled to have been done, who depones the facts therein contained to be of veritie. *Nota*, the other points are proven by the like witnesses, viz. these on whom the injuries, &c. are

lybelled to have been committed, but they do not so much as mention what means or ways were used by the pannell in committing these acts by devilish arts or sorceries.

The article of being with the devil on the Doune-hill of Spott is proven by the depositions of Margt. Melross and Janet Achison emitted before the Presbitery and Commissioners, before whom they were tryed and convict of witchcraft.

Objected against this proof last mentioned, that it is not relevant, not being a judicial act, but only a collection of points of Dittay produced to the Council in order to procure a Commission to try these two women, and extracted by Mr Patrick Hamilton, minister, who now compears as a prosecutor of this pannal ; besides, it is a rule in Law *quod testibus non testimoniis credendum*, nor especially *testimonio injurato*, as these are.

Answered by Advocate—That this deposition extracted from the books of the Presbitrie is judicial, albeit not *judicium civile*, and sua must make faith ; besides the deposition emitted by them before the Justice's Commissionat be the Council is judicial, and was taken upon oath.

Another article was proven by the deposition of one witness, emitted before the Presbitrie of Dunce, and signed be the Ministers.

Severals depone as to her being bruted and repute a witch for upwards of forty years past.

The pannal's lawyers objected against receiving any depositions adduced in Melross or Achison's tryal, nor any other evidence not ledd in face in Court.

The assyse found her guilty, culpable, and convict of most of the points of Dittay, particularlie of being in company with the two witches Melross or Achison, and their meeting with the devil at the Doune-hill of Spott, at a place called the Maiden's loup ; and of her keeping companie with the witch who was seen come out of the roof of her house in the likeness of a catt, and thereafter re-assuming her own shape. *Item*, of her being a comon witch and sorcerer for fortie years bygone.

She was sentenced to be woryt at a staik,¹ and thereafter burnt to ashes in the Castle-hill.

¹ This was the ordinary punishment. Cruelty and superstition seem to

have gone hand in hand from the beginning of the world. The following case of an execution for witchcraft in uncivilized South Africa, taken from a newspaper (Dec. 1843), horrible as it is, is hardly more blamable than the judicial murders for the same imaginary offence in civilized Europe two centuries before:—

“ It appears that Macomo’s son, Kono, was sick ; the usual course was pursued in such cases, and a witch doctor was consulted to ascertain the individual from whose evil influence he was suffering ; and as is also usual under such circumstances, a man of property, and by reputation a courageous man of Macomo’s tribe, was selected and condemned to forfeit his life for his alleged crime—unheard, and without the slightest opportunity being afforded him of asserting, still less proving his innocence ; it was sufficient that the doctor had said he was guilty—he must die ! Accordingly, to prevent his being made acquainted by his friends of his awful situation, a party of men left Macomo’s kraal early in the morning to secure the recovery of the sick young chief, by murdering one of his father’s subjects. The day selected for the immolation appears to have been a sort of gala day with the unconscious victim ; he was in his kraal, had just accomplished the slaughter of one of his cattle, and was merrily contemplating the convivial duties of the day before him, over which he thought himself about to preside ; the arrival, therefore, of a party of men from the ‘ great place ’ gave no other concern than what part of the slaughtered animal he should give them. He looked upon them as his guests ; but, alas ! he was too soon undeceived ! The party seized him in his kraal, whither he had gone of course unarmed ; when he found he was secured, and felt the reim about his neck, he calmly said—‘ It is my misfortune to be caught unarmed, or it should not be so.’ He was then ordered to produce the matter with which he had bewitched his chief’s son ; he replied—‘ I have no bewitching matter that I know of, other than the body you have seized—I have twice smelt out before—no bewitching matter has been found, and I am not conscious of having secreted any—any person alone can possess the evil influence, therefore destroy it, but do it quickly, if my chief has already consented to death.’ His executioners expressed their determination to torture him until he produced it. He replied—‘ Save yourselves the trouble, for torture me as you will, I can never produce what I do not possess.’ He was then held to the ground and several men now pierced his body all over with Kafir needles two or three inches deep. The victim bore this with extraordinary resolution ; his tormentors tired, complained of the pain it gave their hands, and of the needles or skewers bending. By this time a large fire was kindled, into which large square stones were placed to heat. The sufferer was then ordered to stand up. He complied. They pointed out to him the fire, telling him it was for his torture, unless he produced the bewitching matter. He replied—‘ I told you the truth when I said—Save yourselves such trouble, it is my misfortune, not my crime. As regards the hot stones, I can bear them, for I am innocent. I feel no more apprehension than I should at sitting comfortably in my house—(here he described a particular position Kafirs are fond of sitting in). I would beseech you to strangle me at once, but that you will say I shrink at what you are about to do to me. If, however, your object is merely that of extorting confession from me, save yourselves the trouble and kill me outright, for your hot stones do not scare me.’ Here his wife,

who had also been seized, was stripped perfectly naked, and most cruelly beaten and otherwise ill-treated. The victim was then led to the fire, where he was laid on his back, with his feet and arms tied to pegs driven into the ground for the purpose ; the stones being by this time as hot as they could be made, were taken out of the fire and placed upon his groin, stomach, and chest ; these were supported by others on each side of him also heated, and pressed against his body. It is impossible to describe the awful effect of this process—we must leave the scorching and broiling of the body—the fumes of smoke and occasional flashes of flame arising therefrom, to the imagination of our readers—the very stones, as if refusing to be made further instruments of such cruelty, slipped off the body in consequence of the unctuous matter they drew from it, and were kept on by being pressed down with sticks by the fiendish executioners. With all this, the sufferer still remained sensible ; he was asked whether he wished to be released to discover his hidden charm, he replied, ‘ Release me.’ They did so, fully expecting they had vanquished his resolution. To the amazement of all he stood up ; but what a sight ! a human being broiled alive, his flesh hanging in large pieces from his body, like the seared hide of an ox. He composedly asked his tormentors, ‘ what do you wish me to do now !’ They repeated their original demand. He resolutely adhered to his declaration of innocence, and begged of them now that they appeared tired of their labour, to shorten it, and put him out of his misery. The noose of the rein round his neck, which had been hitherto secured from slipping by a knot, was released ; and while the heroic sufferer was still standing, it was violently jerked by several men, until he fell, when he was dragged about the ground until they were satisfied, and finally placed their feet on the back of his neck, they drew the noose so tight as to complete the strangulation—then, as if not yet satisfied that so brave a man had ceased to be, he was taken to his own house, tied to one of the supporting poles of it, the house set on fire, and the body burnt to ashes ! Thus died a man whose extraordinary fortitude and endurance deserved a better fate. His sufferings commenced about ten A. M. and terminated with his existence a little before sunset.”

Several unfortunate persons were worried “ at ane staik and brunt in ashes,” in the remote regions of Orkney from 1624 to 1643. One unfortunate wretch, Katharine Craigie, who had been absolved on one indictment on the 16th June 1640, was again brought to trial three years afterwards, convicted, and suffered the ordinary punishment. The principal charge against her was curing sick people by certain charms. One Thomas Corse was cured in this way. She took three stones and placed them in water ; she next washed her patient, who was then in a state of insensibility. The first washing producing little effect, the three stones were again immersed, and upon a third experiment, Corse recovered. Another time, Thomas Irving being brought to Janet Sclater, a neighbour’s house, insensible, unlucky Katharine declared that it was the “ sea trow or spirit that was lying upon him.” The three stones were then brought, and laid on three corners of the house from morning till evening ; they were then put behind the door all night, and by times in the morning they

took them up and put them in a vessel of water, and whilst there Janet heard them "churm and chirle." All this was repeated three days. On the third time of application Thomas recovered a little, and when night came, Katherine ordered him to rise and follow her to the sea shore, during which time, and till his return, he was not to speak. He observed her orders, and when they arrived at the shore, she took "three loofull¹ of water" and threw them over his head. This important ceremony being over, he returned to the place from whence he came, before any of the inmates were out of bed, and thereafter gradually recovered from his illness. The second charge against her, was having uttered some threatening words against Henry Jonstoun and Essen Corse, whereupon the one died the year afterwards, and the other was drowned.

In the years 1669 and 1670 the Kingdom of Sweden was infected with the witchcraft mania, and a great number of persons were burnt on the occasion. The Rev. Anthony Horneck, D. D., in 1682 translated an account of this matter from the High Dutch, to which he has prefixed a preface of some interest. From this it would appear that the King of Sweden was not quite satisfied on the subject of the guilt of the parties who had suffered; for the Duke of Holstein having sent expressly to know the truth, his Majesty answered—"That his Judges and Commissioners had caused divers men, women, and children to be burnt and executed upon such pregnant evidence as were brought before them; but whether the actions they confessed, and which were brought against them, were real, or only effects of a strong imagination, he was not as yet able to determine."

¹ Handfulls.

TRIAL
OF
AGNES FINNIE FOR WITCHCRAFT.
18TH DECEMBER 1664.



TRIAL

OF

AGNES FINNIE,¹

DEC. 18, 1644.



AGNES FINNIE, indweller in the Poteraw of Edinburgh, indyted for witchcraft.

The indytement consists of 20 articles.

1^o. That for many years she was in use by sorcerie to lay on and take off grievous diseases and sickness of people, particularly about 11 years bygane, having conceived a devilish malice against William Fairlie, a youth about 19, son to Fairlie of Braide, for nick-naming her Annie Winnie; she threatned he should go halting hame, and coming by her house he was the next day seized with a disease that took away the power of his left side, which continued for a year, so that the substance of his body came out at his cute, and of which he dyed, putting his death on her.

2^{do}. That having threatned Beatrix Nisbet for not paying her an annual rent of two dollars due by Hector Nisbett her father, that she should dearly buy it, the said Beatrix was seized with a palsie in her tongue, and lost the power of her right side, which disease was occasioned by her sorceries.

3^{tho}. About 12 years before, Janet Grintoune having bought two herrings from her, which finding not fresh she refused to take, she thereupon in great rage said to her, "gathy ways home, thou shalt never eat more meat," whereupon

¹ This case is one of the very few in which no charge of direct communication with the devil has been made,—the accusatory articles merely inferring a faculty or power to bewitch, &c. which was exercised upon such parties as had the misfortune to give offence to this vindictive old lady.

by her sorcerie she was that night seized with a heavy sickness, under which she continued a fortnight, and then dyed, putting her death on her.

4^o. About three years before, John Buchannan, a young man being sick of a palsie, she came to see him, and desired his parents to go to another room and pray to God for him, she staying by the young man, and at their return they found him much worse, so that he could neither stirr hand nor foot, and his parents having turned him over, found about the breadth of ane hand as if a collop had been taken out of his buttock, after which he dyed in eight days, occasioned by her sorcerie,

5^o. That about nine weeks before upon some quarrel betwixt her and Bessie Currie, she in great rage threatned that she should gar the Devil take a bite of her.

6^o.—That by her sorcerie she had laid a heavie sweating on John Buchannan, husband to the above-named Bessie, for threatning to throw her over the staire, and to have her burnt for a witch. Upon which she said she would make him repent his speeches, and he coming to the said Agnes, threatned, if he continued another night in that condition, all the toune should hear of it. Whereupon he was relieved of his illness.

7^o.—That upon some angry words spoken to her about Lamass last by the said John Buchannan, she said to him, that as he had begun with witches, so he should end with them, whereupon, by her sorcerie, he was again seized with violent sweatings, which continued seven or eight weeks.

8^o.—That in August 1643, Eupheme Kincaide owing her some money, and some words passing betwixt them, Eupheme called her a witch; to which she replied, "If I am one, you or yours shall have better cause to call me so," whereupon, within two days, Janet Fairlie, Eupheme's daughter, playing in the Horse Wynd, a jeast fell upon her leg, and crusht it in peices, occasioned by her sorcerie, and she being told of it, laughed heartilie.

9^o.—That in June preceeding, having some difference with Christian Dickson, she, in a great rage, uttered these words—"The devil ryde about the town with you and all yours;" and that shortlie thereafter the said Christian's

daughter, in her return from Dalkeith, fell and broke her leg, which was occasioned by her devilish sorceries and threats.

10^{mo}.—That about sixteen years bygone, her son-in-law being conveyed before the Deacon and brethren Cordiners (of which Corporation he was) for some faults, she came to Robert Watt the Deacon's house, and scolded them; whereupon the Deacon broke a cup he had in his hand over her head, who thereafter, by her sorceries and witchcraft, fell into povertie; and meeting him several years thereafter, she askt him if he remembered the breaking the cup over her head, adding that he had never thriven since, nor should do till she got amends of him, and she thereafter being reconciled with him, he grew better in his circumstances.

11^{mo}. That Catharine Harlaw was bewitched by her with severe sweatings, for sending back a plack's worth of salt, as not pennie-worth enough, whereupon she threatned it should be dear salt, and within forty-three hours she was seized with the said distemper, but upon their being reconciled she recovered.

12^{mo}.—That she, by her sorcerie, was the occasion of Robert Sympson's breaking his leg, in so far as, having some difference with his wife, she said that before eight days she should have a doleful heart, which accordingly fell out as said is.

13^{mo}.—That about two years bygane John Robertson, who had newly come from Holland, where he had been several years, and seeing her, said—"What now, Annie the witch, are ye living?" to which she answered, "What rack, John, what say ye?" and he was soon thereafter seized with a grievous disease under which he yet labours.

14^{mo}.—There being some discord betwixt her daughter Marg^t. Robertson and John Cockburn a weaver one night, John Cockburn, who had gone to bed, awaked, and tho' the door and windows were shutt, he saw her and her daughter sitting on his bedside rugging his breast, which put him in a fearful fright, and made him cry out, "God be in this house, I see you both well enough," and his wife and prentice awakening heard him cry this several times, which was either the Devil or they brought thither by his arts and help.

15^{mo}.—That William Smith having pawned some goods to her for some money he had borrowed, which goods were

of much greater value than the money, she, by her sorceries, to disable him from redeeming them, had occasioned his worldly goods to vanish from him and to impoverish him.

16th.—That three years before she had, by her sorceries, laid a grievous sickness, palsie, and fever on Janet Walker, which continued many weeks, which, at her sister's earnest intreatie, she took off her, so that she recovered.

17th.—That some years before, she had conceived a hatred at Alex^r. Johnstoune a neighbour, for not giving her the name of his bairn, and therefore laid a heavy sickness upon him, which continued several months, which sickness was taken off him by her sorceries.

18th.—That having a controversie with Margaret Williamson, she in a rage bad the Devil blaw her bluid, after which the said Margaret contracted a heavy sickness, and lost her left eye, occasioned by her sorceries and witchcraft.

19th.—That her daughter falling out with Andrew Wilson's wife, whom she abused, her husband called her a witch's gett; upon which her daughter bad the Devil rive the saul out of him, and that within ane hour after, he was taken with a frenzie, still crying out these words, "the Devil rive the saul out of him," which was occasioned by her sorceries.

20th.—That she confest before the Kirk-Session, that for twenty-eight years past she has been defamed for a witch.

And farther, thir twenty-aucht years bygone she was averred to have had continual society and company with the Devil, her master, by consulting with him for the laying on and taking off diverse sickness and diseases at diverse times, als well on men, women, and children as bestials, whilk is notoriously known, likeas she had confessed herself at her first examination before the South-west Kirk-Session of Edinburgh that she had been comonly called ane rank witch thir twenty-eight years bygone or thereby; and had been sua defamed, repute, and called during the space foresaid.

She was convicted in part of the charges against her, and sentenced to be burnt as guilty of witchcraft and sorceries.¹

¹ There was a learned argument upon the relevancy, but it was, as may be supposed, unsuccessful. The jury, says Pitmedden, was composed "of cordiners, talzeors, and other inhabitants of the Potterraw," where she lived. Sir George Mackenzie notices this case, and concurs in thinking, with Pitmedden, that the sentence was hard.

NOTES

OF

CASES OF WITCHCRAFT, SORCERY, &c.

1629-1662.

FROM THE BOOKS OF ADJOURNAL.



As there is so much sameness in trials for witchcraft and sorcery, it was thought better to give a short abstract of such cases as appeared worthy of notice, instead of overloading the pages with matter of forms and useless repetition. Accordingly, although the following notes may be characterized as brief, they contain every thing worthy of preservation in the different instances referred, and present a tolerably vivid picture of the miserable superstitions that trammelled the minds of judges and juries during the period to which they are referable.

The most inexplicable thing connected with these prosecutions is, the confession of guilt made in a great mass of cases by the party accused. That persons could bring themselves to a belief that they had the power of punishing those who had offended them—that they could cure as well as cause diseases—that they could raise whirlwinds, and so on—and that such powers would be believed even by those that ought to have known better, is conceivable enough. But when these parties speak to the actual presence of Satan—describe him accurately—point out their places of meeting, and make admissions of a description which can only be here alluded to, it is assuredly not so easy to offer anything like a reasonable explanation. In one particular, his Satanic Majesty seems to have had a very strange taste; the ladies whom he had delighted to honour were in almost every instance not distinguished for youth or personal beauty—indeed, the older and uglier they were the greater favourites they seem to have been. In no one instance do we find a blooming demoiselle of eighteen or twenty figuring at the bar of the High Court as a witch or sorceress. In modern times the tables have been turned, for the young ladies are the witches—not the old ones.

Probably the only solution of this puzzle is, that the parties were at the time subject to partial insanity, and that in reference to their supernatural powers, they laboured under what is now designated as monomania. But indeed, as regards popular delusions, modern times have no great cause for triumph over the times that are past, more especially when the names of Joanna Southcote and the pseudo Courtenay are mentioned. Neither can it be disputed that the grossest superstition still lurks in many “high-ways” as well as “bye-ways” of the “best and wisest nation” in the world. For example, take the following extract from the Courier of the 28th February 1834, said to be copied from the Monmouth Merliu:—“In a town in the Forest of Dean, lately occurred the following incident. The pigs of certain individuals, not of the lowest class, having committed sundry vagaries, were set down

by the owners as under the influence of witchcraft. The owners prepared a charm to discover the operator of the enchantment, and to counteract its influence. For this purpose they killed one, took out its heart, which they stuffed with pins and thorns, and then laid it on the fire under the cinders. Scarcely had the heart began to roast, when in rushed an old woman of the neighbourhood—her hair dishevelled—her cheek flushed—and her whole face streaming with perspiration—who forthwith began to enquire about the pigs, and vehemently to disclaim having touched them. This satisfactory test at once decided that the old woman was a witch; but the injured owners of the pigs were in too much awe of her powers to revenge themselves by violent means upon her. At her request she was allowed to see the enchanted pigs, when the old dame blessed and passed her own hands over them and retired, since which, it is said, the animals have recovered." Of course, the authenticity of this story cannot be taken for granted; but its truth is probable enough, for amongst the peasantry, in many parts of the country, a belief in witchcraft still exists, and the writer of this note heard not many years since a recipe for the cure of bewitched animals, pretty much of the nature of that above noticed.

NOTES

or

CASES OF WITCHCRAFT, SORCERY, &c.



NOVEMBER 3, 1629.—Katherine Oswald, spouse to Robert Achison, in Niddry, indyted for Witchcraft.

The Dittay contains—*First*, A general allegation of her being habite and repute a witch, and defamed as such by Elizabeth Steven, commonly called Toppoch, who, at her death for that crime, declared the panna as guiltie as herself, and that she was with her at the Pans, with other witches, using the devilish charms, the night of the great storm in the borrowing days, anno 1625. She was also delaitit as a witch by Alexander Hamilton, under prosecution for the said crime, who declares she was with him and other witches and warlocks between Niddrie and Edmonstoune, where they met with the devil, who had carnal dealing with her. Item, that she was a common user of devilish charms and inchantments, for taking off, and laying on diseases, both on men and beasts.

The 2d Article of Dittay is her bewitching John Nisbett's cow, so that she gave blood instead of milk. Also her threatning those who disobliged her, after which some lost their cows by running mad, and others had their kilns burnt. Also her numerous cures; particularly one of a lad who she cured of the trembling feaver, by plucking up a nettle by the root, throwing it on the hie gate, and passing on the crosse of it, and returning home, all which must be done before sun rising; to repeat this for three several mornings, which being done, he recovered.

Convicted. Worried at a stake and burnt.

JANUARY 22, 1630.—Alexander Hamilton, warlok, indyted of sorcerie. This Dittay contains the history of his becoming a warlock. He met the devil, in the likeness of a black man, upon Kingstoun Hills in East Lothian, who engaged him to become his servant, and trysted him again at Gairnetounehills, where he again met him about twelve at night riding on a black horse, where he renewed his promise of becoming his bondsman, and at same time renounced his baptism. The devil then gave him four shillings sterling, and bid him, whenever he wanted him, beat the ground thrice with a fir stick, which the pannel had then in his hand, saying—“Rise up, foul thief.” He promised that the pannel should never want. The pannel thereafter frequently called him up, and the devil appeared sometimes in the likeness of a corbie, at others of a cat or dog, and gave him responses. When the devil departed, he was in use of throwing after him a quick cat or dog, or any other beast he could get.¹ That by the devil’s assistance he hurt those that injured him, particularly Provost Cockburn, whose miln, full of corn, was burnt by the following charm, viz.—Pulling out three stalks of corn from the Provost’s stacks, and burning them on Gairnetoune Hill. He cured Thomas Home, in Clerkington, by a receipt from the devil, who, when called, appeared as a corbie, and told him to take some oyl of speek² and heart’s grease, and anoint the sick man with it.

Elizabeth Lawson, Lady Ormestoune, younger, having incurred his displeasure for refusing him an amarie, and calling him lustroune carle, he, with two witches, raised the devil in Salton Wood, who appearing like a man in gray, gave him the bottom of blue due, and bid them lay it at the ladies door, which having been done, the lady and her eldest daughter soon after died.

The devil frequently met him in company with Katherine Oswald and other witches, and once beat him very severely with a baton for not keeping an appointment.

Convicted upon his own confession, and sentenced to be worried at a stake and burnt.

JULY 23, 1632.—Alison Nisbet, in Hiltoun, indyted for

¹ As a tit bit, it is presumed. ² Oil of Spikenard.—See Mark xiv. 3.

sorceries and witchcraft. She was accused of curing a woman, by taking a pail with hott water and bathing the patient's leggs, and putting her fingers into the pan and running thrice round the woman's bed widdershins, uttering certain words in an unknown language, and also these words—"The bones to the fire, and the soul to the devill;" thereby putting her disease on another woman, who died in twenty-four hours. Besides repeatedly transferring diseases from one person to another, she is stated, in one instance, to have put enchanted water in the threshold of a house, by which a servant, whom she disliked, by passing over the threshold, was bewitched, and died instantlie. Added to which, she confessed having been guilty of adultery, by bearing a child to a married man.

Convicted. Worried and burnt.

JANUARY 11, 1633.—Sir John Colquhoun of Luss,¹ and Thomas Carlips, a German, his servant, were accused of consulting with necromancers and sorcerers, and incest, contrary to the 73d Act of Parliament, 9 Queen Mary, and Act 1, 14 Parliament, 1 James VI. Luss was married to Lady Lilius Grahame, the Earl of Montrose's eldest daughter. The Earl being dead, the Lady Luss brought home Lady Katherine, her second sister, when Luss, unmindful of all law, fell in love with the Lady Katherine, and not obtaining any return, he consulted with Carlips his man, who was a "negromancer," and with certain witches and sorcerers, how to gain his point. They gave him sundry philtres and other impoysoned and enchanted tokens of love, and especially a jewell of gold, set with rubies and diamonds. The latter seems to have removed all Lady Katherine's scruples, as she fled with Sir John from Scotland, and reached London in safety, apparently accompanied by the "negromancer," as neither one or other appeared to answer the indictment, and they were both denounced rebels, and put to the horn.

¹ This seems to have been Sir John Colquhoun, who was created a Baronet of Nova Scotia, by patent to him and his heirs-male whatsoever, dated the penult day of August 1625. He was a zealous adherent of Charles I., and was fined in 1654, by Oliver Cromwell, the large sum, for these times, of L.2000. By the Lady Lilius Grahame he had three sons and two daughters.

4TH JUNE 1634.—The Lord Advocate, and Home of Aytoun and John Ramsay of Edintoun, his informers, against Elizabeth Bathgate, spouse to Alexander Pae, maltman in Eymouth, for sorcerie.

The following charges were exhibited against her :—

1. George Sprot, webster in Eymouth, who had some cloth belonging to the pannel, keeping it longer than she expected, she came and violently took it from him, promising to do him an ill turn. She accordingly came one morning to his house when he was from home, and his wife was in bed with his bairn, and nipped the latter in the thigh till it skirled—of which nip the infant never convalesced, but dwined away and died.

That Sprot's wife having given the bairn ane egg that came from the pannel's house, a lump struck out about the size of a goose egg, that continued in the bairn till it died, and was occasioned by the enchanted egg.

2. She also threatened Sprot that he should never get his Sundayes meat to the fore by his work, which by her sorcery came to pass, as he fell into extream poverty.

3. One William Donaldsone having called her a witch, and she running after him to strike him for it, and he out-running her, she cried out in a fury—" Well, Sir, the devill be in your feet," whereupon he straight grew an " impotent cripple."

4. For laying a previous sicknesse on John Gray's bairn.

5. Margaret Home, spouse to Mr George Auchterlonie, came to the pannel's husband to borrow L.6 (Scots) from him to help her to buy a horse, with some more she had of her own, which the pannel not only diswaded her husband from doing, but went to the door where the horse stood, and threatened that it should never doe any good, whereupon it sweat to death.

6. The same person having again come to borrow L.17 (Scots) to buy ane ox, she opposed the loan vehemently, and when, notwithstanding, he lent the money, she bewitched the cow till it wasted to death, and the night it died there was seen a woman dancing on the rigging of the byre.

7. This woman having got a farther loan from the pannel's husband to buy a horse, the pannel, who had opposed the loan, caused the horse run mad by her witchcraft.

8. That she was at a solemn meeting with certain witches, the devil presiding—she desired them to go and cast down Auchterlonie's barn; and that one Elspeth Willaone, a witch that was with them, desired them not to do it, whereon she went herself, and cast it down herself, and smooored some cattle in it.

9. That she used conjurations, and ran withershinn¹ in the Mill of Eymout.

10. For laying a grievous sickness on Steven Allane, and destroying his cattle.

11. That she was seen by two young men at 12 hours at even standing bare legged, and in her sark-vallie-coat,² at the back of her yard, conferring with the devil, who was in green cloathes; and when they bad her God speed, he nor she spoke not—when the one said to the other—"God save us, what does the woman here at this tyme of the night?" The other replied—"let her alone, she is called not lucky."

12. That she largely entertained Margaret Ballanie, a witch, apprehended at Aytoun, not to dilate her; nevertheless, Margaret, before her conviction, styled the pannel "a sicker witch."

13. For, with other witches, burning the Miln of Eymout.

14. For killing David Hynd, who was watching the boat the time of the herring drave on the sands of Eymout.

15. She laid a horse shoe in a secret part of the door, which the devil gave her, assuring her, so long as it lay there, all her business within doors should prosper.

16. That William Mairns, a notorious warlock, and who being to be tryed, put hands on himself at the devil's instigation, declared that the pannel was a witch, and that he had been att severall of their assemblies.

17. That shee and other witches were conveyed into George Huldie's ship, which they sank, with several persons therein.

18. The pannel being confronted with other witches, they avowed to her face that she was with them when the ship was cast away.

A somewhat amusing debate followed upon the relevancy which is given at some length.

¹ The contrary way to the course of the sun. ² Flannel or plaid shift.

In objecting to the two last charges, the pannel's counsel contended—That the sinking of the ship looked like a dream and idle vision, rather than a serious article of a criminal indictment, neither condescending on the time when, and the means by which, the ship cast away, not even so much as a pretended raising a storm, or the witches being seen flying about like crows round the ship.

However, the 1st, 3d, 4th, 5th, and 6th Articles were found relevant; the 8th Article relevant, taken conjunctive; the 10th relevant, with this advyce to the Jury, to cognosce on the tyme of committing the cryme; 13th relevant; 14th, remits it to the assise, and finds it relevant, as art and part of the murder of the said David—to find if he was murdered at the time, and in the manner libelled; 17th and 18th relevant; Articles 2, 7, 9, 11, 12, 15, and 16, irrelevant.

She was, after a long trial, acquitted.

24TH NOVEMBER 1643.—John Brugh, accused of sorcerie and witchcraft. This man was said to have been a servant of his Satanic Majesty for thirty-six years, and by his means effected a variety of cures, both of people and cattle. One Levingstone's cattle being diseased, he put two enchanted stones in a tub full of water, and sprinkled them therewith, but one of them being past recovery, he buried it alive, and made the remainder pass over the grave, by which operation they were effectually cured. The cattle of another man called Hutton were also cured by using these words thrice, "God put them in their own place," and giving each a choppin of new lettengo wort. He was also in the use of taking up dead bodies, and employing the flesh for enchantments. Lastly, he was so depraved as to "fyle" himself with witches.

He was found guilty, worried at a stake, and then burnt to ashes.

28TH DECEMBER.—Janet Barker and Margaret Lauder, servants in Edinburgh, accused of witchcraft and sorcerie.

The facts relative to Barker were, that she engaged to serve the devil; that she had cured a young man who had been bewitched by another, by putting upon him a white plaidine wastecoat, which his infernal Majesty gave her, and

by placing a black card, a gift of the same high personage under his door; that she submitted to the commands of the Devil, who was heavy like an ox. While in prison, he appeared to her in the shape of a dog, and forbid her to confess. She had the usual mark on the left shoulder, which enabled one James Scober, a skilful pricker of witches, to find her out by putting a large pin into it, which she never felt. At certain parties made in compliment to the devil, he condescended to drink beer with the company.

Lauder frequently met the devil—once he appeared as a rough calf, and at another time as a trim gentleman. To please him, she renounced her baptism, and promised to become his servant. She confessed all this to the magistrates and ministers of Edinburgh, but denied them on her trial.

Convicted. Woried and burnt.

FEB. 5, 1656.¹—John M'William Sclater was convicted of witchcraft. He had made a paction with the devil, who appeared as a Highlandman, [with a kilt?] and gave him power to cure diseases and to impose them. He was appointed cloak-bearer to his Satanic Majesty, and attended him to a very considerable meeting in an old house near Castle Semple, where a splendid feast was prepared, which pleased the royal visitor so much, that he complimented his entertainers for their hospitality, and endearingly addressed them as "his bairns."

He was, as usual, sentenced to be woried and burnt.

FEB. 2, 1658.—Margaret Anderson, convicted of witch-

¹ We learn, from the *Mercurius Politicus*, that in Cornwall there was a wonderful discovery of witchcraft.

FROM MYLOB IN CORNWALL, NOV. 23, 1653.—"We have a strange discovery of witches about the Land's End. One of them being taxed of witchcraft by a neighbour, she instantly got a warrant from Major Ceely to call the party before him, who came, and by evidences made it apparent. This wretch being discovered, she discovers others. Eight of them are sent to Lancaster, and seven were in durance. One is a black witch, who confesseth her cruelties in having caused the death of men, women, children, and cattel." The other was a white witch, who, unlike her black sister, was benevolently inclined, inasmuch as she cured people in place of killing them, and "unwitched" many who had suffered by the black lady. She imputed her power "to God's Spirit; a dove came to her once a year, and upon its presence her skill was renewed."

craft, and making a paction with the devil, upon her own confession, before the ministers of Haddington.

Subsequently she retracted her confession, on the ground that she was distracted—which seems pretty plain—when she made it. This, however, the Court disregarded, and upon the deposition of the clergyman, that she was quite sound in her mind when she made the confession, a verdict was given against her, and she was “worried and burnt.”

Upon the same day, John Carse was convicted of witchcraft. He was, *solito more*, sentenced to be strangled and burnt.

AUGUST 3, 1658.—Margaret Taylor, Janet Black, Katherine Rany, and Bessie Paton, all convicted of witchcraft. Strangled and burnt.

MARCH 1, 1659.—Bessie Luost and other four women convicted of witchcraft by their own confession. Strangled and burnt. They are called the Stentoun witches.

MAY 3, —.—John Douglas, and eight women, in Tranent, convicted of witchcraft. Strangled and burnt. Amongst other charges were the following :—Having the devil’s mark—renouncing their baptism—taking new names—*coitus cum diabolo*—having merry meetings with Satan, enlivened by music and dancing. Douglas was the pyper, and the two favourite airs of his majesty were—

“ Kilt thy coat, Maggie,
And come thy way with me.”

And—

“ Hylie the bed will fa’.”

The parties accused confessed most of the facts.¹

3D AUGUST 1661.—Elsbeth Graham and other five women indyted for witchcraft.

¹ Numerous cases of witchcraft were disposed of at the Circuit Court at Dumfries; nine women were convicted, strangled, and burnt. Bessie Stevenson was (March 2) convicted of witchcraft, strangled and burnt, &c.

They all confest the crime except Christian Wilson.

The sum of the evidence against her was—That she had curst one James Clerk, and that he dyed the next day after. Item, there having been some difference betwixt her brother, Alexander Wilson, that she told one of the witnesses she had been his death, and there being a wound in his cheek, several persons tought the wound and it did not bleed, but upon the said Christian her touching, tho' but slightlie, it gusht out of blood. Another deponed that her brother told her that he had killed Christian's hen, and heard him say that there was a lanthorn glowing in his face like a catt. (Christian was nicknamed the Lanterne), and that there was a big ratt that leaped on him before all the people in the house, and would not go off.

Nota.—This woman was admitted only *cum nota*, as deponing on facts said to be done against her own brother.

The lybell likeways sets forth, that she had threatned Clerk's wife that she should soon be childless; shortlie after which both the child and Clerk dyed; and that she had likewise threatned the said Clerk. As likewise, that she had conceived a hatred against her own brother, and threatned to do him a mischief, and was the cause of his death by her sorceries and witchcraft, he haveing been in good health at three in the afternoon, and found dead in his own house at five, with no other apearance of hurt but his face scratcht, tho' no blood apearad; and when she was brought, tho' unwillingly, to see the dead body, and desired to touch it, she prayed that God might, by some visible sign, discover the murderer, whereupon she having but lightly tought the hurt on his face, it did gulph out blood, to the surprise of all the beholders, tho' others having tought it before it did not bleed. Item, That one Richardson having killed her hen, she threatned him mischief, and soon thereafter he took to bed, and often cryed out that she stood before him like a catt, and he dyed in a few days.

The jurie brought in Christian Wilson guilty, as well as the others who had confest, whereupon she had the ordinary judgment pronounced.¹

¹ The reader will learn afterwards (see pages 90-91), in what way confessions were procured.

AUG. 7, 1661.—Margaret Bryson and other five women convicted, strangled and burnt for witchcraft.

20.—Janet Kerr and other four women indicted for witchcraft. Isobel Ramsay acknowledged that she had got a dollar from the devil, who appeared in the likeness of her own husband, which thereafter turned into a slate stone. Strange to say, the Judges found this confession relevant, but remitted her case with the rest to a jury. Margaret Hutcheson, one of the company, denied the accusation. One woman deposed against her that she came into her house in the middle of the night, through the door, which was locked, and sat down by the fire and combed her head. This she repeated several nights; at last she came to the bed side and touched the witnesses head, where her child was then sucking, whereupon the child, which had been previously in excellent health, died. There being no corroborative testimony, the jury acquitted her, but convicted Isobel Ramsay, against whom there was nothing beyond her own admission as to the dollar, and that she had lamed William Porteous's daughter, wishing she might never have power of lith and limb, and that within a few days thereafter she lost the power of her body, and died distracted.

AUG. 21.—Margaret Hutchinson was of new indicted. The accusation was, that having quarrelled with her servant maid, Catherine Wardlaw, she threatened she should repent, and in the evening the woman fell into a fit, for which she blamed her mistress, who consoled her, by telling she should not die this time, and transferred the disease instantly upon the house cat, who was soon after found dead near the servant's bed. That at another time she had bewitched a maid for lifting her webbs out of the place where they lay, and the maid had a strange pain in her head for two or three days!!

She was also charged as habit and repute a witch. The Judges actually found the first charge *per se* relevant! The only proof against her was the maid, who told her story as stated in the indictment—a witness who saw her ill and the cat dead—and the young laird of Duddingston, who deponed that a witch who had lately suffered for

sorcery had mentioned that Hutchinson was as great a witch as herself, and had attended several of the devil's select parties.

Upon this she was found guilty, strangled and burnt.

SEP. 10.—Janet Cock, indicted for witchcraft and acquitted ; but upon the 11th November thereafter she was of new accused, and particularly for having bewitched James Bold, who had thrown a stone at her ducks, for which she threatened him ; and that day he fell ill, and lost the power of his body under the waist, and continued in that state for several days, until he entreated her to cure him, which she did, by “gripping” him round the waist, and applying some black wool to the affected parts.

Bold's illness and recovery were proved, but one of the witnesses swore that the pannel was thought a woman of skill, and that she told Bold he was ill of a cold, and recommended the application of olive oil and wool—no irrational remedy if the disease was a rheumatic affection of the loins.

She was found guilty by a plurality, and suffered accordingly at Dalkeith.

JAN. 27, 1662.—Agnes Williamson in Samuelston, indicted for witchcraft.¹ 1. For being heard near a neighbour house in the night, crying, “Aha, aha,” and next morning his horse was found with a bit cut out of its lip ; whereupon in a few days the animal died. 2. Having borrowed a forpelt of meal from one of her neighbours, she did, by her enchantments, take the “fissan”² out of the rest. 3. For raising a whirlwind, and thereby throwing her neighbour Carfrae in the water, where he saw her and several other women since burnt as witches, she all the time crying out—“make away with him, for he was never good to his mother.” 4. Threatning a neighbour he should loose 500 merks, and thereupon, by sorcery, setting fire to his malt kiln. 5. Threatening another person, and his house shortly after took fire, without any visible cause. 6. Sitting by one of her

¹ About this time the Court seems to have got a new light about witchcraft ; and one James Welsh (17th Feb.) was ordered to be whipt through the city, and to be put in the Correction-House for a year, for accusing various persons of witchcraft.

² Strength.

neighbour's firesides in the middle of the night, and the goodman of the house having risen to beat her, she escaped, and next morning his child was found dead. 7. *Coitus cum diabolo*. 8. Renouncing her baptism, and taking the new name of "Nannie Luckfoot," by desire of the devil, who came to see her in the shape of a man, &c. &c. &c.

She was confronted with several penitent witches, who said she had been at several meetings with them.


The jury, to their immortal honour, acquitted her of all charges, except being habit and repute.¹

¹ Sir Andrew Birnie, Advocate-Depute, appeared for the Crown, and Mr Nathaniel Fife for the accused.

DIURNAL
or
OCCURRENCES CHIEFLY IN SCOTLAND,
COMMENCING 21ST AUGUST 1652.



DIURNAL
OF
OCCURRENCES IN SCOTLAND.

FROM LEITH, AUGUST 21ST 1652.¹—Here is very little news at present. What we have from the Northern Highlands is this—That Captain Powell (of Lieut.-Gen. Monke's late regiment) Governor of the Bray of Marre and Ruthuen's Castles, lately going with a party and provisions from Ruthuen to Marre, a broken partie of the Loughaberans, or other Highlanders, waylaid him; but receiving notice his party were too considerable, they drew off undiscovered, and continued thereabout, untill twelve of that party returning back to Ruthuen, their garrison, these broken fellows had designed to ensnare them in a narrow pass which they were to goe in. But such was the resolution of the troopers, that they cut their way through them, and recovered safe away. Another party came down and stole some cattell between the Bray of Marr and our campe (which was the 15th inst., at Mirlock, 12 miles from Dunkell). The country not having time to acquaint Col. Morgan with it fell resolutely on them, killed divers of them, and took their chiefs prisoners, whom they conveyed to Captain Powell at the Bray of Marre, and thence they were sent by guard to Dun-ottyr Castle. We have heard nothing from the Major-General since he went from Aire to Argile and

¹ The scarcity of information relative to Scotland and Scottish affairs, for the ten years preceding the Restoration, makes it important to preserve every thing that can be made available. With this view the following extracts, a few of which had previously been appended by Sir Walter Scott to his edition of Glencairn's Expedition, have been taken from the very rare volumes of the Mercurius Politicus in the Library of the Faculty of Advocates.

Cantire. This day the Commissioners from their several counties made their elections of twenty-one men, viz. fourteen persons to represent the shires, and seven persons for all the burroughs, who are to make their repair to the Parliament of England, or such places in England as the Parliament shall appoint, upon the first day of October next.

From AYRE, AUGUST 19.—The Major-General is now about Inerara or Cantire, viewing the several garrisons there. Colonel Alured hath sent from his regiment 135 men to three garrisons, videlicet, Braddock¹ in Arran, Loughhead, and Tarbut in Cantyre: eight months provision is laid in for them. The Major-General was minded to come this way at his return. Our fortification here goes on fast; after we get the foundation laid we are very much troubled with water, and have no earth but a shattering sand, that as we dig in one place another place falls upon us; but we hope before winter come upon us to get all, or most part of the foundation laid. When it is finished it will be a place of as great strength as will be in England or Scotland; the fresh water well, seven or eight foot deepe, about two parts of it, and the sea and river about the other part.

From EDENBURGH, AUGUST 21.—The Deputies of the Shires and Burroughs have made their election of their Deputies who are to go to London, or where the Parliament shall appoint. Their names follow:—For the Shires, Judge Lockhart, the Laird of Orbestone, Judge Swinton, James Lord Carnegie, the Laird of Garthland, Gibson Lord Durie, the Laird of Heire, the Laird of Riccartoune, the Laird of Rentoune, Stewart Lord Lintoune, the Laird of Glenfarge, the Laird of Garroth, the Laird of Faunichie, and the Laird of St Lenoards. For the Burroughs—John Joussie, Sir Alexander Wedderburn, John Milne, George Cullen, Andrew Glen, James Snord, Daniell Wallace.

From VIENNA, AUGUST 15, *Stylo Novo*.—There are letters hither from the Hague, which say that Charles Stuart hath

¹ Broderick.

been tampered with by some of the Dutch for the bringing him into Holland ; but he hath been expected here rather in Germany, having long solicited the Emperor and Princes in these parts for admission, supposing he may obtain much from the next Generall Diet ; and then, with his hopes of the Netherlands, and the fruits of a generall peace (now strongly labored), his friends say he may make himself a fortune. But these countries have other fish to frie.

AUGUST 18.—From INERARY in the Western Highlands. —I cannot present you with any thing of worth or weight from these Western Highlands, where is little notable but what is also notorious and abominable. Here are store of impregnable garrisons, viz. high and inaccessible rocks and mountains not to be stormed or taken by battery, the inhabitants are savage, cruell, covetous, and treacherous; the men are proud of their trousis,¹ belted plades and bonnets, as a Spaniard is of his high-crowned hat, long cloak, and rapier ; indeed they differ in their pace, for this tells his steps in the pace of a grand paw, whilst that runs like a roe over hill and dale till time stops him. Their women are pure Indian complexions, unparalleled for deformity, their habitations are like so many inaccessible charnal houses for nasty noysomnesses. We have garrisoned four of Argyle's castles, viz. Lough Killarran, Tarbott, Dunstafnage, Duntoty: We are now at Inerara, his *stamp-date* or imperiall Pallace—a place of some receipt, but of small strength. His Lordship speakes us fair, and we hope to gain his and his people's subscription to the engagements quilk they seem willing to doe with qualifications ; how ever he hath given it under his hand that he will very shortly in person present himself to the Parliament's dispose.

From PARIS, SEPTEMBER 4, *Stylo Novo*.—Monday last, here arrived the Lord Taaf,² (an Irish man) being returned from

¹ Trews.—There is here no mention of the kilt—an omission which militates against the antiquity of that garment.

² Sir Theobald Taaffe was the eldest son of the first Viscount Taaffe by Anna, daughter of the first Viscount Dillon. He succeeded his father, who died 9th January 1642, as second Viscount, and was constituted, during the course of the Rebellion, General of the Province of Munster

the Duke of Lorraine, whither he had been sent about the affairs of Charles Stuart; he had, since his return, had conference with the Duke of Orleans. He saith he left the Cardinall in Lorraine's army treating with him about the generall peace, he having power from his Majesty of France to that purpose, as the Duke of Lorraine hath from the Spaniard. He lyes now with his army near Troye, in Champagne. Taaf gives out great rumours and hopes of his master Charles.

Lieutenant General Middleton¹ is now a great adviser of young Stuart.

From LEITH, AUGUST 23.—By letters from the North of Scotland we have intelligence here that 40 sail (or more) of the Holland fleet which rode about Shetland were seen on Monday the 16th instant, 30 leagues from shore by the Scots ship which was taken by the fleet. The master was aboard one of the Admirall's, there being (as he said) two— one of Holland, the other of Zealand—the one of 52, the other of 36 guns, commanded by John Tisann. He saith they were making toward their own country with 2 East Indy ships of great burthen, the one of them having lost her main mast in a storm which they had about Shetland, where they confess they lost 5 ships and their company.

Their whole fleet are in very great want of provisions, and drink only water. Some seamen conceive they have had

which post he lost on the conclusion of the peace with the Irish in 1649; but upon the death of Sir Thomas Lucas, he was made Master of the Ordnance. He fell under the ban of Cromwell, and was excepted by him from pardon for life and estate. On the Restoration he was created Earl of Carliford by Privy Seal, 17th June 1661, and by Patent, 26th June 1662, and after some delay was restored to his estates. He died on the 31st December 1677, leaving issue by his first wife Mary, daughter of Sir Nicholas White of Leisclip, six sons and one daughter; by his second wife, Anne Pershall, he had no family.

¹ John Middleton, a pikeman in Hepburn's regiment in France, originally served the Parliament, and commanded a troop of horse. He contributed so much to the defeat of Montrose at Philiphaugh, that the Parliament voted him 25,000 merks. He obtained the appointment of Lieutenant-General of Horse in 1648 from the Scottish Covenanters—was present at the defeat at Preston, 17th August 1648, and was captured but escaped. He joined Charles II. after his father's murder, and was, 1st October 1661, created Earl of Middleton, to him and his heirs-male bearing the name and arms of Middleton. He died at Tangeirs in 1673.

such calms and southerly winds since they were seen, that they cannot be 5 leagues advanced in their voyage, we hear they have taken divers island ships, and the Dolphin of London. They plundered the Scottish skipper of all that he had.

From DALKEITH, AUGUST 31.—Major-General Dean is now withdrawn with his forces out of the Highlands, and came to this place, having left them in as good a condition as could be expected from a people of such a temper, in so short a time. Some of them have given us a tast of their treacherous dispositions, by surprising two of our garrisons in Cantire, called Turbat and Loughhead, and as our men were marching off out of the country, they all rose as one man in those parts, and took up their station at a narrow place which our men were to pass through, as if they meant to intercept them, which ours having intelligence of, resolved notwithstanding to march on, and make their way. But (contrary to expectation) the Highlanders let them pass quietly, pretending that they had heard we were carrying away the Marquis of Argile prisoner, whom our officers have left at his house.

This carriage of theirs, as also the surprisall of our garrisons, is totally disclaimed by Argile himself, who hath given it under his hand that he agrees to the making of Scotland a Commonwealth with England, professing that he will be true and faithful to it, as established without a King or House of Lords, and that he will neither directly or indirectly act any thing contrary thereto. Upon these terms hee is left at home with assurance to enjoy his freedom and estate in his own country.

From AMSTERDAM, SEPTEMBER 12, *Stylo Novo*.—Holland and Zealand are not yet agreed about admitting Orange, yet it is controverted high; nor will this province of Holland lend an ear towards the interest of Charles Stuart.

From EDINBURGH, SEPTEMBER 1.—The Major-General is arrived with conformation of the surprisal of our two garrisons. The Highlanders, when our men were to passe the passe, shewed themselves in arms to the number of 1500, headed and conducted by the nearest of Argile's friends, and such

as had been intimately conversant with our forces while there: I understand Argyle is himself still stiled our friend.

Here are some pickeroons upon this coast that daily snap up our small vessals even betwixt Dundee and the Frith as well as other coasters. Tomorrow the Judges begin their circuit for their visitation.

From LEITH, SEPTEMBER 4.—There is little news to be expected hence, unless the Highlanders come upon the stage, which I believe they will doe this winter, for there are some hundreds of them up in Argiles country, yet he pretends to know nothing of them.

Three of the Commissioners for administration of justice, viz. Judge Owen,¹ Judge Mossley,² and Judge Smith,³ began their Northern Circuit for Criminal matters on Thursday last.

They went from Leith to Bruntisland, and so for St Andrews, where they first sit, and are to be at Aberdeen the 9th instant.

From ABERDEEN, SEPTEMBER 3.—The Presbytery of this place sat yesterday, and were resolved to proceed against those three ministers I mentioned in my last, but they being somewhat timerous, for their incouragement, one persuaded the Presbytery to forbear any farther prosecution of the business till the next sitting, before which time the Judges will be here; if they think good to do any thing in it, well, if not, then they proceed. Which to say will prove best I doe not well know; however I think it were good for the incouragement of those and others that there were some able godly minister sent to this place.

From EDINBURGH, SEPTEMBER 7.—We have here nothing of newes stirring but what with you is no news, and thats the Highland busines, whereof I doubt not but you have received an exact copy. They have sent to some places of the Lowlands for concurrence with, and assistance for

¹ Owen was removed in October 1653.

² Edward Mosely, Esq.

³ A Commissioner for the administration of justice. He died at Inverness on the 26th September 1658 while on the Circuit.

them, but what answers returned them I know not, or what will be the event of it.

From PARIS, SEPT. 18, *Stylo Novo*.—Charles Stuart lurks still at St Germans, being tost and tumbled betwixt hopes and fears—hopes of the Dutch affairs; that is, hopes that you may give them one little blow, that necessity may bring them to own him and his interest; and fears he hath more than a good many, lest the French King's army should miscarry. His new Councillors, Jermyn and Montague, found some opposition at Court.

From ABOARD THE MARY-GOLD, IN THE ROAD OF AYRE, SEPTEMBER 11.—All the news here is of the late perfidious dealing of the Highlanders, which though you may have heard of it in general terms, yet the particulars are thus—When our men put them in mind of their obedience to the Commonwealth of England, and bad them take heed what they did, for that the Marquis of Argile was engaged for their good behaviour; they returned answer, that they were upon their own account, and that Argile had nothing to doe with them, but beleve it he that list,—They told us also that they had men of their own upon our men's horses which they took, and had sent the men prisoners to the mountains: for our men that kept the garrison of Loughhead were dragoons, who held it out two days, not having all their men within to make defence, for these Highlanders managed their designs with much treachery; they enticed our soldiers out to drink unknown to their captaines, and by that means got many of them out of both Garrisons, and the dragoons that were looking to the horses in the fields were also surprised, but so secretly that the Garrisons knew not of it. Only at night they missed some of their men, and the next morning they seeing the Highlanders to and again, sent out two files of men to see if the houses and rocks were clear, which two files were every man killed but two, by a party, hid in the Lord of Dunstafnage his house, his son being chief in the action. They killed three men more also after quarters, by which behaviour you may guess the temper of this brutall generation.

From LEITH, SEP. 14.—The Commission of the General
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Assembly hath appointed a general fast, the grounds whereof follow—

Reasons of the Fast appointed by the Generall Assembly, to be kept in all the Congregations of the land, the second and third Sabbath of September.

Although our sad condition call aloud of itselfe to mourning, yet it being our duty to stir up the Lord's people to take hold of him in the day of his displeasure, we think it incumbent to the whole land, and charge it upon them as they would have the Lord to turn from his fierce anger, so hotly pursuing and turning us up, that they search and try their wayes, walk mournfully before the Lord, and at this time lye in the dust for these provocations, which are the manifest causes of all the evill that is come upon us.

1. Besides many sins heretofore mentioned in the former causes of fasts, we are to mourn for that land-destroying sin, the contempt of the Gospel (which is comprehensive of many other sins set down at large by the Commission 1650), a sin so odious in the sight of God, that neglecting so great a salvation, and slighting the blood of the Covenant, wee cannot escape the vengeance of the Gospel.

2. Because the sad dispensations we have met with, and the wonderful works wrought amongst us, are neither eyed nor improven by us. Our wound is grievous, yet wee have not grieved; the Lord hath smitten us, but we have refused to return; yea (none taking the Lord for their party, nor accepting of the punishment of their iniquities), wee revolt more and more. This is a lamentation, and shall bee for a lamentation.

3. Because of the Covenant breaking, especially in the day of our calamity and tryall, committed openly in the midst of the land; the shameless despising of the oath of God, so often and solemnly made by us, men thinking to escape by iniquity, making lies their refuge; thus the Lord is mocked, and his word profaned, for which he cannot hold us guiltless.

4. Because of Sion's breaches which are irreparable. She is broken with breach upon breach, her vaile is torn, her hedges broken down, her precious things defiled and wasted, exposed

to foxes and bears : now while it is thus with her, her lovers forget her, her children are still contending in the furnace, notwithstanding the great controversie the Lord hath with the whole land.

5. Because of the foul departure from the true doctrine of Christ received in this Kirk, and separation from the communion and government thereof, that some members and unstable souls are turned aside into, contrary to the Solemn League and Covenant and oaths, to the high contempt of the name of God, and great scandal of the gospel.

6. Because of the opposition made to the work of God by the Royal Family, and many eminent families in the land, and the blood, oppression, ignorance of God, uncleanness, falsehood, covetousness, deceit, hypocrisie, and other gross iniquities, that have abounded in all ranks of the land, both in the preceding and present generation.

7. Because of the main sin of the ministry ; the weak have not been strengthened, nor those that are driven away sought for ; we have not watched for souls, but done duties by constraint, and sought our own things more than the things of God.

For we ought to mourn, and to request the Lord, through Jesus Christ, that he would pardon all these abominations, subdue us by his Spirit, that we may fall in love with Christ, be obedient unto the gospel ; that seeing many things, we may observe them, and regard the work of the Lord, and the operation of his hands ; that he would heal our backslidyings, repair our breaches, reclaim the seduced, and take away all our iniquities ; finish the controversie with Kings and Nobles, Ministers and People, and comfort our prisoners ; and that he would be pleased to stay amongst us.

Preserve inviolate the liberties of his house, and keep us for his name's sake, because we are brought very low ; and that the distressed estate of the Lord's people in these lands would carry on the work of Reformation, to which wee are engaged by Covenant ; and would build his own Sion ; and appear in his own glory.

From LEITH, SEPTEMBER 18.—There is nothing of news worthy your reading. The Marquis of Argile was this

afternoon with the Major-General. It's supposed he will propose some overtures for the bringing in his Western Highlanders, who are yet in arms.

There hath been about 600 indictments exhibited against several persons, since the Commissioners for administration of Justice their coming to Aberdeen. The long want of the due execution of justice makes the number of offenders now to be more than ordinary.

From CALAIS, SEPTEMBER 25, *Stylo Novo*.—The people are generally weary of war, and the Court of Charles Stuart, whom they would willingly supply with money to take a journey out of France, if he knew whither to bend his course. It seems to hold still for Brussels, whither the Lord Taaff is gone already as his fore-runner. That company begins to break; Ormond is bound towards Caen, for fair Isabella is gone thither before. The Duke of Buckingham is come to his master, Stuart, and claims a promise of being sent into Germany; but he is like to prove but parcel Ambassador, being glad to take in Wilmot for a partner in Commission. Sir James Levistoun (called Viscount Newburgh)¹ is gone into Holland, and thence it is said he goes for Denmark. The Lord would-be Gerard is at Rohan, from thence bound for Flanders. The little Queen, Jermyn, and many more have been sick at St Germans, but now recovered.

From LONDON, SEPTEMBER 27.—Mynheere Van Hempsteede is still the bur of bad tongues, and among other things, for buying stolen goods, as they call your late King's moveables, as pictures, books, beds, tapistry, &c., *quis tulcrit Gracchos?* Who can with patience hear *capers* and *sherks* accuse others of theevery. Nay a State which, in a course of justice makes a re-entry upon that which is their own when abused and imbezled by their tennant at will, and by their Steward, who, when unfaithful, ought to give up his trust and give an account of his Stewardship. The said Heer Paaww when he was last in England, is said to have bought the Emperor Charles his picture on horseback, a

¹ Sir James Livingston of Kinnaird was created, 13th September 1647, Viscount of Newburgh to him and the heirs-male of his body. He was subsequently made Earl of Newburgh 31st December 1660, to him and his heir whatsoever. He died on the 26th of December 1670.

piece drawn by one Michael Angelo,¹ a limner; which piece the Duke of Buckingham lays claim to, saying his father lent it to the King. Is not this an embleme of the world's folly admiring shadows, and scuffling for pictures?

There is a mountebank lately come into our country out of England, who goes up and down selling his pack of small wares at the Hague, and other places, endeavouring to persuade some of our States and others, that this war is solely against the edge of a great many powerfull grandees in England, who would be glad of an expedient for the renewall of the Treaty, but this is no more looked on here than the old wife's prattle, and of no more credit than the Articles of Faith which are set down in that foull pasquill whose title is "The English Devil," nor of more moment then that of Monsieur Morus, entituled *Clamor Regis sanguinis ad Colum*, and hath been much cryed up and down, till the author decry'd himself and his reputation by violating the chastity of Monsieur Salmasius his wife's gentlewoman, and getting her with child, of which wee have this distitch on. The maid's name is Bontia.

AD BONTIAM SALMASIÆ, DOMESTICAM A MORO GALLO
IMPREGNATAM.

Galli è Concubitu Gravidam Te, Pontia, Mori
Quis bene moratam, morigeramque neget.

From PARIS, SEPTEMBER 25, *Stylo Novo*.—Charles Stuart and his mother quitted St Germans on Saturday, having coaches lent them by the Duke of Orleans, to bring them for this town, where they are as welcome as snow in harvest. She entered here the same evening, but he loitered by the way at Dampierre, a house of the Duke of Chevreuse, and was to stay there a few days, till his lodgings might be made ready in the Lovure. But on Tuesday night he came thither bringing a small train, besides Buckingham,² Gerard, and Crofts,³ for Inchequin,⁴ Wilmot, and the rest, came in

¹ *One* Michael Angelo. This is almost as good as *one* Milton, or *one* Shakspeare.

² The witty author of the Rehearsal.

³ William Crofts created Lord Crofts of Saxham on the 18th May, 10 Car. II. Although twice married, he had no issue, and his title became extinct upon his death in 1677.

⁴ Murrrough sixth Baron and first Earl of Inchequin. He is the direct ancestor of the present Marquis of Thomond.

before with his mother. He had no complement of welcome given him at his arrival, either by the Duke of Orleans or any other of the great ones. The mother hath bin visited often by the Duke of Lorraine, who also came hither from the camp on Tuesday, and since, he hath had some conference with her son at a place where they met by accident.

From LEITH, OCTOBER 2.—Here was this week a mutiny among the soldiers, occasioned by the abatement of twelve pence a-week out of their pay towards a store. Four of the ringleaders being condemned by a court of war to be hanged, it was afterwards thought fitt that one should die for the rest, and lots be cast between them. The lot fell upon him that most deserved it, who being prepared, and the time come for execution, all the women of this town joyned together in a petition to save his life, which was accordingly granted.

The Commissioners for administration of justice, having finished the progress and visited the Universities, returned to Edinburgh last Wednesday night. Most of them that stood indicted for criminall matters, were found guilty. One woman at Aberdeen was accused of poysoning her father, but the evidence not being clear, she escaped. At Aberdeen, Dundee, and other Burroughs, the Commissioners were admitted members of their Corporations, and much respect shewn unto them. Our soldiery were very ready to serve, and assist them in every place throughout their journey.

PARIS, OCTOBER 12.—Charles Stuart is gone back to the house of the Duke of Chevreuse, to spend some little time in pleasure there, and then return to Paris. Soe his affairs are defunct, because the ranters about him are very pensive and silent, which is not usual when the world goes on their side.

From EDINBURGH, OCTOBER 5.—The most remarkable news at present here is, that the gentlemen of the Shires of Ayr and Renfrew, which were the greatest pillars of the protesting party, and which two shires have not assented to the union, being frequently convented, have at length owned the Generall Assembly at St Andrews, (which was the Assembly that voted in the

King and Cavaliers,) and not only so, but have sent Commissioners to the severall Presbyteries within their shires, (which consist most of Protesting ministers), to intimate unto them their dislike of their protesting against, and separating from the Kirk of Scotland, and to let them know that if they did not insist in their way of protesting and labouring to heighten the breach, and thereby to entangle the people of these shires, they would take all the wayes they could to obviate their design.

This is not done by the *Malignant* party, the Lairds Sefnock and Cunninghamhead, Rowallance, Corsbie, and severall of others of that gang, being great sticklers in it, and Commissioners to the Presbyteries: But it is done by those who have been the most sublime conscientious pretenders against malignancy; who were of those that separated themselves from that unlawful Generall Assembly, as they once called it, which sat at St Andrews, and brought in their King and the profanest of his cavaliers by head and shoulders; and for that cause, those men at first withdrew from the Assembly, renounced it, and entered into a strong protestation against them and their proceedings, and have seemed ever since to continue at an irreconcilable distance from them.

And therefor, now that on a sudden they should quit so much animosity and bitterness to combine with those whom they cursed as *Merox*, bespeaks a jealousy of some new project which nothing but time and treachery can discover when they have pieced up themselves and their fractures in a corrupt and common union.

At ABERDEEN there have been the four grandee ministers of the South, viz. Mr Rutherford, Mr Castar, Mr Blair, and one more, who hath three or four days in dispute with the ministers and people of that town, who begin to withdraw from them, and they have laboured hard to recall them to thoughts of union with the Kirk—that tool the Kirk, which is the engine of all motions, against peace and settlement. Our souldiery there are very vigilant, and lye close to prevent any treachery or attempts of the Highlanders, whose great patron, Argyle, hath been here at Edinburgh, endeavouring (he saith) to propound such things as may make for the quiet of the country.

OCTOBER 14.—This Kirk is so rent and torn within itself that the work of combination, I see, will be very difficult among them. The greatest party, that is, the most factious, active, and violent, are they that buffot the Generall Assembly that sat at St Andrews, and voted in the King; and this sort of men are either the priests, or such as are led by them, and at their beck will runn through fire and water. They are known here by the names of the Protestors, because they at first withdrew and enter'd into an earnest protestation against that Assembly. But even this generation of protestors are divided also among themselves, a great part of the laity or gentry being faln off from them, and resolved to own the Andreans. No less than two counties (viz. Aire and Renfrew) are faln off at one time, being led by the gentry; but some of the most zealous ringleaders of the protesting clergy are sent to try if they can reclaim them, and make them stand to their first protestation.

In the mean time, the rest of the brethren at Edinburgh and other places, preach up their own way, as if thereupon depended the salvation of the whole people, and after they have sufficiently railed at the Andreans, then they usually have a partyng blow at heresie, schism, and England. If you have any that have the same cue in England, assure yourself this sort of men, and they (be they called presbyters, or what you pleas) will shake hands upon any occasion to shew their common interest and design upon the civill power: That is the tail which tyes the foxes together. Look to it, the most faithfull instruments of our nation's liberty had like to have been railed down not long since, and disabled by a full cry against heresy and error from prosecuting that good work which they had in hand, to free our bodies out of kingly, and our souls out of priestly, bondage. But now we have more need than ever to be wary, because the engineers walk with us in new faces and disguises.

OCTOBER 21.—I have not any news this post from Scotland, but to acquaint you of the loss of four English vessels on Monday last, that was laden by Mr Watson and other merchants of Berwick there, with salmon, hydes, &c.; and after a hour's fight, the four ships were taken by a Holland

man-of-war of twelve guns, and well manned; there was but one of our ships that carryed guns, and she but six. Mr Watson and the merchants saw the fight, and the ships taken; their losses are above L.6000.

From PARIS, OCTOBER 27.—On Monday, according to the resolution taken, the King (Louis XIV) made his entry, being met on the way in solemn equipage by the Governor of this city, the Provost of Merchants, (or Lord Mayor,) and the rest of the city magistrates and officers, attended by all the chief citizens, the young gentlemen of the four royall academies, and the three companies of the city archers (all on horseback). To make up the train, there was the King of Scots and his retinue, (all except Buckingham, who was sick), and after all, the Duke of Guise, who is faln off from the Princes, and went with a desire to make his terms with his Majesty.

Letters are come out of Holland, giving Charles Stuart an account of the late fight at sea betwixt the English and the Dutch, which relate the encounter to be long and sharp, but without any great hurt done on either side. They boast much of the bravery of their own seamen. News are come also of Prince Rupert's having lately been about St Christopher's, where hee hath taken ten English ships richly laden. He hath a fleet of fifteen ships, with whom eight Holland ships have joyned, hearing of the war between the two States.

Sir Richard Brown,² for all his pretence of being the Scottish King's resident, cannot yet get an exemption from the arrest for debt lately laid upon him.

From PARIS, OCT. 29.—Charles Stuart gives frequent

¹ Sir Richard Brown was originally a warm advocate for the Parliament and represented London in Parliament. He took up arms against his Sovereign, and was in 1644 appointed Major-General over Oxfordshire, Buckinghamshire, and Berkshire. In 1648 he was Sheriff of London, but this did not prevent his imprisonment, as his patriotic friends had found reason to doubt his honesty. He made his escape, and joined Charles II. in France, by whom he was created a Baronet on the 1st September 1649, and appointed his resident at Paris. On the Restoration, Sir Richard was elected Lord Mayor of London. He died in 1682, leaving an only daughter, who married the amiable and learned John Evelyn.

visits to the King, but gains no money, the disorder having emptied the treasure. He and his party, to incense the French Court, have given out that the Spanish Ambassador in England, had gotten leave to raise 10,000 Irish, which they say are intended to be set ashore in France.

From LEITH, OCTOBER 23.—On Wednesday last the English Commissioners for administration of justice sat upon criminall matters at Edinburgh. The first day was spent in reading their commission from the commissioners at Dalkeith, calling the sheriffs of these severall counties on this side of the Frith, viz. Berwick, Selkirke, Peebles, Louthian, Linlithgow, Haddington, and Roxburghe, and those sheriffs that appeared not were fined L.200 Scots each, afterwards the Gentlemen of the severall counties who were to doe their service, were called, and such as appeared fined L.100 Scottish, and then severall delinquents were called and sett down for tryall. Since that these three days have been spent, in the tryall and fining of severall persons for adultery, incest, and fornication, for which theyre were above 60 persons brought before the Judges in a day; and its observable that such is the malice of these people, that most of them were accused for facts done divers years since, and the chief proof against them was their own confession before the Kirk, who are in this worse then the Roman religion, who doe not make so ill an use of their auricular confession: some of the facts were committed five, six, ten, nay, twenty years. There was one Ephraim Bennet, a gunner in Leith, indicted, convicted and condemned for coyning sixpences, shillings and half-crowns. Also two Englishmen, Wilkinson and Newcombe, condemned for robbing three men and for killing a Scottishman near Haddington in March last. But that which is most observable is, that some were brought before them for witches, two whereof had been brought before the Kirk about the time of the armies coming into Scotland, and having confessed, were turned over to the civil magistrate. The Court demanding how they came to be proved witches, they declared that they were forced to it by the exceeding torture they were put to, which was by tying their thumbs behind them, and then hanging them up by them; two Highlanders whipt them, after which they set lighted candles to

the soles of their feet, and between their toes, then burned them by putting lighted candles in their mouths, and then burning them in the head ; there were six of them accused in all, four whereof dyed of the torture. The judges are resolved to enquire into the business, and have appointed the sheriff, ministers and tormentors to be found out, and to have an account of the ground of this cruelty.

Another woman that was suspected, according to their thoughts, to be a witch, was twenty-eight days and nights with bread and water, being stript stark naked, and laid upon a cold stone, with only a hair cloth over her. Others had hair shirts dipp'd in vinegar put on them, to fetch off the skin. It's probably there will be more discoveries shortly of this kind of Amboyne usage ;¹ but here is enough for reasonable men to lament upon.

On Wednesday night last, the Marquis of Argile came to Edinburgh. He had so perfected the work in the Highlands, that our prisoners are released out of Caversa Castle, where about sixty of them were kept, twenty miles from Innerara, where they had been near perisht, had they not been allowed some of them our bisket and cheese. The Marquis of Argile used them very civilly at the comming by his house, allowing them good quarters, some money to bear their own charges, and giving them passes through the country.

From WATERFORD, OCTOBER 28.—The court of justice hath condemned Colonel Bagnal, Major Burnaby Dempsey, Colonel Henry Dempseys, Forresthal (Bagnals hangman,) and another. But mercy has pardon'd the Lord of Clenmaleero,² and three more. His simplicity in confessing more

¹ Alluding to the treatment of the English by the Dutch in their settlement at Amboyna. As to this infamous and cruel transaction, see Stubbes's *Justification of a War with Holland*, 1673, 4to., with curious illustrative plates.

² Sir Terence O'Demsey was created in 1631 Viscount Clanmalier. His son Anthony took to his first wife Mary third daughter of Christopher Nugent, ninth Baron Delvin, and predeceasing his father in 1638, left Lewis, who on the death of his grandfather in 1649, became second Viscount Clanmalier—the person alluded to in the text. He had a son Maximillian, who became the third Viscount, and married Anne, daughter and co-heir to Walter Bermingham of Dunfert, but by her had no issue. In *Lawrence's Interest of Ireland*, Dublin, 1684, Part II. p. 65, there is a

then his evidence could prove, I think, sav'd him; for we can only prove that he came neer Maryborough¹ when it was burnt: he confesses he came but with four hundred men, intending to surprize the fort onely, and cursed his men for burning the town, and thereby spoiling his design.

Again, he wondered why that little man, (the Attorney-General), whom he never saw in his life before, should speak so much against him. Again, he knew not what to examine his witnesses, (produced by himself in Court), for he never was in such a place in his life before, &c. You see what an antidote against rebellion nature hath found out.

OCTOBER 28.—Wee have no news here of any great moment as yet, only we have advice from the Isles of Orkny that the Dutch merchantman pass to and fro there daily, and fetch a compass round about that way towards all parts; and so by this means they will make the farthest about the nearest way home. If they can drive a considerable part of their trade this way with security, you may wait long enough in the channel, where no more will venture than must of necessity. Certainly a squadron of good frigats to ride in that corner or nook of the world would quickly spoil this new project of navigation. The Scots have got the news here of the King of Denmark stopping our English merchantmen in the Sound, which tickles them, though it be small comfort to them. The Kirk and her projectors at present affords small matter for observation. The Marquis of Argyle is come to Edinburgh. He endeavours every way to beget a confidence in us of his well-meaning and integrity.²

PARIS, NOV. 1.—Sir Richard Brown, who would be called the Scottish King's resident, is by the heels still, under the serjeant's hands that arrested him, to the great reproach of his master's Kingship, who, (it is said), is like now to have him released, being somewhat the more regarded by the

list of the Irish Peerage, both Protestant and Papist. Amongst those enumerated in the latter catalogue is the Viscount Glanmaleyra—probably Maximilian.

¹ The chief town of Queen's County.

² The Marquis was one of those worthies who was better known than trusted.

Court here, for his interesting himself so far in their behalf during the late troubles. He and the little Queen his mother had a visit given on Saturday by the King and Queen of France to thank them for their meddling; though I suppose, in the end, they will have small thanks for it from this poor French nation, whose bricks now are like to be doubled upon them. The pretended Duke of York is still in the army, and hath gotten another regiment, but it is Irish. Ormond also hath got such another. The Lord Digby hath been here, and shewn himself at Court, where he is a great favourite. Hee hath got fairly by his government of Mante, where he hath drained the country by contributions, and now means to brave it in town here this winter. Buckingham is mending.

From EDINBURGH, NOV. 2.—'Tis now given out that Argile hath finally closed with the English, and made an agreement concerning the Highlanders. The particulars are now well known, but they affirm that he hath got ten good conditions for himself, and all his own lande freed from publick burthens: he hath also sold some cannon to the Commonwealth, for the which he is to get good payment.

There was a man condemned for a witch—a very simple fellow; but he was reprieved. It is very observable in him, that upon a commission from the Judges in June last, and afterwards before the Judges, he confessed himself to have familiar converse many times with the devil: That he gave him a piece of silver, which was put into a crevice of his neighbour's wall, who had crosst him, and thereupon all his cattle and horses died, and (after two years languishment) the woman herself. He said also that he had renounced his name, for which the devil gave a new one, which is Alexander or Sandy. That he sometimes lay with the devil in the likeness of a woman, with many other stories of that nature; and yet most of them that have conversed with him say they can not believe him to be indeed a witch. Before the Judges at his triall, he denied all that he had confessed before, and said that he was in a dream; yea, the very day that he should have been executed, he was not at all afraid, but seemed indifferent whether to live or die.

The truth is, he lived in so poor a condition, and was

through his simplicity so unable to get a livelyhood, that he confessed, or rather said any thing that was put into his head, by some that first accused him upon the confession of some who have died for witches. By this you may guess upon what grounds many hundreds have heretofore been burnt in this country for witches.

From PARIS, NOV. 9.—Sir Richard Brown, that calls himself the Scotch King's Resident, is at length released by order from the Queene out of the sergeant's hands, yet without any such vindication as hee expected. Things beeing so far from that, that he was fain to pay the gaoler his fees at his departure. That party give out that ther Scotch master hath had letters of encouragement from several Princes in Germany, as if he should receive favor at the Diet now approaching, if hee made application. Wilmot is the man to be employed thither, which gives occasion of discontent to the Duke of Buckingham, who expected the employment, conceiving himself to bee the better and fitter man. He said also that the Queen of France hath supplied Wilmot with 1000 pistoles to set him forward.

The Lord Digby, with his brother Sir Lewis Dives, by him made Deputy-Governor of Lile-Adam, intends to brave it out for this winter, having hired a great house in that town, and given orders to have it stately furnished, to shew the city how he hath thrived (to his great dishonour) by squeezing the country.

From PARIS, NOV. 13.—It is now said Charles Stuart would for Holland, were he supplied with monies for the journey. And a rumour goes as if he had a design for Ireland or Scotland. But his party here often have made many the like reckonings to no purpose.

From EDINBURGH, NOV. 6.—The work of justice begins now here in this city, the Commissioners for the administration of justice being sett down on Wednesday last, where you may be sure they shall not want work among this quarrelsome generation. The Marquises of Argile and Huntly are now both in these parts, and some overtures are made for reconciling of old grudges between them.

The agreement with Argile's Highlanders is (I hear) fully made: most of our soldiers that were prisoners, and some of their horses, restored, and some little sasse imposed upon them. The Scots and moss-troopers have again revived their old custom of robbing and murdering the English (whether soldiers or others) upon all opportunities, within these three weeks. We have had notice of severall robberies and murders committed by them; among the rest a Lieutenant and one other of Col. Overton's regiment, returning from England, were robbed not far from Dunbarr. A Lieutenant (lately Master of the Customs at Kirkcudbright) was killed about twenty miles from this place; and four foot soldiers of Col. Overton's killed going to the quarters by some mosses, who, after they had given them quarter, tied their hands behind them, and then threw them down a steep hill or rock, as it was related by a Scotchman who was with them, but escaped. These are part of those villianies committed by them already upon the English, for the redressing whereof, unless some speedy course be taken, either by securing the roads, or causing the country to make satisfaction for the robberies and murders committed at noon-day, as some of these were, there will be no travelling into these parts.

Divers ships, with provisions for the State, and other commodities, came safe into Leith Harbor this day, which will be a refreshing to these parts.

From PARIS, Nov. 16.—Charles Stuart is now weary of France, things not falling out to his mind, either in point of money or other matters. Wilmot's Embassy into Germany is as yet at a stand for want of cash. As soon as he is gone, it is conceived his master will be gone immediately after; but whether into Germany, or to reman upon the German Borders, to await the success of his sollicitations, or into what other part, is not certainly known, nor, I believe, [does] he well know himself.

From PARIS, Nov. 23.—The King of France was the other day at dinner with Charles Stuart at the Royal Palace. The said Stuart hath sent order to my Lord Wilmot to goe to the Diet of Ratisbone, having not wherewithall to

goe himself to bear his charges, to excite the Princes of Germany to joyn with the States of Holland against the Commonwealth of England.

Sir Richard Brown, who stiles himself Agent for Charles Stuart, being released out of prison, not being able to subsist here, is gone into Britain to exact a share of those thefts and piracies that the Royalists have taken and brought thither, which Charles Stuart had given him for his substance many years since.

From PARIS, DEC. 4.—Last Thursday Charles Stuart was complemented and entertained at a supper by the Cardinall de Retz.

From PARIS, DEC. 14, *Stylo Novo*.—Charles Stuart hath been fairly offered by the French Court, who to be rid of him, have promised him 5000 pistoles if hee will goe into Germany, divers having perswaded him that his oune presence would best prevail at the Imperial Dyet; but it being contrary to his mother's advice, he waves any thought of going himself, and resolves to dispatch away Wilmot, who intends to set forward for Germany on Monday next, having seen the issue of the French Councils about sending one into England.

The Lord Digby rants it with his stately house here in toun, where he has received his father the Earl of Bristol, newly faln sick and like to die. But the world being very short with the Lord of Ormond, the fair Isabella is fain to pawn her plate and retire into the country. Inchiquin is here, and his Lady come to him out of Holland.

Their master Charles hath at length gotten liberty of the Dutch ports for any of his men-of-war that have a commission from him; and the Act itself, granting this liberty, being newly passed in Holland, is already transmitted hither, which, as it pleaseth on the one hand, so it displeaseth on the other, because in it the States have not given him his pretended title of King of England, or of Great Britain, but stile him only the High and Mighty King Charles. There is no news yet of Rupert, but they heartily wish him on the seas, and have sent Sir Marmaduke Langdale and Sir Richard Page to sea, to try if they can find him out, and

bring him back with all speed ; supposing he might be able to serve them and their broken interest in this nick of time.

From WATERFORD, DECEMBER 20.—The High Court of Justice, now broken up from Corke, have condemn'd thirty-five, some of principall note, one of whom hath been Sheriffe of the county. The manner of one familie's murder was thus :—A gentleman sent some Irish wretches to murder the family of an Englishmen. The Irish came in to the house, pull'd the man out of bed from his wife, and murdered him, then tooke all the rest of the household, led them to the seaside, and threw them off the rocks. One of the children hung about one of the murderer's legs, yet was pull'd off and thrown after the rest. It fell out, that shortly after one of the murderers was upon a party mortally wounded, yet could not die in a long time, till he had to an Irish Protestant revealed the murder, and then died imediatly. Thus you see the footsteps of God's justice. The man that commanded them to doe this fact is now hang'd at Corke.

From LEITH, DEC. 21.—The English Judges at Edinburgh sat every afternoon on Wednesday, Thursday, and Friday last upon criminal cases, whereof these persons following were found guiltie, and yesterday condemned, viz. William Tenant, to be hang'd first on the Castlehill in Edinburgh till he be dead, and after that to be hung in an iron chain between Edinburgh and Leith. He was guilty of many murders and robberies, having confessed that he had murdered forty before, and but that what is now proved against him, that he hath murdered sixteen at two severall times. He was very desirous to undergoe any punishment, that his life might be spared ; but being told by the Judges he had noe pittie of the English when they begged for life, noe pittie should be shown unto him. James Kerr, a minister's son, who formerly went by the name of Harrison, then Clendinning, an old moss-trooper, nothing of murder proved against him, heretofor being in custody for robbing a soldier, broke prison, and had now like to escaped justice, being accused of stealing a horse, by cutting his hair and smearing his face, but one present having jealousy of him, and the marshall being asked whether they knew him or not, he

was discovered, and condemned to be hanged. The Judge Advocate intends to desire his reprove to make use of him against Richardson, he having formerly been of his party. John Maxwell to be hanged for severall thefts. John Young to be scourget for theft. Robert Miles to be scourged for theft. John Blair to be scourged for theft, the three last banished the three nations. John Mathew, fined in L.150 sterling for concealing murder. Some soldiers of Captain Weddel's troopes, quartering at Houston, a gentleman's house near Peasly,¹ found therein behind the hangings sixty fixed muskets, with bandeliers answerable, the boxes all filled with powder, and a great box of new cast bullets, which being discovered to Major Richardson of Collonell Overton's regiment, quartering at Peasly, and some rumour of arms be hid in churches, did so far instruct them as that they called the magistrates and ministers of the town together, and strictly enquired if they knew of any armes hid or noe, which they denying, they sent to search the church, and finding a part of the wall new made up again, put them to it whether that there were any thing hid there, but they persisting in deniall, the soldiers broke it down, and there found these parcels of arms as follow :—155 muskets, 63 pikes, 120 collers of bandeliers, 313 swords, and bundles of match, and a quantity of powder.

From EDINBURGH, DECEMBER 28.—I am not able to furnish you with anything considerable hence that's new.

The late discovery of arms and ammunition in this country in the western parts hereof, has occasioned reciprocal railings betwixt the old Malignant and Presbyterian parties, each charging the other. We think it our safest course to trust ourselves, and to have an eye ready to make inspection into each of their affairs. On Saturday last the murtherers and other malefactors formerly condemned were executed. Since that, another notorious villane, (one Blacke) who thirsted much after English blood,² is taken, and will doubtless meet

¹ Paisley.

² The criminal record is full of cases of murder of English soldiers. They were cut off by the people whenever a fitting opportunity occurred, and were as much detested in Scotland as the French soldiers were in Spain during the Peninsular war.

with the same justice, for which purpose an Assise will be called suddenly. Major-Gen. Deane sets forth hence towards London on Saturday next.

From PARIS, JANUARY 4.—The pretended Duke of York continues still in the fields with Marshal Turenne, and hath his regiment made up now very compleat by an accession of two hundred Irishmen, which were part of those fifteen hundred Irishmen, that were made prisoners by the Marshall upon the surrender of Bar-le-duc, and were part also of the Irish who served formerly under the Duke of Lorain.

Wilmot,¹ now known by no other name here but Earl of Rochester, set forward hence on the journey on Friday last, towards Germany, having most Papists for his attendants. If he thrive at the Diet his master will not stay long after him, where he findes so little countenance and courtesie. Besides, his mother and Jermyn hold him to hard meat, and deal with him but very coarsely in the midst of all his necessities, they having been both extremely bent against the German embassy.

From DALKEITH, IN SCOTLAND, JANUARY 10, 1653.—The Judges are never out of work in punishing one villiany or other among these people. Murthers are very frequent, but robbing and stealing more. Yesterday two thieves were executed at Edinburgh, who used to follow their trade upon the borders, by breaking open houses and infesting the roads.

From PARIS, JANUARY 18, 1653.—This week there came forth a book in Latin, written by one Friar Points,² an Irish-

¹ Henry, created Lord Wilmot by Charles I. in the nineteenth year of his reign, was advanced by his son to the title of Earl of Rochester by letters-patent dated at Paris 13th December 1652. He was a Nobleman of ability, and a zealous adherent of his Sovereign. He died in 1659 at Dunkirk, and was buried in the north aisle of the Church at Spellsbury in Oxfordshire. By his wife Anne, daughter of Sir John St John, he had John, the profigate associate of Charles after the Restoration.

² John Ponce, a Franciscan Friar of the county of Cork, lived among those of his order in the Irish Colleges of Louvain and Rome, in the latter of which places he was leader of the Ludovisian seminary for Irish secular students, and afterwards Guardian of the College of St Isidore there. He was the author of many works, and particularly wrote

man. It is in particular against Bealing, who was Secretary to the Supreme Council at Kilkenny, in answer of a letter of his, published in his own vindication a little before he went away with the Lord Wilmot for Germany. In it the Friar taxes the Lords of Ormond and Clanrickard as persons that occasioned their loss of Ireland, through want of courage, conduct, and fidelity. He likewise attributes the Duke of Lorraine not going with his design for Ireland, to Charles Stuart himself, and lays the blame upon him, because he would not ratifie the Articles concluded betwixt him and the Duke of Lorraine by the Lord Taaf, who was the person employed to treat and conclude with the said Duke. In the same book also, the author takes painis, and pretends to shew the said Stuart his errors ; and persuades him there is no possible way left for to recover his crown but by turning Roman Catholick, and casting himself upon the Pope and Princes of that religion.

The little Queen is now returned from her Monastery at Chaliot, not intending to return till the beginning of Lent, so that her sonn will not now be so much to seek of a dinner as he was in her absence. The pretended Duke of York, the army now retiring into winter quarters, is expected here next week. He's like to appear in better case than any of the Family or party, having a compleat regiment of foot, besides a troop of Gend'arms, and his pension, whereof he hath many arrears.

From PARIS, JANUARY 25, *Stylo Novo*.—The Earl of Bristol¹ dying unexpectedly on Friday—last week, was buried the Sunday after, not at Charenton, where all persons of that

“ *Belingi Vindiciæ Eversæ. Parisiis, 1653.*” “ This piece is written against Mr Beling's book, entituled ‘ *Vindiciæ Catholicorum Hiberniæ.*’ Our author bore an implacable hatred to the Protestants of Ireland, and in his book justifies and defends the Rebellion of 1641 ; and withal gives very false accounts of affairs.”—Works of Sir James Ware, by Harris, vol. ii. p. 161. Another work, entituled “ *Deplorabilis Populi Hibernici pro Sancta Religione, Rege, et Libertate contra Sectarios Angliæ Parliamentarios depugnantes Status,*” 1651, 8vo. is ascribed to him ; but, continues Harris, “ I have never seen this book, and therefore cannot be positive that it is not the same with the ‘ *Vindiciæ Eversæ,*’ or a part of that treatise.”

¹ The first Earl of Bristol, of whom Walpole observes, that “ he was not supple enough for a Court, but by far too haughty for popularity.”

quality use to be buried, but in one of the meaner churchyards in the suburbs of this city. There was little solemnity, not one Lord appearing at his funeral, nor any other person of quality except his second son Mr John Digby,¹ and a certain Knight. His eldest son Lord Digby, absented himself, though he were in town: and not only so, but it is said that he forbore inviting any, to save funerall expences; which being talked abroad, hath much cracked his reputation, because he is observed lavish enough upon other occasions.

Charles Stuart talks now altogether of leaving France, but first he stays to see what hopes Wilmot will be able to send him out of Germany, whither it is supposed he intends, if anything can be effected there, to gain him an honourable and favourable reception, and allowance to live on. His party here presume much of the German Princes, who have fish of their own enough to fry, goods store, notwithstanding the solemn courtship and compliment of those Princes to each other.

From AMSTERDAM, JANUARY 31.—Here are two Irishmen lately arrived out of Scotland; they have letters from Charles Stuart to countenance their addresses to this State on behalfe of the Irish; yet before they deliver them, they have taken the advice of the Holy Fathers of their own faction, of whom there is a crew residing now at the Hague as well as in other places: and their designe (if possible) is to stir up and engage this State to do somewhat against the Parliament of England in Ireland. On Wednesday, one of these Irish factors delivered a letter to the high and mighties at the Hague. This gave just occasion to suspect that the Scottish King endeavours to hook his own interest into the engagement of this Hogen State, upon an Irish account, so that if the Dutch should clap in between these two interests of *Achan* and *Babel*, they would be daintily engaged, and a fine blessing must follow the business.

At present, the Stuart interest is kept off by the wiser sort, and that upon very rationall grounds, in despite of all the projects of the Orange party; because they have their eyes in their foreheads, whereby they foresee that if he were

¹ John was a General of Horse in Lord Hopton's army, but died a secular priest at Pontocie after the Restoration.

taken in, he and his young nephew, and his sister, would soon have an opportunity to weild the affairs of this State and overtop them. Besides, they apprehend their taking part with him were to hazard the whole in going halves with a desperate gamester that has nothing to stake but a broken reputation. And it is pleaded by others, that to engage with him were to put themselves in where there is no possibility of a retreat, if occasion should require, because, by that means the quarrel would become utterly irreconcilable betwixt them and England. Such reasons as these have as yet prevailed against the wilder party.

From LEITH, FEBRUARY 5, 1653.—Glengary¹ is still busie, though to small purpose, in the Highlands. The heads of the clans did not appear as he expected, but they are to have another meeting ere long in Loghgaber (Lochaber).

The Oliver frigate, a private man of 18 guns, is gon out this week, and more are equipping out for that service to snap some petty freebooters upon this coast.

* * * * *

One David Andrew, a notable rogue, found guilty of robbery and burglary; one Thomas Glasse convict of a riot; one William and Michael Sampsons, convict also of a riot and robberies.

There was also brought one James Crichton, supposed a Popish Priest, brought before the bench for saying Mass, and several persons being called to give in evidence against him, they refused, being Papists, to take their oaths, and for this contempt were committed to prison.

From EDINBURGH, FEBRUARY 12.—There have been of late very many meetings among the Highlanders, and

¹ Æneas Macdonell was rewarded with a Peerage for his loyalty to Charles I. and II. by patent dated at Whitehall, 20th December 1660, creating him Lord Macdonell and Arras, with remainder to the heirs-male of his body. Dying without issue in 1650, the title became extinct, and his estates devolved on Alexander, grandson of his Lordship's uncle, Donald Macdonell of Southhouse, and direct ancestor of the late Colonel Macdonell of Glengary.

² A very extraordinary case is given here of one Margaret Rayne, but the particulars are unfit for publication in this Miscellany. Reference may be made to Historical Fragments relative to Scottish affairs. Edin. 1633, 8vo. p. 43.

shortly they are to have another : About three days agoe the Marquis of Argile was with Colonel Lilburn, and yesterday he sent him a letter, signifying the great and frequent meetings of Glengary with other Highlanders and Islanders ; but what their intent may be, he saith he knoweth not, they swearing secrecy who are of their councils. Glengary also sent to the Marquis to move him to go and joyn with him and his partakers in the Highlands, with threats to burn and destroy the country upon his Lordship's refusal. Glengary himself is lately returned from the island of Mule (Mull), and is now among the Macdonalds ; these men cannot keep long as a body, so that if they have any designe they must be acting without long delays.

The honest party at Aberdeen are now withdrawing from under the rigorous yolk of their Kirk sway, and are, some of them, very cordial and clear to the interest of England.

FROM AMSTERDAM, FEB. 14.—Charles Stuart and his mother being at Court to visit the King and Queen, had an accidental interview of the Cardinal, and so a few compliments passed between them, without any mixture of discourse. His party here doe blame the Cardinal, as the author of all the neglects and disrespects put upon their master, and of sending Mr Bordeaux into England, which is a core they cannot easily digest. Their ambassadour Wilmot was lately at Heidelburgh, and is conceived to be at this time at the Diet.

FROM PARIS, FEB. 15.—Charles Stuart and his mother are so discontent at the French applications made to England, that she exclaims of ill usage here in France ; and is all and all for his departure hence, which he will endeavour to do by Easter. The Lord Wilmot is arrived at Strasburgh in Germany, he took Heidelburgh, in hope to see the Prince Elector before he repaired to the Diet, but the Prince was gon before him. The Holland letters in the hands of your English Royalists do boast how that the States have it under debate to block up the mouth of the Thames this spring, that you shall not have a ship put out this nor all the summer. These letters are often carried to be shown betwixt the Palais Royal and the Louvre, that the great

ones here might be inclined to believe you very inconsiderable in England as to the sea.

FROM PARIS, FEBRUARY 23.—Charles Stuart and his mother are very much troubled still about the application of France made to England; his party lay the blame of all upon the Cardinal. But their anger is somewhat cured by the courtesy of the new superintendant, who hath paid them a good part of the arrears of their pensions; so that the Scotch King was enabled to appear very gallant at the late sumptuous masque, wherein his brother York was an actor amongst the rest at the house. The young lady, their sister, was there also, and their mother was invited, but she declined it, as not suitable to the complexion of her mind and affairs. But yet she appeared with her children on Wednesday last at a magnificent supper provided for them by the Lord Digby, now Earl of Bristol, and made Knight of the Garter. They have been all feasted likewise by the Nuns of the English Convent, and lastly, by their cousin, the Prince Palatine Edward.

On Monday last, his great favourite, the Lord Gerard,¹ went for Holland in hope to hear of the arrivall of Prince Rupert, of whom they have great hopes, though little ground to expect him. Besides Gerard's business there is to receive benefit out of such prizes as shall be brought into the Dutch ports by virtue of his master's commission.

BARBADA'S, JANUARY 18, 1652.—About the end of October last that grand pyratieall Prince Rupert,² having cariened

¹ Charles Gerard created by Charles I. Lord Gerard of Brandon. After the Restoration he was advanced to the dignity of Viscount Brandon and Earl of Macclesfield. He was committed to the Tower by James II., tried for treason, and condemned to die. He was, however, pardoned, and survived the Revolution four years, dying in 1693. His two sons successively inherited the honour, and upon the death of the last in 1702, the honour became extinct.

² Prince Rupert was, according to Evelyn, the inventor of mezzotinto, and in the first edition of the *Sculptura*, there is a specimen of this *new* art, as it is termed, etched by His Royal Highness. His right to the discovery is disputed in the Penny Cyclopaedia, and it is asserted that Louis Von Siegen, a Lieutenant-Colonel in the service of the Landgrave of Hesse Cassel, communicated the secret to the Prince when in Holland. This fact is said to be established by certain "curious and very rare prints recently purchased on the Continent, and now deposited in the British

and fitted his ships at the Virgin Islands, upon some designe for this, or the Leeward Islands, endeavouring again to turn

Museum." One of these, a portrait of the Queen of Bohemia, bears the date 1648, which makes it anterior unquestionably to the Prince's etching; but the real evidence afforded by these prints is merely that as early as 1648, Von Siegen had acquired a knowledge of mezzotinto; but this will not of itself disprove Prince Rupert's assertion that he was the inventor. Rupert was born in 1619, so that in 1648 he would have been twenty-nine years of age, and it is just as possible that Von Siegen may have learnt the secret from the Prince as the reverse. From the character of Rupert, if he did really assert that he was the inventor, we should rather be inclined to believe his statement in opposition to Von Siegen's inferential claims advanced nearly two centuries afterwards; and as the Sculptura was published in 1662, it is not an unimportant circumstance to remember, that not one word was ever breathed in any quarter against the truth of Evelyn's statement at the time.

After the murder of the King, the Prince betook himself to the sea, and was until the Restoration engaged almost entirely in naval affairs, so that he had not much leisure to turn his attention to scientific experiments. The story goes, that the idea of mezzotinto was first suggested to the Prince by observing a soldier scraping a rusty fusil, "when he was struck with something like a figure eaten into the barrel, with innumerable little holes closed together like friezed work on gold or silver, part of which the soldier had scraped away. From this trifling incident Prince Rupert is said to have conceived mezzotinto." (Bromely's Royal Letters, Preface, p. xix.) If the legend be true, the discovery was *probably* made anterior to 1648, as after that period the Prince had to do with sailors not soldiers; and there is nothing more likely than that he may have communicated it to Von Siegen, whose etching of the Prince's own mother, the Queen of Bohemia, was, if not Von Siegen's earliest production, at least one of the most early. Obnoxious as Rupert was to the Roundheads, it is not credible that they would have allowed so excellent an opportunity to escape of presenting him to the world as wearing borrowed plumes; nor is it probable that Rupert would have ventured to afford his enemies such a capital chance of throwing dirt upon his hitherto untarnished reputation.

From a very scarce Life of the Prince, published upon his death at London in 1682, we learn that "in the year 1632, being about thirteen years old, he marched with the Prince of Orange to the Siege of Rhynburgh, where he gave the world the first proof of his valour and conduct. In the year 1637, at the age of eighteen, he commanded a regiment of Horse in the German wars, and in 1638 he was taken prisoner by the Imperialists, under the command of Captain Holyfield, who detained him three years; but having obtained his liberty in the year 1642, he came to England." Might not the leisure thus afforded by his captivity induce him to amuse himself with scientific matters, and might not Von Siegen have assisted him?

As regards the discovery, it would make little difference whether it originated with the Prince or the Lieutenant-Colonel, but for the imputation of deceit which would rest on the character of the former, if the latter was truly the inventor. Now, Rupert's character gives the lie to the

it up; it pleased God by a hurricane to shatter and disperse his fleet, he himself in his ship the *Swallow*, not knowing what was become of his brother and the rest of the fleet, whether cast away or no, arrived at Montserrat, where he surprised a small frigate (which went from this Island) of twelve guns; which having done, his ship the *Swallow* being very sickly, and most of his men dead, from thence he went to Guardaloupe, one of the French colonies, where (having taken in 300 Frenchmen), went for Aurego, where he surprised two ships of London, which went from this Island full laden with sugar, ginger, and other commodities; the one of sixteen guns, belonging to Captain Powell, the other of eighteen guns, belonging to Captain Swift, which latter having sprung a leak, he could not carry off, but having plundered what was in her, left her. After he had spent some two months time about those Islands, and hearing nothing of his fleet, he went to the French roade at Christophers, where he heard that his brother ship alone was put in all shattered and torn at Turtoothes, which occasioned him to leave with the Governor of the French colony at Christophers two letters for his brother Maurice, one to be delivered to him, if that he should come up thither, and so he missed of him, the other to be sent down to Turtoothes, where he himself intended likewise to go see to meet with him there, and take him for France, being weary of the Indies. Prince Rupert, I am informed, hath but eight men in his ship of those which revolted to him, the rest being all dead; those which he hath are French and Irish, and some English he hath taken, which he cannot trust. I hope we shall not hear any more of him about these parts.

From LEITH, MARCH 1.¹—The day before your letter came to hand, there was a very strong report, and it passed for

supposition—he was the very soul of honour, and to suppose that he would be pitiful enough to defraud Von Siegen of his legitimate right to encrease his own scientific reputation, would be as absurd as to believe that Cromwell was a coward, or that Chatham would have taken a bribe.

The Prince was fond of science, and made several important communications to the Royal Society, of which he was a member. He died at his house in Spring Gardens on the 29th of November 1682, leaving a natural daughter Ruperta, who eventually inherited his fortune.

¹ There are some prefatory canting ejaculations, much in the usual style, which have been omitted.

current among the Scots, that our navy had received a total overthrow from the Dutch. Thereupon some of our Scottish friends (and wee have but very few who are indeed friendly), came and told some of us that upon this defeat there would be an universal rising of the Scots, and therefore their advice was, that with all possible speed wee would retire to some place where wee might best provide both for the security of our persons and of what we had about us.

And we have come to think it is more then probable that the informers spake to us in the plainness and simplicity of their hearts; and that which makes it something the more credible is, that these men did affirm they heard it certainly reported, and carried up and doune among the newes-mongers in Edinburgh, that an express (signifying your defeat by the Dutch) was either come, or coming from the Council of State. It is easy to see day through such a crevice as this; we are here among those that hate us with a cruel and implacable hatred, and we stand as they did in the *Revelation*,—"upon a sea of glass mingled with fire," but yet we stand, having obtained help of God, and we live to confute their causeless curses.

From DALKEITH, MARCH 1.—We were of late sufficiently threatned by an infall of the enemy, which state of things (wee suppose) now qualified and amended; and those wilde people of the Highlands are dispersed to their several habitations, after that some of them had bin met together with intent to attempt mischeaf upon us in some place or other. And yet before their parting they agreed among themselves to bee ready at an houres warning.

There was expectation in the Highlands of a certain ship to come thither with armes and ammunition from Holland, so that questionless some design was, and may bee a-brewing among them; and not only in the Highlands, but in consideration of the bold language and behaviour of many in their party, there is good cause to suspect that the dangers may extend to a correspondency with a treacherous party in the Lowlands; and in all probability they would have shewn themselves, if the news of our affairs at sea had been answerable to their wicked hopes and expectations.

About a fortnight since the Governor of Stirling took

occasion to search, and found many armes in the hands of the townsmen.

From DALKEITH, MARCH 5.—There is of late here no news considerable, only we have assurance that at the late meeting at Lagon, in Glengary's bounds, there were not above 600 men, the most of them rogues and common thieves; they quarrelled much about choosing a Commander; some were for Glengary, others dissented. One man was slain; upon the whole, they resolved not to meet again till oates be sown. Upon the dissolution of the meeting the Lord Seafort went to the Island of Lewis.

From PARIS, MARCH 8.—There is news that he whom they call the Duke of Gloucester,¹ arrived at Dunkirk, where he was well entertained by the Governor; and the like respect was shewn him in all those places that he passed through to Antwerp.

From EDENBURGH, MARCH 19.—This place affords little news. All is still now concerning Glengary and his Highlanders, nor doe we hear what is become of Loudoun² the Chancellor since he took his Highland vagary, nor of Munro, nor any other of that crew. The late blow given the Dutch at sea hath stricken all as dead as a herring in the north of this nation, and their correspondents and well-wishers are become very mute and temperate in the Lowlands.

Many of the ministers that are called Dissenting Brethren or Remonstrators, are now in Edinburgh, and have divers meetings. The other of the pretended Assembly are very

¹ The Duke's friendly reception is again noticed in the communication from Amsterdam, p. 2290.

² The Earl of Loudon was so unfortunate as to incur the displeasure of Charles I. and the enmity of Cromwell. The former very nearly cut off his head, and the latter excepted him from his act of grace. He was fined severely by Charles II., and soon afterwards died in 1663.

He was one of the chief pillars of the Covenant, although a man of the most immoral habits. His wife, an heiress, threatened to divorce him for this crime, if he would not retract his promise of service made in England to the King. Accordingly, he was compelled to yield with many hypocritical tears and public penance for his intended loyalty, in the West Church of Edinburgh. He was brought in 1651 before the Commission of the Kirk at Stirling for adultery with one Major Johnston's wife.

jealous, lest they should have some applications, in order to close with the Parliament, and so fall under our protection; and upon these considerations seem much dissatisfied with their meeting.

The Remonstrators have been taken up of late in some particulars touching church affairs, for the more orderly and frequent administration of the Lord's Supper, and to make provisions for the excluding of profane persons.

From PARIS, MARCH 29, *Stylo Novo*.—Prince Rupert is still sick in Nantes, as before you have heard of, and not permitted to sell any of his commodities.

From PARIS, MARCH 22, *Stylo Novo*.—Prince Rupert is for certain come with three ships only into the river of Nantes. It is the news here that six of the seven United Provinces are inclined to an open conjunction with the interest of Charles Stewart; yea, and that Holland tends the way too, since the death of the Lord Potter, who mainly opposed himself against it.

The little youth called Duke of Gloucester is now with his sister the Princess of Orange.

From NANTES IN FRANCE, MARCH 18, *Stylo Novo*.—Here entered into the river Prince Rupert with three ships only, whereof one, wherein himself rides, is the Swallow of forty-four guns, another a small frigate of ten guns, and the third a ship taken from the English in the West Indies. He can give no account of his brother,¹ nor of the rest of his ships, which were separated from him by a hurricane in the Indies, and are by himself verily believed to be cast away, which great loss much dejects him.

The company give out for certain that the Hollanders were to supply him with twenty-five men-of-warr to join with the small remainder of his fleet.

From PARIS, APRIL 5.—The Scottish King (as they call him) and his Courtiers have gotten an ill name here; for 'tis said their counterfeit King and they have of late turned coiners, and set up a Mint of their own in the Palace-Royal,

¹ Prince Maurice—no accounts were ever received of his fate.

but with counterfeit coin, upon which they have stamp't the French image and superscription. This rumour is raised by the citizens, because of the many pieces of false gold which pass up and down among them, and it is the ordinary discourse of the common sort in all places, and the better sort do a little suspect it. He hath no good luck among his people since his coming hither in point of affection, and now being weary of this country, he is like, upon the same terms, to leave them and an ill report behind him. His cousin Rupert is not yet come hither, but it is said he is recovered from his late distemper, and expected.¹

From EDENBURGH, MARCH 28.—Mr Patrick Gillespie² and Mr Levingston,³ two ministers of note, with Sir William Bruce, Sir Andrew Ker, and divers other elders, have withdrawn themselves from the meeting of the rest of the Remonstrators, as being much dissatisfied with severall of their proposals. For Mr Andrew Cant,⁴ Mr Rutherford,⁵ Mr Blayre,⁶ and other leading men of that society, wherein the Lord Warristone is very active, purpose to appear in a Remonstrance, where they will discover and lay open the defections as they call them, with the deviations and miscarriages of England and Scotland's people, not including themselves, for that, in their own apprehensions, they are the only men that kept their garments unspotted.

¹ From a subsequent paragraph it appears that Prince Rupert was thought more of by the Dutch than the King, and it was proposed he should head an expedition to invade England, Ireland, or the Highlands.

² Minister at Kircaldy—afterwards at Glasgow—thereafter Principal of the College. He died about 1670.

³ The Rev. John Livingstoun, whose Memoirs, though printed in an imperfect state, are curious. He was a great friend of Lady Culros, author of the rare poem printed in 1603, called "Ane Godlie Dream;" and Mr Sharpe has in his edition of Kirkton, p. 61, given a very strange letter from that Lady to him. The concluding paragraph is comical enough.—"Your clais are heir, quhilk ye left with us to mak us the mor sure of you. Do not go now, for fear we poind your nicht cap." Livingstoun died in banishment at Rotterdam 1672. His Sermon on Lot's wife is, according to Mr Sharpe, "one of the most extraordinary specimens of eloquence extant."

⁴ Minister at Newbattle, and afterwards at Aberdeen. He was deposed 1603, and died shortly afterwards.

⁵ Samuel Rutherford, a well-known pillar of the Covenanters. He died in 1661.

⁶ Robert Blair, ancestor of the author of the Grave, and Lord President Blair.

The first thought this an unreasonable course, and therefore refused to join with the latter, declaring, that if there might be any humble expedient offer'd to the Parliament, where grievances might be redressed, or any thing rectified that is amiss, they should concur with them. So we see here is a new spring of Dissenters out of the old stock.

From COLLEN, MARCH 25.—This day the Prince of Newburgh departed this life, choaked with a catarre.

From LEITH, APRIL 4.—There was a meeting lately appointed by the Remonstrators at Edinburgh, whither they summoned all the Synod to come and attend them, which did not a little vex the other party; insomuch that they caused the kirk (where the place of meeting was appointed), to be shut against the Remonstrators, so that they could not get in till they broke the glass, and put in one at the window to open the door.

Here is no appearance yet of any stir, though the preachers are bold to mind the people of him whom they call their King, insinuating a great force and power that he is like to have, and that their deliverance cannot be far off.

Master Robert Douglas¹ and the rest of the ministers that were released out of London Tower, being arrived at Edinburgh, were received with much joy and acclamation, especially Master Robert. He hath preached since his return, and in his sermon he had a word upon Sectaries.

APRIL 13.—There has been published a treatise in Scotland of worthy consideration, entituled, "Causes of the Lord's Wrath against Scotland, manifested in his late sad dispensation: whereunto is added a Paper particularly holding forth the sins of the Ministry."²

From AMSTERDAM, APRIL 18, *Novo Stylo*.—The titular

¹ He preached the sermon upon the Coronation of Charles II. at Scone. He died in the end of January 1671, about 80 years of age. Law's Memorials, p. 58. It was said that he was a grandson of Queen Mary, who, according to Burnet, had a natural son to George Douglas, begotten while in Lochleven. These reports are very properly characterized by old Robert Mylne as "base Whig lies."

² By James Guthry, minister at Lauder, and thereafter at Stirling. He was beheaded at Edinburgh, June 1, 1661.—Law, p. 10.

Duke of Gloucester hath been at the Hague, and much made of by his sister the Princess of Orange.¹ Her brother the Scottish King, hath made him Knight of the Garter, having lately sent him a George, and an invitation from himself and his mother to come into France, which it's conceived he will accept, and that he will goe from the Hague toward France very soon.

From PARIS, APRIL 23, *Novo Stylo*.—We have heard of Prince Rupert's arrival at Paris. M. De Souvre, Ordinary Gentleman of the King's Bed-Chamber, went at first to doe him civility, and offered him a lodging in his house; but after some compliments, the Prince thanked him, and only accepted of furniture for some chambers in the Palace-Royal, which the said M. De Souvre hath since sent him; but the less willing, in regard he knows how basely Charles Stewart's people are wont to spoyle whatsoever comes into their hands.

The said Stewart hath nominated the Priest Calaghan, an Irishman, and kinsman to Muskerry,² to go to Rome, to exhort the Pope to use his interest with all Christian Princes for assistance against the Commonwealth of England, promising, when himself is settled, to allow liberty of conscience, and to permit the re-establishment of Popery in England, Scotland, and Ireland; but for want of money the Priest is not yet gone.

EDINBURGH, APRIL 9.—The Commissioners for the administration of justice in criminal causes sat this week upon tryal of sundry malefactors, among whom was one

¹ The Princess of Orange, after having long supported an unblemished reputation for chastity and prudence, was finally supposed to have shewn too much partiality towards Henry Jermyn, afterwards Lord Dover. She was persuaded by her foolish mother to believe that the French King might be inclined to marry her, and on that suggestion went to Paris with so extravagant an equipage, that she got into difficulties, and sold all her jewels and wasted her four estates. See Burnet.

² Charles Maccarthy was created by Charles I. in 1627 Lord Maccarthy, Baron of Blarney and Viscount Muskerry, both in the county of Cork. In 1658, Donough Maccarthy, Viscount of Muskerry, was created by Charles II. Earl of Clancarty. From Lodge (vol. ii. p. 36, Lond. 1789), we learn, that Donough was the grandson of Charles—his son and heir Cormac, who married Margaret, only daughter of Donough fourth Earl of Thomond, having predeceased his father.

found guilty of murder by the Assize;¹ and one James Crichtoune, a Jesuite, rendered himself guiltie by his own confession, acknowledging that he had said Mass in divers places of this nation, and insisted much in justification of his own opinion; he declared a readiness to suffer (without reluctance) whatsoever should be inflicted on him, boldly affirming, that the worst measure he could receive from men would tend most to his own advantage. Sentence is not yet pronounced against these two.²

LEITH, *the same date*.—Colonel Atkins having set out two private men-of-war, the one called the Oliver, commanded by Captain Anthony Lilburn, carrying ten guns, and the other of six guns, called the Adventure or Rook, the former this week brought in a small Dutch prize into Leith, the latter brought in a fly-boat of two hundred tun, laden with tallow, hides, stockfish, and other commodities, valued to be worth L.6000. They pretend to be of Lubeck, yet it is hoped they will prove a prize, having, as is alleged (before their taking) thrown many of their letters and cockets overboard. The little vessel had divers pictures and books which did very much magnifie the Dutch in the last engagement, and vilify the English and a description of the sea-fight.

APRIL 28.—All is quiet in the Highlands, and Glengary hath parted with his forces.

Those Declarations which were so hotly debated not long since by one of the Kirk parties (for they are now in no less than three divisions) against all the people in England and Scotland that tread not in their wayes, have not yet attained strength enough to look abroad, and it is a question when they will, for endeavours are not wanting by some of their own to strangle them in the birth.

But leaving them to their own fate, either to sink or swim, and casting an eye upon the Highlands, I find there

¹ John Ritchie, convicted of the barbarous murder of William Leggat. He died in prison, and thus escaped the hands of the hangman.

² From the criminal records Crichtoune appears to have been convicted, and sentenced to banishment from the three kingdoms—a mild punishment, considering the times.

a people that have little or no minde to remonstrate, but watch and listen after all occasions and opportunities that may encourage them to act against us. But God will (we trust) disappoint them all.

From PARIS, APRIL 26, *Stylo Novo*.—Prince Rupert keeps close in the Palace-Royal, having little converse with any but his cousin Charles Stewart, to whom, as also the little Queen, he hath [given] two or three Blackamores. His fleet is reduced to a very small frigate, and the other, the ship called the Swallow, belonging formerly to the State of England, which begins to be old and rotten, so must be repaired ere she put out again to sea. We hear of no great matters he hath brought with him out of the Indies; nor is there any news yet of his brother Maurice.

It was thought Charles Stewart would have been packing before this time, but as yet there are very slender prognostics or probabilities of his departure, and as slender are his encouragements here to stay.

From COPENHAVEN, JUNE 25.—The Lord Wentworth is here at present from his pretended Monarch Charles Stewart, with great applause and state, but come here in an unseasonable time for receiving supplies, and I think his expected sea or land auxiliaries will prove no less frivolous.

From LEITH, JULY 5.—There is news come to Edinburgh that the Highlanders have had a rendezvous, where they took a resolution to fall upon present acting, which they accordingly put in execution; for the Highlanders, led by the Marquis of Huntly and the Lord Balcarres, fell lately upon some of our forces and engaged them, but which of ours it is not yet known. The same intelligence saith that the Lord Balcarres is slain in that skirmish, which was between them.

From EDINBURGH, JULY 6.—You have formerly heard what a ranting Declaration was set forth by Seaforth, who plays *Rex* in Lewis Island, but I suppose his reign there will be but short, care being taken to root him out.

There are severall ships, men of warr, and merchants,

ready to weigh anchor out of Leith road, with severall of our foot forces, commanded by Colonel Cobbet, and provisions of victual and other necessaries requisite for the undertaking: the reducing of that place will be of very much advantage, both to hinder the Dutch victory, and insure our own trade.

This week five prizes came into Leith road, taken by the Greyhound frigate, not far from the Sound. Two of them were Danes of good burden, one of them well laden; the other three were Dutch busses.

Next week the General Assembly of the Kirk intend to sit down according to their usual custom, the dissenting brethren are come to town before, in order to some distinct consultations. The other party have a jealousy over them lest they should comply too much with us.

The little Falcon hath this week brought in three prizes. She was on the coast of Norway, and went up a river a good way into the country; two of the vessels were laden with herrings, the other with flax.

From DALKEITH, JULY 12.—Our ships and party are now going for Lewis, from whence Crawford, Charles Stewart's agent, is newly gone, with divers subscriptions from many Lords and most of the Chiefs of Clans, with their earnest desire of supplies, according to his promise and engagement to them in his late message. Moreover, Seaforth himself is gone towards Loghabar, where the continued great meeting is. There the Lord Balcarres, Glencairn, and Glengary are very active to little purpose as yet; the former of which having very good horses with him, the Highlanders have stolen two of the best from him, and are gone with them.

Argill and Huntly had lately a meeting about settling Huntly estate; they both pretending to peace, have desired a protection for Huntly to come to Edinburgh to advise with his lawyers about completing his agreement between him and his uncle.

The General Assembly is next week to sit down if they be not hindered, for that they would carry on that form as high as ever.

A Danish merchantman being taken at sea, is brought into Leith harbour, where more are expected to follow.

From EDINBURGH, JULY 18.—The news in this Southern part of Scotland is not very considerable, all being quiet, and desirous to be quiet. The greatest contest like to be hereabouts is that of the Tongue, betwixt the men of the gown, I mean, the differing churchmen; for the General Assembly being now to sit down, and intending to offer at somewhat in the behalf of the Kirk, and those other intrigues which concern the grounds of dissatisfaction betwixt them and their dissenting brethren, it is conceived the dissenters will be thwarting and make opposition against whatever they shall declare or determine. I perceive the feud is so high and deadly between them, and the rent so wide, that it can never be made up again; at least not as things now stand; but perhaps if the Kirk were in their old power (which they abundantly affect), they would repair the breach, or blast the men with their spiritual thunder. What this sitting of theirs may produce, a short time will discover.

The Northern Meeting of Lords, Lairds, and Gentry holds still at Loghabar. Their design, whatever it be, depends much upon the coming out and success of the Dutch at sea. Seaforth was among them, but is now returned to Lewis for defence of that Island. Charles Stewart had an agent lately among them, who came with instructions, and, some say, commissions, from his master, besides many promises, hopes, and encouragement; and he is now returning with their answer. What these can do (if they dare do any thing) farther than to alarm our quietness, and warm them in the winter, I do not understand, nor do I believe they have any encouragement to come south, the Lowlands being weary of the war.

From EDINBURGH, JULY 21.—We have here a very remarkable accident fallen out yesterday, which is a dissolution of the General Assembly of the Kirk, and a dispersion of the members.

As soon as sermon was done, and they had gone to the Assembly House, and entered upon their business, Lieutenant-Colonel Cotteril went into them, and standing up upon a bench, with a loud voice proclaimed that no judicatory ought to sit that had not authority from the Parliament, and so causing them to depart, he conducted them with a

troop of horse and a company of foot out at the West Port, then bidding them close round in a circle, environing them with horse and foot, he blamed them for their bold meeting, took in their commissions, required them not to meet together in a company, and that by eight o'clock this morning they should all quit this city, and repair to their several homes, or else to suffer as enemies of the Commonwealth ; so there is an end of the Kirk Grand Assembly, which hath been an engine so formidable in Scotland.

From EDINBURGH, AUG. 1.—Here is little of any moment in these southern parts, save that the ministers are very angry, and express it both in their prayers and sermons at the dissolving of the General Assembly by so rough a hand ; which, as it was a thing unexpected, so it works, according to the variety of men's judgments and apprehensions, severall passions in this nation.

The Marquis of Argile seems an earnest contender to preserve his fidelity professed to the Parliament, and endeavors to keep those in his country from any correspondence with the Highlanders. Besides, he has written a very passionate letter to his son, to conjure him away from that party who are still a-heading in Loghaber, and expecting an opportunity to do mischief, being confident they shall hear of the Highlanders good success at sea, who, they think, will be serviceable to them in their design.

From EDINBURGH, AUGUST 11.—Here it hath been proclaimed at the Market Crosse what persons shall come in and give caution for good behaviour to the Commonwealth. The substance of the Proclamation was as followeth :—

*By the Commissioners appointed for Administration of
Justice in Scotland.*

Forasmuch as there be many laudable Acts of Parliament of this nation made for the suppression of sorners, broken Highlanders, Borderers, and such as have disregarded the peace of the nation in former times, and in particular, the 92, 94, 97, 98, 101, 103, 109 Acts of the 11 Parliament of King James VI., besides many other Acts and Statutes of Parliament and Privy-Council tending to the prevention and

remedy thereof, which, by reason of the late troubles of the country, have not been put into execution, whereby many loose and turbulent persons, such as against whom these Acts and Statutes were made and provided, do now take occasion to trouble the peace of the country, and commit outrages, insolencies, and depredations upon the well-affected, and those who love the peace of the nation: For remedy whereof, and for prevention of any such disorders hereafter, and for the better keeping of the peace of the nation, it is hereby ordained, that the Marquis of Huntly, the Laird of Parke, Laird of Haddo, Laird of Newton, Laird of Rothmey, Laird of Arradouille, Marquis of Argile, Lord Lorne, &c., and all others not afore named, Noblemen, Barons, Gentlemen, and others yet on life, and the heritors of, and successors to, the lands and estates of such as are deceased, and the tutors and curators of so many as are minors, deceased, particularly expressed on the roll remaining in print, joyned to the Acts of Parliament of King James VI., Parliament the 11, 1587, whose names or title are as followeth:—The Laird of Macfarlane, of the Aroquhair, the Laird of Lusse, and all others, landlords, bailiffs of lands, captanis, chieftains and chiefs of clans whatsoever in the Highlands, are to find caution by landed men in the country, to conform themselves unto the said lawes, Acts and Statutes of Parliament and Privy Councill above written, and to all other laws, Acts, and Statutes of Parliament made thereanent and relating thereunto: And particularly, ordering all chiefs of clans and others afore named, specifiet, mentioned, and hereby intended, to come and find sufficient caution acted in the books of the High Court of Justice at Edinburgh for causes criminall, or elsewhere where the Court of the law shall happen to be for the time being, to be held for them and their friends, followers, and dependants peaceable carriage, according as they or their ancestors and predecessors have been formerly ordained as aforesaid, and under the pains therein contained, betwixt the Proclamation hereof and the first day of October next ensuing; with certification, if they fail, that they shall be holden as contravening the said Acts of Parliament, and prosecuted accordingly with all rigor.

And forasmuch as the premises are of publick concernment, it is hereby provided and publickly declared, that no

person whatever hereby intended for finding caution as aforesaid coming into the Lowland to provide and give in the same, shall any ways in his person be molested or troubled by caption, arresting, or other imprisonment for any civil cause whatsoever, until the said first day of October and ten days after, for their returne home be expired, and all the Sheriffs, Bailiffs, Messengers of arms, and others whom it doth concern, are to take notice hereof, and give due obedience thereunto.

And it is hereby ordained, that these presents shall be as sufficient as if every particular person hereby entitled for giving caution as aforesaid, were herein specially inserted and named. This Proclamation to be published at the Market Cross of Edinburgh and the Market Crosses of the head burghs of all other shires next adjoining to these parts where their lands lie, where free access cannot be had.

Given under our hands at Edinburgh, the 7th July 1653.

HEN. WHALLEY, Advocate-General. GEORGE SMYTH.

AND. OWEN. JO. MARCH. ED. MOSLEY.

From EDINBURGH, AUGUST 3.—There hath been published a Declaration by the Commissioners for the visiting the Universities in Scotland, and placing and displacing Ministers, which doth much amaze them after so long forbearance. The Declaration itself you have here enclosed. It especially forbids preaching or praying for the King; and yet the day after it had been proclaimed here at the High Cross, Mr Lowrey¹ preached and prayed for him more earnestly than ever before, for which he was apprehended as he came down from the pulpit, and committed to the Castle, but on promise of better demeanor in time to come, he was released.

The rest of the Ministers are, since the Proclamation, more fierce than ever in praying for the King, as they call him, especially the Remonstrators, who, till now, have been either silent or cold in their petitions for him. Mr John Stirling² declared himself in opposition beyond all men's

¹ Mr Robert Lowrie was one of the ministers of Edinburgh, and was engaged with Mr John Adamson and Zachary Boyd in translating the Psalms (see Baillie's Letters, vol. iii. p. 554). After the Restoration he conformed, and was appointed Dean of Edinburgh. In 1671 he obtained the See of Brechin. He died in 1677.

² Mr John Stirling, one of the ministers of Edinburgh. He had the

expectations, and paraphrased upon the Proclamation very boldly.

The Highlanders are now certainly in a body to the number of four thousand. Glencarne is their Generall. Its said Middleton and some few Officers are got to them. The Earl of Seaforth is raising all his men: the like is M'Leod, who till now have laid quiet.

There is no intelligence which way they intend, whether northward or westward. We have secured some West Country gentlemen their correspondents. The Lord Lorne, Argile's son, is among them in the Highlands, but the *Old Fox* is (as is said) a great opposer of them.

From EDINBURGH, AUGUST 14.—We have now certain intelligence, that on the 27th of July, Charles Stuart's standard was set up at Killing. On that day forty horsemen, well mounted, with swords and pistols, went by the House of Donne (six miles from Stirling) towards the Highlands. And on the 28th, Sir Mungoe Murray went thither in the night, and Kenmore, with one hundred horsemen, crossed the Water of Clyd, and went by Dundreth towards Killin, and is returned into the South to raise more forces, for they intend speedily an attempt against us. On the 30th, Glencairn was at Maggrigor's house in Loch Kennoth, and lifted three men there; to each he gave two shillings and sixpence, and sent them for the Lowlands, there to be in readiness, and to return upon notice. All possible care is used to receive him if he comes into these parts. Bohauty is a place of no strength, but the best of the three wayes out of the Highlands. On the 31st of July, in the night, divers horsemen went through Strabarne, by the House of Ondoth, into the Highlands.

Further from ST JOHNSTONE'S, AUGUST 13.—Last night late I received intelligence that Middleton is landed in the Highlands with arms, ammunition, and men, the number not known. They are up in arms, and intend some sudden exploit. My intelligence saies they intend to fall upon Innerness, and that the Highlanders did intend to fall upon

good sense upon the Restoration to recant his remarkable protestation, and complying with the indulgence, in this way evaded punishment.

Mernes and Angus; and I find there are many broken parties out at this time.

With these intimations we may here add a copie of the Declaration set forth touching the Ministers preachments for their late King.

By the Commissioners for visiting Universities in Scotland, and placing and displacing of Ministers.

By vertue of an Order to us, directed from the Right Honorable the Council of State, impowring us to punish all such in the Ministry or Universities as shall be found reviling the present Government, or shall endeavour to debauch or keep the people disaffected, by praying for the pretended King of Scots, or his late father's family, or by praying or preaching for a Monarchical Government, by which they labour to weaken the just interest of the Commonwealth of England in this nation, and to affix and fasten the common people in their enmity and oppositions (who are caused to err by following such sowers of sedition), all which being contrary to the aforesaid Order, and also expressly forbidden by the Word of God, which enjoynes a peaceable subjection to Civil powers, and much more to those that the Lord hath now appointed over this nation, to the justice of whose cause his hand hath given a divine and immediate testimony in most memorable and many signal consequences; wherein not only to see and acknowledge the finger of God, but on the contrary, maliciously to oppose the wayes of his Providence, must needs argue a very high degree of ignorance or wilfulness: Therefore, in conscience of our duty to God, as also in reference to a faithful discharge of that trust and authority committed to us, and for preventing the great inconveniences by such enormous practises in Ministers and others for the future, We do, by these presents, declare to all persons whom these may concern, That whosoever shall be duely convicted to offend in any of the aforesaid particulars, after publication of this our Declaration, shall be severely punished, and proceeded against as an enemy to, and a disturber of the peace of the Commonwealth. And to the intent that due notice may be given, We do order that these presents be printed and publickly proclaimed at the Mercat-Cross at Edenburgh,

and also that copies thereof be sent to the several Sheriffs in the respective counties and shires in this nation, to be by their appointment proclaimed in the chief mercat-towns or boroughs within their jurisdictions, and to be affixed on the mercat-crosses or most publick places, whereby full obedience may be given to the above mentioned Orders, and none concerned may pretend ignorance.

Given under our hands at Edinburgh, the second day of August 1653.

ED. MOSLEY. A. OWEN. GEO. SMYTH. JO. MARCH.
SA. DISBROWE. ED. TYLER. R. SALTONSTALL.

AUGUST 17.—Came letters from Paris, which speak little save only of the retreating of the Prince of Conde, and of the recovery of Charles Stewart, who had been very near death, through a surfeit taken by eating of fruit.¹

From EDENBOROUGH, AUGUST 20.—Upon Friday, Saturday, and Sunday, the 12th, 13th, and 14th instant, the Highlanders lay in a wood about three miles from Ruthven Castle, a garrison of our's the nearest to these mountains. We expected they would advance farther, for they gave out great words to that purpose; but on Sunday night a brother of Lord Ogilvy's came to them, and made a relation of the conflicts at sea—how that the Dutch were routed and run home. This so surprised them, that immediately after they dispersed themselves, some going one way and some another.

The Lord Lorne, the Marquis of Argile's son, with Maclane and their men, returned homeward over the hill. Glencairne and Glengary went their ways up the Water of Spey towards the Brays of Loghabar (their usual place of refuge), much troubled that their designs are thus blasted in the bud.

Our Commander-in-Chief will now, I suppose, suspend his march into these parts; however he may, probably ere long, give them an alarm with some of his forces.

¹ From the communication of the 3d September, it seems that the King was still ill—that he would not consent to be bled, and would not be confined to bed, but preferred resting on chairs, and occasionally taking an airing in the garden when the weather was fine.

From EDINBURGH, AUGUST 26.—The Highlanders designs are now at an end, nor is there like yet to be any new thing among them. However the resolution of our Commander-in-Chief holds still to go over the water, intending to visit the frontier garrisons, and let those mountaineers understand that he is not sleeping.

The ministers continue to pray for their King, but it is in such covert terms that they cannot be laid hold on.¹

From BRISTOL, AUGUST 27.—At Monmouth Assizes an old man of eighty-nine years, was put to death for adultery, committed with a woman above sixty.²

From EDINBURGH, SEPTEMBER 3.—Colonel Cobbet and his party got possession of Lewis Island about ten days since, and had the arms of the place surrendered to him without the least opposition.

The day following, a man of war of sixteen guns, that went with the party for Lewis, was seen near the shore sounding the water, and not far from Elloh Donnel a house of the Lord Seafortes, which Lord having word of the English landing, would have garrisoned Kintale, but could

¹ In justification of their acting, they published "Some Reasons why the Ministers of Christ in Scotland ought not to be punished for praying for the King; and wherefore they cannot in conscience omit that duty." This was answered in a pamphlet published at Leith.

² In Scotland this crime was long capital, and numerous offenders suffered the last penalty of the law. Parties were sometimes, and the last case that has been traced was one at the Perth Circuit between 1790 and 1795, where a party having appeared at the Circuit Court to answer a criminal indictment for this crime, the diet was deserted by the Crown *pro loco et tempore*, and nothing further was done. There is in the Book of Adjournal a singular case of this kind, in which a Scottish historical writer figures as a pannel. On the 11th November 1633, the Lord Advocate and Sir James Hamilton of Preistfield prosecute Mr Robert Monteith, minister at Duddingstone, for adulterie committed by him with Dame Anne Hepburn, sometyne Lady Preistfield. The Reverend gentleman did not choose to appear in Court, and was thereupon denounced rebell, but as Robert Monteith of Salmonet he attained preferment in France, and wrote "Histoire des Troubles de la Grand Bretagne, depuis l'an 1633, jusquen 1649. A Paris 1661, folio." This was translated into English by Captain Robert Ogilvie, Lond. 1735. His father was said to be a mere fisherman, or tacksman of fishing; in order, therefore, to figure as a person of feudal importance, this ingenious and not very moral Scotsman styled himself of Salmou-net, which, by the omission of one letter, sounds very well.

not effect it. Major Bird, one of our Commanders, died of a fever in Orkney, August 15th, who was intended for to be Governor of Lewis.

Out of Stirling we have notice that the Lord Lorne (Argile's son,) and Kenmore, came within seven miles of Stirling, with one hundred and twenty horse, but upon the appearance of some horse of ours, they retreated.

Colonel Lilburn, our Commander-in-Chief, having no occasion to march on, the Highlanders being quiet, and many of them desiring to live under protection, is returned back to Dalkeith.

From DALKEITH, SEP. 3.—Colonel Cobbet entered Lewis Island about fourteen days since, and had the arms of the Island brought unto him without any opposition.

On Tuesday was seven-night, Major Bird died of fever in Orkney. Seaford is doing what he can to secure Ellendella, a house of his in Kintaile, over against the Lewis, but few of the people come unto him, and I hope our folk will reduce that before Colonel Cobbet returns.

The Lord Lorne and Kenmore are busie about the west of Stirlingshire, and were, with about two hundred and sixty horse and foot, within seven miles of the garrison, fired at some of our's and killed an horse out of an ambuscade. Colonel Read is marched out against them with three companies of his own regiment, and three troops of horse.

Glencairne is gone to Mule (Mull) Island, but to what purpose is not known.

The Assembly at Aberdene was lately disturbed by Colonel Morgan, which drew a Protestation from Mr Andrew Kant (Cant) and the rest against him.

Sir James Macdonald, who is the greatest man in the Hebrides Islands, sent hither the other day to Colonel Lilburne for protection to himself and some friends, and expressed much resolution to preserve the peace, &c.

I conceive the Lord Lorne's case being desperate, by reason of his father having turned him off, makes him joyne with that wretched fellow Kenmore and other vagabond people, to live upon the spoile, but all they can doe will not signifie any thing to speak of, nor will more wilde people be able to make any considerable disturbance.

Upon Colonel Lilburn going to Stirling and St Johnston, he found those parts very peaceable, and met some Commissioners from the Western Counties, to give him assurance of their peaceable intentions to prevent any jealousies of their actings, together with their utter dislike of any of those proceedings that have been or are among the Highlanders.

From DALKEITH, SEPT. 6.—In my last I acquainted you with the Lorne and Kenmore's coming into Stirling, and Colonel Read's marching towards them; since which there hath been a little skirmish, wherein they killed us two horse and two men, and wounded us about twenty men and some horses, but they were as well requited. When the craggs could shelter them no longer, they left our men upon plain ground. There appeared about fifty of their foot and some horse. Divers of their foot run along the hills, from hill to hill, flanking of our men, and gauled us upon the retreat, which occasioned our loss. Colonel Read yet lies on the field near Port, by the Isle of Montille (Monteath), near which the engagement was.

As yet we hear no further from Lewis. There are divers Dutch pickeroons that rove upon their coasts.

You have here inclosed a copy of a paper sent by Kenmore to the Lord Cardrus,¹ whereby you may note his confidence:—

“MY LORD—I doubt not that your Lordship knows the intentions of this kingdom, also the posture of affairs, and how they are ordered. Therefore your Lordship is hereby

¹ David Erskine became second Lord Cardross, on the death of his grandfather John Earl of Mar, who had obtained a charter from the Crown, dated 10th June 1610, of the Lands, Lordship, and Barony of Cardross, with right to the dignity of the peerage, in favour of himself “suosque heredes masculos assignatos et successores.” Lord Mar, under a reservation of his liferent, conveyed the Lordship of Cardross to his second son Henry, and a charter under the Great Seal was passed 13th March 1617–18, ratifying the grant.

Henry died however before his father, and in this way the right to the peerage and estate did not open to David until the Earl's death in December 1634. Lord Cardross was, to his immortal honour, one of the few Scottish Peers who protested against the delivery of Charles I. to the English army. His Lordship died in 1671, and was succeeded by his eldest son Henry, whose lady was a shining light amongst the Presbyterians.

required to put out your proportion of horse and foot, your horse to Sir Mungo Murray, your foot to the Laird of Duchray, with assurance, so long as their bounds shall be deficient. I must expect quarters of you; but in expectation of your forwardness, I remain, your humble Servant,

“ 2d Sep. 1653.

“ KENMORE.

“ I also desire provisions, conform to my quarter-master’s note, may be provided this night; so that it may be conveniently brought where I shall be.

“ For my Lord Cardruss.”

These are to require the Commissioners of Cardruss to bring to John Neiper’s house, within two hours after sight hereof, thirty wedders, four and twenty pecks of meal, and sixteen stone of cheese, as you will answer upon your highest peril.

JOHN INGLISH.

From EDINBURGH, SEPTEMBER 10.—The Marquis of Argile declaims much against the courses of his son Lorne holding forth very large affections for the public peace, which we hope are real, and that he will not forfeit by any after proceedings, nor shall we suspect him till we see reall ground to the contrary. He is now labouring to reclaim his son from that desperate party to which he hath given up himself.

All the stirs in the Highlands are at a stand still, and the ringleaders retired to their several stations; when they will venture out again is not imaginable, but being desperados, they know no other way of prosecuting their private ends, but by disturbing the publicke, as often as they fancie a favourable opportunity.

The Ministers are not so forward as they were to pray for their pretended King in express terms, but they hint it shrewdly in their prayers to that purpose.

From DALKEITH, SEPT. 13.—Colonel Cobbet entered the Lewis the 10th of August, left Major Crispe, Governor, with four companies; they found a peninsula, going near Loughsternay, very considerable, to be fortified; they had

there two great guns and four sling pieces; from thence they sailed to Mull, and entered there the third instant, and have taken in the strong Castle Dowart,¹ and are masters, by that means, of one of the greatest clans in Scotland, who have been most active enemies. Their chief and diuers of that clan were there that fought so stoutly at Innerkethen, where most of them were slain. I hear Glencairn and the rest of his rabble intends to raise 1000 to 1500 men out of those wandering vagabonds, and broken people both in the High and Lowlands to keep up the name of a party against us to gain credit abroad. A ship from Norway reports a hundred Dutch ships to be there in great fear of our fleet; and from Orkney it is certified there are between thirty or forty sail gone lately towards Norway: of one of these of two hundred tons, most of the loading, tobacco, was wreckt upon these islands.

One Mr Waugh, a minister, is committed by the Judges to Dunstafnage Castle for preaching and praying for the King.

SCOTLAND, SEPT. 17.—The Highlanders are indifferent quiet. Only since they and others of this nation cannot subdue that power of the English that is amongst them, they destroy as many particular persons as they can take advantage of. There has been lately several cruel murders committed. Three of Colonel Fitch's regiment were killed, looking to the officer's houses in sight of Innerness. Three Scots in and near the town (who they were acquainted with) discoursing with them, each took his opportunity, and dirked his man, and rode away to the Highlands with the horses, where this treacherous act was highly applauded.

Mr Fulford was barbarously murdered between Peterhead and Frizeburgh,² going after Colonel Cobbet. Last week a souldier of Major Bridges troop going with two suspicious persons that he had before apprehended near St Johnstons, they took advantage of him coming down a hill near the Bridge of Earn, one took him by the hair of the head, and

¹ The Family seat of the Macleans, who still possess one-half of Mull.

² Fraserburgh. Fraser was anciently termed Frisel.—The name is said to be French, from *Frais*, a strawberry, which the Frasers still bear on the arms.

the other drew out his sword and run him through. Also two or three that came from the Bray of Maner Castle have been murdered by some Highlanders (who they call caterens), that is, Caran, robbers. They have stole divers horses out of several of our quarters, and carried them into the Highlands, where there is no pursuing of them. The Highlanders propose to have a thousand men together at the latter end of this month, which shall be a standing party under the command of Glengary. M'Aldey¹ is to raise two hundred men, M'Clap² two hundred men, Seaforth three hundred, and Glencairn and Glengary to make up the rest. They resolve to keep together till they have word from the King of Scots, which they give out will come to them shortly, or however the next spring. They report that the English dare not (or at least cannot) doe them any prejudice, except they fall down into the Lowlands, which is not intended by them untill they have more strength; and they will, if they can, forcibly prevent the countries adjacent to the Lowlands from paying any assessment to the English, but to themselves.

From the HAGUE, 26TH SEPTEMBER.—We do hear that the Highlanders are very strong in a body together, and if they had but arms, they would get a greater number. The Lieutenant-General Middleton is yet here. He is soliciting of the States here for arms and ammunition, which will not be granted him, as we believe, till such time as the Treaty be broken off.

SEPTEMBER 29.—By letter from Scotland thus:—Yesterday Captain John Hume (who was sometime since reported to be dead) was brought prisoner hither—he and some others were to have had commissions from Glencairne, and to have made a general rising for Charles Stewart, so that I perceive the design of the rising was epidemical. Marquess Huntly is coming in, to give bond for his peaceable demeanor and

¹ Sir Ewen Cameron of Lochiell, whose extremely valuable and interesting Memoirs by Drummond of Balhaldy have been printed for the Abbotsford Club, &c. Edin. 1842, 4to. M'Ilduy means the son of Black Donald.

² An odd mistake for the Chief of the M'Leans.

submission to the present Government. I have heard nothing from Major Cobbet since his possessing Mula Island, though I hope he hath done something upon Seafort's house in Kintale before this. Major Darrel, who commands a private man of war belonging to Colonel Atkins of Leith, yesterday brought in six small Dutch prizes into Leith Harbour.

From DALKEITH, SEPTEMBER 22.—While Colonel Cobbet staid in Mula Island, the Marquis of Argile came thither, and by his advice and assistance the heritors of the country were brought to engage that themselves and servants shall live peaceably, obey the authority of Parliament, and pay sasse as the rest of the Shire of Argyle doth; and further, engage not to act, nor suffer MacCleane the tutor to act any thing prejudicial to the affairs of the Commonwealth, nor to the garison settled in Dowart, nor to pay any rent to the said MacCleane, out still in rebellion, and was at our coming thither in the Isle with Glencarne to raise them, to join with those that are to meet at Lochaber the 1st of October; but upon our coming they went to Fyvie's Island.

There happened, the 23d instant, a very violent storm upon that coast, which continued sixteen or eighteen hours, in which we lost the Martha and Margaret of Ipswich, a large ship, which carried all our remaining stores of ammunition and provision, only the great guns and mortar piece were saved. We lost a small man-of-war called the Swan, Capt. Tarleton, commander, and two small ones, and most of our boats. But that which was most sad was the loss of the Speedwell of Lynn, which having twenty-three seamen and soldiers in her, they were all (except one man) cast away. The loss of provisions occasioned Colonel Cobbet to boat over his men to Dunstaffnage, and so to march through Argile's country, a dangerous passage, in case the rebels which are now onfoot, should interrupt them in their passage, which they are preparing to doe, though I hope he will get through the Highlands before they can be in a readiness. The wind was so violent, that in one place so much of the topp of a rockie hill was blown down, as that the stones that fell from it cover'd an acre of ground.

From EDINBURGH, OCTOBER 1.—Things are here at present

in a quiet posture; but its because they are kept so by vigilant force, for the coals are blown by the discontented Kirkmen, who, not daring to pray for Charles Stuart openly, doe yet remember him in covert terms, and such as are well enough apprehended by the people. They hanker still after that broken reed, being fed with stories from beyond sea, which raise expectation. They talk of arms and ammunition to bee landed, and they say Middleton is to be the man that must bring them out of Holland. Thus far the truth is, that Middleton hath strongly endeavoured to get supply at the Hague, but the States have hitherto rejected him.

In the meantime, the Highlanders doe ramble up and down, and make incursions into the Lowlands with small parties. The most considerable of them is Kenmure with his companions.

WESTMINSTER, OCTOBER 4.—A Bill for the uniting and incorporating of Scotland into a new Commonwealth with England was read the first time, and a day appointed to read it the second time.¹

From COLONEL LILBURNE, AT LINLITHGOW, OCTOBER 8.—Hearing that the Highland Tories were to have rendezvouz near the head of Lough Lomond, not far from Stirling, we are drawing some forces that way, to prevent their infall; but they take their opportunities in the night time, and steal horses, and encrease their body daily; and we perceive the ministers are not altogether ignorant, nor free of correspondence with them. Could we but tell how to come at them, I should hope to give a good accompt of them.

Glengary is gone to meet Sir James Macdonald. Kenmore hastens all he can together. The Marquis of Argile stands firm yet, and some that have formerly been out, are now (notwithstanding the present stir) come in, and desire to live peaceably under protection.

From EDINBURGH, OCTOBER 8.—The Highlanders increase

¹ The Bill was committed on the 11th October following, and on the 18th the House "sate in a grand committee" to consider the Bill. On the 25th the House again sat in committee on the same matter.

their numbers. Many persons of desperate lives and fortunes running into them, and for their better provision, steal horses throughout the country. It is certain they intend much trouble, and make all preparations possible for that purpose; and, in my opinion, if they be not timely checked, the disaffections of many in the Lowlands will engage themselves in the same design, and carry them to desperate courses. They expect great supplies from Charles Stuart; however, 'tis without question, he will extend his utmost interest to carry on this business, and rack all his relations and friends for fewel to this fire, and the Dutch will not fail to cast in their faggot. It is one comfort, that the managery of this and all other affairs is in the hands of one that hitherto hath [overruled], and, I trust, will overrule, all such malignant designs.

LEITH, *same date*.—The enclosed is the first course taken to suppress that growing party of rude people in the Highlands, (which some call bob-tails); they are now become numerous, by an addition of five or six hundred, which makes them above one thousand horse and foot; but the most effectual course will be taken (God assisting) to suppress them, though it will be hard service this winter season, and the places where they are inaccessible:—

By the Commander of the Forces in Scotland.

Whereas his Excellency, by his Proclamation of the 5th day of November 1650, heretofore published (remaining still in force), requiring plenary satisfaction for goods, and life for life, taken from any of the English army, of those parishes and places where the fact should be committed, unless they should discover and procure the offender: And whereas the Commissioners appointed for administration of Justice, have lately published their Proclamation of the fourth of July last for the suppressing of vagabonds and masterful beggars, notwithstanding which Proclamation many thefts, robberies, and murders, are frequently committed, both upon English and Scots, by the gathering together of many desperate, rebellious, and broken people, upon the braes of the Highlands, and in some other parts of the nation: for prevention

thereof, and for preservation of the peace for the time to come—

These are strictly to require all Magistrates and Officers, as well Civil as Military, and all other persons whatsoever, to take care that no suspected person or persons travel or abide within their bounds or jurisdictions without calling them to account for the same; and if they shall not give good account of themselves, to cause them to be secured: And if any of the said rebellious persons, or any person suspected belonging to them, or travelling to joyn with them, or coming from them, or any Spy or Intelligencer of theirs, shall come within any burgh or parish, such burgh or parish are hereby strictly required either to apprehend them and keep them in safe custody, or cause timely notice to be given to the next adjacent forces of the English army; who are hereby required, in like manner, to apprehend and secure them; and such person or persons as shall be so apprehended and secured, notice thereof is to be given in writing to the Judge-Advocate of the Army, and Advocate-General of the Commonwealth, whose order for their further disposal by the direction of myself or Civil Judges is to be observed; or if any person or persons shall refuse or neglect his or their duty in the premises, they shall be adjudged, deemed and taken as disaffected to the peace of the Commonwealth, and proceeded against accordingly.

And if any shall at any time furnish the aforesaid rebellious persons with monys, horse, arms, ammunition, victual, or any kinds of necessaries or provisions whatsoever, or be any wayes ayding, abetting, assisting, or countenancing them by advice, counsel, intelligence, connivance, or any other correspondence whatsoever, such person or persons shall be adjudged, deemed, and taken as enemies to the Commonwealth, and proceeded against accordingly.

And for the encouragement of all such as shall apprehend any of the aforesaid persons, or shall bring or give timely intelligence to the next forces as aforesaid, of any parties falling from the Highlands into the Lowlands, or of any persons hereby intended, or of any person or parish who shall neglect his or their duty, in pursuance of this Proclamation, such person and persons shall be lookt upon as

friends to the peace of this nation, and gratified and rewarded for his or their good service done therein.

Given under my hand and seal at Dalkeith, the 27th day of September 1653.

R. LILBURN.¹

To be proclaimed at the Mercat Cross in each Burgh, according to the usual manner.

YARMOUTH, OCTOBER 10.—The States do keep Middleton still in hand, and some of them give him hope of supply, but it is with a comfortless limitation, in case an agreement be not made with England.

A merchant, a Dutchman, that lives up the country, hath also offered Middleton upon trust what arms and ammunition he pleaseth for his King's service, but as yet the proffer is not made use of.

The loss of the Dutch the last fight is not believed by the vulgar in Holland to be so great as that of the English, which keeps the common people from dejection and in obedience; for which purpose they have coyned stories of 4,000 English killed and taken.

The Scottish Cavaliers walk up and down with comfortable phantasies, saying the fort of Aire is taken in by the Highlanders, which cheers up the whole drooping fraternity in Holland and Zealand.

¹ Colonel Robert Lilburne was the eldest son of Richard Lilburne, Esq. of Thickly Puncharden, in the county palatine of Durham, (where his family had been seated since the time of Henry VI.) by Margaret, daughter of Thomas Hixon of Greenwich, Yeoman of the Wardrobe to Queen Elizabeth. Robert is said to have early imbibed a rooted dislike to the Court party, a feeling by no way diminished by the rigorous punishment inflicted by the Star-Chamber on his next brother, the "free-born John," and he took up arms for the Parliament against the King. He was an able soldier, and defeated in 1648 Sir Richard Tempest in Lancashire with an inferior force. Unfortunately the Colonel sat as one of the King's Judges, and signed the warrant for his execution, for which, after the Restoration, he was tried and convicted. His life was spared probably in consequence of his younger brother, Colonel Henry Lilburne, having been killed at Timmouth fighting in the cause of Charles I. From Colonel Robert's father being alive at the date of his son's conviction, and not having been in any way implicated in the rebellious, the family estates were saved, and were ultimately inherited by the Colonel's family:—he died a prisoner in the Isle of St Nicholas near Plymouth, in August 1665, aged fifty-two.

Some (and those considerable Dutch) do give out privately, that their States have concluded, if peace cannot be had upon the terms last sent to their Commissioners, to proclaim open war against England.

The Emperor at the last conference gave assurance to the Lord Wilmot that at the next diet he himself would move his master's business, and offer largely for the encouragement of the rest of the Princes.

PARIS, OCTOBER 15.—Last Saturday, Bertant and Ricon, prisoners in the Bastile for having kept correspondence with the Prince of Conde, were both condemned, strangled, and broken upon the wheel, by sentence of the *Chambre Ardente*, as seditious persons and perturbors of the public peace. The execution was made very early in the morning, not in the ordinary place of the Grève, but hard by the walls of the said Bastille, near the gate of the Arsenal. It was so suddenly and unexpectedly done, that partly by the suddenness, and partly by the general disliking of that barbarous action beyond the usual forms of justice, very few people came to see the tragedy. This hath been done by way of retaliation, because of the execution made in the said Prince's camp on the two assassins sent thither to murder the said Prince, who having been taken before they could perform it, were convicted, and confessed to have been sent thither by the Court for that purpose.

The Marshall de Turenne hath received a new check since the taking of Rocroy by the said Prince, having been beaten from a place he intended to surprise.¹

Charles Stuart is at Chatillon, a house belonging to the Prince of Condé, to refresh himself for his journey into Holland, whither it is said he doth intend very speedily.

¹ In the Life of Turenne by Monsieur du Buisson, translated into English by Ferrand Spencer, London 1685, 8vo., no notice is taken of any discomfiture at that time; and it is asserted that Cardinal Mazarine would not allow Turenne to relieve Rocroy, "fearing that if the success proved adverse to him, this might renew the faction by the advantages the Prince of Condé would derive from his victory; wherefore he chose rather to reprisal that loss by the taking of Sainte Menchou, whither he sent the Marischal du Plessis, while the Viscount de Turenne observed the Prince of Condé." P. 287-8.

From DUNBARTON, OCTOBER 16.—Having marched within sixteen miles of the Marquis of Argile's house at Innerara, with a regiment of foot and one hundred and fifty horse, to see if we could have done any thing to have either engaged or snapt Kenmore, or any of his party, we found him and his party so far before, and the way so impassible for us, especially at this season of the year, after we had taken a view of a great house some ten miles hence, returned hither, and are going over Clyde, into Renfrew and Aire-shires, to see in what temper the people are there. Since my coming back I have heard from the Lord Argile, who gives me an accompt that his countrymen and clan doth not answer his expectation in joining with him to oppose Kenmore, who, it seems, is not yet above six or seven hundred horse and foot. Yet the Lord Argile tells me he cannot advise me to advance further, though he suffer never so much by these stories, who (according to my intelligence yesternight) are near unto Cantire, where there are a party of Lowlandmen unwilling to receive them as I am informed, and pretends they will oppose him.¹

The season not being apt at present for our forces to enter that county, nor are they so considerable as to deserve it, these troubles we may very well expect and look for, from a cruell and savage people, who in the most peaceable times were seldom free from the like turbulences.

From SCOTLAND, OCTOBER 18.—The Commander-in-Chief marched from Dalkeith to Linlithgow, where two companies of Lieutenant-General Monk's regiments, and three troops of horse, lay that night. He had intelligence that Kenmore went from Busse to the head of Lough Long the 7th instant, to meet Colonel Macnaughten, who came over the Lough with him about six dayes since with a party of foot; his men run away from him daily, so that what increaseth one day he loseth another. He marches with a rundlet of strong waters before him, which they call *Kenmore's drum*.

Yesterday we had intelligence at Colonel Lilburne's arrivall

¹ "On Friday the Marquis of Argile summoned the gentlemen of his county to meet him eight miles above Innerara to oppose Kenmore. A little time will make appear what is the Marquis his intention."—*Mercurius Politicus*, No. 177.

at Glasgow, that Kenmore and his party are reported to goe into Argile's country. We are now upon our march to Dunbarton.

From STIRLING, OCTOBER 24.—It is certain that Lord Kenmore is gone from Innerara to Cantire to raise forces. Captain Mathews, Governor of Dunstaffnage, writes word hither that he hears Kenmore¹ intends, after he hath got what men he can in Cantire, to come near Dunstaffnage and joyn with the Loghaber men and Tutor of Mull, who is very active in raising of men.

From EDINBURGH, OCTOBER 22.—The insolence of Kenmore and other Highlanders hath shewn itself by their excursions into the Lowlands. He hath been levying men as far as Dunbarton, and sent to raise men and contributions of money not far from Glasgow. But since that he hath been glad to retreat, because of the advance of our Commander-in-Chief; besides, part of our forces marched a good way towards Argile's county, who himself declares a detestation of these courses among the men of his country, and inveighs bitterly against his son the Lord Lorn for joyning with him, but can neither reclaim his son, nor keep his vassals from running out to him.²

Another letter says the Commander-in-Chief hath taken a march along the frontiers and brayes of the Highlands; and so Kenmore with his roving party retreated to their

¹ Robert, fourth Viscount Kenmure, born in November 1622, and succeeded to the title on the death of his brother John in October 1643. He was a zealous Royalist, and did his utmost to advance the cause of Charles II. in Scotland, for which he was excepted out of Cromwell's Act of Grace and Pardon in 1654. After the Restoration he went to Court, and according to Douglas, married an English lady in 1661. He did not long survive his nuptials, for he died in 1663, leaving no issue, and the title therefore devolved on the heir-male of the family, Alexander Gordon of Penningame, who became the fifth Viscount. His son, the sixth Lord, joining in the Rebellion 1715, was captured, convicted, and beheaded 24th February 1716. The titles, which were forfeited, were restored in 1824.

² If Argyle had in truth been serious, he could have compelled the obedience of his vassals. Indeed, the idea of a clan disregarding the order of their chief in those days is incredible. Lord Lorne's disobedience was evidently concerted, so that whether the Commonwealth or the Monarchy prevailed, the fortunes of the family were equally secure.

fastnesses. He hath planted some garrisons to prevent their incursions. Some of the Ministers of that party called Remonstrators, intend a meeting suddenly. There are divers fishermen brought into Leith.

From ROTTERDAM, the last of OCTOBER.—There is news come from Scotland to Major-General Middleton, that the Highlanders are yet in rebellion, and that they had killed and carried away many of the English horse near Stirling, and that the Governor of that place durst not engage them, and withall that they did not doubt but that they would be able to make their party good against them this winter; this is pleasing news to your enemies, who do hope to obtain some assistance from the States here to send to the Highlanders, that so they may cut you work at home, which may be a means, as many suppose here, to bring you to yield to reasonable terms with this State.

From DALKEITH, NOVEMBER 1.—The Tories do still encrease, and go all to the hills, where we cannot come at them, and fall down in the night-time in twenty places, and steal all the horses they can meet with; and many of the county gentlemen doe look through their fingers at them.

Captain Watson, Governor of the Brae of Marre, hath lately taken nine or ten of them, very well mounted and armed, most of them considerable persons. Colonel Daniel hath also taken three considerable persons, Tories; but the country is so false to us we can get no intelligence in time.

The Lord Kenmore fell upon a good honest party of Low-landers in Cantire that opposed him, and hath one Laird Ralston¹ prisoner, that was the chief of them, and a very godly man whom he keeps in irons: yet he and the rest chuse rather (I think) to suffer what is befallen them

¹ William Ralston of Ralston in Ayrshire. He was a gentleman of ancient family, and espoused the cause of the Covenanters. Subsequently he opposed Cromwell, and was commander of a Troop of Horse when General Lambert was surprised at Hamilton in December 1650. He afterwards made his peace with the Protector, for which he suffered after the Restoration, having been detained in prison two years before he was liberated on bail. His grandson Gaviu sold in 1705 the estate of Ralston to the Earl of Dundonald.

then to be beholding to us for assistance, or to give us any timely intelligence.

From ABERDENE, NOVEMBER 2.—The Highland blades ebb and flow as the sea, both in their thoughts and actions. Those in the North are again disbanded, except some few. Seafort is gone to his own country; Glencarne southward, towards Kenmore; Glengary to the building of his house.

A small party fell upon a party of Colonel Ashfield's regiment, killed one, and wounded three: since which Captain Watson hath met with a party of them near the Brae of Marre, some of them considerable men, though of small fortune.

There is this week fallen a very great storm of snow—what it will work upon some who as yet remain together, we shall shortly know. They have lately received a letter from their King, which they like not.

Nov. 3.—The Highlanders make a noise still, but can yet effect no great matter. The Marquis of Argyle hath been warned out of his country by a party of them, under the command of his son the Lord Lorne, and Kenmore, who are the great ringleaders in those parts; and particularly they fell into the Island of Cantire, a place under the said Marquisses jurisdiction, where they committed many acts of outrage and plunder.

They had no sooner done this, but hearing that our English forces were upon advance that way, they immediately made a retreat, where none they know can follow them. The Marquis himself, finding upon their approach that his vassals would not rise to oppose them because the Lord Lorne was among them, resolved thereupon to quit the country, and is since come hither. However, some of the Low-land planters in Cantire refused to assist or supply them either with armes or ammunition; and when they had plundered them of all their cattel and horses, and the very clothes off the backs of many people, the inhabitants took heart and followed them with a party of horse, whereby, though they missed of recovery of the prey, yet took MacNahan [MacNaughton?] a chief leader of their crew.

Seaford¹ and Glengary are with a party of three hundred horse and foot gone towards Lochaber, where they hope to make up a considerable number, and to fall upon the north, and reserve that if they can for their quarters, and forward their design. It is given out among the people that the Dutch are very numerous out at sea.

From LEITH, NOVEMBER 7.—The people here are hearkining still after novelties, and affect any thing that sounds ill to the Government. They talk much of the Dutch being returned out of Denmark, and coming upon our coasts, and what wonders will be done thereby at sea. This concert adds courage also to the Highlanders, who make up what force they can, and talk of a general rendezvous, as they have done often before when they expected action at sea, and hoped to see the Dutch triumphant; wherein, being often deceived, they have as often shaken their ears and retired home again *re infecta*. For they never intended to shew themselves to purpose till a blow should be given us at sea; and then they think it will raise the spirits of many in this Nation to side with them. They have their agents up and down to blow coals.

Kenmore rambles up and down still with his barrel drum of Aqua vitæ, and all his triumphs amount to no more but robbery and plunder about the country.

Here hath been a thin meeting of divers Hotspurs of the Kirk to little purpose, save the thwarting and crossing one another, being of different parties and opinions, to shew that the quarrel is everlasting between the Assembly-man and the Remonstrator, and that no feud is more mortal and immortal than that which is upon the account of religion.²

¹ John, second Lord Kintail, was created Earl of Seaforth, by patent dated 3d December 1623, to him and his heirs-male. Having only two daughters and no sons, the title went to his brother George, a firm adherent to the Royal cause, who had the honour of being excommunicated by the General Assembly for joining Montrose. He died in 1651, and was succeeded by Kenneth, the third Earl, the person referred to in the text, who was punished by Cromwell severely for his ardour in the Royal cause, as not only was he excepted from the Protector's Act of Grace, but his estate was forfeited without any provision being allowed his wife and family, and he was detained in prison till the Restoration. He died in December 1678.

² How very similar are the recent schisms in the Kirk to those which occurred in 1653!

From EDINBURGH, NOVEMBER 7.—The Synod for the province of Lothian sate down here this week, made up of divers ministers of severall judgements and opinions, which occasioned many tedious disputes; many being of the Assembly, and others of the Remonstrating party, each labouring to maintain their own assertions, and to oppose the contrary, in their accustomed manner of Protestations.

The Highlanders continue still in parties, doing mischief by plundring horses and cattell, which is a difficult business to prevent by any effectual course this winter session.

From DALKEITH, NOVEMBER 8.—Seafort hath sent to Lieutenant-Colonel Blount, Governor of Innernesse, for sucure to come in under protection.

From DALKEITH, NOV. 12.—Kenmore's partie do yet encrease, and fall into the Lowlands to get horses, which yet they do, let what course will be taken to prevent them, the country being generally their friends. The other night they fell into Elenhie¹ parish, six miles from Glasgow, where Mr Beverley, an English minister, hath a gathered church. They intended to have seized on him, but he was at Edinburgh. They plundred the godly and honest people in the parish, took away about thirty horses from the country, and returned, leaving only the alarm to be taken by our forces in the morning. The last night, two miles on this side Dumbarton, they came to Sir James Hamilton's house (a supposed friend of ours), broke open the doors, and carried him to Kenmore. They gave out they are five thousand horse and foot. I suppose they are but a thousand. Their numbers are augmented by desperate people, sequestred, sequestrable, or much in debt.

At a late meeting of the Presbyters at Hamilton, a question was put—Whether Kenmore or the English were greatest enemies? It was resolved that we are, for Kenmore had done but little hurt, but we muckle evill.

From DALKEITH, NOVEMBER 15.—Upon Thursday the 3d instant, the Earl of Athole, with sound of trumpet, and a hundred men, joined with Kenmore and Glengary at the ford of Lyen, being two hundred horse and four hundred foot.

¹ Elenhie seems a mistakc for Lennie or Lenzie, now called Kirkintilloch.

Kenmore and the Lord Lorne are expected to join with them, with the number of one thousand. They have put a garrison into the Laird of Weems' house, twenty-two miles from St Johnston, and another into the house of Glenarkie's called Balloch, at the head of the Lough.

On Saturday night about a hundred of these Tories, commanded by one Gordon, fell into Falkirke, took Captain Townsend and Captain Scrope of Colonel Overton's regiment, who were going with their wives to Glasgow. Their haste would hardly permit their prisoners to put their clothes on, and so they left Captain Dennis and Lieutenant Waller in a house right against them. There was not any notice given by the country, so that we have almost every day such stories as these.

On the Lord's day, at night, two soldiers of Colonel Thomson's regiment going with orders towards Glasgow, were, about eleven at night, met on the way and taken prisoners, which could not have been done without a most industrious course taken to give them intelligence. The last night they plundered the Lord Wariston's house, and were at the Laird Dundases, but what they did there we hear not. Perhaps these courses will occasion the Kirk party to have a worse opinion of them, though they cannot have a better opinion of us.

From DALKEITH, Nov. 16.—The Earl of Seaford hath certainly adjoyned himself to these rovers, who take heart thereupon, supposing much of the Nobility will follow; and therefore they make bold to break out in several parts, and summon in the country people, all that are able to bear arms; and this is done in the name of the King, as they call him. They will hardly be able to keep in any considerable body in winter, but a vigilant eye is kept on all their proceedings. They talk of gathering to a head, and this they have many times this year attempted, and then let fall their design again. They are up and down alway in a very short revolution.

From PARIS, Nov. 26, *Stylo Novo*.—The 15th of this month was solemnized here at Paris the funeral of the deceased Duke of Angeulesm in a great deal of state.

Charles Stewart is come from Chantilly, and hath been here in town every since Saturday last; his brother is also expected here from his winter quarters.

From DRUMMOND CASTLE, NOVEMBER 26.—Glencarne, Kenmore, Atholl, Forbes and Canule,¹ lie about the Island of Monteith, with about one thousand horse and foot; but a third part of them want arms, instead whereof they have clubs. Glencarne intends, if he can, to raise men about this garrison, and to have a footman out of every one hundred pound rent, and a horse and a man out off one thousand pounds Scotch, throughout all this shire: the prosecuting of which is judged by the enemy to be easie, if a considerable strength lie not at Stirling, St Johnstones, and Dundee, which will be a speciall means to cause them to keep the hills, and prevent them from burning and carrying away provisions for horse within three miles of the said garrisons (as they intend) and to hinder them proceeding in their intended levies.

MacNaughtan is at Stra-fellon,² and the Lord Lorn at Glenarkie, the nearest of which is about thirty miles from Glencarne, and are about six hundred horse and foot Highlanders, though the country speak them thousands. They are moving to joyne with Glencarne, notwithstanding the difference between Lorn and Kenmore, and they are all for the southward, where they say they shall have assistance from Lords. Also to heighten and inflame the people, they give out that the Lord Balcarres and Sir Robert Murray are gone to fetch their King to them.

From STIRLING, NOVEMBER 26.—To give you some account of our present postures, Kenmore is gon northward, but has left his beagles under one John Graham of Docra,³ to steal horses and plunder the country; and Lorn in Argyle's, to perfect his levies there, which are to be three hundred men. The last week a party of one hundred of them came over

¹ Kinnoul.

² Probably Strathfillan, a vale in Perthshire.

³ John Graham of Duchray, in the county of Dumbarton, who wrote an account of the Earl of Glencairn's expeditions, of which an edition was printed along with the Memoirs of John Gwyn, by Sir Walter Scott, Edin. 1822—a volume now rather scarce.

in boats out of the Highlands into Renfrewshire, and took away horses, and returned before our forces at Glasgow could have notice to stop them. The Earl of Athole hath not got forty men as yet ; the country doe not rise, and the considerable Barons of Athole have refused to assist them, whereupon they have imprisonned divers of them in a very disobliging way, in so much that some of them have fled to the Governor of Blaire Castle for refuge, and I hope this usage will root up that foolish populare interest that he expected would have been considerable. The gentlemen do tell him, though they destroy all their goods, they will not appear in this business, as having had too large a share in former suffering for their King ; and now having engaged to live peaceably, and give submission to the Union, they will rather loose their crops then their inheritance, and those gentlemen of Athole, consisting of the names of Robertson and Stewart, if any be wronged, they all participate ; and a few days will produce much from those parts. These few far Highlanders that were with them, with Glengary and Clanranald, do plunder all that ever is in their way ; and it was affirmed by a gentleman that every two men among them did devour a sheep in one day. The country in those parts groans abundantly, and for all their malignancy, are weary of these companions. They had a rendezvous at the Kirk of Counry, at the head of Laugherne, where was Glencairn, Glengary, Athoel, the Macgriggers,¹ and some say Kenmore, with about two thousand six hundred horse and foot ; but their result was not known. They have sent to all the parishes about Loughearn to bring them in provision thither. They have quitted the garrison of Weyme and Balloch, and it is most certain that the most of all Glengarie's men, and others, that came from the furthest Highlands, are run home, sufficiently laden with plunder. Many run to them, bring horses with them, and return to their employments, which makes them very distrustful of entertaining men with such freedom as before ; and their number doth not much encrease at present. This for the Highland party.

¹ The Macgrigors, a race proscribed by James VI., took advantage of the civil distractions to raise their head again.

As for the Lowlanders, they are as malignant as ever, and as perfect Scots ; the fair and civil usage of the Commanders-in-Chief and officers that have been, or are here, have not at all engaged them to the English interest. Both the gentry and boors wait only for an opportunity, when that party of rogues under Kenmore, consisting of the scum of English, Irish, and Scottish Lowland desperadoes (and not many Highlanders) should become considerable, that so they might rise as one man to destroy us ; and to that purpose, please themselves and encourage one another with lying stories of Middleton's landing with thousands of men, arms, and ammunition, and of others coming from Poland, France, and other parts of Christendom, to invade England ; and every mole-hill of prejudice that is done to us by the party in the hills is made up a mountain ; though as yet they have not beat up any quarters, only the highway robbers have here and there forty, fifty, or one hundred of them, fell upon, murdered, or robbed a single souldier or two upon the highway, or taken them in their beds without a guard ; nor durst between three hundred and four hundred horse and foot of them, lately near Buchanan, stand against fewer than two hundred of ours that came to engage them, but ran away, without striking a stroke, unto the hills, where our horse could not follow.

Our forces, both horse and foot, are often abroad, both from Glasgow, Dunbarton, Sterling, St Johnstons, Dundie, Aberdene, and Innerness ; but such is the inveterate malignancy of the country, that (through want of intelligence) we can never meet with them to do any service against them.

Thursday the Commander-in-Chief¹ marched from Linlithgow to Stirling. Since our coming hither we hear the enemy are two thousand strong, within eight miles ; to-morrow something will be done to try if we can engage them.

From PARIS, NOV. 15, *N. S.*—There has been a remarkable piece of justice at Maestrich of late worth taking notice of, a woman having most lamentably murdered her husbands

¹ Lilburn.

child he had by a former wife, was afterwards apprehended, who presently confessed the fact, and was thereupon sentenced to be executed after the same manner. In the river of Maese where she had flung in her child, was a scaffold built, upon which she was brought and strangled at a stake, and presently her hands and legs were chopt off with the same choppingknife wherewith she had cut off those of her child, and afterwards she was put into a bag and flung into the Maese.

From the HAGUE, NOVEMBER 28, *Stylo Novo*.—The English fugitives brag much of what Wilmot hath effected in Germany for their master, having procured of the Emperor¹ a grant of some thousand of dollars for his present supply, he and his retinue being returned out at heels from Chantilly to Paris. That money, and the news out of the Scottish Highlands, may make them apte to mutiny in French aire. Their party will not be perswaded here but that the Highlanders have beaten all the English home again; and when we seem to wonder Middleton doth not goe and compleat the victory, the wiser sort excuse that, and pretend the work will be done without him, and they keep him here for the conquest of another kingdom. If you but heard how they manage affairs, and dispose of whole nations in taverns, how they cry up the Dane, swear up the French, and give law to the Queen of Sweden, you would think they may prosper, especially when they excuse the apostate Compounders that are so base as to live tamely in England, and keep estates and look to their families, and repent of their former phrensies. Of these they intend to make drawers of water, if ever they come in their kingdom.

The new miraculous monster called a ship, built at Rotterdam by a French engineer, is finished, but not launched yet; the maker of it is at a stand, whether it be that he suspect the event of his hie pretending chargeable attempt, or for what other reason, is not known. The form of this vessel is cut in brass and printed. You shall hear shortly what it will come to, and if it prove according to the pretence of the builder, there will need very few fleets more to bugbear the world, and then be beaten by the English.

¹ The King got an allowance of "three thousand ducats."—1st December 1655.

DECR. 2.—From EDINBURGH by the last return.—They are not even plausible in these parts, and the people approve themselves such as we ever thought them to be. The Highland Tories having collected themselves into severall bodies, make excursions at once in severall places, thinking that, winter coming on, they have their opportunity, and that the hardness of the season, and the hardness of their bodies, will be sufficient advantage against us. We hear not yet of Middleton, nor of any armes and ammunition landed, which they say they expect in good proportions, and that if they can but have armes they shall not want men.

Our Commander-in-Chief is gone to Stirling to take order about our affairs and levies. The enemy hath of late gathered like a snowball in the Highlands, and like a snowball they melt against the next rainy day: for they are to be quickly up and quickly down.

From the HAGUE, DECEMBER 6, *Stylo Novo*.—The famous monster called a ship, built at Rotterdam by a French engineer, is now launched. The picture of it stands here, to be sold upon every wall, and it will shortly be put to tryall.¹

From EDINBURGH, DECEMBER 7.—No sooner did our Commander-in-Chief march from Sterline, within sight of the enemy, but they quitted their stations, and not daring to stand, they ran away with all speed to the hills. They encrease in number daily in the Highlands, all men of desperate fortunes flocking into them. They continue their excursions still, and expect the rising of a party with them

¹ This vessel is "affirmed"—1. To sail by means of certain instruments and wheels (without masts and sails) as swift as the moon, or at least thirty miles every hour. 2. Both ends are made alike, and the ship can be stop'd at pleasure, and turned as easily as a bird can turn. 3. In time of war it can, with "one bounce," make a hole under water in the greatest man-of-war as big as a table, and in an hour's time will be able to sink fifteen or sixteen ships, and in three or four hours will destroy a whole fleet. 4. She will be able to go to the East Indies and back again in eight or nine weeks. 5. She may be used to kill whales in Greenland, so that one hundred ships may be laden in fourteen days. 6. She can be used to break down any pier or wooden work with great ease. If there is anything like truth in any of these statements, it might be inferred that *steam* was the power by which such *wonderful* achievements were to be accomplished.

in the Lowlands. They have attempted to fortifie a pass betwixt Sterlin and St Johnston, but they will be forced to give over the work. Middleton is not yet among them, but they expect him, and great matters to be done by him. The guards here saw a great flame lately in the air by night over the suburbs of this city, as if it had been on fire: after awhile it took its course toward the south, and so vanished, which gives occasion to several prognostics.

COMRIE, DEC. 10, 1653.—By virtue of a Commission granted to me by her Majesty, for levying of Forces within the Kingdom of Scotland for opposing the common enemy, I doe by these presents appoint Colonel Alexander Blackeder to levy out of the shire of Clackmannan one sufficient troop, horse and men, well armed, out of every thousand pound of rent; with certification if they fail after sight of my order, they shall be esteemed enemies to their King; and the said Colonel Alexander Blackeder, or any having his power, are hereby authorized to take the persons of all the deficientes, and bring them prisoners to the army, and to drive away all their goods, while they do duty. Given under my hand at Glenertie, the sixt of December 1653.

GLENCARNE.

LOVING FRIEND,—I desire that ye will intimate this order to all the gentlemen in Clackmananshire, and send me the just rental of every man's estate with this bearer; and if ye shall incur any danger by giving you this order, I'll answer for it. No more, but expect your diligence and your answer, as you will have yourselves freed from trouble, and rest your loving friend,

JOHN BLACKEDER.¹

COMERIE, *December* 10, 1653.

For his loving friend William Moris,
Clark in Allovey, these.

¹ The Family of Blackadder long possessed the Barony of Tulliallan in Perthshire; but in the year 1632 Sir John Blackadder was dispossessed of the estate by adjudications, and it passed to the Earl of Kincardine. It is not unlikely that Colonel Alexander Blackadder and John Blackadder were of the same Family, perhaps sons of Sir John.

From OLD MONTROSE, DECEMBER 15.—Captain Lisle being in his quarters at Old Montrose, in the county of Anguish, received intelligence upon Friday the 9th of this instant, about eight of the clock, that there was a regiment of the enemy's horse quartered within eight or nine miles of him, of which regiment the Lord Kinnolle¹ is Colonel, and one David Ramsy Lieutenant-Colonel; upon which intelligence he forthwith sent to Colonel Rich his own troop to meet him with all convenient speed that might be at Brechin, being a place where part of Major Bramstone's dragoons are quartered, and in the way to the enemy's quarters; and they meeting according to order, he and they, with part of Major Bramstone's dragoons, and twelve foot soldiers, which he mounted out of his own quarters of Old Montrose, about four of the clock in the morning, marched out of Brechin and in the break of the day, fell into the enemy's quarters, where, by the providence of God, there was taken two Captains, one Cornet, one Quarter-master, a Corporal, and twenty private soldiers, and about forty horse and some arms; for the Captains, before they would be taken, suffered the house to be fired about their ears, so that there was divers arms lost in the fire. There was three killed, and, thanks be to God, this was done without any hurt on our side, save only there was one man wounded by a shot in the thigh. The Lord of Kinnoole, and Lieutenant-Colonel Ramsay, with about thirty of their soldiers, being quartered in a very strong stone house, by that means escaped us.

And by that time Captain Lisle was in his quarters, upon Saturday at night there came orders from Colonel Morgan that he, with his troop, should meet him near Thornton the next morning early, which accordingly he did, where met likewise Colonel Rich his troop, Major Bramston's troop of dragoons, and a commanded party of foot of about thirty

¹ William third Earl of Kinnoul. His Lordship was subsequently captured in the Braes of Angus. He died in 1677, and was buried at Waltham Abbey on the 28th March in that year. The direct issue of Lord Chancellor Kinnoul failed in the two sons of Earl William, who successively inherited the honours. In consequence of a resignation and a charter, 29th February 1704, the titles ultimately went to the male descendants of Francis Hay, W. S. the Chancellor's nephew, and the only son, according to Wood, of Peter Hay, the Chancellor's youngest brother.

in number, from Dunotter Castle ; and with this party we marched six or seven miles into the Highlands, and again fell into the Lord of Kinnoles quarters, where we took about seven or eight prisoners, and about twelve horses, and killed one, and rescued the Lord of Egle,¹ Sheriff for that part of the country, whom they had taken prisoner from his own house the day before ;—Kinnoole and Ramsay themselves very hardly escaping—the whole regiment totally dispersed ; but our horses were so spent, and the way so troublesome because of steep rocks and dangerous boggs, and night coming on, that we were constrained to leave off the pursuit.

A List of the Prisoners taken in the Lord Kinnoole's Regiment :—

Captain Michel Belford, Captain William Blare, Lieutenant J. Ramsay, Cornet William Grier ; George Flike, J. Martin, Francis Sharp, David Ramsay, Gem. Bruse, J. Macklane, William Fife, D. Cuttinangus,² David Lauson, Gem. Gardner, Robert Swan, J. Brand, G. MacDonald, Ar. Walle, J. Patterson, William Fumiston, Alexander Goodley, H. Man.

These were taken upon Saturday, Dec. 10, with forty horse, by Captain Edmund Lisle.

From EDINBURGH, DEC. 18.—Affairs here seem troublesome ; the Highlanders have divided themselves into severall parts, conceiving it to be more conducing to their design than to keep in a body. Kenmore hath taken up his terri-

¹ The Laird of Edzell, usually pronounced Eagle. He became chief of the Lindsays, and rightful Earl of Crawford. John Lindsay was, on the 2d June 1648, served heir of his uncle David, in the barony of Glensk, comprising the lands of Edzell, &c. His unjust exclusion from the title of his ancestors probably induced him to join the party of the Commonwealth. He died in April 1671, leaving two sons, David and John.

The right of the Laird of Edzell, as heir-male of the family upon the death of Earl Ludovic, was undoubted, but it was defeated by the machinations of John Earl of Lindsay, who induced Ludovic to resign the honours, and obtain a new patent, by which, after the failure of Ludovic and the heirs-male of his body, the Earl of Lindsay and the heirs-male of his body were called. Upon the failure of the Lindsay branch, the heirs-male of Ludovic were called, and it is under this remainder that the titles now have devolved on the Balcarras Family.

² Sic.

tories in the west, Glasgow and marches. Sir Arther Forbes and Ramsy are of the Brayes in Angus and Mearns. The Earl of Atholl in Atholl, and those clans above St Johnstons. Glencarne and Glengary towards the north parts about Inverness, and this the new royal army have disposed their quarters, but a party of horse from hence with Colonel Morgan, somewhat disturbed their levies in Angus, for they have taken about forty men and sixty horses, and had unregimented Kinnoull, if the hills had not been friend to a few.

The news from Dalkeith is, that the enemies are departed from the hithermost parts of Atholl and gone to Kirkmickel, in order to their march northward. We are informed Kenmore and Glencairn are both there, and their force reported five hundred foot, and five hundred horse, but some who saw them say they cannot be above half that number. They lye under many discouragements; and every place is so eaten up where they come, that they are forced upon frequent removes, and now provisions of mutton and beef begin to decay. It's said they intend for the north, that their quarters upon the lowlands may be the more assured and broader, where they expect the landing of foreign forces, ammunitions, and money from their King and the States of Holland, as they talk. Atholl doth nothing considerable, the people refuse him men according to command. One that saw him and his soldiers, saith he hath not got above forty foot; and Major Mercer is there with about sixty horse. Captain Elsmore, of Colonel Riches' regiment, sent out a party the other day from Drummond Castle, and took one Captain Stuart, who had a commission to raise forces, with four others, and kil'd three on the place. The Marquis of Huntley died last week at his house at Bogychet.

From DALKEITH, DEC. 18.—We have information that Kenmore will use all his endeavours to raise and force men, horses, and monies in the south, and intends to make some inroads into the borders of England unless prevented, which is the more probable by that information from Durham that twenty horsemen well mounted and armed, with pistols and holsters, went through a part of that town on Tuesday last by break of day, and amongst them, as was given out there,

the Lord Hopton,¹ but the same number and party, as is supposed, lay at Pebles on Saturday night last, and with them Colonel Wogan, formerly a Captain of dragoons in the Lord General Fairfax's army. The Commander-in-Chief, as soon as he had notice of it on Sunday, ordered several parties from Linlithgow, Stirling, and Glasgow, to scour the country to prevent them going to the hills, but the country is so open, and the people so backward in giving intelligence, that notwithstanding all diligence used, and the horse almost tired out with hard duty, we seldom meet with any of them; only on Thursday night last Lieutenant Whitmore going from the garrison of Downe with a party toward the hills, took one Major Moorhead, (a prisoner of war, yet out upon parole and security), well mounted and armed, going to the army, as he himself confest. They do hearten their party and encrease their levies by a report that their King is come into Holland, and that Colonel Drummond is shipt with one hundred and fifty volunteers, arms and ammunitions, and that the Dutch have left off treating with the English, with all which they feign a post came lately from their King. On Sunday morning last a party of these royal pilferers met the post-boy going from Leith with letters for London, near Haddington, took his horse and letters, and coat and belt, with twenty-pence in money from the poor boy; so that now it will be uncertain sending letters without a convoy, and without further supplies of horse from England, it will be impossible to settle parties between this and Berwick, which must be, or else correspondence will be cut off.

A considerable supply is the only means to prevent the growing of this yet inconsiderable party of robbers on the hills. Our garrisons of Innerness and Blairstown are well provided with all things necessary, and fear no attempt.

¹ Lord Hopton, the gallant hero of Stratton, was, according to all our genealogical authorities, dead at this time—his Lordship having departed this life at Bruges in 1652, whereupon the Peerage became extinct, as he left no issue, and his uncle Arthur, on whom the honour was entailed by the patent of creation (4th September, 19 Charles I.), predeceased him without issue male. Perhaps the news of his demise had not reached England, and as his name was formidable to the Commonwealth people, it may have been used purposely to intimidate them. The Scottish Peerage of Hopetoun did not come into existence till the beginning of the next century, and the Scottish Hopes were Civilians and Covenanters.

From BRISTOL, DEC. 21.—This day his Highness the Lord Protector was proclaimed by the Sheriffs at the High Cross of this city, the Mayor, Aldermen, and Council attending in their scarlet, with the best sword and cap, all their officers attending also in due equipage; and this after a sermon for this day of inauguration preached before them at Temple Church by Mr Knowles, out of Esay xxxiii. 21, 22, 23. After the Proclamation was read, the waites of the city plaid before the Councill, and the bells rang, which they did also the morning and night before, and the gunns from the castle were fired also; the Governor, Colonel Scroope, being at sermon with the Mayor, stood also with him till the Proclamation was ended: and because the day should not passe here without some gratification, the Governor, at the request of the Mayor and Aldermen, granted that the gallows standing in the High Street next the Cross, on which the condemned by military laws were executed, to be taken down, which was by them accepted as a favour.

From REGENSBURGH, the 22d of DECEMBER, *N. S.*—From hence little of news. His Majesty the Emperour was resolved to go a-hunting in company of his Majesty the King his son to Newstade, but being since taken off with more earnest and important affairs, hath now excused himself, and remains here. The three hundred thousand ryx dollars that were heretofore, by some of the German Princes, ordered for the Scotch King, are now concluded by the General Assembly to be given him; it being also enacted by the said Assembly, that no books or pasquils whatsoever, written against, or in the disdain of the said King, should be suffered to be bought or sold in any part of Germany, under the Roman Empire, by pain of life.

From DALKEITH, DECEMBER 22.—The last gave you an account of the enemies main body under Glencarne and Kenmore marching northward—what they have done we hear not; but if they have no better success in their levies than Sir Arthur Forbes¹ hath in the south, they are not

¹ Sir Arthur Forbes was a descendant of Patrick Forbes of Corse, and embraced political sentiments opposite to those of his Scotch kinsmen, as he adhered to the Royal cause, and joined Glencairn and Middleton in

likely to bring their hogges to any fair market ; for Captain Hart being sent out by the Commander-in-Chief with a part of Colonel Twisleton's¹ regiment to scour the parts of Scotland about Dumfrieze, the Merse, and Tividale, after ten or twelve days searching up and down, and tiring almost all his horses, the 12th instant marching towards Hawick by the way, understood the enemy had appointed a rendezvous at twelve hours upon Bathwick Bray ;² whereupon he hasten'd thither all he could, but was much impeded by the foulness of the weather and a violent drift of snow, so that before he came, the rendezvous was broken up—he pursued them by the track in the snow, for he could get no intelligence of them, although within a mile of their body : at last he got sight of them—they drew up in two bodies, and faced our men—ours made what haste they could to charge them. After a sharp conflict it pleased the Lord to give ours the victory over them. We pursued them several miles, as long as our horses could go ; and although our horses were extreamly wearyed, and theirs fresh, not above fifteen horse escaped. Their number about fourscore or more—their pursuers say a hundred. Our party took sixty-five horses—many of them good ones—sixteen prisoners, two or three seem to be of note, though they conceal themselves. In the pursuit many were cut doune and put off their horses, and so left, concluding those that came afterwards would glean them up ; but the soldiers were busier in getting horses than in securing prisoners, and so many of them escaped away on foot, but will be known wherever they are met, having the States mark on them. There were four of them slain. Sir Arthur Forbes, it is reported, is dangerously wounded, and his Major, Major Erwin.³ We took both their horses—they fought

their unlucky enterprise. After its failure he returned to Ireland where his estates were situated, and was permitted to enjoy his possessions in Leitrim and Longford. He became Viscount, and subsequently Earl of Granard, and dying in 1695, was buried in the church of Castle Forbes, which he built.

¹ There was a George Twisleton, an active officer in the Parliament army, a Lieutenant-Colonel and Governor of Denbigh Castle in North Wales. It is not unlikely that he may be the person referred to in the text.

² Evidently the Borthwick, a river in Roxburghshire, which has its rise in the parish of Robertoun, on the borders of Dumfries-shire, and falls into the Teviot, about a mile above Hawick.

³ Probably one of the Irvings of Drum, a Family remarkable for loyalty.

very resolutely a great while. Quarter-Master Ward, with fifteen or sixteen souldiers of ours, are wounded, and one slain. The fight was at Phillip, uppon Bathwick Water. Senlis,¹ the High-Sheriff of Roxburgh, is redeemed out of their hands ; but one of our souldiers ran him into the thigh, not knowing him—he is one very affectionate to our party. Those of the enemy that escaped are gone by the way of Biggar towards the hills—parties are sent to intercept them.

The intent of Glencairn and Kenmore in their marching to the north, is (as they give out) to secure the landing of the Dutch forces arms and ammunition, which it seems they expect.

From DALKEITH, DECEMBER 24.—The broken people under Glencairn and Kenmore are now gon towards the north by the Brae of Mar. Report speaks them five thousand horse and foot ; and by a joint concurrence of intelligence, they cannot be less than three thousand. As soon as the Marquess of Huntly was dead, divers of his followers went to the hills, and being met by eight troopers of Thomlinson's regiment, who questioned them for riding with arms, they pleaded they were allowed them by the capitulation, but at last fell to blows, in which one of them and two of ours were slain ; and at last a party of the enemy came up and overpowered our men, took four more, and the other two narrowly escaping. Whether they intend to Aberdene, or to lye in Murray land for enlargement of quarters, is not certain ; but our forces are ready to oppose them with what strength we have in those parts. They have lately taken and imprisoned some heritors near Blackford in Perthshire for denying them levies, and give out they will proceed in like manner with others.

From PARIS, DECEMBER 29, *S. N.*—Charles Stuart and his party have had severall consultations together at the Louvre about his affairs in England and Scotland, and as to his removing from this Court, which is not now so much spoken of, his motion depending solely upon the issue of the Treaty with England, which is said here to be ended, to the content

¹ Ker, the Laird of Sunlaws.

of both Commonwealths ; which is no pleasing news to the Cavalier party here, who love to fish in troubled waters, though it be the more to their further ruine. Prince Rupert is expected here within this day or two from Nantes.

There happened lately a quarrell between four gentlemen at a tavern, whereof the Dutch Ambassador's sonn was one, who being all very much distemper'd in their cups, challenged one another upon the place, and after some passes had past between them, one of them was kill'd upon the place, and the Ambassador's son wounded in two or three places of his body.

From DALKEITH, DECEMBER 31.—There is a ship of arms from Holland certainly landed about Loquaber in the Highlands, with which a ship of Captain Bressie's (which lay about the Lewis for trade) had some change of ordnance, but not having men to board her, durst not go forward, and the next day the Highlanders putt more men on board the Hollander. One man-of-war would have cleared these coasts, and prevented their passage : this was the ground of the enemies motion, which, as I hinted in my last, was supposed to bend northwards towards Aberdeen, but it was to fetch these arms. What number, or what other provisions there were, I know not ; but Colonel Wogan¹ hath made great promises to them from their King, and is made Colonel. Rory MacCloude, tutor to young MacCloude, came over into the Herries, which is a part of Lewis Island, to raise

¹ “ The celebrated Wogan when a youth had been engaged on the side of the Parliament, and commanded a troop of horse under Ireton, with whom he was a great favourite. Being much shocked at the King's murder, he joined the cavaliers, and commanded Ormond's guards during the wars of Ireland. When all was lost save the insurgent army in the Highlands, he fetched a body of cavaliers from Paris, landed them in Dover, recruited them in London, landed horses and arms, and finally, by easy journies, but avoiding the common road, made their way to Scotland, beat up several quarters of the enemy, and joined Glencairn in the Highlands.”—Note by Sir Walter Scott. This gallant and accomplished man died of a slight wound received in a skirmish, but which gangreened for want of surgical assistance. The Chevalier Wogan—the correspondent of Swift—was probably a near relative of Colonel Wogan, and resembled him in accomplishments and gallant bearing. He embarked in the Rebellion 1715. Subsequently he accomplished the liberation of the Princess Sobieski from the Castle of Inspruck, and brought her safely to Rome to her husband the Chevalier St George, to whom she had previously been married by proxy.

men, but the people would not obey him, not that they have any love to the Commonwealth more than the rest of the Highlanders, but because they are under the power of our garrison, and he had no visible power to defend them, they never giving intelligence till he was returned to the main, and had endeavoured to surprize some vessels of Captain Bressie's, who having some notice of it, prevented his designe by putting into an open road. The men which he hath are about four hundred—most of them are old Irish rebels which have made their escape from thence. He is waiting for Kenmore's coming into the North Highlands to join with him. There is a man-of-war of Holland lies between the Lewis and the main, with whom MacCloude holds correspondency.

From RUTHEN CASTLE,¹ JANUARY 2.—I had given you account of the enemies first advance in this country, but through the baseness of some of the people my bearer was discovered to the enemy and taken by them, but not my letters, and Kenmore caused him to be burned both hands and feet in a most barbarous and cruell manner to cause him to confess what he had done with my letters, which, notwithstanding, he refused to do; and yesterday being appointed for his execution within sight of this garrison, a deep sleep fell upon his guard, so that he escaped their hands and came back to me. Kenmore and Glengary with their forces marched by the way of Stretshspey; and Glencarne, Lorne, MacHelduy [Lochiel], and some of the MacGriggors men, and the rest of that gang,—Atholl being left behind, marched in by the head of this country and joyned their forces within three miles of this garrison where Glencarne now quarters.

At their approach to this place Glencairn sent me a letter stuffed with Scotch complements, the copy whereof with my answer, as also his letter to the country gentlemen, are inclosed. There hath faln out some discontent between Glencairn and Lorn about the men of this county—Lorn saying that by reason they were his men, he ought as well to have the ordering and disposal of them as the Earll of Athol had

¹ "Castle of Rivan of Badenoch." See *Memoirs of Lochiel*, p. 102.

had of his; but Glencairne told him, that although his father took up the rents of the country, the men were the Marquis of Huntly's,¹ and that Lorn should have nothing to do with them, but he would use them as he pleased: whereupon high words arose between them, and Glencairne offered to draw his sword, and Lorn went away in great rage, swearing, that rather than he would see his own people abused by Glencairne he would loose his life; and thereupon drew to the other side of the water from Glencairne, and MacIlduy, with some of Macgriggor's men and about sixty horse with him, and sent the enclosed² in all haste to the gentry of the country; but some of them fearing it might be some plot, did not answer his desires.

Yesterday Glencairn had rendezvous about four miles off, on the north side of the river, and Lorn with Machelduy, and what others he had with him, were drawn up on the south side of the river, well nigh in opposition, and the whole of their number was not above one thousand six hundred horse and foot. The last night Lorne and Colonel Maynes,³ with six horse, left all and fled, and Glencairne presently sent a party of horse after him to apprehend him. Had Lorn stayed and concurred with them, this county for the most part would have gone his way; but this difference hath put most of them to a stand, and some of them are fled to Innerness and other parts to secure themselves. Parties of horse and foot are directed every way for the apprehending Lorn. The enemy take up all horses they can find, and except some few troopers, they are work-horses, and poore country beasts without shoes; and their foot poor starven fellows, many of them having no other arms than cudgels, and those that have arms have no ammunition, and they are full of fears, so that had we but six hundred horse and foot at this time, we might, in all probability, put them to their

¹ The Marquis, who had always an eye to the main-chance, availing himself of his power during the dominancy of Presbytery, had acquired the Lordship or superiority over part of the Gordon territory. This however gave his son no earthly right to demand what he did, and if he had been a loyal subject of the monarch whose cause he pretended to espouse, he never would have permitted his pretensions, even if they had been well-founded, to have injured the interest of his royal master.

² The letter referred to is not printed in the *Mercurius Politicus*.

³ Menzies.

best shifts to escape our hands. They use this country somewhat hardly, and especially since Lorn's departure; and that same night the difference was between them, Glencairne, in a despiteful manner, removed his quarters to Ballathrone, where the Bailliffes interest lies, and I hear hath left little there that would either be eaten or carried away.

I am informed that the Laird of Grant, although he hath not personally appeared with them, hath sent divers letters unto them: and further, my intelligence sayes that the enemy intend, when they have eaten up this country, which will not be long at the rate they devour, to seperate, to wit, Glencairn to march north towards Inverness, Ross, and Caithness, and Kenmore towards Aberdeenshire. What is become of Lorn's men I cannot yet certainly learn, but the flying report is, that they are dispersed. The enemy keep guards on the other side of the water at the Kirktown, within less than twice musket shot of the castle, but never appears on this side of the water within sight of the castle, and where I cannot [cross] over to them by reason of the ice. Since I began to write, my intelligence assures me, that the occasion of Lorn's so sudden flight was, that after he had fallen out with Glencairn, that same night he sent a letter to me, to advise me where to fall on Glencairn's men with the best advantage; but his bearer proving false, carried his letter to Kenmore, whereupon they drew up part of the army that way, thinking to take him that night, and so fled as aforesaid.¹ They have imprisoned seven or eight gentlemen that were with him. It is also said that Lorn posted away a letter to his father, acquainting him with his condition and that he was coming into him. The Braymen of this county doe close with the enemy.

[These are the Letters referred to in the preceding despach from Captain Hill, Governor of Ruthven Castle]:—

For my Honored Friend, Captain John Hill, Governor of the Castle of Badgenoth.

SIR—I have seen a letter of yours directed to the gentlemen

¹ This singular account of the reason of Lorn's pursuit is probably the

of Badgenoth, wherein you have expressed so much fidelity to your unjust masters, from whom you are trusted, that it makes me conceive, if these principles of yours were rightly founded upon the warrantable grounds of legality [loyalty?] you might yet redeem your former failings, and those principles of honor and vertue which now are darkened in you, being out of their true channel, may shine eminently, when unclouded from under these fatall wayes and snares wherein many gallant spirits in this age are insnared. Thus much I have conceived it fit to shew you, that I might undeceive you in some opinions upon which I find you ground your arguments in your letter to the gentlemen of Badgenoth. As first, you look upon your Commonwealth (as you call it) as one firm and fixt Government, whilst, the Lord knows, there is at this instant no such thing in England—that power which was lately called a Parliament, being by the trustees again surrendred in Cromwel's hands, and now none knows what government he will pitch on. Another ground you goe upon in your letter, that this army now on foot by his Majesties command, for his and his long oppressed peoples delivery, will soon vanish. It seems the distance you are at in this remote place admits you not right information; you may indeed look upon this as the Lord's work, returning the abused spirits of all his Majesties subjects to their duty to their King and country: for now most of all Scotland are in arms, and many galant English are already in arms, and have marched through the greatest part of England to joyn with his Majesties forces in this kingdom: besides, what is doing in Ireland, all Christian Princes are arming against those you now serve, and ere long will bring a flood of strangers upon them, if the Lord does not bring them, to prevent their ruine, by a timely submission to his Majesties just command. I have given you this right view of the present condition of affairs, because I have been informed of your gallantry, that when you reckon betwixt God and you

true one. Burnet admits that Glencairn ordered this worthy heir of Argyll's virtues "to be clapt up," but he does not say why a step so injurious to the loyal cause was to be adopted, and one that Glencairn would never have ventured upon had he not been assured that Lorn was playing false. It is exceedingly probable that a belief at Court of Lord Lorn's treachery during the rising of Glencairn was a strong reason for disregarding his entreaties to spare his father's life after the Restoration.

alone, and deal impartially with yourself, you may doe yourself that right to employ that vertue God hath given you, in the most approven way by him, wherein, if you finde I can serve, you may freely command,

Your Friend and Servant,

GLENCAIRN.¹

December 30, 1653.

MY LORD—Yours I received by your trumpet, wherein you have put yourself to much labour to convince me of the erroneousness of my principles and of my blindnes for want of information; the truth is, I see not so far as I desire, but the more I see, the more I discover of the unwarrantableness of your proceedings, going about to disquiet the peace of the country, and to devour that little which the poor people have left them upon pretence of a King, which I assure you I have disowned, and will still disclaim. And whereas you are pleased to inform me of the greatnes of your army, and of many who daily appear for you in England and Ireland, I am apt to believe that were you so powerfull as you speak, your Lordship might have had far better quarters in the Lowlands; but were you ten times the number which you are, it should not cause me to own that power which you call kingly, or to betray the trust committed to me by my just masters, the deliverers under God of the poor oppressed and enslaved people of the Commonwealth of England and Scotland from regal tyranny and bondage, but shall, through the Lord's assistance, approve myself faithfull to them while call'd by the name of

JOHN HILL.²

Ruthven Castle, December 30, 1653.

¹ "Glencairn," says Drummund of Balhaldie, "was a Lord of great gallantry and courage; and though he was at first, by the giddiness of the times, carried into all the madness and extravaganceys of the rebellious Covenanters, yet upon discovery that their impious designs were levelled against the Crown and monarchy, he became a sincere penitent, and joynd the King with a true zeal for his service after his retreat from Worcester, where he behaved bravely." *Memoirs of Lochiel*, p. 97.

² In this encounter of wits the Roundhead acquits himself better than the Royalist.

From DALKEITH, JANUARY 3.—The 28th of December the enemy had a rendezvous upon the Haugh, (a piece of ground near Weyme). The parts about Weyme are miserably wasted, and the gentlemen of Atholl ill resenting their oppression. Kenmore and Glengary marcht north with about two hundred horse and foot, intending to meet at Lagenougham Drum, where their whole body intends to rendezvous. Before their going there was a falling out between Kenmore and Glengary, and a duel appointed, but prevented by the endeavours and wits of their associates. Wogan, with his twenty cavaliers, are at present with Atholl, near Logiret, well mounted, armed, and several of them in rich apparel, which adds encouragement to the Highland fury. The enemy have severally spoiled most of such horses as they have taken from gentlemen's stables, their bellies almost dried up with heats, too much corn, and ill dressing. Their levies in Perthshire are at a stand. They get no men but some poor rogues; and the penalty they impose upon the country is, if they can take a rich man, they keep him till he can ransom himself, and take several able-bodied men out of their beds, and force them into arms, or make them hire others; but what addition they will have in the north, is uncertain.

On Friday, the Earl of Kenole,¹ about eight in the morning appeared near Glams² with a party of horse, consisting of seventy or thereabouts: his design was to surprize the horse belonging to Glams, as they came from watering, lying in a covert place for that purpose, thinking thereby to increase his number, and to procure exchange for the men taken at Edgill;³ and coming at first with a small party riding into Glams, took three of our men, which Major Ducket (who commanded Colonel Riche's troop then) having notice, sent out his Quarter-master with twenty horse to discover his party, who, advancing with two files of foot that were to make good a bridge, gave them a charge, and routed and dispersed their whole party, took the Lord Kinole and fourteen more, all much wounded; about five horse; and at the coming away of the letter had sent up a party to gather up the rest, all quitting their horses, and

¹ Kinnoull.² Glammis.³ Edzel.

betaking to the bogs. Major Ramsy was there, but escaped. We had one man killed and seven wounded, all slightly; three of the enemy were killed on the place, and our men that were taken rescued.

From PARIS, JANUARY 3, 1654, *Stylo Novo*.—On Thursday, Charles Stuart and his small Court met the King and Queen at the Jesuits Colledge in St Anthonie's Street, whither their Majesties had retired to Even Service, which was performed with great solemnity by the music of the King's own Chappell. After their devotions the King and Queen entertained Charles with his two brothers, the pretended Dukes of York and Gloucester, at a sumptuous collation. Their mother is immured at Chaliot to exercise her devotions there—this festival among the Nuns. They are very frolick with the two hundred thousand crowns that they got of Germany.

From BRUSSELS, JANUARY 4, *Stylo Novo*.—There is a rumour as if the King of Scots should be past through this town incognito in a coach of six horses towards Holland. But our last letter from France mentions him to be still at Paris.

From DALKEITH, JANUARY 7.—The supplies are safely and timely arrived here for the encouragement of our forces in this nation, whose affairs look with no pleasant face by reason of the great devastations, spoyle, and devourings made by the Highland locusts, who have been swarming and pilfering up and down in all parts. And now they are very active in their levies.

Doubtless the enemy have been fed and heightened with more than ordinary hopes and promises, and so may be more considerable than is believed as to matter of resolution, but how to accomplish any thing of moment as yet is not seen, but great men do still flock to them.

In this week the Commander-in-Chief hath received an account of the flying out of young Montrose,¹ and Charles

¹ The son of the great Montrose. From the dedication to the youthful Marquis of the translation from the French of Mon. de Marmet by

Lord Gourdon, only brother to the late Marquis of Huntly, and chief of that clan, who are gone into the enemy.

There is news come this day that a letter came to Edinburgh from Aberdene, importing the arrival of seventeen Dutch ships in the North, with fifteen hundred foreigners and arms, and two hundred horse. But we have not yet had any account of it from any of our own people.

By our last from SCOTLAND, JANUARY 7, part of the army is at Glasgow seeing to the safety of those parts, where they are in good condition. Intelligence from that place saith, that notice was given where Sir Arthur Forbes (he that was lately routed and his party) lay at a cottage sore of his wounds that he had received. A party of horse was sent thereupon to seize him, but he quitted that place about two days before, and the company are so false to us that they will give no direction which way to follow upon any such occasion.

These Scots that will not rise with the Highlanders are plundered by them: the Highlanders lay contribution upon them, which bring them very low, because they pay likewise towards the maintenance of our English army. We hear of supplies coming to us out of England, as the regiments of horse belonging to Major-General Lambert, and the regiment of foot belonging to Sir William Constable, they being already on their march, by whose assistance we doubt not but to send this plundering crew back again to the Highlands, where they will not be able to subsist in a body, all their dependence being upon Charles Stuart and his endeavours with the Dutch for money and arms.

But if a peace be with Holland (and we hear it is in a fair way) the first news of it will quite take away their hearts, and make them of their own accord retire to their several habitations, without ever drawing of a sword against

Thomas Saintserf, of the "Entertainments of the Cours, or Academical Conversations," we learn that his Lordship when "not full twelve years old, was close prisoner in Edinburgh Castle," from which he refused to be exchanged, lest it should cost his father "the benefit of a prisoner." This book was inscribed to the young Nobleman before the Restoration, when he had nothing in his power to bestow—a circumstance that gives credibility to the flattering testimony it affords of his merits. It was printed at London 1658. Small 8vo.

them. So great a destruction hath already been brought upon Scotland by these robbers that a few months' longer continuance of spoil and disorder would bring them into the same condition with the Irish, who have been by famine forced to eat the corpses of their deceased friends after divers dayes interment. And yet these are not much to be pitied by us, because of their implacable enmity, who will rather suffer themselves to be undone by the enemy rather than give notice to our garrisons when any of the Highlanders come amongst them or pass through their country, accounting and calling it treachery to be any way instrumental in the surprising of those that would destroy them. There is a call among them as if the Highlanders had some arms and ammunition landed in the Northern parts.

By letters from Madrid of the 16th December 1653, their Majesties are here in perfect health. Two days hence they go again to the Escorial to be present at some Church service performed yearly in commemoration of the deceased Princes belonging to the House of Austria.

There is to be seen in this city a copy of a letter in print, sent from the Jesuites in Armenia to those in this city, wherein they express a very strange thing hapned in that country, which is thus briefly:—There being about five months since many Turks and Moores met together at a town called Medinatalvi (but commonly known by the name of Mecha) in the mosque or chapell where the body of their false Prophet hath lain many years: on a sudden, about ten of the clock in the forenoon, this iron chest (which for many years hath been suspended in the roof of that house by virtue of the loadstone fastened there) did fall to the ground, which immediately opened and swallowed up both the chest and what was therein, the ground remaining open about one quarter of an hour, and in that space came forth of that abyss a great flame and smoke, which rendred a great stench, and so the ground closed up as formerly; that thereupon all the spectators fell on the ground, being struck with deadly fear at so dreadfull a spectacle, and some of them are since become Christians, leaving their superstitious service.¹

¹ An Advertisement occurs here from the Lieutenant of the Tower at the desire of the Earl of Cleveland, a prisoner there, stating that an

From BARWICK, JANUARY 11.—They write from Scotland that the Lord Kenmore and Macaldore (Lochiel), with six or seven hundred men, are about the Lord of Grante Graccut's bounds, and Strathspey, where they expect Seaforth's party to joyn with them. Colonel Morgan hath drawn out a party of horse and foot to engage them (if possible) in case they come down from the hills. Captain Hart lately sent a party of horse from Kelso into Northumberland, where they took one Richardson, a moss-trooper, who lay there to be a guide to some party out of England, and one John King, who was a corporall with Sir Arthur Forbes. Sir Arthur is not yet heard off, whether dead or living. Young Montrose is lately joined with the enemy, and also the Lord Charles Gordon, only brother to the late Earl of Huntly and the head of their clan, is gone in unto them. They proceed very vigorously in their new levies.

The Earl of Athole was lately, with about two or three hundred horse and five hundred foot, at Cooper in Angus, and from thence went to Meagill, and so back to the hills.

You may perceive their greatest confidence is the hills, who, rather by cunning and craft, doe shelter themselves than to come out and fight as men; but the Lord will find them out in due time.

From AMSTERDAM, JANUARY 14, *S. N.*—In a Dorp of North Holland called Rype, six hundred houses and five thousand bundles of hemp were consumed with fire—a remarkable stroke of God, if they were sensible of it.¹

From DALKEITH, JANUARY 17.—The enemy are part in Badgnoth² and part in the Laird of Grant's³ bounds. The

imposter calling himself Buck and sometimes Brathwaite and Butler, has been going about and borrowing money in the Earl's name to supply his Lordship's necessities. Lord Grandison, at that time a prisoner in the Tower, gives a similar intimation.

There is also a Declaration by Lilburn from Dalkeith, ordering all parties possessed of serviceable horses or mares exceeding the value of L.5 Sterling, to bring them in within forty-eight hours to the next adjacent garrison or quarters of the army, under certain severe penalties.

¹ This, it would seem, was in the writer's opinion a judgment for the Dutch not yielding to the demands of the Commonwealth.

² Badenoch.

³ Grant of Urquhart.

partie that drew Colonell Morgan from Aberdeen towards Innerness could not get over Spey, the waters were so high. The Boggy Geith is a very useful garrison,—the Marques of Huntlie's lady being removed to Strathbogie. The enemy are much startled at Argile's son Lorn's revolt, and think there is a greater design in the same than is presently apparent. There is to be a great meeting in Argile of all Clan Campbel, it is said, to offer some proposals to the Commander-in-Chief. Sir Arthur Forbes yet lies wounded in some part of Monteith.

On Thursday last, Athol and Lorn were at the house of Balloch,¹ near Lough Tey, since which Athole is very sick and in Weems garrison, and Lorne pretends his father is not reconcileable to him, whereupon he goes not home. The 14th instant the Captain, Lieutenant to Colonel Okey, with a party from St Johnston, fell into the quarters of about forty of the enemies horse about Strabaughan, near Castle Dunkel, under Lieutenant Ramsey, took ten prisoners and sixteen horses, and killed two on the place. But Captain Elsemore's troop from Drummond had not so good success, for the Lieutenant being sent out with a partie of thirty horse to rescue some sheep taken by the enemy near the garrison, pursued so far as to rout them; but another partie of sixty horse and one hundred or two hundred foot, lying in ambuscade, our men had a very difficult retreat, yet twenty of them charged through: the Lieutenant was killed, the Cornet, one corporal, two trumpeters, and seven troopes taken, and the Quarter-master wounded. Divers of the enemy were killed, and amongst the rest (it is supposed) Wogan, for he and the English with him gave the first charge.

From PARIS, JAN. 21.—The town swells perpetually with rumours. Nothing now but that one of your Lord Protector's daughters is to be married to the Prince of Conde's son, the Duke D'enguien, though others will have the young gentleman to be bestowed upon one of the Duke of Orleans his daughters.

Charles Stuart and his followers are of an inclination to leave France. It's thought, if they remove, it will be for

¹ Now Taymouth, the principal seat of the Marquis of Breadalbane.

Germany. They have been pumping with those of the Reformed Religion here in France to try what and whether they would or could do any thing for them. His councillors have had a sharp quarrel among themselves,—Ned Hyde, who is called Chancellor of the Dutchy or Exchequer (but which I cannot remember) having been accused of treason by the Lord Gerard. There hath been somewhat to do among them about it to no purpose.

From DALKEITH, JANUARY 22.—Since the engagement of our party at Drummond we have had little of news. We cannot yet hear what loss of men was on the enemies part, nor who the persons were that were slain. Only one Captain Ker, and another person of quality, who, they said, was the second brave man they had in arms, but they had very many wounded.

The main body of the enemy continues still in Murray-land between Inverness and Aberdene. A party of three hundred foot under one Lieutenant-Colonel Henlet of Newark, and one hundred horse by one Inchinrole, came lately into Dunbarton town, staid an hour, and went thence. At the last going away of the Highland Scots before this, the enclosed was posted upon the market-cross, with these expressions on it—“*Our ancient old enemy the Kingdom of England.*” So that you see by this it is a nationall quarrell, and not for the Stuarts. Herein our enemies shew the bottom of their design is to destroy the English, and it is a sweet invitation for English to joyn with them. If their plots be laid no deeper, we suppose they will not be able much to hurt us.

We hear that Colonel Humphrey's gallant troops of Dragoons are upon the Borders, and some others coming to reinforce us, which is welcom news, and now we shall be able at all turns to meet with the enemy.¹

From DALKEITH, JANUARY 24.—The 19th instant Colonel Daniel, Governour of St Johnstouns, having intelligence that

¹ The proclamation of the Earl of Glencairn, dated at Weyms 22d December 1653, is printed here,—but as it will be found at length in the *Military Memoirs of the Civil Wars*, Edin. 1822, 4to. (233), and elsewhere, there seemed no reason for inserting it here.

the enemy were in or about Dunkeld, sent out a hundred horse and a hundred dragoons under the command of Captain-Lieutenant Ashly of Colonel Twisleton's regiment, who came very neer the town undiscovered, and the forlorn fell in with two of their scouts: they made some resistance at the barracado, but our few dragoons beat them thence, entred the town and kill'd six or seven at the entrance. Our forlorn went in the meantime to the other end of the town and pursued them that (upon the alarum) got away towards the hills and passages betwixt the town and Blaire, and there were seven of them kill'd; many had the State's mark, and most of Athol's troopers made footmen; they brought fifty horses with them, and seven prisoners of Athol's regiment, also many carabins, cloaks, boots, and other things belonging to them; and had they not escaped to the woods and crags, which are at the very town's end, there had been more in custody.

Athol was there himself, and I believe this will be a great obstruction to his levies; he had about one hundred, or a hundred and fifty foot with him, most of whom got to the hills. The horse pursued them about two miles beyond this town, and wounded many: but being very eager in the pursuit, and the wood within two or three yards of the very passage, they had no more to do, but being knocked off their horses, to run into the thickets, and then they were safe. It was a very seasonable mercy, both to ballance their height upon the business of Drummond and also to lay a discouragement upon the temper of that wild people. There was one of Colonel Twisleton's own troop kill'd. Some of the prisoners confess that Wogan was run through the shoulder at Drummond, and lies at Weims. Capt. Elsmores Lieutenant and Capt. Ker did kill each other, both of them at one instant firing together at four yards distance with both their blunderbusses, and fell both from their horses immediately.

The enemies head-quarters are now in Elgan. There General Glencairn, with about one thousand two hundred foot and three hundred horse, besides dragoons. They have beleagured Burgie, which is a garrison of ours. Kenmore is at Forres, and keeps his guards upon the river Findhorn to secure the passage from Innerness. The 20th

instant Colonel Morgan was marching towards them with fourteen companies of foot and eight troops of horse and dragoons. This day, there are nine prisoners sent in from Captain Hart, divers of them are Englishmen, who were in the engagements with Forbes, and one Richardson, a mous-trooper.

Some freebooters have been snapt, and brought into Newcastle.

From DALKEITH, JANUARY 31.—The enemy went for Ross and the hills, as Colonel Morgan marcht from Aberdeen towards them, who is returned to his quarters. Major Knights Cornet with Tomlinson's regiment took Glencairn's Captain Lieutenant and five other horsemen. A party of forty Scotchmen under one Fergison employed by us, on Saturday last fell into Athol's quarters about four miles from Glams, took a Captain, Lieutenant, and Cornet, and fifteen others prisoners and twenty horse, and kil'd ten.¹

The ministers in these parts are daily praying for Charles Stuart as their King, for which they pretend conscience—the Commander-in-Chief hath secured divers of them. There is a very strange report here, that the Lord of Seafort hath stormed our fort at Lewis Island with one thousand four hundred men and taken it, which I cannot believe, in regard the Governor there was confident to defend it against thousands, yet it is certain that Seafort was preparing to attempt it, and we had no ship on those coasts.

EDINBURGH, FEBRUARY 1. — Colonel Morgan marching from Aberdeen with fourteen companies of foot and eight troops of horse and dragoons towards the enemy,—Glencairn and Kenmore the same day went out of Murrayland towards the hills—they burnt all the Lord Lethan's land,² the Lord

¹ This information is again repeated in pretty nearly the same terms.

² The Laird of Brodie was a rigid Covenanter, and was one of Cromwell's Scottish Judges. He was of course obnoxious to the Cavaliers. The burning of Lethan's lands is thus noticed in the Diary of the pious Laird,—a work from its curious nature and extreme rarity much coveted by Bibliomaniacs. It was printed at Edinburgh, 1740, 8vo.—

20th January.—Glencairn burnt the corns and houses of Leathan. Oh Lord sanctify and keep us to understand and be humbled under this hand of thine. Upon the news I said to Leathan—having risen from

Brodie's uncle, because he kept his house out against them in the late infall into the Earl of Atholl's quarters at Dunkell. There was killed one Captain Robertson, one Captain Hunter, a young laird, who attended Atholl, the Laird of Ballachan, Major Mercer run into the body with a tuck, and through the arm. It is believed he will not live. There were about twenty more slain and desperately wounded. The 23d inst. Atholl had a rendezvous of the country at a place called Cairane, two or three miles north-east from Dunkeld, but had very slender appearance. Sir Arthur Forbs and Wogan lie ill of their wounds at Weems; Wogan is not likely to recover. Col. Hume, with about sixteen more of the Merch or Berwickshire, are this week gone to join with those in the hills.

NEWCASTLE, FEBRUARY 1.—For news we have very little, only that which we suppose you have heard of the interception of many letters that came from the Scottish Cavaliers to the Malignant party here, but they were by a person of honour sent up to his Highness. The truth is, there is such continual meeting of the Cavaliers, that any may judge, without the intercepting letters, they have great designs in hands.

Here is much doing about these quarters—they were at a place called Hasington¹ on the Sabbath day, and as they were speaking to the minister, the country people fell upon them and abused them very much—almost killed one or two; but going out, falling upon their knees, seeking to God to forgive them, saying they knew not what they did, and afterwards speaking to them, many of the people were so convinced of the evil they had done in beating of them, that returning back to the residue of the people that were on the green in the town, beginning to accuse one another as the occasion of beating those men, who had done them

prayer—my heart is calm, and I do rejoice in God, and bless his name."

The Brodie Family is one of considerable antiquity.—It has been asserted that the Pictish King Bruidhie, the son of Bili, was the founder,—and this supposition has probably about as much truth as most speculations of the kind. It is at least as plausible as the descent of the Argyle Family from a Campbell, Lord of Lochow, in the year 400; or of the Ducal Family of Bedford from "Olaf, the sharp-eyed King of Rerik."

¹ Probably Easington, a village near Newcastle.

no hurt, nor opposed the minister till he had done; and the minister being earnestly pressed to go and discourse with them, and he refusing, this discourse went so high that the townsmen generally went to go by the ears, and did so exceedingly beat one another that such a night hath not been seen. There was very few that went home without their faces or heads broken.

1ST FEBY. 1654.—GLENCAIRN'S PROCLAMATION.—Whereas it hath pleased his Majesty to appoint horse and foot to be levied within the kingdom of Scotland for opposing the common enemy, for giving a check to the pride and oppression of these cruel traitors whom God in his justice hath permitted to overcome, and to be the instrument of Scotland's punishment for its sin, and are no otherwise to be looked on but as God's scourge upon us, which he will soon remove and consume in his wrath, if we could turn to him by unfained repentance: And to the end his Majestie's service may be advanced, and that none of his faithful subjects may pretend ignorance, and that it may appear how willing we are that the levies may be done orderly and equally, we have thought fit to cause intimate to all shires and parishes and head burghs by open proclamation, that every one may make his several proportions ready to be delivered to the respective officers appointed for the same, and commissioners likewise under our hand, wheresoever the foresaid officers shall come or send to require them: Likewise that all who, after intimation hereof, do remain disobedient and without fear of God, duty to their King and country, tyes of covenant, love of religion, sense of honour, will mowe to their duty, may be proceeded against with fire and sword, unworthy to be looked upon as Scotchmen, to the terror of all falsehearted traitors, who by their treacheries and rebellion against their lawfull King, and his just power and authority, has drawn on this great deluge of God's wrath upon all the three kingdoms:

And likewise we do hereby rejoice, that where heretofore any horses has been brought forth from any well affected person or persons beyond their due proportion, that the respective parish, or next adjacent parishes where the said horses has been taken, that they shall mete and stent them-

selves equally for bearing equal burthen, and refund the persons from whom any horses has been taken beyond their proportions; and the just proportion of horses now to be put forth is declared to bee one man well mounted with all necessaries, forth of every thousand pound of rent, and the proportion of foot, every third man, and what dragoons are to be levied, two foot are to be accounted for one dragoon: And for the further publication hereof, these are to ordain commissioners of parishes where no burghs are, the Provost and Baillies of burgh to proclaim this at the mercat-cross of each burgh, and to give copies hereof to all parishes within their Presbytery, as they will answer the contrary upon their highest peril. Given under our hand the first of February 1654.

GLENCARNE.

God save King Charles the Second.

BRISTOL, FEB. 4.—Last week a baker's house in the middle of this city was set on fire, but quenched before it had taken hold on any other house; it might probably have otherwise destroyed the chief part of the city, and was a great mercy.

From PARIS, FEBRUARY 4.—The last week Mr Arnolphi being many years since invested in the office of Master of the King's Horse, began in this quality to teach his Majesty to ride the great horse in the court of the little Bourbon, where he presently shews in his carriage how, in all exercises both of body and mind, that he is truly born with dispositions necessary for the obtaining, without trouble, all that will serve of ornament suitable to a great Monarch.

From CHESTER, FEBRUARY 4.—The Irish of late have had a generall fast; the occasion is not known but to themselves. Some few desperate Tories are yet doing mischief in Munster, and some sculking in Wicklow, snap'd up about a dozen of our surveyors.

From INVERNESS, FEB. 4.—The enemy have divided themselves into several parties to raise their assigned levies, keeping themselves in secure places about the brays for their safety, from whence they summon in the country to

provide both horse and foot, whom they threaten with fire and sword if neglect to satisfie them in their demands, though never so unwarrantable.

Glencairn is to command all the levies in these shires of Murray, and so northward: he, with 80 horse and 100 foot, keeps near the hills, that upon notice of the approach of any of our forces they may secure themselves in the inaccessible bounds. Our horse scouts now and then glean up some of them, having lately taken among others a notorious rogue that threatened to burn divers of the inhabitants' houses who are serviceable to the garrison.

From DALKEITH, FEBRUARY 5.—Things have of late been pretty quiet, and some of the enemie seem to desire passes to live quietly at home. Colonel Wogan is for certain dead of these wounds he got near Drummond, and [is] buried in the Highlands. His Captain-Lieutenant also is irrecoverable, which discourages the whole party of the English, and I am told they are upon dissolving. Then come acts of burning their countrymen's houses, and corn makes them stink in their nostrils, and I am apt to believe they are not so much of one party as was supposed, nor their designe so universal.

EDINBURGH, FEBRUARY 6.—The enemy at their late meeting in Badenoch got three men from every four ploughs in that county (except one near the water),¹ but many of them returned back.² The Lauhabec³ men did plunder much when the enemy was in Murriland, and then left them. The greatest part of Lelentarne's⁴ forces are at Strathspey, near the land of Gyants [Grants?], who will, it is said, keep out his house against them, having taken in men and provisions to that end.

The 28th instant about 36 horse came into the coast of Gowry to Sir Peter Hayes house called Meginch; they did break his outer court and demanded his horses, threatening to burn his corn otherwise, but he firing at them, they ran away; but two dayes after, a great party came and burnt

¹ Those near the garrison of Ruthven. *Mercurius Politicus*, 92, p. 3273.

² The people going according to the ministers' exhortation given them, "*To give the Devil a bone in his mouth, and put him to the dore.*" *Ib.* p. 3074.

³ Lochaber.

⁴ Glencairn.

L.600 sterling in corn, also the Earl of Linlithgow's corn for not delivering his horses.

From BRISTOL, FEB. 6.—This day I am informed of a truth, that now in Monmouthshire, near Ragland, in an orchard, an apple tree hath had green leaves, buds, and young apples. These are strange variations of the seasons.

From STIRLING, FEB. 6.—There was a party here extream high flown before the late change, but they are at present a little milder then formerly : they were so forward that they thought to carry all before them, they were ready to pick the lest hole in any man's coat which was not of their judgement, and to article against him though it were for things done two or three years ago. The enemies body is yet in the north—they increase dayly, and now persons of quality goes into them. It is full time to raise all we can for our security.

From DALKEITH, FEBRUARY 11.—The inclosed is the greatest part of the news here at present. Kenmore, with his body of about two thousand of those wild people, is now at Kildrunning,¹ an house of the Earl of Mar's in Morrayland—they have been very quiet of late, and if a peace with the Seven Provinces be concluded, they are not like to be very troublesome. Most of Wogan's party (now he is gone the way of all flesh) are contriving to get as well out of Scotland as they came into it.

We do dayly snap divers of the enemy in small parties. A Lieutenant of Col. Fairfax's regiment with twelve dragoones, took four of Glencairn's owne troop and eight horse, and one Lieutenant Rutherford, who commanded them, narrowly escaped. Glencairn hath set out a Proclamation, threatening fire and sword to all those that do not comply with him in sending in their levies. Mr Jo. Goodwin's Seventeen Queries are reprinted at Leith.

On Sunday last four of Col. Twisleton's and two of Col. Okey's going from Drummond Castle for St Johnston's, were set upon by about fifty of the remains of Sir Arthur Forbs and Wogan's horse, who took three of them, killed

¹ Kildrummie.



two, and the other escaped. There is a considerable party of the enemy in those parts, about Contrie,¹ who are very active since the drawing of the horse northwards; but upon the coming in of the two regiments from England, our horse will be placed so as to meet with them at all turns. Col. Drummond² is certainly got to the enemy with further instruction from Charles Stuart, from whom he is sent to see in what posture they are, and whether so considerable as to protect him, in case they should come to them this summer. He tells them that his Majesty strained hard to send them over a ship with ten thousand arms, which is cast away upon the coast of Ireland, though I am apt to think it is the same ship that was driven from the coasts of Loughaber to Killebiggs. There is nothing come since my last from the north.

From DALKEITH, 14TH FEB.—On Wednesday last Col. Morgan, with eight companies of foot, six troops of horse, and three troops of dragoons, with a party of commanded horse out of the Mearnes of Angus, marched from Aberdene, and upon Thursday, about two of the clock, came to the Lough at the head of Cromar, where Glencairne and Kenmore were at a rendezvous, and (after a little dispute) he totally routed their army; but being so near the hills, he could do no more execution than to take and kill about one hundred and forty, having pursued them seven miles into the fields, their General hardly escaping, with about forty horse. After this engagement Col. Morgan marched towards Kildrummy.

Nor was Capt. Mutloe in the Western Highlands idle, for hearing that the Laird of Archaton (being one of the chief Malignants in Lorne) had garrisoned his house for the enemy, he drew forth a party out of Dunstaffnage and Dunnelly, fell upon the house, and after some dispute, having killed three of the enemy, entred the house and took

¹ Comrie † .

² This seems to have been Andrew Drummond, the grandson of Sir James Drummond of Machany, Knight, by Catherine Hamilton sister to John Lord Barganie. He died unmarried.—See Genealogy of the House of Drummond by the first Viscount of Strathallan. Edin. 1831, 4to. p. 186.

a Lieutenant, with other prisoners, and store of ammunition and arms. The gentry and heritors of the shire of Argyle had lately a meeting with the Marquis thereof at Innerara, where they resolved not to joyn with those people now in arms, but to be ready at twenty-four hours warning to oppose them. The business of the Lewis was thus—Normand MacCloud, with four or five hundred men, landed in Lewis Island, and after three or four days staying in some inaccessible places of the Isle, fell upon our souldiers who lay at Stornway out of the fort, and killed twelve of them ; but a party out of the fort beat them thence, relieved the remainder of the men, removed the goods into the fort, and burnt the houses. The last week Lieut. Col. Cottrel marcht out of Glasgow to reduce the garrison of Rosdew, near Loughlamond, and before he came near it the enemy ran away and left word they had no order to fight. We hear also that Brockie, Capt. Lieut. to the late Col. Wogan, is dead of his wounds, and the Earl of Athol, that fires and burns folks corn and horses, threatened to shoot Holland the chyrurgeon¹ unto death for not curing Wogan and Brockie. Som of those blades begins to cry *peccavi* and sends to desire liberty to live peaceably, and no doubt ere long they will betray one another into our hands. This day the Lord Calender is apprehended upon an information against him of correspondency.

The persons who stand committed to the Tower for the late treasonable conspiracy are these eleven—Mr Thomas Bunce, Mr Roger Cotes, Mr Thomas Dutton, Mr Joseph Sawyer, Mr Joseph Barker, Mr John Archer, Mr William Jenkins, Mr Roger Lee, Captain Smith, Mr Christopher Watkins, Mr Thomas Rosse.

From PARIS, FEB. 15, 1654.—The marriage of the Duke of Nemours with Madamoiselle de Longueville is renewed, she being hitherto in love with the Duke of York ; but the Queen of France hindered that, and told her the Duke of York was too high a person for her, being son to a King and a King's brother, so she is now contented to marry De Nemours.

¹ Could this have been a son of Philemon Holland, M.D., the translator of Pliny ?

From DALKEITH, FEBRUARY 16.—I have nothing of news since my last. The party that Lieut. Col. Cotterel sent from Dumbarton to have seised on the shallop we lately lost in the Clyde, went up into the Highlands to a lough where it was; but upon their coming, she was set on fire by them. Kenmore came privately with a small party into Dunkeld on Friday last, which was the day after the engagement with Col. Morgan, from whom there is nothing come since my last.

AN ADVERTISEMENT.—As concerning the peace with the Dutch, its supposed their intentions are reall, for there are ambassadors to come out of Holland, and their friends here doe say, their business is to ratifie an agreement according to the late Treaty. They were lookt for by the Heer Beverning every day this week, and are still expected; so that its conceived it cannot be long ere they arrive in England.

From DALKEITH, FEBRUARY 18.—About four dayes since Col. Daniel, with a party of horse, foot, and dragoons, together with the conjunction of another party from Dundee, in all about one thousand, marched towards Dunkell, where the enemies most considerable quarters was, and where they had newly established a garrison in the Lord Athol's house near the church: And upon Col. Daniel's approach, (the Lord Athol¹ and Sir Arthur Forbes having intelligence, retreated to the hills, and left only the garrison, and some few to defend the church). Those in the church durst not stand, busled to the house, which our men attempted likewise, and got under the wals with pickaxes and other instruments that were in readiness, and in a short time got ten to a part of the house without the loss of one man; and having slain only three of the enemy, the rest cryed Quarter, and had it granted, yet notwithstanding unworthily

¹ John second Earl of Atholl is said by Wood in his edition of Douglas to have been born in 1635. He succeeded his father in 1642, and took up arms while under age for the King. He was excepted by Cromwell from the Act of Grace and Indemnity, but on the Restoration was in great favour with Charles II., and after receiving many appointments was created Marquis of Atholl by patent 17th February 1678. He died on the 6th of May 1703, and was buried in the cathedral church of Dunkeld, where a splendid monument was erected to his memory.

began to resist a little, which quickened our men the more ; and then they cried out quarter amain. In the house we took two Lieutenants, one Ensigne, with blue colours, Sir Arthur Forbes own Quarter-master, two Serjeants, two Cornets, and one hundred and nineteen private rogues, together with eighty musquets and bandeliers, some firelocks and swords, about sixteen pound of powder, as also twenty-five troop-horses, and fourteen or fifteen case of pistols, with much meal, malt, oats, which not having convenience to carry away, we set fire to a barrel of powder and those provisions, and blew them up and the house together. About five days ago one of the late Col. Wogan's men, with three of his horses, got his landlord to help him to water them, and runn away with them to Blaire Castle, one of our garrisons ; which makes the English less trusted by Athole and the Tories. Col. Morgan hath also removed the enemies garrison at Kildrummy ; and many of those horsemen he routed at his ingagement with Glencairn, (the great patron, or rather spoiler, of his country), running to Athole near Dunkell, he translated them to foot. Col. Morgan, at his late engagement with the enemy at Cromar, killed one hundred and twenty, and took twenty-seven prisoners, with all their ammunition and most of their arms, and about eighty hors, in all which he lost not one man.

— FEBY. 18.—Beffort, in Alsatia, is at length taken by the Marshall de la Ferte Seneterre, in which service was the Duke of York's¹ regiment.

From DALKEITH, FEBRUARY 20.—Upon Tuesday last Colonel Daniel marched out of St Johnstons with a party of foot and dragoons, and met with some other forces from Dundee, with which he fell the next morning with Dunkell (the chief quarter of the enemy) ; the enemy quit the town, and betook themselves to the great house (the kirk) which they endeavoured to keep, but as soon as our foot came under the house, and with pickaxes made holes and got into the house and killed three men, thereupon the enemy betook

¹ Afterwards James II.

themselves to one room and desired quarter, which was granted for their lives; we took two Captains, two Lieutenants, one Ensigne, and Sir Arthur Forbes Quartermaster, and nine prisoners; we had only one man hurt with a stone, but not much hurt. Athol and Forbes were gone from that place into the hills not above two hours before. We took one blew colours in the house, which we have since made untenable. We have now in several places about four hundred prisoners, and it were to be wished that some instructions were given by his Highness for the disposal of them, most of them being idle rogues, which it would be a work of charity as well as policy to rid the country of, by sending them to some foreign plantations, where they might be in an incapacity of returning, and doe some service in their generation, by being made to work for their livings; for here they will do nothing but rob, burn, and murder, as oft as they get liberty, and while they are kept prisoners, are a charge to the Commonwealth and a weakening to our forces, by putting them upon extraordinary duty for guards for them, and often attempt and make escapes. Some of them, one a notorious murderer, lately gagged the Marshal's man at Sterling, in order to their escape, but were discovered and laid in irons. A party of four of Major-General Harrison's late regiment, (which we now hear is to be the Lord Henry Cromwel's), going from Cardross towards Sterling to convoy a prisoner of ours that lately escaped from the enemy, were met with by one Captain Buchannan and nine more, and taken.

About four or five daies since, one of Colonel Wogan's men, with three of their best horses, got his landlord to help him to water them, and ran with them to Blair Castle, which makes the Earl of Athol not to trust Englishmen so much. Athol dismounted very many souldiers that ran from Glencairn upon the defeat at Cromar, the particulars of which engagement we had this evening thus:—Their number was about fourteen or fifteen hundred horse and foot at a very strong pass, which was a mile in length, and we could march but one man abreast,—the enemy had thirty foot at the top of the glen, but Lieut. Symonds being commanded out with a party of foot, and Capt. Lisle with a party of horse, to the top of the hill, so amazed them that their game was spoiled;

for after a short dispute we routed them and pursued them seven miles over the hills, such way as they did not expect we could follow them. We killed about one hundred and twenty, took twenty-seven prisoners, with all their ammunition, bagg, baggage, and most of their arms, and about twenty horse—Glencairn and Kenmore hardly escaping. These mercies were very seasonable, for the eneny were very high, threatning nothing but fire and sword if all did not rise with them presently. Upon the 10th instant, Col. Morgan marcht to Kildrummy, where they had a garrison of forty foot and thirty horse, which being summoned, the Governor was denyed ; at last (the third day) he came to a treaty, and surrendered the house upon articles, to march away with arms, ammunition, bagg and baggage, which was not much, the house being strong, and not to be taken without great guns, which we had not, neither could our forces have lain there above one night longer ; and, indeed, Glencairne and Kenmore had left that house as a bait, thinking we would besiege it before we fell upon them. Col. Morgan left a garrison of foot and horse in it and returned to Aberdeen. In all this business we lost not one man, onely one was lost accidentally by one of our own men, neither had we any man wounded, but two horses shot.

Sir, you have here my piecemealed relations, which in regard of time and intelligence coming many times after I have begun my letters, I hope you will pick sense out of my lines.

Since the writing of this I have a more particular relation of the business at Dunkel, but have not time to acquaint you with the whole. The names of the officers taken are—Captain Nicholson, Governor, Capt. Fiffe, Lieut. Charles Watson, Lieut. William Rosse, Ensign Broughy, and Patrick Gray, Quarter-master to Sir Arthur Forbes. Arms taken—eighty muskets, with bandeleers and swords, some few firelocks, fourteen pound of powder ; but what was in their bandaleers ? a great quantity of meal and oats provided for the enemies forces, which we not being provided to carry away, blew it up with the house : Twenty-five troop-horses taken, with fifteen pair of pistols. Athol and Forbes came into Dunkel the night after we were gone with all the force they could make. According to the old proverb—“ When the Fryer is beaten, then came James.”

From DALKEITH, FEBRUARY 21.—The Earl of Atholl hath drawn all the forces he can together from Weems and other places, and he, with the Lord Bruce, were the 14th instant at Glenshier, marching northwards to joyn with Glencairn, Glengary, Kenmore, &c. Upon their conjunction they will be between three and four thousand, and then they intend to be revenged of Col. Morgan for their late rout, but (through Divine assistance) he may make them amends with such another beating; yet Athol's foot are much discontented, and leave him daily out of a sense of their declining, dangerous, and desperate condition, by their daily losses in all parts, and complain much of the cowardize of their horse. The English that came with Wogan are much dejected at his death, and lament their leaving France and being in so wretched and barbarous a place as the Highlands. We are daily sending what supply we can to Col. Morgan, but cannot much adde to his strength till the two regiments come out of England. The Scots at Edenburgh are very high, and have so great a spirit of malignancy and unbelief as to give out that the late defeat given by Col. Morgan to the enemy at Cromar was only to some countrymen met there, though it is unquestionable that Glencairn, Kenmore, and most of their great fighters were there in person, and the valiant Mac-alding, Laird of Lochaber,¹ was one of the first that ran out of the field, and left his commission from Charls Stuart, directed to Col. Hum. Cameran, dated December 10, 1652, behind him; Lieut.-General Middleton's last instructions, several letters from Charls Stuart, &c. to the Earle of Glencairn, and other papers of consequence were taken, which, its not to be doubted, that they would send with a company of countrymen; but these kind of perswasions are so like the old English Cavaliers confident evasions, that I do but beat the fire to endcavour to drive these people out of them, who will not be convinced by any thing but a good sword, subduing and cutting down those broken reeds on which they lean, &c.

From PARIS, FEB. 25, *Stylo Novo*.—This Court hath at last resolved to congratulat his Highnes the Lord Protector

¹ Evidently meant for Lechiel.

by their Ambassador Mr Neufville, to whom they have sent authentique commission of Ambassador, who is to make known to his said Highnes the great desire the King hath to enter into amity with the Commonwealth of England. On Sunday last the marriage of the Prince of Conti with the Cardinal's niece was celebrated with much ceremony. The Cardinal hath bestowed upon him his palace, and given him one hundred thousand Escus in ready money down, and a year hence he is to receive as much more. Since, he hath bin continually feasted by the great ones of the Court. On the 17th of this month news was brought of the taking of Beffort by the Marshall of Seneterre, upon Articles of War.

The Prince of Conde is shortly to be beheaded in effigies for not appearing according to summons. Charls Stuart, with his train, are leaving of this place to try their fortunes in some other country. One of the chiefest authors of the tumults of the city of Bordeaux, called Duresteste, was lately apprehended and brought to Raole, where he was condemned to be broken upon the wheel, and was since executed accordingly at Bordeaux; his head is to be set upon a stake, and his sentence written underneath, for an example to all those who will imitate him in his rebellion.

This last week several persons were apprehended in Londoñ upon discovery of a plot against the Lord Protector and the present Government, whereupon they have been examined, Feb. 18. Eleven of them were sent close prisoners to the Tower.

From DALKEITH, FEB. 26.—The levies that were made by the Earl of Athole are certainly spoiled, and the people now quite tyred out with them, seeing no help comes out of the low countries, so that they now despair of any assistance to come that way. Besides, there is among them a report of a vision seen lately by a gentleman (a friend of theirs) in Fife, in which he was commanded by one in form of a man to speed to Glencairn and tell him that he must decline the course he is in, otherwise it will be destruction to him and all under his command; after which (they say) the vision vanished. The gentleman neglected, and then had a second vision, in which he was sentenced to be dumb for his neglect, which he now is, and certifies the same under his hand, as

they report. This latter prevails much among the vulgar soldiers, and the two former have influence on all their army, so that they are much dejected with the conceit.

Athole is now about Glenlyar, and hath about three hundred hors and foot. He hath sent forth the fiery-crosses, but they are little regarded. Some of his men are gone to Badgenoth, where is said Glengary is. The old Laird of Glenviq hath sent for a protection from the Governor of St Johnstons—Athole was there to demand the demolishing of his house—as Wemys was—but the old gentleman (who is eighty years of age) gave him absolute refusal. On Tuesday last, Sir Arthur Forbes, with what horse Athole could make, marched toward Monteth or Lenox, in design (as it is conceived) for the south.

The 22d instant there was one of Colonel Daniel's regiment hanged at St Johnstons for running to Athole, having bin taken again at Dunkeil the last week ; and another was tyed up to the gallows, who had been intercepted as he was running to Athole. There are some others that ran from the same regiment to Athole, who were taken likewise at Dunkeil, but saved by Articles.

Major-Gen. Lambert's and Commissary-General Whalley's regiments of horse are come up, and will be a very seasonable reinforcement.

From DALKEITH, FEBRUARY 28.—The last week Lieutenant Hellin, Lieut. to Major Bramston's troop of dragoons, having notice that one Capt. Thompson and Lieut.-Colonel Ramsay's Lieutenant, with five more of the enemy, were come down into the Mearns, presently mounted with six more of the troop, traced them about ten miles into the hills, and at last took them, their horses, with their armes, and one of them being an Englishman, refused to take quarter, and was killed. A party of the enemy's horse and foot being before Downe Castle, five miles from Stirling, Major Bridges went forth with a party of sixty horse, upon which the enemy fled : our men pursued, and about four miles from Downe came in sight of them, but most of them got into the hills. We took only six prisoners and about nineteen or twenty horse. Sir Mungo Murray was there, and escaped very narrowly, as did Captain Hamilton, whose horse was

taken, but he escaped over a bog. The 10th of March is appointed for the enemies's great rendezvous about Badgenoth. Montross and Sir Mungo Murray came with orders to Athol, when he slighted Weems, to prepare all the forces he could against that time. There was a late falling out amongst them, and one Graham shot Athol's groom through the head, and young Montross had liked to have killed Lorn. The enemy have put in a garrison of thirty men into Gaith-castle, about a mile from Weyms. I have sent inclosed one of Sir Mungo Murray's warrants, threatening fire and sword.

"These are to require the gentlemen, heritors, and others concerned, in the parish of Drummond and Buchanan, that immediately after sight hereof they send to the Craig of Earne, out of every hundred of rent half bell cane, one furler meal, one turf of hay, one legg of beef, one stone cheese, four hens, or satisfaction therefore; as also, to be immediately at the appointed place with your proportion of troop horses, every thousand pounds being one well mounted troop-horse with certificate. If you fail, I will pursue you with fire and sword, according to the general order.

"From Blainavard in Drummond." Feb. 23.—M. MURRAY.

From INNERNESS and DALKEITH, FEB. 28, MARCH 6 and 14.—About eight daies since Middletoun and his company landed in a hoy from Holland. They would have put into Garmouth, which is at the mouth of Spey, the place where Charls Stuart once landed. But understanding we had garrisons near that place, they put out to sea again, and landed at the Ferry of Uney in Sutherland, with about eighty men, as we have notice. They sent about ten load of arms to Auchness, and themselves are gone towards the shire of Assint. They give out that they have another vessell yet beside to land, but no mention of any more men.

He hath summoned in all the heritors of Caithnes, Sutherland, and Ross, and appointed a rendezvous immediately by the Brays of Sutherland. He hath forbidden the Sheriff of Sutherland to act any more in the names of the Keepers of the Liberties of England or in the name of Oliver Lord Protector, but saith he will give him a new commission to act by as Sheriff.

Seaforth hath raised six hundred men and is gon to join with him. But the late blows given to Glencairn by Colonel Morgan and Colonel Daniel, and the consideration of Middleton's arrival with so inconsiderable number, after great expectations, hath (I believe) cooled the courage of the more wary sort of men who are of any fortune, that they will take heed how they will run into his party.

There is, since the former, another vessel arrived for him, and come into Caithness, whither he is gone to labour a drawing in of the gentlemen of that country to joyn with him. There is a talk of more vessels to come with necessaries to his forces. It is said he brought with him in his own vessel at first three hundred barrels of powder, one thousand firelocks, with about five thousand pikes, muskets, and pistols, and these, with two field-pieces, were lodged in the Castle of Skello. (Skelbo).

Glencairn, Kenmore, Glengary, Athol, and Forbs, with their several parties, intended to have a rendezvous as on this day, about twenty-four miles off of Aberdene, whence Colonel Morgan¹ is marched out, to trie if he can rendezvous with them.

LONDON, MARCH 3.—The Lords Newport and Yongstall, Ambassadors Extraordinary from the States of the United Provinces, landed with their retinue at Tower-Wharf, where were coaches provided for them. Their Lordships were received in one of the Lord Protector's coaches, and the Master of Ceremonies with them. Next followed the French and the Portugal Ambassador's coaches, with above

¹ Sir Thomas Morgan, although a zealous Republican, was nevertheless a great favourite of Cromwell, by whom he was entrusted with the command of the English forces sent by the Protector to assist the French against the Spanish at the siege of Dunkirk in 1657. Of the result of this expedition he drew up a detailed account, which was, according to Granger, printed at London 1699 in 4to., and was subsequently reprinted in the Harleian Miscellany and the Phoenix Britannicus. After Cromwell's demise, Morgan, then a Major-General, obtained the confidence of Monk, by whom he was left in command of the troops in Scotland—a circumstance which, after the Restoration, operated to the benefit of the General, who had no difficulty in making his peace with the Royal party. Morgan attended the funeral of his old friend the Duke of Albemarle, and carried the guydon, supported by Sir John Griffith and Colonel Henry Marcham.

twenty more, all with six horses, beside above forty coaches more, most of them with four horses apiece. They passed in stately equipage through the city from Aldgate by the Royal Exchange, and so to the New Palace-yard, Westminster, to receive entertainment at the Commonwealth's charge for some days.

From DALKEITH, MARCH 4.—Since my last there is certain intelligence come of the landing of Middleton at the Ferry of Uney in Sutherland on Monday was seven night, about twelve a'clock in the night, in a hoy, wherein were some arms. There came with him Sir George Monroe, the Lord Napier, Thomas Deyal, alias Major-General Deyal,¹ Lodowick Drummond,² and about eighty more. The vessel was unladen and sent away next morning. They sent forty of their men or thereabouts up to Atheness, with eight or ten horse load of arms, the rest they carried along with themselves, and went up Strathfleet towards Assine,³ otherwise called Skyr-Assine.

It is reported there is another ship laden in Strathnever with arms, but no men. They speak of meeting with Glencairn in the Brays of Murray, where they have their rendezvous, and from thence intend to press all the country to rise. This may put some new life into them, but immediately before Middleton's arrival they were much dejected, and were moldring very fast, and I do not find but those that are most sensible and rational are much discouraged by this inconsiderable appearance of Middleton's, and some are of opinion it will tend to their total dissolution.

¹ Sir Thomas Dalzell of Binns, a zealous Royalist. Some curious particulars relating to this remarkable person will be found in a collection entitled "Scottish Elegiac Verses, 1629-1739." Edinburgh, 1842, 8vo. p. 38 and p. 290.

² According to Wood's Douglas, vol. ii. p. 551, this was Ludovick, fourth son of John Lord Maderty, "a brave officer and a steady Royalist, who after his escape from Worcester went into the Swedish service, and was killed at the storming of Copenhagen." If this be correct, Ludovic must have visited Scotland previous to his taking service with the Swedes. Copenhagen, however, was *not* stormed, at least to the effect of taking it; on the contrary, the siege was raised 27th May 1660, peace having then been concluded between the belligerent powers. Besides Andrew Drummond, mentioned p. 175, Major-General Drummond, son and heir of Lord Maderty, and who had served with reputation in Muscovy, also took up arms for Charles II. See Lochell's Memoirs, p. 98. ³ Assint.

From ROTTERDAM, MARCH 6, *Stylo Novo*.—There hath been lately printed a scandalous pamphlet against the Lord Protector, it being full of injurious calumnies, tending to no other end but to make the Commonwealth of England odious, and to raise further dissention between the two States: And because it did highly concern this State to prohibit the divulging and publishing of the said pamphlets, the States have put forth their ordinance, strictly forbidding the sale, upon pain of bodily punishment; and whosoever can discover the author or printer shall have the sum of L.500 given him in case the party be apprehended; and his name that shall give the information shall be kept private.

From DALKEITH, MARCH 7.—A partie of the Earle of Athol's forces—horse and foote—came the last week and forced Blair Castle; the Governor, Captain Winter, sent out a partie within protection, to skirmish with them; whereupon one Captain Johnston and two more with him, charged up our men on horseback, but himself and one more were killed; then they all came up, whereupon our men retreated, they fetcht off their two dead men, and buried the said Captain with Colonel Wogan at the kirk of Kenmore. His death is much lamented amongst them, being very stout, but in this business he was too fool-hardy, and had either one or two shots. There have of late been some private overtures made from some in the hills, of some proposals which would probably much allay the present distempers without any harsh corrosives, which though I have hinted before, yet since nothing is done tending to satisfaction in any of them, I shall again inculcate. 1. The sequestration that was upon many (and of little an advantage to the State) made many desperate, and so to be removed. 2. That personal arrests might cease, and creditors contented to take all their lands and goods for satisfaction, or to cease prosecution till there be ability to pay, the want of this makes others desperate. 3. That such as were souldiers of fortune had past the prime of their time in wars, and were void of callings or subsistence, might be considered to be transported to some Prince of State in amity with the Commonwealth, for they are born and they must be kept, or will have a subsistence as long as they can get it. If

these things were put in execution, it would prevent many from going to them, and bring off many from them.

From STERLING, MARCH 7.—Sir Mungo Murray,¹ with some horse, is about the head of this river, and by night makes infals into the country to plunder those who are disobedient to his warrants. Now he demands twenty-three pounds Scotch for every horse and arms. His and his Officers trade is only to fill their pockets and oppress the country. The country people are as malignant as ever to our interests.

I acquainted you last week of Major Bridges his going out this day sennight, and taking of prisoners with eighteen or twenty horse.

Sir Mungo Murray yesterday morning came, with a considerable party of horse, near a garrison of ours to get in his levies. The Officers of the garrison having notice of it, marched out. But the enemy lying in ambuscade, fell unawares upon our men, took nine of them prisoners, and seven of our horse. The enemy also had some loss, two slain, and divers wounded.

From PARIS, MARCH 9, *Stylo Novo*.—Since the surrender of Beffort, the Court have again assailed Count Harcourt with new temptations for a surrender of what he holds in

¹ Mungo Murray was, on the 22d January 1648, served heir-male of his father, Sir James Murray, Knight, in the lands of Tibbermuir, in the barony of Dunkeld and county of Perth. He also, on the same date, exped a service to his grandfather, John Murray of Tibbermuir. Sir Mungo got in bad odour with the Presbytery of St Andrews for alleged adultery with the Lady Abercrombie, and the worthy members delayed baptizing "my Lord Abercrombie's chyld till he cleare that scandall raised by him of his Ladie,"—January 2, 1650. The child was, however, baptized on the 30th April following, and the Laird of Kilbrackmond, who presented it, was taken bound "to answer and satisfie for any thing" that might afterwards be objected against the Lady. On the 22d December 1651, the Presbytery of Cupar took up the complaint against Sir Mungo "for his accession to the late unlawfull engadgement against the 'Kingdome of England.'" The Knight appeared personally, acknowledged he had been a Colonel of Horse, and cried "Peccavi," whereupon, after some godly rebukes and exhortations, the Judges declared him to have been "ingenuous in his confession," and on the 16th of January following, he was appointed to make public declaration of his repentance in the Kir'k of Cupar the next Sunday.

Alsatia, and the Marshal de la Furte Seneterre hath instructions sent him for that purpose, but it's apprehended he will never trust the Court nor the charms of the Cardinal.

The Prince of Conti and his new Princess, the Cardinal's niece, have spent their days hitherto in balls and feasting among the great ones, at which solemnities both the King and Cardinal have made all possible expressions of mirth and contentment. The lady is one of much beauty, and considering her husband's stature, may soon look over his shoulder, in such an active Court as this is. The Cardinal keeps servants of his own about him, that as policy and interest made this wonderful match, so policy may keep it, for its thought and said already there is not much affection nor confidence on either side. The populacy talk of a prodigious sum appointed for the lady's portion, and they have most reason to talk (though they seldom hit right) because it goes out of their purses, whatever it be. It is not liked that so many persons interested in the city should be visiting of Conti, where it is not known what his and his brother Conde's interest may yet affect, notwithstanding the late marriage, seeing it were no new thing in Paris if the highest designs of malice should break out at or after a wedding.

His brother the Prince of Condè is preparing to make work at Spring. That little cloud upon the frontiers may chance to gather, now that the Duke of Lorraine, his great rival and competitor in the Spanish interest, is laid in limbo; for he was the great impediment to the Prince's designs, having (as he is charged) been tampering with France, to the prejudice of the affairs both of Spain and Conde, but being removed, and his army disposed into the hands of his younger brother, Francis of Lorraine, a person not so debauched nor odious, but more firm at the devotion of the Spaniards, it is supposed they may be able to go on the more current in their designs upon this kingdom. And in Flanders they are very forward in their preparations already; which being observed here, orders are issued out by Marshal Turenne, his Majesty's General, for putting the army with all speed into convenient posture to prevent them.

The young King here follows his pleasure; he and the

Cardinal have lately been a hunting the wild bore at Saint Germain. His Majesty shall not want delights to put state business out of his head. His Eminence is sending for his father, the old Mazarini, to follow his sisters, daughters, and nieces into the kingdom. By matches, or one way or other, they are like all to be of the Bloud.

These things are stomackt by the Duke of Orleans, who keeps close still at Blois, and will not be intreated by any means to entrust his brother at Court. The Cardinal de Retz is still kept a prisoner to the great discontent of the Clergy, and there he is like to be kept ; for Mazarin knows well enough that this man was made a Cardinal merely to outbrave and supplant him, and in the end drive him out of the nation.

The inclination of Holland and the rest of the Provinces to make a firm peace with England, hath filled this Court with the same affections. And the next thing that will be done to smooth the way, will be to be handsomely rid of Charles Stuart and his retinue, who (they say) are already providing to be gone, but whither, none knows, unless it be into Germany.

WHITEHALL, MARCH 9.—Part of Paul's Church falling down this week at the great south dore, it was under consideration in the Councill for taking it down, but nothing was done in it.

Orders were issued from his Highness the Lord Protector for all officers concerned to repair to their respective charges in Scotland.

From ROTTERDAM, MARCH 13, *Stylo Novo*.—Yesterday, in the forenoon, arrived at the Hague, an express out of England, who brought news to the Lords' States-General that the Lords Ambassadors, Newport and Yongstall, arrived at Gravesend the 3d of March ; but the post is not yet come, through contrary winds and bad weather. As soon as the letters are come, we hope to hear of the reception of our Ambassadors and other affairs more at large, and in the mean time wee make no doubt of the peace. Some four days ago here arrived a Scotch seaman, who brought news hither of Middleton's safe landing in Scotland with

his officers and ammunition, which he carried from hence, and the Earl of Seaforth had for certain taken the Island of Lewis; and that the Highlanders, with the English, made an army of twenty thousand men when they are altogether, but that they were divided in several parts of Scotland, and that the English had sent out a body of four or five thousand men against them, but the Highlanders meeting with them had totally routed them and kil'd five hundred of them upon the place. The truth of this is not credited here, though much blazed abroad by the Cavaliers, with many circumstances to perswade men to believe their abominable lyes, which they forge to deceive the inhabitants and to elevate the drooping spirits of the people of these countries. The coach and horses, with other moveables, for the service of the Lords Ambassadors in England, were shipt yesterday to be sent thither.

From AMSTERDAM, MARCH 14, *S.N.*—The most remarkable thing that has happened in these countries of late is, that Middleton is at length gone away for Scotland, with retinue of Cavaliers along with him and some arms and ammunition in a big-bellied hoy. I was ever boasted by his party that he would obtain great matters from this State for the setting him out in gallant equipage, and good supplies from some Princes also in Germany; but the hoped effects of all these things are as yet invisible, and his proportion of arms and of men that went with him doth not answer expectation, but sufficiently declares that it was not so much design as necessity that carried him out of these provinces; for he saw that if a peace be with England there would be no abiding for him here, so that he must either go and run at adventure into Scotland, or else wander in some foreign country. Notwithstanding the well-willers of his party do give out here what great bodies of forces are ready to receive him upon his landing, and make no question but he will presently over-run Scotland, and drive out the English. It is observed here that these beaten Royalists are a hearty generation: they are always thriving and conquering, if we may believe themselves; no sooner hath time and observation confuted one story, but immediately they are up with another, and all goes well

with them, let the world turn which way it will: their tongues still runs a tilt and in triumph. Their master is (we hear) still at Paris, but in a departing posture. It is thought the affairs of that Crown in the present juncture will not permit his stay there any longer. We hear not of any applications made by him of late to this State, but we suppose he gives it over for drie-meat. Nothing can be more unwelcome to him then to hear that any country should be in amity with England; for his interest lies in troubled water, and he must be hoping for the wracks of other States, that he may hold, though it were upon a planke, to save a sinking fortune. It is said at his sister's Court that the first place of his retirement from France will be at the Court of the Duke of Brandenburgh, but whither afterwards is not spoken.

MARCH 15.—There happened lately a very sad accident at the Prince of Conde's Court: two young gentlemen being invited thither by a gentleman that liveth there, and whilst dinner was carrying up to the table by the servants, they fell out amongst themselves, and went presently out of the hall and drew their short swords and run at one another, and were both killed upon the place before any body came to them;—the one was Lord of Cincq Bourgs, being two Villages, called Morel, Lord of Haulterive, the only son of the family; the other was called Le Cherf, Lord of Leystrate,—the one was run quite through the heart, and the other below the pap of right breast; and because they killed one another in heat of blood, their bodies were suffered to be buried, and their estates freed from confiscation.

From PARIS, MARCH 18, *S. N.*—In my last I told you what this Court was busie about; since which time little or nothing of any moment hath past here. Upon Thursday next two of the Cardinal's nieces are to be married, the one to the Duke of Candale, the other to the Marshal of le Milleray's son. The Dutch Ambassador here hath spoken several times to the Cardinal on the behalf of the Protestants, that they may be redressed in what they desire of his Majesty, and that some effectual order may be speedily taken to prevent all further complaints. Furthermore,

that his Majesty would be pleased to cause to be made good unto them all that his royall favour hath vouchsafed to allow unto them, and all what hath bin granted them by the King his predecessor.

Charles Stuart¹ and his brothers are still here, but are resolved not to stay long, having no encouragement given them at this Court, where they do much desire a peace with England. And this week here was a strong report that Monsieur de Bourdeaux had very near finished the treaty between France and England with the Lord Protector; wherein we make no doubt but the said Monsieur de Bourdeaux will be able to give content to his Highness in any thing that can in justice be demanded of this Crown. Preparations are making for this summer's campania both against the Prince of Conde and Catalonia, whither the Prince of Conti is to be sent with an army, which he is to command in chief. Some talk there is of a design going against Naples again, but most men suppose that that enterprise will dwindle to nothing,—there being work enough cut out to keep them in play: Besides, not knowing certainly what the issue will be of the treaty between France and England, this Crown is necessitated to provide for the safety of the coasts of Normandy and Picardy for fear of surprisall, in case both Nations should not agree in amity, whereunto this Crown doth much incline and stand well affected.

There is great rejoycing at the Palace-royall at the newes of the safe arrival of Lieutenant-Generall Middleton with his officers and ammunitiion in Scotland, where, they say, the Highlanders are numerous and courageous enough to manage their business, now so gallant a Commander is come amongst them. And that in the last rencontre, they totally routed the English, and slew many of them upon the place. They have great hopes from those Tories, hoping they will prove formidable to their enemies in those parts—that so Charles Stuart's interest there may not be altogether extinguished.

¹ There was a report at Rotterdam that a marriage was concluded between King Charles and the daughter of the Duke of Lorraine; her dower was to be "four millions," but whether of crowns or pounds sterling is not stated. See *Mercurius Politicus*, p. 3367.

From EDINBURGH, MARCH 14.—Since Middleton's landing the enemy are very busy in all parts, and will leave no stone unturn'd. They report that the Lord Wilmot is to come with a great supply from the Emperor. There came with Middleton sixty and odd officers, the least a captain, and amongst the rest (besides those I formerly hinted to you) Colonel Henderson : Munro¹ and others of them had very cold entertainment in Sutherland; and the Earl himself² and his family are come away leaving direction to his tenants rather to suffer than to joyne with them. They give out that when all the prepared parties are ready, and the 160,000 dollars from the Emperor for raising these regiments, that their King, or at least the titular Duke of York, will come. The Earl of Athol and Sir Arthur Forbes have placed a garrison in the Isle of Lough Tay³ where they intend to have a stock of provisions, and also to keep such commissioners and heritors as refuse to bring in their levies at 40 marks Scots for an horse, and L.100 Scots for a footman. On

¹ Lieutenant-General Monro thought proper to insult the Earl of Glencairn, and a duel was the consequence. Gwyn, whose amusing Memoirs have been printed by Sir Walter Scott, Edin. 1822, 4to, entertained a very contemptuous opinion of Monro, and wrote the following lines on him, which however poetically defective, are sufficiently pungent—

“ Was not Monro amongst us ! What needs then
To cite the smaller crymes of other men !
Since he so grand a traytor prov'd, as though
Himself, by beat of drum, proclaym'd it so.

To confirm the world, how that treason can
Destroy an army, by a single man
You'l easy read, in his prodigious face,
His coming fatal to a loyal place.”—P. 104.

From “Balcarres' Memoirs touching the Revolution of Scotland,” it would appear that Monro was alive in 1688, as he was then “head of the Militia, but knew little more of the trade than these new raised men, having lost by age, and being long out of service, anything he had learned in Charles Gustavus' days, except the rudeness and austerity of that service.” Memoirs edited by Lord Lindsay. Edin. 1841, p. 12.

² John, the thirteenth Earl of Sutherland, was born 4th March 1609, and although ostensibly an adherent of Charles II., was certainly not very zealous in his cause. “During the usurpation,” observes Wood, “he kept retired,” (vol. ii.) by which prudent conduct he saved both pocket and person. He died in 1663 in the 55th year of his age. The passage in the text corroborates Wood's assertion as to his prudence.

³ Perthshire.

Saturday last Lieutenant Holmsted of Colonel Okey's¹ regiment with a party from Linlithgow took a cornet and four men of the enemy and a horse.

From EDINBURGH, MARCH 18.—The landing of Middleton hath filled these parts with a thousand rumours, and as many stories are coined on purpose to induce this people to run new hazards of ruine. They are told of their late King's being resolved to visit them, and that his brother York will bring forces, and from Germany and Holland they say they shall have money. These phantsies are scatter'd with a great deal of art among the common sort; and if the artists effect nothing else, they will by this means unsettle men in their affections and put many in a tottering humour.

The enemy here have had their general rendezvous, and are since very active in their levies, summoning and forcing in the countries as they passe on towards our quarters, which they must attempt, or else they will not be able to keep long in a body. In Sutherland, Caithness, and Ross, they have been very busie, and drawn in as many as they could of the gentry in these parts, by whom the common sort are led like sheep to the slaughter. We do not hear that they have as yet attempted the Lowlands, but expect it, and therefore, for preventing their excursions, our Commander-in-Chief is resolved to take the field out of hand.

From DANTZIC, 21ST MARCH, *N. S.*—Last harvest divers arms were sent from hence for Lubeck by a gentleman of

¹ Colonel John Okey, one of the Regicides, who was in consequence executed at Tyburn in 1662. He is said to have been of very mean parentage, and his *debut* in public life was as a drayman; subsequently he became a stoaker in a brewhouse at Islington, and afterwards set up as a chandler near Bishopsgate. Upon the contest between the King and the Parliament he entered the army in the service of the latter, and ultimately attained the rank of a Colonel of Horse. "He was," says Caulfield, "eminently gifted with all the enthusiasm and cant of the times, and became first a Puritan, afterwards a Presbyterian, then an Independent and Anabaptist, and finally settled himself as a Millenarian or Fifth Monarchy Man," p. 76. Okey was with Lambert when defeated by Colonel Ingoldsby, and in the account of that event in the *Mercurius Politicus* "From St James's, April 23, (1660)," it is stated that "Okey, Colonel Oxtel, and Captain Cleer, Okey's son-in-law, escaped, though pursued four miles."

this country, and some say for the service of Charles Stuart, but cannot affirm the certainty. In my last I wrote you of the conjunction the Muscovites had made with the Cossacks, which some say is not yet compleated.

From DALKEITH, MARCH 21.—The Lord Ray hath sent to Skelco¹ for arms for his men. Seafort was expected the 10th instant within five mile of Crabidale with his men; Sir Geo. Munroe and Middleton were then in Stranraver, and to meet Seafort and Ray at Jura with their whole force, where also Glengary with his rabble are to joyne with them, and to force Sutherland and Caithness to rise. It's reported that since Middleton a Lord is landed with some men and arms.

The garrison of Lewis have made slaughter of the country people that joyned with Seafort, and they have also slaughtered some of the garrison; the old natives joyned with our men against the rest of the country, so that these divisions cause great devastations in those parts. Those of Colonel Daniel's regiment, which quartered in the garrison of Logie, have found twenty-two new muskets, nine firelocks, eleven swords, nine or ten sets of bandaliers,² three quarters of a barrel of powder, and thirteen bundles of match, they were close made up in a wall, and found out by accident. Sir Arthur Forbes is again come from the hills,

¹ Skelbo Castle in Sutherland belonged to the Sutherlands of Duffus. Upon 30th of April 1616, William Sutherland of Duffus was served heir of his father William, in the Mains of Skelbo, "cum turre et fortalicio de Skelbo," and in various other lands all united with the Barony of Skelbo. Skelbo Castle, the residence of the Lords Duffus, is now in ruins; it is in the parish of Dornoch, and is built on an eminence rising abruptly from the sea side.

² To enable the soldier to load his piece with rapidity, small cylindrical boxes, each containing one charge of powder, either of wood or tin, and covered with leather, were suspended to a belt or band put either over the shoulder or fastened round the waist. They are said to have been first introduced in the reign of Henry III. of France. Sometimes six were placed before and six behind the person when slung over the shoulders, sometimes more. Immense numbers, according to the Penny Cyclopaedia, still remain at Hampton Court. Sir James Turner observes that they were first laid aside about thirty years before by the Germans. Soldiers who were without cloaks could not keep them from snow and rain, which soon spoiled them and made the powder useless, and in surprisals the noise which they made betrayed those who carried them.

and divers parties in these parts stealing horses, which the wit of man cannot prevent, the country are so false, and yet cannot but see that all those people from the hills can doe, is to ruine them rather than injure the English against whom they pretend their chief quarrel.

The Commander-in-Chief hath apprehended and confined some who discover themselves addicted to the other party ; one of them being Mr Knox¹ of Kelsay, partly for praying for the pretended King, and declaring his affection to the rebels that are in arms against us, and partly for somewhat of correspondence.

The book entituled—"The True State of the Commonwealth, as now in a Lord Protector and a Parliament," which was printed lately at London, being a piece that gives good satisfaction, is reprinted at Leith.

From ABERDEEN, MARCH 24.—The Earl of Athole is come to Glencarn with about seven hundred horse and foot. Seaford, and some new raised forces by him, are daily expected to joyn with them. Glencarne, with his whole force, being two thousand horse and foot, is at Dingwell, two miles from Brahan, not undeserving the name of an island, which gives hopes of engaging the enemy there. In order to which Lieutenant-Colonel Mitchell is to march to-morrow towards Innernesse with nine companies of foot, and Colonell Morgan follows him the day after with five troops of Colonel Rich his regiment, and four troop of dragoons. He intends to take with him Colonel Tomlinson's regiment which is in his way, and to draw five companies of foot out of Innernesse.

Some young Lairds and others that had a purpose to glean a party of horse in Lothian, and so repair to the enemy, were lately taken, and carried prisoners to Dalkeith.

MARCH 25.—About three o'clock in the morning, the mail, with the Dutch letters, going towards Dover, was seized and opened by thieves within a mile of George's

¹ Robert Knox, minister of Kelso, Mr John Vaugh, and Mr Robert Knox, were long prisoners for naming the King in their prayers. Yet "now they are at liberty and at their charges, to our great joy." July 20th 1654.—See Baillie's Letters and Journals, vol. iii. p. 253.

Church in Southwark, which they did in hope to have found money; but missing that, broke open all packets and strawed them upon the ground.

PARIS, MARCH 25, *S.N.*—This week died here the Archbishop of Paris, being seventy years of age: some great difference it is like to cause between the Cardinal and this city, who do pretend the right to belong to them for the appointing and making choice of another in his place.

On Saturday last Prince Rupert, coming home late in the evening from St Germans, where he had been a hunting all day with two or three of his servants, met with the son-in-law of the Marquiss of Du Plessis, with his gentleman of his horse and two or three servants more in company, who having been making merry, met with the said Prince Rupert and his company near the Court not far from this town, who falling into discourse together, it bred in the end a quarrel between them, and one of Prince Rupert's men shot the gentleman of the horse of the said Du Plessis dead upon the place with his long gun; this caused the rest of the company to draw their swords, which Prince Rupert perceiving, discharged his pistol and shot another into the belly, who is not yet dead but mortally wounded: this caused the Marquiss to flie with the other two of his servants, leaving the one dead and the other very much wounded upon the place. The Prince hath been since with the said Marquiss to excuse the matter, not knowing what he was. What will be further done in it you shall hear in my next.

Charles Stuart would fain be gone hence if the French Court would supply him with what they have promised him, being very much in arrear of his pension, the payment whereof he only desireth before he goes, which he is not like to have in haste, there being no great inclination here to relieve him.

On Saturday next the King is to go to his Parliament to pronounce sentence of death against the Prince of Conde, according to the laws and customs of this kingdom.

FROM DALKEITH, MARCH 25.—Colonel Cooper having notice of about three hundred of the enemy under MacNaughton¹

¹ The Laird of Macnaughton was a near relation of Lochiel. "He was

and the young Laird of Newark,¹ who lay in the Isle of Leven beyond Dunbarton, appointed several horse from our garrisons at Kilcrooch, Cardrassie, and Buchannan, to fall into that island at a pass near Buchannan, about four of the clock on the 21st instant in the morning; and accordingly that night himself marched from Glasgow with a party of horse and dragoons by the way of Dunbarton and fell into the enemies quarters, took MacNaughton's trumpet and thirty-five other prisoners, narrowly missed MacNaughton and Newark, killed twelve, whereof one (as the enemies confess) was a lieutenant of horse, took between fifty and sixty horse (some good ones) and some arms, put a perfect rout upon their whole party, and returned the same day back without any loss.

From PARIS, MARCH 25, *S. N.*—The 20th of this instant the Count of Aubijoux, the Baron of Brisac, and another of the four duelists which fought a-while agoe in the Palace-Royal, were there hanged in picture,² and declared un noble without any prejudice to their children's nobility, and their means confiscated—one third part to the King, the other to their family, and the last to the poor. I am informed the said Mr D'Aubijoux, Governor of the city of Montpellier, having put in it a lieutenant at his devotion, is gone into Flanders.

chief of his name, eminent for his loyalty and bravery, and of the greatest honour and integrity. He was a constant follower of the great Montrose, and afterwards joyned in all the ensuing wars. He rendered himself so obnoxious to the Marques of Argyle his neighbour, that he was obliged to skulk long among the mountains with the moss-troopers, who were to be found in every place where there were English troops." *Memoirs of Lochiel*, p. 141.

¹ Maxwell of Newark, in the county of Renfrew.

² It was the practice in France when the culprit was not to be found, to have him executed in effigy—that is to say, pictures were exposed in the ordinary place of execution, containing the portrait of the offender with the headsman in the act of decapitation. During "les Grand Jours tenués a Clermont," 1665, 1666—that is to say, the extraordinary assizes—on one occasion nearly forty criminals were effigied together. One very wicked old gentleman, the Marquis de Cammilla, who perpetrated innumerable abominations through the instrumentality of twelve ruffians, whom he called the twelve apostles, although he did not choose to perform *in propria persona*, being curious to see the ceremony, viewed his own execution comfortably and satisfactorily from an adjoining window.

The same day the Archbishop of this city, uncle to the Cardinal of Retz, died aged seventy years. Soon after the Chapter of his Cathedral Church assembled and received Proxie, the said Cardinal in the place of his said uncle. As soon as the Court had been informed of his death, Mons. le Tellier went to the Chief of the said Chapter to tell him from the King that they ought not yet to proceed to the reception of any Archbishop; and when it was told him that the business was done,¹ he said his Majesty's Council were resolved to laugh at it, and never to give the said Cardinal liberty until he renounce the said Archbishoprick, which he protests not to forsake though they should kill him. They did what they could possible to hide the said death from him, but a signal of bells ringing did immediately announce it unto him from Paris. Now, forasmuch as this Court is vexed at that surprisal, and the said Chapter hath been threatened for it, as if they intended hereupon to make the said Cardinal's process for some criminal cause, therefore many of his friends being in fear, would not assist on Monday in the procession which is yearly made on the same day in this city, and amongst others, the said Cardinal's attorney, who feared to be one of the first that should be arrested; it is thought this business will occasion some considerable contests, if so be the said prisoner hath any stout friends among the clergy.

Yesterday the witnesses nominated for Monsieur le Prince's process were confronted, and Friday or Saturday next one will pass unto his condemnation, but he shall not be hanged in picture by reason of the respect born to the Prince of Conti, his brother.

The last letters from Flanders bear, that the said Monsieur le Prince was in the field since the 14th of this present, but it is not true that he hath undertaken any siege. I am informed a post that he sent into Guienne, and the rumour runs that some Spanish ships are again come to infest the mouth of Garronne, and interrupt the trade of Bourdeaux.

From DALKEITH, MARCH 28.—The last intelligence from

¹ See the *Memoirs of de Retz*. London, 1723, 1 vol. p. 300, 12mo.—The uncle died at four in the morning, and at five the nephew took possession.

the North is that the enemy still keep Skelbo Castle, and have cast up some broke casks about it to secure themselves and the pass ; they also continue a garrison in Skelbo upon that ferry which is upon the Tain river. Sir James Macdonald¹ and the Captain of Clanrannald² are in armes to defend their country against Glencaie's parties ; the enemy are yet in Sutherland and Caithness gathering what men they can there. In these and the southern parts towards Carlile they are very active in rising dayly, which put the horse here to an extraordinary duty even to tiring out, and yet we cannot meet with any of them in bodies, though prisoners are brought in dayly. Middleton hath brought a very large commision for Charles Stuart, and hath the disposal of all affairs both ecclesiastical and civil.

From STIRLING, MARCH 28.—Our expectations here are very great touching the business of a close with the Dutch ; and so much the rather because we observe the enemy here waits for an hour a wider breach, reckoning that the only opportunity to put the people into a flame. Divers of the great ones northward, who yet appear not themselves, send out their second and third sons, but keep the eldest at home, as not willing to hazard estates, and others they set on underhand, which gives the enemy great encouragement.

It is a rare thing to meet with a man that will give in any intelligence. I could not have imagined they had been so rotten as now we finde them in this hour of triall. Their army as they own now, and call it, is still in the north, perfecting their levies that they may come on with the more vigor towards the south.

¹ Son and heir of Sir Donald Macdonald of Sleat. Lord Broghill, in a letter to Secretary Thurloe, mentions that he had conversed with Sir James—that he was a man of very great abilities—of great interest among his people, and of good intelligence abroad. He died 8th December 1678. He is the ancestor of Lord Macdonald.

² John Macdonald, said to be the tenth chief of the family of Macdonald, from John, last King and Lord of the Isles. In the genealogical account of the Macdonalds, privately printed at Edinburgh, 1819, royal 8vo, the Captain is described as a genuine royalist throughout—an assumption which the taking up arms *against*, in place of *for* Glencairn, somewhat negatives. The Captain married a daughter of Macleod of Macleod, by whom he had one son and three daughters, and died at an advanced age in the island of Eriska 1670. See Genealogical Memoirs, p. 138.

From ABERDENE, MARCH 28.—I have little to write save only to let you know that all our enemies, Glencarn, Glengarie, Athol, Forbes,¹ are north of Innerness within twelve miles, and Middleton with Seaforth is expected with levies out of Caithness and Sutherland this week. I have received earnest letters from Colonel Fitch for more forces, so that this day I am marching with a considerable strength of horse and foot towards them, but I fear they'll retreat into Cathness and Southerland, where there is so many ferries that it will be impossible for us to reach them; they give out that we shall have no peace with the Dutch, and that within a fortnight they'll be 6000; and truly I believe, if we do not hinder their intentions by this march, they'll be 3 or 4000, and then let us have a care of ourselves for they threaten this town much, though indeed we should be glad if they would come to us, and save us the labour of long marches. The two men of war which transported the foot to Orkney, took a Dutch prize laden with French and Spanish wine and other commodities; the prize came into this harbour last night, but we know not where our frigots are that took it.

WHITEHALL, MARCH 31.—ORDINANCE PROHIBITING COCK MATCHES.—Whereas the publique meetings and assemblies of people together in divers parts of this Nation, under pretence of matches for cock-fighting, are by experience found to lead many times to the disturbance of the publique peace, and are commonly accompanied with gaming, drinking, swearing, quarrelling, and other dissolute practices, to the dishonour of God, and doe often produce the ruine of persons and their families: For prevention thereof be it ordained by his Highness the Lord Protector, by and with the advice and consent of the Council, that from henceforth there shall be no publique or set meeting, or assemblies of any persons within England or Wales, upon matches made for cock-fighting. And that every such meeting and assembly of people for the end and purposes aforesaid, is hereby declared to be an unlawful assembly, and shall be so

¹ William, eleventh Lord Forbes. He died in 1691.—See Wood's Edition of Douglas, vol. i. p. 394.

adjudged, deemed, and taken to be punished. And all sheriffs, justices of the peace, maiors, bailiffs, constables, and head-boroughs within their severall counties, cities, limits, and jurisdictions, are hereby required to suppress, hinder, and disperse all such meetings and assemblies.¹

From MAJOR BRIDGE TO THE COMMANDER-IN-CHIEF, DATED AT HAMILTON APRIL 3. — According to your Honour's command I drew out an hundred men out of my Colonel's regiment, and we met at Hambleton on Tuesday last, from whence I sent forty to Duglass and Zancker, appointing them to meet me within two days at a place appointed; and with the rest of the party I marched to Newmills, where I lay one night, making it my business to get what intelligence I could of the enemy's motion. The next morning, by break of day, a Lieutenant and nine mossers came to the towns end, upon whom our sentinel fired, and they presently betook themselves to the mosses; and notwithstanding they were closely pursued by the guard, they could get but two prisoners and six horses, which were not so serviceable, being but that night taken from some country people, which I caused to be restored againe, upon some small consideration to the souldiers that took them. The same day Lieutenant Evans marching with his party from me to Duglass through the mores, took eight mossers more—notable villains and sturdy. I sent to the Governor of Air to desire him to acquaint me with the condition of Lieutenant Hickman, who marched out with seventy horse from Glasgow, by reason, it was reported, he forced the enemy in Carick, who was said to be double his number; but his return to me was, that he was considerable enough, and that he had met and fought some of the enemy, routed and pursued them to Chappell, and so did judge that my party might be most usefull about Zanker² and those passes, to that

¹ Cock-fighting was at one period in much esteem in Scotland. An eccentric individual of the name of Machrie, a fencing-master in Edinburgh, published in 1705, 12mo, a small treatise, now of very rare occurrence, entitled "An Essay upon the Royal Recreation and Art of Cocking." From this odd production we learn that the Edinburgh gentry had at that time formed themselves into a society for the enjoyment of this barbarous amusement, and that they had actually erected a cock-pit in the Links of Leith.

² Sanquhar.

purpose I divided, and sent Lieutenant Evans with fifty horse that way.

But two miles from Comleck I hapned to hear of the enemy by a countryman, who reported them to be about twelve. I sent a party to the place where they were, but they had the alarm and rid for it; their party still encreased till they came to the number of sixty, which were still pursued by a corporall and ten men; at last they faced about seeing no more, and our party made a halt, but so soon as ever they discovered my party coming, they presently began to flinch and turn tails. I sent the corporal therefore presently to charge their rear, but they soon fled and betook themselves to the mosses, whither we pursued them at least ten miles in the most doleful place that ever I beheld. He followed them so long as our horses could step forward, and till they had not about twelve or fourteen together in a body; the rest dispersed, many leaving their horses, which we picked up to the number of twenty-five, but could that day take no more prisoners but eight, and two or three slain in the pursuit. This party was commanded by Major Hamilton, Captains Leglau and Campbell, the last of which was not there. There was besides Cragdorrough with fifty horse that came from Dumfries to joyn with these, and was quartered within a mile or two, where I fell upon these youths; but by reason of our interposing could not come to them, but marched off intirely in a body to the left of us. I endeavoured to get what intelligence I could of their motion that night. The next morning I understood where they were and what they intended, which was to go by the way of Douglas and so into the north over Cluyd. I presently mounted and marched another way, as fast as I could, thinking to have been before them; but it so hapned that they were gotten past Douglas a full hour before me. I found out their tract, and pursued after them as fast as I could, sending sixteen of our best horse if it were possible to engage them, but all was to little purpose: we pursued them until we came within four miles of Hamilton this morning about one o'clock, and presently sent out all the horse that were here to lye upon the passes of Cluyd, and to range the country between Evandale and Lenerick, whereabout I judge they will attempt to get over Cluyd. I have also dispatched an express to Colonel Cooper,

desiring him to send to Kilsythe, and they to send to Stirling to draw forth their horse in the passes, that so if we miss of them here they may perhaps light on them; they cannot but be much tyred. I have also sent to Aire to Captain Robsen to desire him to advise Lieutenant Hickman with his party, which I understand is come out of Carick, to lie about the country near the passes over Dumbartonshire where those dispersed people of Hamilton and Leglans will certainly privately endeavor to get over. The eight prisoners first taken I sent to Aire; the rest I shall send this day to Glasgow. One is said to be a Captain, another a Lieutenant, and one a notorious murdering moss-trooper, known to be so by the country about from his childhood. Truly, Sir, I must now of necessity take some rest, both men and horses being utterly spent, and having not only tyred out our own horses, but also those we took from the enemy. I shall not farther trouble your Honor.

From DALKEITH, APRIL 4.—The inclosed will inform you what kind of task the horse are put upon in these parts to suppress the rebels and mossers who daily gather and are as often scattered. Besides what was done by Major Bridge, a party of twenty of Major-General Harrison's late regiment, commanded by Cornet Kennet, coming from Dumfrieze with some sesse which they had collected, were set upon by forty of the enemy, received their charge, and then charged through the rebels, routed them, killed four on the place, took six, whereof three mortally wounded, and only four of his party wounded. Lieutenant Hickman with another party fell upon sixty of the enemy under the command of one Captain Campbell, took six, above twenty horse;—Captain Campbell was shot in the back, his horse taken, but he himself escaped amongst the whinns and bogs. Glencarnes and Glencary, &c. are gone over Taine into Sutherland to joyn with Middleton, and then they will be neer 4000, yet I doubt not but Colonel Morgan will endeavour to engage them with his party. Montross and the Lord Dudhoppe¹ are raising men in the Brays of Angus,

¹ John third Viscount of Dudhope was served heir to his father James 4th November 1644. He was present at the battle of Worcester. For

and report already speaks them 300 horse. Thus do they daily strive to make themselves and the country miserable, having yet appeared the most cowardly enemy that ever we dealt withall; but enough of this.

From DALKEITH, APRIL 6.—Upon Monday night last the enemy had a party returning from the South towards Aberfoyle Pass, to which joined another partie of the enemy of about sixty horse and sixty foot, commanded by Colonel MacNaughton; at which time Cornet Keys with about twenty horse from Dumbarton, and Lieutenant Francis Young of Captain Callant's company of Colonel Read's regiment, with eighteen horse and thirty foot from Bohannon, made after them. The enemy got the pass first, nevertheless they were totally routed by ours, who killed one Captain and twelve private souldiers, took Lieutenant-Colonel George Herriot, William Bohannon, Captain Robert Campbel, Cornet Hugh Wells, Quartermaster, above forty private souldiers and above twenty horse. MacNaughton fled with sixteen horse, all of them being killed and taken save himself and three others. We had one killed, one wounded, and two horses killed.

Sir, This is all the intelligence that affords its self at present, having had nothing from our parties that are abroad in these parts since the last.

PARIS, APRIL 8.—The Cardinal de Retz has been carried to Nantz, and they have fed him with hopes that he shall there be on liberty under the bail of Marshall de la Milleray; but it is credible he will at last find himself deceived.¹

his sufferings in the Royal cause he was created in 1661 Earl of Dundee; leaving no issue on his death (23d June 1668) by his wife Lady Anne Ramsay, second daughter of William first Earl of Dalhousie, the Earldom is supposed to have become extinct. The Viscounty, 15th November 1641, containing a remainder to heirs-male whatsoever, was supposed to have devolved on Scrimgeour of Kirkton, but this is very doubtful. However, at the present date any heir-male, however remote, proving his propinquity, might yet recover the Viscounty. The patent of the Earldom not being on record, the substitutions are not known.

¹ Of the same date there is a notice of the naturalization of the Lord Peter Mazarin the Cardinal's father, and of his appointment as ambassador to Rome.

WHITEHALL, APRIL 12.—General Monck went two days since toward Scotland. The return of the instrument of peace, with the ratification under the hands of the States-Generall, is expected by the first opportunity out of Holland, and then it is to be signed by the Lord Protector; after which a day will be appointed for proclaiming it here and in the United Provinces,—the effect whereof you may expect ere many days be over. No news further from sea.

Monsieur Rosenwing, the Danish Agent, is arrived in this city.

From PARIS, APRIL 15, *S. N.*—In my last I told you how that the King and Cardinal refused to give audience to the Protestant Commissioners, upon some fine invention they had formed of not displeasing the Pope at this present conjuncture of affairs; but they have considered of it since, and have ordered some kind of answer to be drawn up to their desires, on purpose not to displease them on the other hand. In the mean time, the good news of reception and entertainment of his Majestie's Ambassadour at London by his Highness the Lord Protector, hath extreamly pleased this Court, being at the same time freed from the report which we had here, having put most into a fright, that the English were landed in some part of France, but the same not proving true, his Majesty the next night danced the first time his great ball, whereof I have formerly mentioned. Two or three dayes since there happened a great disturbance in the Church of St Paul in this city, where one of the Priests preached publicly in his sermon that it was lawful for any of his parishioners to make their confessions to any Priest whom they please to make choice of, which priviledge of Confession the Curats pretend to belong to them alone; and thereupon they raised a hubbarb in the church, and tumbled down all the benches, that the poor Priest could not be heard nor suffered to proceed any further, but was fain to come down and shift for himself; since that the Curates have cited him before the Parliament, where they intend to proceed against him as an incroacher upon their priviledges.

It is said that his Majesty hath sent to the little Queen and her children to desire them to remove out of his

territories, for that the English were resolved to send an Ambassadors reciprocally into France, and that their pensions should be paid them where they should please to appoint to have it paid; and it is supposed that they did return answer that they would be gone as soon as they should send. In the mean time, the little Queen and her sons are gone to take the fresh air, upon this doleful news to them of the agreement between the English and the Dutch, the better to consult together what course to steer, whether for Germany or Scotland.

The Governour of Bassee is gone from hence for Bassee, against which place it is said the Spaniards have designed some enterprize, being upon their march near to that place.

The Cardinal of Retz is arrived at Nants, where he is fairly promised he shall have his liberty given him. Some hazard he did run in his passage of being castaway, there arising a great storm in his way. Many of his friends go from hence to see him, with the good liking and pleasure of both their Majesties, who have only ordered a slight guard to wait upon him when he goes abroad.

The following particulars may be added to the note on Ruthven Castle, p. 156 :—"Ruthven Castle is mentioned by Spalding, vol. ii. p. 323. He states that Baillie followed Montrose, and encamped "anent the Castle of Ruthven of Badgenoth. Montrose was lying within a short distance." Ruthven was then a separate parish—the name is now changed to that of Cairney. The Castle was burnt by Viscount Dundee. "Thereafter to bring Mackay to an engagement, he marches to the Castle of Ruthven of Badenoch, into which Mackay had lately put a garrison; he summoned the Governor to surrender the place—this was upon the 29th of May; at first he refused, but when he saw all things ready to attack him, and being but ill provided of necessaries, he desired to capitulate, and gave up the place, which the Viscount caused burn."—Balcarres' Memoirs, Bannatyne Club edition, p. 40.

Patrick Gordon, the second son of Sir Thomas Gordon of Cluny, by his first wife, Dame Elizabeth Douglas, sister of the Earl of Angus, was designed of "Ruthven or Riven," as it was not unfrequently termed. This was undoubtedly Ruthven of Badenoch. He wrote "A short Abridgement of Britane's distemper from the year 1639 to 1649," which has been edited with great care and ability for the use of the Members of the SPALDING CLUB.

THE
KINCARDINE PAPERS,
1649-1679.



EIGHT of the following Documents are printed from copies obligingly furnished by the late James Allan Maconochie, Esq. Sheriff of Orkney, from the originals preserved at Auchinleck. They evidently came into possession of the Boswell Family by the marriage of Lady Elizabeth, youngest daughter of Alexander Earl of Kincardine on the 26th March 1704 to James Boswell of Auchinleck, the father of the Judge, and grandfather of the biographer of Johnstone.¹

Alexander second Earl of Kincardine succeeded his brother, the first Earl, in 1662, by virtue of a remainder in the patent to heirs-male whatsoever. When Mr Bruce he married at the Hague, 16th June 1659, Veronica, daughter of Corneille Van Arson Van Sommelsdyck, Lord of Sommelsdyck and Spycke, in the province of Holland, Colonel of a Regiment of Cavalry. She had a fortune of 80,000 guilders, and a jointure of 10,000 guilders was provided to her, to be restricted to 5000 if she married again. She survived her husband, and died before the 4th of January 1707, when her eldest daughter, Lady Mary, was served heir to her.

“Another man of that side,” says Burnet,² “that made a good figure at that time was Bruce, afterwards Earl of Kincairdin, who had married a daughter of Mr Somelsdych in Holland, and by that means he had got acquaintance with our Princes beyond sea, and had supplied them liberally in their necessities. He was both the wisest and the worthiest man that belonged to his country, and fit for governing any affairs but his own; which he, by a wrong turn, and by his love for the public, neglected, to his ruin; for they consisting much in works, coals, salt, and mines required much care; and he was very capable of it, having gone far in mathematics, and being a great master of mechanics.³ His thoughts went slow, and his words came much slower, but a deep judgement appeared in every thing he said or did. He had a noble zeal for justice, in which even friendship would never bias him. He had solid principles of religion and virtue, which shewed themselves

¹ The last three are from the originals in MS. belonging to the Faculty of Advocates.

² History of his own Time. 3d Edition. Oxford, 1833, 8vo, vol. i. p. 190.

³ This taste for science devolved on his grandson, Sir Alexander Murray, who was as unlucky as his maternal ancestor, in turning his scientific knowledge to account.

with great lustre on all occasions. He was a faithful friend and a merciful enemy. I may be perhaps inclined to carry his character too far, for he was the first man that entered into friendship with me. We continued for seventeen years in so entire a friendship that there was never either reserve or mistake between us all the while till his death. And it was from him that I understood the whole secret of affairs; for he was trusted with every thing. He had a wonderful love to the King, and would never believe me when I warned him what he might look for, if he did not go along with an abject compliance in every thing. He found it true in conclusion. And the love he bore the King made his disgrace sink deeper in him than became such a philosopher or so good a Christian as he was."

In the "Analecta Scotica,"¹ a letter is printed from the original in the Library of the Faculty of Advocates from Lord Kincardine to his son Charles Lord Bruce, then at the Hague, dated Pall Mall, February 3d, 1679, full of advice as to the manner in which he should conduct himself. Amongst other things he says—"I wish you wold practice tenes (tennis) much, though at first when you tried it you found no great dispositions to it, yet you must consider you hade then a bend what made you stiff, though you did not perceive it, and then by much practice you will come to learne to play like a gentleman, though not as a marker. Without a young man follow something of that kind, both he grows lazie, and then he wants esteem as the world goes. I pray you write me how you bestow your time according to the several hours of the day, how soon you rise, what you do in the morning, and all the several tymes of the day, and when you go to bed." From the address of another letter,² it appears that Lord Bruce was residing with his maternal grandfather, Monsieur de Sommelsdyck. His Lordship, to the extreme sorrow of his parents, died young and unmarried.

Lord Kincardine opposed Lauderdale, and went up to London to justify himself to the King for so doing. His opponent was, however, too strong for him, as he, along with the Duke of Hamilton and several other Noblemen, were dismissed from the Council in 1676. The letters now printed prove that James II., then Duke of York, nevertheless favoured him. His Lordship was appointed an Extraordinary Lord of Session, 10th July 1667, and he continued in that office till his death, 9th July 1680.

By his Countess the Earl had two sons and three daughters. The eldest Lord Bruce died before his father, and the title consequently devolved on his second son Alexander, who became the third Earl. According to Wood, in his edition of Douglas, his Lordship "was an eccentric character, and had the misfortune of losing his sight some years before his death, which happened in November 1705, unmarried."

Of the three daughters, Lady Mary, the eldest, married William Cochrane of Ochiltrie, by whom she had Thomas eighth Earl of Dundonald. The second, Lady Anne, married, 16th April 1684, Sir David Murray of Stanhope, by whom she had Sir Alexander, the speculator, who ruined his estate, and died bankrupt; and Lady Elizabeth, who, as before noticed, married James Boswell.

¹ Vol. ii. p. 61.

² See p. 219.

THE
KINCARDINE PAPERS.

1649-1679.

I.—THE PRINCESS LOUISA HOLLANDINA TO HER MOTHER
ELIZABETH QUEEN OF BOHEMIA.

MADAME,



YANT trop de respect pour vostre Maiestie pour luy oser desplaire en sa presence, ie me trouue a cest esloignement me voyant si pres du Noel ou ie n'aurois peu faire la Cene contre ma conscience, ny l'eviter sans chocquer vostre Maiestie, en luy descourant que Dieu m'a fait la grace de cognoistre l'Eglise Romaine, pour celle en laquelle ie puisse faire mon salut: Les raisons que m'ont persuade a ceste croyance, ie prendray la liberte de les mander a vostre Maiestie quand ie seray arrive au lieu ou ie va pour avoir la liberte d'en faire profession. J'espere que vostre Maiestie me pardonera ceste action, puis que c'est pour le repos de mon ame, et ie vous assure Madame, que la suite vous fera voir que ie n'aye autre dessein que de me retirer pour la servie de Dieu, et de tesmoigner a vostre Maiestie que ie suis, et sera toute ma vie, de

Vostre Maiestie,
Tres humble et tres obeyssante seruant,
LOUISE.

Indorsed in a cotemporary handwriting,
" Lettre de la Princess Louise,¹
a la Reine de Boheme sa mere."

¹ The Princess Louisa Hollandina was the grand-daughter of Elizabeth Queen of Bohemia by her husband Frederick. She was born April 18, 1622, and was educated at the Hague. She had a fine taste for painting, and her pictures, according to Noble, are alike valuable for their scarceness and excellence, and are esteemed by the lovers of the fine arts on both accounts "equal to the first masters. At Wilton is a portrait of her by Gerard

II.—MARY, PRINCESS OF ORANGE, TO M. DE SOMMERDIKE.

Whit-hall, le 12th Octobre, [1669.]

MONSIEUR DE SOMMERDIKE,—Il ne vous sera pas difisil a comprendre que la douleur que j'ay rancontre icy, m'a randu fort incapable de songer a aucune affaire; la grande influence de monde aussi dans un tamps ou jesttois sy peu en esttate de les receuoir, me continu tousiours dans une esttate ou ie crains bien ne pouuoir vous donner toute la sattisfaction que je pourez, et desire faire, en le choix que j'ay faite des personnes pour la Tutelle. Je vous diray pourtant le mieux qu'il me sera posible quelque peu de raisons que j'espere au moins adousiront en quelque facon les esprits de nos amies, qui en mon auis ce sont un peu trop promptement alarme: car considerez que ce ne sont pas des maitres que j'ay choisis, mais seulement des personnes pour me soulager dans l'administration des bien de mon fils, qui n'auront aucune influence dans le sentimans que j'ay de poursuiure la designation quand le tamps sera propre, ce que vous scauez sera bien tost de l'autre coste. A vous parler franchement, Madame la Douarier¹ venant sur le lieu quand ie ny estois pas, j'avois raison de craindre, que comme elle se considere deuant toute chose, elle auroit par une droite de Tuttrisse obtenu quelque

Honthorst, the instructor of the Electoral Family. She is represented in a straw-hat." Though brought up as a Protestant, in 1649 she turned Roman Catholic, became Lady Abbess of Maubisson at Ponthoise, near Paris, held this appointment till her death, on the 11th February 1709, at the advanced age of eighty-six. The letter now for the first time printed is the announcement made by the Princess to her mother of her conversion.

¹ Amelia Princess Dowager of Orange. "When the Prince died in the year 1625, he advised his brother, Henry Frederick, his chief heir, to marry Madam de Solmes, (who came into Holland with the Queen of Bohemia), whose beauty and good carriage were accompanied with a great deal of modesty and prudence. She died a little while ago, being very antient, and her name was Amelia, daughter to John Albert Count de Solmes." *Lives of all the Princes of Orange*, written in French by the Baron Mawner in 1682, and translated by the well-known Thomas Brown. London, 1693, small 8vo. p. 177. In another place in the same work, the Princess is described as a lady "of incomparable prudence, and of a courage above her sex," p. 215. King William, her grandson, was deeply indebted to her for the prudence with which she attended to his interest with the States of Holland.

voix dans cette affaire ; pour la donc preuenir j'ay escrite a Messieurs d' Holland comme vous auez veu, qui a mon auis ne peut en aucune maniere nuire a mon fils, puisque toute ce que nous deuons attendre doit venir d' icy, et que je demeure tousiours dans mes premieres sentimans. Auouez donc que ceux de Zealand m'ont trop promptement blamez, ce que ie vous prie de les faire scauoir sous mains comme aussi aux reste des amies de la maison, mais sy cela ne les sattisfait pas, ie m'assure que je le ferez bien fort d'une maniere quil auoueront quil ce sont trop tost alarme. Vous voyez auec quel franchise je vous parle, je ne croy pas auoir besoin de vous prier de le bien menager, ce n'ay rien a ajouter donc qu'a vous prier de continuer a m'escrire, et de croire que je suis et serez tousiours.

MONSIEUR DE SOMMERDYKE,

Vostre bien affectionee amie,

MARIE.¹

¹ This letter is autograph of Mary, eldest daughter of King Charles I. and Henrietta Maria, who was born at St James' upon the 4th day of November 1631, and who, when about ten years of age, was espoused May 2, 1641, at Whitehall, to William of Nassau, the only son of Henry Frederick Prince of Orange. She left England the 23d February 1642 with her husband, and arrived safely in Holland.

Her husband succeeded to the hereditary titles of his father in 1648, but he enjoyed his honours a very short time, as he was cut off in the flower of his age at the Hague by the small-pox, upon the 6th day of November 1650, being then twenty-four years old. His wife was encointe at the time, and nine days after her husband's death, was (14th November) at nine of the clock at night, delivered of her only son, William Henry, afterwards, in right of his mother, King of Great Britain, France, and Ireland.

The reader will find many incidental notices relative to the Princess in the Diurnal of Occurrences preceding, indicating her attachment to her brothers. The young Duke of Gloucester was her especial favourite, and if we may credit Sandford in his "Genealogical History of the Kings of England," his untimely death contributed to her own demise. The following is Sandford's statement on the subject :—

"On the 23d of Sept. 1660, the Princess-Royal, his mother, came over into England, having been invited by his Majesty, and willing once again to see her native country, from which she had been so many years absent. But the joy for the King her brother's restoration was very much allayed by the sorrow she conceived for the loss of her brother, the Duke of Gloucester, (who had departed this life on the 13th of the said month), whom she herself outlived not four months, deceasing at White-Hall upon the 24th day of December 1660, to the very great grief of the King and the Duke of York, to whom she had been an exceeding kind sister in the

III.—ELIZABETH QUEEN OF BOHEMIA, TO ALEXANDER BRUCE,
AFTERWARDS EARL OF KINCARDIN.

Hagh, May 17, [1660.]

MR BRUCE, your news you writt me were so extraordinarie good as I must give you thankes for them by those extraordinarie messengers who goe to invite the King hither. I have the more obligation to you, because none else tooke the paines to advertise me of it, but though next the Court of Breda, none have more interest in it than I have. Downing went from hence Friday last, but is returned; whither this news or the winde has turned him back I know not, this I know that you shall ever finde me

Your verie affectionat Friend,

ELIZABETH.

For Mr Bruce.¹

IV.—JAMES DUKE OF YORK, AFTERWARDS JAMES II., TO
ALEXANDER, SECONDE EARL OF KINCARDINE.

St James's, Aug. 18, 1676.

MY LORD KINCARDIN,—I received this afternoone your's of the 12th of this month, and shew'd it immediately to

time of their exile, being a lady of a noble soul and admirable virtue, and all princely endowments. Her corps was immediately removed from White-Hall to Somerset-House, and upon the 27th of the said month (viz. three days after) was conveyed in one of the King's barges by water to the Parliament Stairs, and thence proceeded in the same manner as did the private interment of her brother the Duke of Gloucester, being interred with him in the vault of Mary Queen of Scotland, in the Chapel of King Henry VII., with the Memorial following on a copper-plate affixed to her coffin, which was covered with black velvet.

“ DEPOSITUM.

“Inclitissimæ Principissæ Mariæ, Illustrissimi Gulielmi Principis Auriaci Relictæ, Filis primogenitæ Serenissimi Regis Angliæ Caroli (pisæ semper memoriæ) et Sororis Serenissimi Caroli Regis ejus nominis Secundi, Quæ in Aula Regia apud Whitehal, die Lunæ Vicesimo quarto die Decembris piissime in Dom. obdormivit, Anno a Christo nato MDCLX. Ætatis suæ vicesimo nono.”—Sandford, p. 607.

According, however, to Evelyn, the Princess died of the same disease that carried off her husband, December 21. “This day died the Princess of Orange of the small pox, which wholly alter'd the face and gallantry of the whole Court.” *Diary*, vol. i. p. 329, 4th Edition.

¹ Afterwards Alexander second Earl of Kincardine. The letter refers

his Majesty, who commanded me to lett you know he gives you leave to come up hither, so that now you will have an oportunity of justifying your self as you desire,¹ which is all I have now to say, but that I am

Your affectionat Freind,

JAMES.

For the Earle of Kincardin.

V.—JAMES DUKE OF YORK, AFTERWARDS JAMES II., TO
ALEXANDER, SECOND EARL OF KINCARDIN.

London, Nov. 25, [1677.]

It is easy for you to perswade me, as you have done by your letter, the satisfaction it was to you, to heare much about the same tyme of the marriage of my daughter,² and birth of a sonne;³ for I can in no way doubt of the concerne you have for any good fortune that happens to me, which is all I shall now say, but that you shall always find me the same to you as I ever have been, &c.

JAMES.

For the Earle of Kincardin.

VI.—JAMES DUKE OF YORK, AFTERWARDS JAMES II., TO
ALEXANDER, SECOND EARL OF KINCARDINE.

Hage, May 1, 1679.

FOR all I had charged this bearer, my Lord Bruse, to assure you of the continuance of my kindnesse to you, I would not evidently to the first communication made to the Queen of the restoration of her nephew Charles II. She survived this event but a short time, as she died at Leicester-House in the parish of Martins in the fields on the 13th of February 1661.

¹ This justification was probably of his conduct to Lauderdale, one of the worst of the many bad ministers of Charles II.

² Mary, afterwards Queen of England. She married William Henry of Nassau (William III.) Prince of Orange, 4th November 1677.

³ Charles Stuart, Duke of Cambridge, the eldest son of the second marriage of James II., then Duke of York, by his second wife Mary of D'Estè. He was born three days after the marriage of the Princess Mary. "He died" (says Sandford in his Genealogical Account of the Kings of England, p. 569) "suddenly upon Wednesday the 12th of December about eleven o'clock of the morning, an. 1677, and was privately buried in the tomb of Mary Queen of Scots the next day in the evening."

lett him go without assuring you of it myself, and to lett you know that upon all occasions you shall find me the same to you I ever have been.

JAMES.¹

For the Earle of Kincarden.

VII.—JAMES DUKE OF YORK, AFTERWARDS JAMES II.
TO ALEXANDER, SECOND EARL OF KINCARDINE.

Bruxelles, June 16, [1679].

I RECEIVED your's the last post, which was the first account I had of your being at London. I did not write to you on Tuesday last, having then not tyme. I am glad of your being at London, for I have one friend more there, and do in no manner doubt of your continuing stedy to me, and am very glad to heare so many of your countrymen are of your mind; and if you have any concerns of yours to be recomended where you are, lett me know them, and I shall very willingly do it. The prorogation of Parliament² was very good newse to us heare, but unlesse I be sent for, I feare neither his Majesty nor myself are like to have little aduantage by it. I am in great expectation of an answer

¹ In consequence of the excitement created by the Popiah Plot, Charles was reluctantly induced to send his brother abroad, and having obtained an order to that effect from his Majesty, dated 28th of February 1679, his Highness took his departure from England on the 4th of March and went to the Hague, from whence he proceeded to Brussels. See Life of James II. collected from his own Memoirs, London, 1816, 4to. vol. i. p. 542.

² By this prorogation on the 27th May 1679, Shaftesbury's attempt to exclude James from the Crown was defeated. His bill to disable "the Duke of York to inherit the imperial crown of this realm" had passed the Commons by two hundred and seven against one hundred and twenty-eight. This step was followed by a more decisive one, viz. a dissolution of Parliament. The indignation of Shaftesbury at his defeat was unbounded, and "now," says Evelyn, vol. i. p. 507, 4to edit., "were there papers, speeches, and libels, publicly cried in the street against the Dukes of York and Lauderdale, &c., obnoxious to the Parliament, with too much, and indeed too shameful, a liberty; but the people and Parliament had gotten head by reason of the vices of the greate ones."

The Duke was enabled by this energetic measure to return. Evelyn mentions that, on 13th of September, he went "to Windsor to congratulate his Majesty on his recovery; I kiss'd the Duke's hand, now lately returned from Flanders to write his brother the King, in which there were various bold and foolish discourses—the Duke of Monmouth being sent away."—P. 512.

to the letter I wrot to his Maiesty upon that subject, by which I shall see what I have to trust to, and except I be sent for before this coms to you, I shall have but little hopes of seeing England this sommer.

For the Earle of Kinkardin, &c.

VIII.—JAMES DUKE OF YORK, AFTERWARDS JAMES II.,
TO ALEXANDER, SECOOND EARL OF KINCARDINE.

Brussels, Aug. 11, [1679].

I HAVE received your's of the 25th from Windsor, and should have written some tyme since, as you hinted to me, if I had thought it would have been of any aduantage to you ; but my recomendations signify little now ; however, if againe at any tyme you thinke they may be of any use to you, you may be sure of them, for I look on you as one who is very much my friend.

For the Earle of Kinkarden, &c.

IX.—ALEXANDER SECOOND EARL OF KINCARDINE TO CHARLES
LORD BRUCE.

Pell Mell, July 12, 1678.

MY DEAR CHARLES—I did write to you by the last post, which was the 9th. I hope you will observe the advices I therin gave you, and that I shall frequently hear from you. I am in thoughts of sending Peter to you as soon as an occasion can be found, because I consider your Croharie¹ wants the language, and is not yet accustomed to travails and jurneys. I am to send by the next post, or with Peter, if I send him, a letter of credit on you, to enable you to draw the value of 1000 or 1200 gilders, in case you have use for it. Therefor do not want what is necessary for you to appear in some degree handsomely, but withall, I hope you will consider that it is hard for me to get money for

¹ This word, which occurs in the succeeding letter, seems to have been a nickname.

you, or els you should not have it sparingly. I have written to Scotland, to send your horses to yow with the first conveniency. Forget not to write frequently to your mother and your sister.¹ Write alwayes when [you can do so], though it be no post day.²

Addressed—

A Monsieur Monsieur My Lord Bruce,
 Chez Monsieur de Sommeldycke,
 Hollande. a la Hay.

X.—ALEXANDER SECOND EARL OF KINCARDINE TO CHARLES
 LORD BRUCE.

Pell Mell, July 18, 1678.

I SHALL not need to say much to you with this bearer,³ whom I have sent to be with you, since he knows the language of these contries you are in, and hath some experience in going about business and journeys, and your Croharie being ignorant of the language and without experience, I thought he might rather be a trouble than a helpe to you. Consider the menaging of money as a thing very necessary at this tyme, and yet stryve to appear hansomly; therfor I have sent you a letter of credit for two hundred pounds Flemish, or 1200 gilders—make use of what you need. I wonder I have not heard from you. I pray be diligent in writing, and read over againe what I wrote to you since you went, and observe my advice. Above all things, fear God, and be diligent in seeking his blessing, and I pray the Lord God to blesse you in all spirituall and temporall things. My most humble service to all friends, especially Earl Osserey,⁴

¹ Probably Lady Mary Bruce.

² A few words at the end torn away.

³ This would be probably the Peter referred to both in the preceding and succeeding letter.

⁴ Thomas Earl of Ossory was born at Kilkenny 8th July 1634. He was the eldest son of James first Duke of Ormond and Lady Elizabeth Preston his wife, only child and heiress of the Earl of Desmond. His Lordship married 17th November 1639, the Lady Amelia Nassau, eldest daughter of Louis Lord of Beverwaer, by whom he was father of James second Duke of Ormond, who was attainted in 1716. Lord Ossory died of a fever on the 30th of July 1680, to the universal regret of all England

your uncles,¹ and — 2 whom I shall — by the next.

My Lord Feversham³ is a person I am very much obliged too. Waite upon [him] much, so long as he stays there, and be diligent in waiting upon all the great men.

—for no Nobleman of the time was more generally or deservedly beloved. Although he predeceased his father, he sat in Parliament as an English Peer, by the title of Lord Butler of Moorpark, to which barony he was summoned by writ on the 14th September 1665. He was elected a Knight of the Garter 30th September 1672, and was installed at Windsor 29th of October following.

¹ Evidently his *maternal* uncles.

² Torn away.

³ This Nobleman had only recently succeeded to the earldom, on the demise of his predecessor, Sir George Sondes of Lees Court, in the county of Kent, who was by letters-patent, dated 8th April 1676, created Baron of Throwley, Viscount Sondes of Lees Court, and Earl of Feversham, with limitation of the earldom, on failure of his own issue male, to Lewis de Duras, Lord Duras of Holdenby, who married Mary, the eldest of his two daughters.

It was in his family that a most remarkable case of fratricide occurred, his presumptive heir George having been murdered while in bed by his younger brother Freeman.

This horrid murder had its origin in jealousy, aggravated by the feeling that his elder brother was decidedly a greater favourite than himself. He committed this foul deed on his brother in an upper chamber in the house, "whilst he was asleep in bed, by a deadly blow on the head with the back of a cleaver (which he had taken from the kitchen a day or two before, and had hidden for his purpose) which blow he followed by others with a dagger, which he carried about him for the same intent; upon which he was put into the custody of a peace-officer—a guard was set over him, and the next day he was conveyed to Maidstone Gaol, the Assizes being then holding there; the day after which, being Thursday the 9th, he was brought to the bar (having been before examined before Sir Michael Livesey, Sir Thomas Style, and other Justices), and his indictment being read over, he pleaded guilty, shewing a great desire to suffer death for his barbarous action, and appeared, whilst at the bar, with so composed a behaviour, as filled the Judges, Justices, and the whole Court, which was crowded with the other gentlemen of the county, with much astonishment. After which, being carried back to the gaol, he was put into the dungeon allotted for the condemned malefactors, and next day condemned to die,—Judge Croke, at the time of his passing sentence, seriously admonishing him to consider and repent of the foulness of the deed he had committed, pressing him to declare the motives he had for it, for the clearing of his conscience and the satisfaction of the country. He replied, that he had already done it before the Justices at his examination; and being further pressed if he had nothing more to say to testify his remorse, he thus being slow of speech, and of a reserved nature, made no answer, but delivered a petition to the Under-Sheriff, Mr Eede, which was read, and was for a respite for a few days only, that he might by a more penitent remorse and sorrow of conscience, make his peace with

XI.—ALEXANDER SECOND EARL OF KINCARDINE TO
CHARLES LORD BRUCE.

London, Pell Mell, 15th Nov. 78.

THE last letter I hade from you was of the ——. I did immediatlie I got . . .¹ and promised without faile to write once a week after it, but now after nine weeks waiting I

God, and reconcile himself to his deservedly and highly offended father. To this petition the Judge condescended so far as to respite his execution till Wednesday the 15th, and afterwards till Tuesday August 21st, the week after, being the day fortnight on which he had murdered his brother, when he was conveyed from prison in a mourning habit on horseback, many gentlemen attending him, with two divines, Mr Boreman and Mr Higgons, Rector of Hunton. When he came to the place of execution, being dismounted from his horse, he stood for more than half an hour, whilst a discourse was made by the former on the heinousness of his crime, to which was added a prayer; which ended, he went up the ladder, and standing in the midst of it, with great meekness he desired the prayers of those present, and with erected hands and eyes he beseeched God to forgive his sins against his father and brother, and praying in a few words for a blessing on his distressed father, he closed all with a resignation of his soul into the hands of his Maker, saying, in a low voice, God's will be done; after which words, the executioner did his office; and his body, after it had hung a good while, being cut down, was put into a coach and carried to Bersted, where it was interred in the church." *Hasted's Kent*, vol. ii. p. 783.

In this way the male issue of the Earl failed, and the title, by virtue of the limitation, devolved to Lewis de Duras, Marquis of Blanquefort, and brother to the Duke de Duras in France. Having been naturalized by statute (17th Charles II.) he entered the service of his Majesty, and attended the Duke of York (Charles II.) in the sea-fight with the Dutch in 1665. He was in 1672 created Baron Duras of Holdenby, and on the death of his father-in-law in 1677, he became second Earl of Feversham. By James II. he was made a Knight of the Garter. He was General of the King's forces at the battle of Sedgemoor, and took command of the royal army upon the invasion of the Prince of Orange. He survived the Revolution, and dying without issue all the titles became extinct in the Family of Duras.

The second daughter of the first Earl, Lady Catherine, married Lewis third Lord Rockingham, and on the demise of her sister, without issue, the Sondes estates fell to her, whereupon her husband was created in 1724 Baron of Throwley, Viscount Sondes of Lees Court, and Earl of Rockingham in Northamptonshire. He was the grandfather of the Marquis of Rockingham of political celebrity.

The Barony of Sondes was by letters-patent, dated 22d May 1760, conferred on John, second son of Lord Monson, by Margaret, daughter of Lewis, first Earl of Rockingham, and, together with the estate of Lees Court, presently remains in his male descendant, George John, the fourth Peer.

¹ Three lines are so much destroyed that no sense can be made of what remains.

have received non. I know not what to say of it, nor will I say what possibly I should upon that occasion; but I assure you this stupid negligence does very much grieve me, and renders me incapable to give you those advertisements which were fit for you. You have never yet so much as let me know if you have received that 1200 gilders I sent you by exchange, and yet I have been obliged to pay the merchant for it, haveing seen Peter's receipt of it. I told you of this formerly, but no answer.¹ It is now necessary for me to have Peter with me; therefor send him hither as soon as conveniently you can; but let him make his accompts to you before he come away, and let him bring with him a copie of them, that I may see them when he comes here. You had need looke well how you bestow your money, for you are not like to receive much more from me in haste. If

¹ As no other letters have been preserved in the volume from which this and the two preceding ones have been taken, excepting a letter of the 3d February 1679, which has been already printed in the *Analecta*, and from which an extract has been given in the prefatory remarks, no explanation has been afforded of the cause of the silence complained of. The terms of this letter of the 3d of February shew, however, that the father and son were again on their usual affectionate terms. The latter was the bearer (see page 217) of the letter of the Duke of York from the Hague, of the 1st of May 1679, to Lord Kincardine. It would thus appear that about that time Lord Bruce had returned to Great Britain.

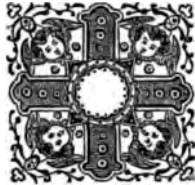
His Lordship must have died not very long after his return from Holland, for the Earl, his father, died in July 1680; and as it is an admitted fact that Lord Bruce predeceased his parent, this melancholy event must have occurred in the interval between 1st May 1679 and 9th July 1680.

Lady Mary Cochrane, upon the death of her only surviving brother, Alexander, the third Earl, in 1705, claimed the title in virtue of procuratories of resignation executed by him in her favour, but which had not been followed by a Crown Charter. She was, however, unsuccessful, for it was decided 10th October 1706 in favour of the heir-male—"reserving Lady Mary's right as accords"—an odd adjudication, substantially meaning nothing, for as her Ladyship's cousin was recognized as Earl of Kincardine and seated in Parliament as a Peer, the unseating him afterwards would have been a somewhat difficult matter. The title of Kincardine is now joined to that of Elgin, in consequence of Charles ninth Earl of Kincardine succeeding to the Earldom of Elgin, on the death of Charles the fifth Earl, who departed this life the 10th of February 1747.

Thomas third Lord Bruce of Kinloss was, by patent dated 21st June 1633, created Earl of Elgin, with remainder to his heirs-male for ever carrying the name and arms of Bruce. Upon the failure of heirs-male of the body of the first Earl in 1747, the title devolved, as just mentioned, on the next heir-male, the Earl of Kincardine, whose peerage being of more recent creation, was obliged to give place to the more ancient one.

I could hope for it, it would be a great satisfaction to me to know every thing you do, or resolve to do, that I might be able to give you my opinion and advice. I did write to you long agoe¹ You will never get through the world by stopping and folding your armes; you must awake and bestir yourself. I pray God assist you in it, and bless you in all things.

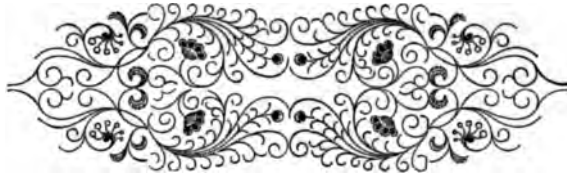
¹ Three lines illegible.



EXTRACTS

FROM THE

KIRK-SESSION REGISTER OF PERTH.



THESE Selections from the Kirk-Session Records of Perth are transcribed from four folio MS. volumes in the Library of the Faculty of Advocates at Edinburgh, in the hand-writing of the late Mr James Scott, one of the Established Presbyterian ministers of Perth, from 1762 to his resignation from age and infirmity in 1806. This industrious and respectable gentleman, who was the author of a "History of the Earls of Gowrie," "Lives of the Scottish Reformers," and some other minor productions, occupied much of his leisure time in transcribing the ancient Records of Perth, and the "Fair City" possessed in him a zealous denizen. In the Advocates' Library, in addition to the four volumes above-mentioned, which Mr Scott entitles "Extracts from the Kirk-Session Records of Perth," are eleven folio volumes all in his hand-writing—viz. two volumes of Charters of the Monastery of the Black Friars at Perth, from 1241 to 1559, the memorable year of the demolition of many of the Religious Houses in Scotland by John Knox's mobs; one volume of Charters of the Parish Church of St John the Baptist at Perth, with its Chapels and Altars, from 1358 to 1559; one volume of Extracts from the Records of that Parish Church, from 1591 to 1596; four volumes of an "Authentic Register of the Acts and Proceedings of the Ministers and Elders, Managers of King James VI.'s Hospital at Perth, extracted from the Registers of the Kirk-Session there, and ordered to be so extracted and registered by an Act of the Managers dated at Perth the 17th day of February 1780"—the said Extracts extending from 1620 to 1732; one volume of "Registers of Children baptized in Perth," from July 1561 to May 1666; one volume of "Registers of Marriages in Perth," from the 31st of October 1560 to 31st December 1668; and one volume of "Registers of Deaths in Perth," from the 5th of July 1561 to 1623. In these three volumes the births, marriages, and deaths, of the principal citizens of Perth, and of families connected with the "Fair City" by property and residence, are only registered. To the above enumerated volumes of MSS. by Mr Scott may be added a thin folio of nineteen pages, entitled "Superstitions of Perth," or anniversaries observed by the people, which "were with difficulty," says Mr Scott, "abolished after the Reformation." The principal of those old celebrations and observances were Corpus Christi Play, St Obert's Play, and resorting to the Dragon Hole in the front of Kinnoull Hill. All these obsolete practices are noticed in the following Selections from the Kirk-Session Extracts by Mr Scott, the whole of whose MSS. volumes were purchased by the Faculty of Advocates after his death.

Such a collection of Records, though strictly local, of necessity contain much valuable and interesting information, which Mr Scott has

illustrated by observations of his own, derived from personal knowledge, traditional narratives, and copious extracts from ecclesiastical and historical writers. Many of these observations, which are worthy of notice as the calm and deliberate reflections of a minister of the Presbyterian Establishment in favour of the Episcopal Church, are inserted in the volumes entitled "The Episcopal Church of Scotland from the Reformation to the Revolution," and the "History of the Scottish Episcopal Church from the Revolution to the Present Time," by John Parker Lawson, M.A., published in 1843 and 1844, to which the reader is referred.

As regards the present Selections from the Kirk-Session Registers of Perth, it will be seen that they commence in 1577, and the four volumes in the Library of the Faculty of Advocates are continued by Mr Scott from that year till November 1637. The laborious transcriber gives us some curious information on the state of the original Records as they were in 1775. He enumerates ten MS. volumes in the following order:—The first volume commences in May 1577, and continues till the 27th of June 1586, but "many of the leaves," says Mr Scott, "both at the beginning and end of this volume are loose from the binding, and others lost." Vol. II. commences October 10, 1586, passes over the rest of that month, and the two months of November and December to January 2, 1586-7, continues till May 23, 1597. Many of the leaves at the end of this volume are much torn and defaced, and others lost. Vol. III. commences October 31, 1597, continues till October 3, 1604. This volume is entire, and in good condition. Vol. IV. commences October 16, 1604, continues till July 23, 1610; also entire, and in good condition. Vol. V. commences October 7, 1611, continues till December 28, 1612; also entire, and in good condition. Vol. VI. commences January 30, 1613, and continues till December 31, 1618. Vol. VII. commences January 5, 1619, and continues till October 17, 1624; both entire, and in good condition. From the last date till January 1631 the records are lost. Vol. VIII. commences January 3, 1631, and continues till March 28, 1642, but is in a very shattered condition, several leaves at the beginning are lost, and others much torn and defaced. Vol. IX. commences August 1, 1665, and continues till February 11, 1686. Vol. X. commences November 8, 1692, and continues till April 1, 1709; both entire, and in excellent preservation. "From the date last-mentioned," says Mr Scott, "the volumes are continued without any material interruption, and in good condition."

The Perth Kirk-Session was for several years designated the "*Assembly*," and as such it is designated in a considerable portion of the following Selections. The Kirk-Session, or "*Assembly*," of Perth was instituted immediately after the Reformation, when Mr John Row, who had been a Priest, became the Minister of the "*Fair City*" in 1560. "By references in the first volume of the Register now extant to former Acts," says Mr Scott, "it appears that there was at least one former volume, in which the more early acts of the Kirk-Session were recorded." Though Kirk-Sessions and the local Presbyteries, or "*Exercises*," as they were designated in the earlier part of the seventeenth century, form a peculiar feature both of Established and Dissenting Presbyterianism in Scotland, they were continued during the establishment of the Episcopal Church from 1610 to 1639, and

from 1661 to 1688, under the authority of the Bishop of each Diocese. The Kirk-Sessions, which their inventors profess to derive from the Scriptures, although the models were borrowed from Geneva, consisted of the Minister or Ministers of the parish, the "Elders," or persons so called, who were to assist in discipline and government, and the "Deacons," who were expected to take charge of the poor, collect alms, and distribute them with the consent of the minister and elders. The Elders and Deacons were to be annually elected according to the First Book of Discipline framed in 1560, where it is set forth—"The election of Elders and Deacons ought to be used every year once, lest by long continuance of such offices men presume upon the liberty of the Kirk. It hurteth not that one be received in office more years than one, so that he be appointed yearly by common and free election, provided always that the Deacons and Theasurers be not compelled to receive the office again for the space of three years." But when Andrew Melville returned from Geneva, and re-modelled Presbyterianism in Scotland, it was declared in the Second Book of Discipline—"Elders once lawfully called to the office, and having gifts from God mete to exercise the same, may not leave it again, albeit such a number of Elders may be chosen in certain congregations that one part of them may relieve another for a reasonable space, as was among the Levites under the Law in serving the Temple." In the case of Perth, Mr Scott states that the "Elders" were declared to be elected for life in 1583, nevertheless the form of an annual election of them and of the "Deacons" prevailed till 1690, since which time the practice ceased, and those functionaries of the Presbyterian system continue in their office for life, unless they resign or are deposed for improper conduct.

A Kirk-Session exists in every parish of Scotland under the Presbyterian Establishment, and is composed, as already observed, of the Minister and Elders, the latter being selected by the Minister from among the inhabitants of the parish who are members of that Establishment on account of their *status*, and their reputed piety and respectability. The power of those Kirk-Sessions, which are now private assemblages, in whose meetings and proceedings the public take no interest whatever, is defined to be the cognizance of parochial matters and cases of scandal; but in the sixteenth and seventeenth centuries, especially during the Covenanted reign of terror after the outbreak of the Civil War against Charles I., the Kirk-Sessions of Scotland were the sources of excessive tyranny and oppression—were arbitrary, inquisitorial, and revengeful, to an extent which exceeds all belief. It is truly stated by the author of the "Memoirs of Locheill"¹—"Every parish had a tyrant, who made the greatest Lord in his district stoop to his authority. The kirk was the place where he kept his court; the pulpit his throne or tribunal from whence he issued out his terrible decrees; and twelve or fourteen sour ignorant enthusiasts, under the title of Elders, composed his council. If any, of what quality soever, had the assurance to disobey his orders, the dreadful sentence of excommunication was immediately thundered out against him, his goods and chattels confiscated and seized, and he himself being looked upon as actually in the

¹ Memoirs of Sir Ewen Cameron of Locheill, 4to. Edin. 1843, printed for the ANNOTATORS CLUB, p. 87, 88.

possession of the devil, and irretrievably doomed to eternal perdition: all that convened with him were in no better esteem." They assumed and exercised the power of fining and imprisoning in the most capricious, unrelenting, and dogmatical manner, dictating to the municipal authorities, and conducting themselves as if they were infallible. In many cases they made little distinction of punishment between gross offences and foolish eccentricities, and were often as much swayed by personal resentment against the parties as by their pretended regard to good morals. Presbyterian Kirk-Sessions in Scotland, whether Established or Dissenting, are now very harmless and feeble conclaves, and any attempt to enact the tyranny of their predecessors would be treated with scorn and contempt, to say nothing of the legal responsibilities they would incur, and the indignation which would be manifested; but in the days of the Solemn League and Covenant they were truly formidable. The moral condition of Scotland was not renovated by the Kirk-Session functionaries, and the people were compelled to submit, under the penalty of fines, imprisonment, and banishment from their native towns. Whether Kirk-Sessions were incited by a sincere desire to reform and amend the morals of the people generally, and of individuals in particular, has been questioned; but whatever were the true motives of action, the members of these judicatories had no notion of the proper method of accomplishing an object so desirable, and continually interfered in matters with which they could have no connection except to display their authority and officiousness. They insisted on an excessive rigidity of decorum, which, when enforced solely by the terrors of punishment, and of an inquisitorial investigation into all the affairs of private life, the people were certain eventually to resist. The sermons of the Presbyterian preachers in the reign of James VI. were very often political, full of invective, and personally abusive. The morals of the people by such a course of religious instruction became vicious and debased, and the discipline of the Presbyterian system accomplished little to remedy the wretched immoralities which prevailed. The punishments devised and inflicted by the Kirk-Sessions were too outrageous to be salutary, especially in the cases of those who refused to submit to their authority; and, as already observed, those punishments might and probably did terrify, but they neither prevented backslidings, nor tended to the reformation of life and manners of a people such as the Scottish nation then was, immersed in ignorance, superstition, and immorality.

In the following Selections from the Kirk-Session Register of Perth all the cases of gross and scandalous licentiousness are purposely omitted as unfit for publication. The details, as given by Mr Scott in his transcript, are most disgusting, and completely prove the wretched condition of the people. In matters of discipline the Presbyterians always manifested a peculiar delight in investigating cases of licentious intercourse, and in "dealing" with offenders against morality. Their Kirk-Session Records reveal thousands of odious and repulsive cases, which were discussed at their meetings with the most deliberate gravity. The civil punishment of ante-nuptial intercourse was a fine generally of L.40 Scots, or imprisonment for eight days, with a diet of bread and small beer. They were next taken to the market-cross, and compelled to stand fastened in the stocks two hours bareheaded. The

punishment was made more stringent at repetitions of what Calderwood calls "failings of the flesh." In this very Kirk-Session Register of Perth we are told that a man received a weekly salary for shaving the heads of such offenders. In addition to this exposure and degradation, they were compelled to appear in the parish church before the congregation, and occupy an unenviable seat on the "stool of repentance," their heads shaven, and there to be rebuked by the preacher, confess their fault, and declare their contrition in an audible voice. To some, however, even the "stool of repentance" had no terrors, though their bad behaviour while on it was certain to aggravate their punishment. But much of this immorality proceeded from the conduct of the preachers and their Kirk-Sessions. They refused to marry persons who were "ignorant," or whom they considered "ignorant," and this excessive rigidity towards a population generally illiterate was attended with the very worst consequences to the morals of the community.

Another peculiarity of the Presbyterian Kirk-Sessions was, that they had no idea of toleration, and we accordingly find that they spoke and acted on the assumption that no other religion was ever to be allowed in the kingdom except that which they professed. Persons who refused or wilfully delayed to communicate were summoned before the Kirk-Sessions, and fined or imprisoned. Whoever was not of their way of thinking was branded by them as an enemy of the "Evangel," or they brought forward their usual, and at all times convenient, charge of Popery. All persons who were avowed or alleged Roman Catholics were expected to be punished by exile and forfeiture of their property. In minor matters the preacher and his Kirk-Session took cognizance of almost every occurrence whether frivolous or important. Those who played games on certain long-observed holidays were summoned before them, and imprisoned for contumacy if they refused to appear. Scolding and malicious scandal were also punishable, and absence from the preachings finable. It is not surprising, therefore, that multitudes even of the peasantry beheld the legal suppression of Presbyterianism in Scotland soon after the accession of James VI. to the English Crown without regret, and evinced no opposition to the establishment of the Episcopate. This was particularly the case with the citizens of Perth, as appears from these Selections, and the only objectors appear to have been some of their ministers, who, however, merely opposed a few of the minor ecclesiastical arrangements. The worthy burghesses of the "Fair City" unanimously conformed to Episcopacy, and it is curious that more of their ministers became Bishops of the first and second Consecration, or of the Spottiswoode and Sharp Succession, than those of any other city in Scotland. The celebrated "Five Articles of Perth" passed in the General Assembly held there in 1618, were willingly acknowledged by the citizens, and we find it duly entered under date, 5th March 1619, that as it respects kneeling at the Communion, the Kirk-Session of Perth "all agreed in one that the celebration thereof be made according to the said Act," which was the first of the Five Articles.

When we consider the inquisitorial power and tyranny of the Kirk-Sessions, which candour obliges us to confess were not completely removed during the establishment of the Episcopate, it is easy to see that those accused of witchcraft—the common belief of the age—had little

chance of escape. Very few notices of those misguided and unfortunate persons occur in Mr Scott's abstracts of the Perth Kirk-Session Registers, but the "Fair City" was not without its due proportion of witches, nor without its executions of those alleged sybils, who really seem to have been very harmless dames; but it will be seen that if any old woman in or near Perth knew the efficacy of medicinal herbs, and prescribed them to her sick neighbours, by which she enabled them to recover, she was immediately prosecuted as a witch. It also appears from the following Extracts that the informers against witches were often "chirurgeons," who had obvious pecuniary reasons to denounce them, as those "learned" and self-interested gentlemen were by no means anxious to accelerate the convalescence of a wealthy patient. This fact may elucidate some substantial illustrations of the causes of the extraordinary trials and incremations of witches in Scotland in the sixteenth and seventeenth centuries.

It was considered unnecessary to extend the subsequent pages by the frequent repetitions of parties summoned before the Perth Kirk-Session for the same real or imaginary offences. They are all so similar, that the mere names of the parties only constitute the difference, and one case may be considered as a satisfactory specimen of hundreds. "Once for all I shall observe," says Mr Scott in his MS. notes, alluding to minor offences, "that even about that period (referring to the year 1606) persons were convicted and censured, some for staying at home from the preaching on the Sabbath; some for not only staying at home, but for drinking in time of preaching; some for travelling to markets which were to be held on the Monday; some for carrying loads of victual or merchandize out of the town on that day; some for baking and selling meat; some for having their mills going; and some for being employed in their bake-houses on that day. Some of these persons were only rebuked by the Kirk-Session on their humiliation and repentance; some were not only rebuked, but also fined: some were not only rebuked and fined, but ordained also to make their repentance publicly in the (parish) church; and others were remitted to the Magistrates, to be punished according to the Act of Parliament. It is to be noticed, however, that putting such persons into the hands of the Magistrates was the severest censure which could be inflicted; for by the (then) law of the land a person three times convicted before a Magistrate of breach of the Sabbath forfeited all his goods and estate." Yet with all this excessive rigidity, which if inflicted at the present day would excite a rebellion, Scotland was noted for the profligacy and credulity of its people.

Several extracts from these Records are appended to the "Chronicle of Perth," commonly called Mercer's Chronicle, formerly in the possession of the Rev. James Scott, and now in the Advocates' Library, presented to the Members of the MAITLAND CLUB by James Maidment, Esq. Advocate.

EXTRACTS

FROM THE

KIRK-SESSION REGISTER OF PERTH.



ORPUS CHRISTI PLAY,¹ JULY 1, 1577.—
Because certain inhabitants of this town, as well against the express command of the civil magistrate, as against the Minister's prohibition in pulpit, have played Corpus Christi Play upon Thursday the 6th of June last, whilk day was wont to be called *Corpus Christi Day*, to the great slander of the Church of God and dishonour of this hail town, and because the said play is idolatrous, superstitious, and also slanderous, as well by reason of the sixth—(*some leaves are wanting*).

August 13, 1577.— Whilk day compeared Thomas Thorshails, who desired to have his bairn baptized, and confessed himself to be one of the number of those of Corpus Christi players who bore the austenze² of the same. For the whilk slander he offers and submits himself to the discipline of the Kirk, with my Lord's³ advice, and promises in time coming never to meddle with such things again, under the pain of the censures of the Kirk. In respect whereof, and of his obedience to the Kirk, the elders presently convened, viz. John Anderson, Oliver Peebles,

¹ The Festival of Corpus Christi, or of the Body of our Saviour, was instituted by Pope Urban IV. about A.D. 1264, and its celebration was appointed to be held on the second Thursday after Whitsunday.

² *Sic* in MS. meaning the consecrated "host."

³ William fourth Lord Ruthven, afterwards first Earl of Gowrie, Provost of Perth in 1577, son of Patrick third Lord.

John Davidson, William Anderson, Patrick Inglis, Alexander Anderson, William Fleming, think it expedient that the said Thomas Thorshalls' bairn be baptized, because he has offered himself obedient to the Kirk, according to the act thereanent.

[On the 1st of September 1577, a similar case occurs in the person of a certain Robert Paul, who "compeared immediately after sermons in presence of the congregation, and desired to have his bairn baptized, confessed himself to be one of Corpus Christi players, and owns the slander; for the whilk slander he submits himself to the discipline of the Kirk." On the following day eight of the citizens appeared before the Kirk-Session, and "promised never to meddle with such things again." Three others made a similar declaration on the 15th, and four on the 16th of December.]

*December 16, 1577.—St Obert's Play.*¹—Whilk day the elders ordain the act made against superstition, anno Domini 1574, November 27,² to be published on Sunday next, and also all those persons that were playing St Obert's Play, the 10th of this month, to be warned to the Assembly (Kirk-Session) this day eight days.

December 20, 1577.—Whilk day compeared John Fyvie, and confesses that upon the 10th of December instant, which was called St Obert's Even, he passed through the town striking the drum, which was one of the common drums of the town, accompanied with certain others, such as John Macbeth, William Jack riding upon an horse going in men's shoes, and says the said John Macbeth delivered to him the drum. For the whilk premisses he submits himself to the discipline of the Kirk, and also promises never to strike ane drum again without the consent of ane magistrate, under such pains as shall be laid to his charge.

¹ St Obert was the tutelary saint of the Bakers' Incorporation of Perth, in honour of whom an annual procession took place through the "Fair City," which excited the wrath of the Reformed preachers and their Kirk-Session. The Bakers of Perth made this procession on the 10th of December every year, perambulating the town in disguise with torches in their hands, and exhibiting a horse fantastically decorated, on which one of them was mounted, with the accompaniment of a drum and pipes.

² This probably was an act of the "Assembly," not an Act of Parliament.

[William Jack, the other delinquent, who was the equestrian in this procession, made his "submission" on the 5th of January.]

Fugitive from Discipline.—June 29, 1578.—The whilk day Mr John Row, minister of Perth, denounced Elspeth Carnock excommunicate, in presence of the whole people, for subtracting herself from her repentance.

Marriage.—July 7, 1578.—The whilk day the minister and elders perceiving that those who compear before the Assembly to give up their banns to go forward to marriage are almost altogether ignorant, and misknow the causes why they should marry; therefore the Assembly ordain all such first to compear before the reader for the time, whoever he be, to the effect he may instruct them in the true knowledge of the causes of marriage before they come in before the Assembly.

Scolding and Slandering.—August 4, 1578.—The Assembly ordains the Baillies to poind Katherine Yester and Malcolm Denis every one of them for half a mark¹ to the poor for their flyting: ordains John Tod to pay half ane merk to the poor, and to stand in the irons two hours, and to ask Margaret Cunningham forgiveness for slandering; which slander he confessed.

Suspected Papist.—November 10, 1578.—Whilk day Mr John Denite,² being called before the Assembly, was accused because he remained privately in his house without all exercise of religion, and that he has subscribed the articles of religion; therefore the Assembly have commanded the articles to be delivered to the said Mr John, and he to give his answer thereupon betwixt this day and fifteen days.

Collection for Scottish Prisoners taken by the Turks.—December 8, 1578.—It is thought meet by the Assembly concerning the poor prisoners in the Turks' hands, conform to the King's Majesty's letters, that upon Thursday next admonition be made in the pulpit to the whole inhabitants of this town that upon Sunday in the morning the merchants

¹ Or 6½d. sterling.

² Mr Scott conjectures, from the title of *Mr* awarded to John Denite, that he had been formerly a Roman Catholic clergyman, and that though he had compulsorily signed the first Confession of Faith set forth in 1560, he continued a member of the Church of Rome.

contribute of their charity to the effect foresaid ; which the reader shall cause to be put in execution during the time of (singing) the first psalm. And to this effect the Assembly has appointed these persons to gather the alms foresaid, viz. Patrick Grant, Walter Elder, Oliver Kar, and (to collect) in the morning as well as at ten hours (ten o'clock forenoon).¹

Cause of the repair of the Market Cross.—February 22, 1578-9.—The Assembly requests the Bailies to cleanse the Cross, that the door may open and steik (shut), and that they get a lock and keys to the door. And likewise the Assembly ordains the Master of the Hospital to buy three locks to the three irons.²

Husband and Wife.—February 26, 1578-9.—Whilk day Mr John Row, minister at Perth, admonished Thomas Dundie publicly from the pulpit to adhere unto his wife, under the pain of excommunication ; and that for the first time.³

Slandorous Language.—May 25, 1579.—Thomas Malcolm is convicted before the Assembly of having called Thomas Brown *loon* (and) *carle*, for the which the Assembly ordain him to be put in the Tolbooth, there to remain two hours, and to pay six shillings eight pennies (6d. sterling) to the poor.

Day for receiving Proclamations of Banns.—May 25, 1579.—The Assembly ordains that no proclamation of banns before marriage be received but upon the ordinary day, to-wit, Monday.

¹ This collection amounted to L.18, 18s. 8d. Scots, or L.1, 11s. 6d. sterling, which was paid to Mr John Row, the town minister. The Bailies also subscribed, and delivered to Mr Row, L.9, 16s. 9d. Scots, or 16s. 4d. sterling.

² Mr Scott says—"The putting of the Cross into such order was to render more commodious the placing upon it such persons as the (Kirk) Session condemned to stand there for their offences."—MS. Perth Kirk-Session Registers in Advocates' Library, Edinburgh.

³ "A long process," says Mr Scott, "had preceded, in which the (Kirk) Session had taken trial of the parties as a commissary court. Thomas Dundie had failed in proving his allegations against his wife, Violet Robertson ; therefore the sentence of the session was that he should adhere to her. Upon his refusal he was ordained to be proceeded against, in order to excommunication. Accordingly he received three public admonitions, after which it seems he complied, as there is no farther notice taken of his affair."

A Wife maltreats her Husband.—August 3, 1579.—The Assembly desires the Bailies to take order with Christian Williamson for the shedding of John Anderson her husband's blood, and to take caution of her that she shall compear before the Kirk (Session.)

Act against "Flyting" or Scolding.—August 10, 1579.—The Assembly ordains that such as are convicted of flyting, and will not willing pass to the Cross-head, according to the act passed before, shall pay half a merk (6d. sterling) money to be given to the poor, for (their exemption from) the Cross-head, besides that other half merk mentioned in the Act of before.¹

Disturbers of Public Worship.—September 8, 1579.—John Lindsay submits himself to the discipline of the Kirk for the perturbations of the kirk the time of the ministration of the sacrament of baptism; for the which cause the Assembly ordain him to pass about the Cross in linen clothes barefooted and bareheaded on Thursday and Sunday next, and thereafter to come to the public place of repentance the time of the sermon, there publicly to confess his offence: Also to pay half merk money to the poor instantly, or else to pass to ward ay and until it be paid. And sic like, for the same cause (the Assembly) ordain the next three, to wit, James Cuthbert, James Car, and Thomas Rutherford, to come to the stool of repentance on Thursday next, there to make their repentance.²

A false Accusation.—September 22, 1579.—Compeared Peter Whitehill, and confessed that upon Wednesday the first of August last, at twelve hours in the day, he came to Andrew Brownhill's house, and said—'God speed,' and 'God be here!' where he found two of Brownhill's women, and there in

¹ "The (Kirk) Session," says Mr Scott, "afterwards recurred to the strict tenor of their former act, and afterwards again recurred to the mitigation above specified. Money must have been of great value at that time, when so small a sum was proposed as the price of exemption from a most shameful punishment."

² According to Mr Scott, the citizens of Perth were prone to commit disorders at baptisms, "as appears by the Session Records." It is probable that they were considerably inebriated on those occasions. In 1587 an Act was passed by the Scottish Parliament against "perturbers of the order of the Kirk in time of Divine Service," and the offenders were made liable to civil prosecution and the loss of their moveable property. Acta Parl. Scot. folio, vol. iii. p. 430.

presence of them asked the work of his fault again for God's sake, and speered (inquired) at the servants where the gudewife was. Therefore the said Andrew Brownhill is ordained again this eight days to use diligence to use false probation; and the said Peter to bring his witnesses to prove his libel casten in.¹

Aristotle's Logic.—October 5, 1579.—The Assembly ordain James Sim, uptaker of the casualties pertaining to the poor, to give Walter M'Gill, poor scholar and student in St Andrew's, forty shillings (3s. 4d. sterling) of the first that shall be got in, to buy him the Logicks of Aristotle.²

*The Dragon Hole.*³—May 2, 1580.—The Assembly ordain an act to be made by the minister concerning the discharging of all passing to the Dragon Hole superstitiously; and the same to be published on Thursday next out of the pulpit, and thereafter to be given to the Bailies, and proclaimed at the market-cross—"Because the Assembly of minister and elders understand that the resort to the Dragon Hole, as well by young men as women, with their piping and drums striking before them through this town, had raised no small slander to this congregation, not without suspicion of filthiness following thereupon; the said Assembly, for avoiding thereof in times coming, have with the consent of the Magistrates of this town statute and ordained that no person, neither man nor woman, of this congregation, resort or repair hereafter to the Dragon Hole, as they have done in times bygone, namely, in the month of May, nor shall pass through the town with piping and striking of drums, as

¹ Peter Whitehill had insinuated, in the presence of Andrew Brownhill's two servants that he had improper intercourse with their mistress, Janet Henderson, wife of the said Andrew Brownhill. The act against slanderers was enforced in his case for injuring the character of the "guidwife." Mr Scott observes—"There are several instances in the Session Records of men accusing women of criminal correspondence, which turned out to be groundless and malicious."

² The General Assembly which met at Edinburgh, October 30, 1583, condemned several positions in Aristotle's philosophy, and enjoined masters, regents, and teachers of schools, to warn their pupils against them. Calderwood's "Historie of the Kirk of Scotland," printed for the WODROW SOCIETY, vol. iii. p. 743, 744, 745; Booke of the Universall Kirk of Scotland, printed for the BANNATYNE CLUB, Part II. p. 640, 641.

³ A cave of difficult access on the face of Kinnoull Hill near Perth, formerly a great resort of the citizens of Perth.

heretofore they have done, under the pain of twenty shillings (1s. 8d. sterling) to the poor, to every person, as well man as woman, that shall be found guilty; also, that they shall make their public repentance upon ane Sabbath-day in presence of the people. This ordinance to be published at the market-cross upon Saturday next, as also by the minister in the pulpit on Thursday and Saturday next to come, that none hereafter pretend ignorance." May 9, 1580.—The Assembly ordains the act made concerning the Dragon Hole to strike upon David Rollok, because he is convicted of breaking the same. He has found his deacon, George M'Gregor, cautioner for the satisfaction of the said act, under the pain of L.10 (or 16s. 8d. sterling) to the poor.

Administration of the Communion.—July 25, 1580.—The order for ministration of the communion.¹ For keeping of the south kirk door, William Fleming and Robert Anderson, Bailies. For receiving the alms and tokens, Finlay M'Duff and Andrew Blythman. For the north kirk door of the choir, John Davidson. To keep the wicket behind the pulpit, Adam Anderson and William Ross, officer. To convoy the bread through the tables, Henry Lees and John Smith, younger. To convoy the wine, James Sim, James Bruce, Thomas Gibson, and David Jackson. To convoy the wine from the revestry to the tables, Charles Mercer, James Lamb, William Cathrae. To prepare the bread, Robert Rynd. The rest of the Elders and Deacons to wait upon service in the choir. To prepare the kirk tables and napery, the Thesaurer.² The first bell to ring at four hours in the morning, the second at half hour to five, the third at five. To the second ministration, the first bell to ring at half hour to nine, the second at nine, the third at half hour to ten. The elders and deacons of every quarter to be present in during their quarter with the minutes at the examination.

¹ In St John's church, the parish church of Perth, an ancient and stately edifice. Mr Scott says—"This is the first time the order of the communion service is to be found inserted in the Register, which has always been recorded since the above date." It shows that the "Reformed" party in Scotland had completely rejected canonical and primitive authority.

² The town treasurer, whose name was George Johnstone.

Enforcing public Repentance.—August 22, 1580.—Because that persons who have been put in the Tolbooth oftentimes come not immediately thereafter (when liberate) to their repentance, but absent themselves, wherethrough great confusion follows, and also great molestation to the Magistrate in bringing them to their repentance; therefore the Assembly, with advice of the Bailies, statutes and ordains, for avoiding of this inconvenience, that caution be taken of such persons as enter to the Tolbooth, before they come out to come the next preaching day (after they are liberate) to the stool of repentance, under the pain of forty shillings (3s. 4d. sterling) to the poor, and to continue (the several days of their public repentance) without intermission.

Disturbance in the Parish Church.—October 24, 1580.—Ordains to admonish in the pulpit all mothers to take heed to their bairns that they perturb not the kirk.

Witch banished.—December 20, 1580.—The Assembly ordains the witch to be banished the town.

Faces of Delinquents to be uncovered.—February 1, 1580-1.—The Assembly ordains that no vicious persons that pass to the Cross-head, or stool of repentance, shall cover their face or head; with certification if they do, it shall serve for nothing unto them so often as they do it.

Marrying on a Fast-Day.—March 8, 1580-1.—The Assembly ordains Constantine Meliss and Isabel Elder to make their public repentance on Sunday next, and farther to pay L.4 (or 6s. 8d. sterling) to the poor, because in time of our public humiliation and fasting they passed up at once to their feasting and solemnizing of marriage, contrary to all good order.

Dragon Hole.—April 10, 1581.—The whole assembly of the elders, with advice of the Magistrates, ratify the former act concerning the Dragon Hole.

Observance of Sunday.—May 15, 1581.—The Assembly ordains the Sabbath-day to be kept from all kind of buying and selling, and no dispensation to be used; and this act in special to be directed against baxters (bakers), brewsters, wine-sellers, burn-bearers, fleshers, and merchants, with all other Crafts (trades) and occupations.

Assault.—July 3, 1581.—Because John Christison and William Watson, two of the mutineers that put violent

hands on Henry Adamson,¹ one of the Elders, being warned this day before the Assembly, personally apprehended, and compared not; therefore the Assembly ordains the Bailies to put them in ward for their disobedience, there to remain until the Assembly send for them. *July 6, 1581.*—Ane the violent putting on of hands and striking of Henry Adamson, one of the Elders. After trial taken thereanent, and depositions of famous witnesses, it is found that John Mathie and John Christison were two principal committers of the fault. Therefore the Assembly ordains them to compare upon ane Sunday in the place of repentance in linen clothes, and therefrom to come down and ask the said Henry forgiveness, and also the congregation; also to pay forty shillings (Scots) money to the poor before they enter to the said place. For performance whereof the Assembly ordains the Bailies to put them in ward ay and until they perform the same, under the pains of excommunication.

Flyting or Scolding.—*July 31, 1581.*—It is ordained by the hail Assembly that every flyter, convicted of flyting, shall pay one half merk (6d.) to the poor, shall stand at the Cross-head, and make their public repentance for satisfaction of the kirk and party. Ordains James Walker, flesher, to pay six shillings and eightpence (Scots) to the poor, because John Laurenceson has proved the contents of his bill against him; and also ordains the said James to stand two hours on the Cross-head in the irons ane market day, or to pay other six shillings eight pennies to the poor; and to compare before the minister on Sunday next in the place of repentance appointed for such, and there ask God forgiveness from the said George (or John); for the performance of the whilk ordanis to put him in ward till he find caution to do the same.

Non-Communicants.—*March 19, 1581-2.*—Whilk day it was ordained that they who are not communicants, and

¹ Probably the son of Patrick Adamson, elected one of the Magistrates of Perth in 1541, and brother of Patrick Adamson, Titular Archbishop of St Andrews. This Henry Adamson was killed at Perth by Thomas Peebles on Good Friday 1598, when he held the office of Dean of Guild. Mr Scott says of him—"He lived a very troublesome life, but whether through his own fault, or that of others, is not so evident." He was evidently a near relative of Henry Adamson, the author of the metrical history of Perth, entitled the "Muse's Threnodie," first published at Edinburgh in 1638, and reprinted by James Cant at Perth in 1774.

received not tokens from the Minister, Reader, or Elders, shall be warned against this day eight days, or any other ordinary days, before the Assemblies, to shew a reasonable cause of their absence and disobedience.

Theft of the Earl of Gowrie's timber.—April 16, 1582.—Ordains Thomas Marr to prove Robert Martin to be the stealer of my Lord's timber against this day twenty days.

May 14.—Forasmeikle as the Minister and Elders perceiving that the actions intended before them by Robert Marr, wright, and Adam Blythe, on the one part, against Robert Martin, alias Maxwell, in the Woodend, are perjury and theft; which are actions not appertaining to the ecclesiastical senate, they find themselves not judges competent to the same: Therefore, with one consent they refer the said actions to the Bailies, as judges ordinary to the same.

Aliment to a Witch.—April 16, 1582.—Ordains James Syme (Boxmaster) to give the witch in the Tolbuith eight doits¹ in the day.

Absent Elders to be fined.—August 13, 1582.—Whilk day it was ordained, with hail consent of the Elders that were present, that every elder that comes not on Monday next, being within the town, or any other day appointed as ordinary hereafter, shall pay two shillings (Scots, or 2d. sterling) to the poor; and behind the hour (too late) twelve pennies (1d.)²

A cruel Husband.—September 10, 1582.—Compeared David Gray's wife, and complained upon her husband that he kept not his own house, but was an adulterer with Donald Thomson's wife, and when she was reproving him (for) being in Donald's house at midnight, and before sundry neighbours, he came home immediately thereafter, and bound her hands and feet, and took the stenchell of ane window, and laying her on ane stool, broke her legs, arms, and shoulders, which she shewed before the Assembly, and the neighbours testified. He is ordained to be warded, and sustain an inquest of neighbours.³

¹ Eight-twelfths of a penny sterling.

² Three of the Elders were fined for non-attendance on the 20th of August, and five on the 3d of September.

³ This man, who was a miller, and a female paramour, were executed for adultery two years afterwards. MS. Registers by Mr Scott.

Pauper authorized to collect Alms.—November 12, 1582.—(The Kirk-Session) ordains John Jack (one of the church deacons) to go through the town with John Scott to get support to him.

Punishment of licentious Persons.—November 20, 1582.—Ordains John Ronaldson, having (in custody) fornicators, to put every one of them in a sundry house in time coming, to give them (only) bread and small drink, to let none of them come to the nether window; and when they come to the Cross-head, that they shall be fast locked in the irons two hours, their curchies¹ off, their heads and their faces bare, without a plaid or any other covering, under the pain of trusell (loss) of his office.

Interment of a Suicide.—December 3, 1582.—Whilk day the friends of William Fary, who drowned himself at the head of South Inch in the Water of Tay, coming to the Minister and Elders convened together for the time in their revestry, and desiring licence at (from) the Assembly to bury the said William in the Greyfriars', which is the burial appointed for the faithful that depart in the fear of God: the Assembly answered with one voice that they would not suffer him to be brought through the town in day light, neither yet to be buried amongst the faithful in the place appointed for their burial, but ordain that he shall be buried in the Little Inch² within the water, and this to have the voice of an act to all such like persons in all time coming; and assuring all, that if any contravene the same, the dead shall be taken up again, and the contraveners hereof shall make their public repentance on the seat, and thereafter shall pay L.10 (Scots, or 16s. 8d. sterling), to be given to one of the deacons, that they may distribute it to the poor.

Absence from the Preaching on Sunday punished.—January 8, 1582-3.—Whilk day the Ministers and Elders being convened, it was ordained that an elder of every quarter (district) shall pass through the same every Sunday in time

¹ This evidently refers to females. A *curchie* signifies a kerchief, or covering for the head, formerly worn in Scotland by women instead of a cap or *mutch*.

² An islet in the Tay near Perth, east of the present Penitentiary, between it and the river.

of preaching before noon, their time (turn) about, and note them that are found in taverns, baxters' (bakers') booths, or on the gates (streets), and dilate them to the Assembly, that every one of them that is absent from the kirk may be poulded for twenty shillings (1s. 6d. sterling) according to the Act of Parliament.¹ *January 15, 1582-3.*—Whilk day it was ordained that the Elders of each quarter go through the town on Sunday next, according to the former Act.

An incorrigible Offender.—*January 29, 1582-3.*—Whilk day Jean Thornton² being accused, first, for her absence from the stool of public repentance on Sunday last; secondly, for slandering of honest men and women in this town, alleging them more guilty of adultery than she was; thirdly, of evil speaking on the stool of public repentance on the day of (the) Fast observed in this town; fourthly, of fearful execrations used by her the night the bridge fell.³ She denied the whole except the first, viz. her absence from the stool, at which time she was sick, as she alleged: nevertheless the Assembly shall take to prove the rest of the points of her accusation this day eight days. *March 18, 1582-3.*—Whilk day the Minister and Elders being present, it was ordained that the act made in James Smith's (reader) time against Jean Thornton should be put in execution both against herself and her cautioner, for her wicked and ungodly slander committed against Matty Guthry anew against her promise.⁴

¹ Act 8, 1579. Acta Parl. Scot. vol. iii. p. 138. This practice of the Elders perambulating the streets on Sundays, and apprehending all persons who were absent from the sermons, was long kept up in the towns. Mr Scott says that it was continued in Perth till the date he assigns to his transcript of the Kirk-Session Register, which was November 1775.

² This abandoned woman, who was the wife of Oliver Peebles, one of the Bailies, confessed herself to be the paramour of Henry Adamson, already mentioned, who was subsequently murdered by the said Peebles. She occupies a prominent place in the Kirk-Session Register, and gave the Elders an infinitude of trouble, but the proceedings against her for criminal intercourse with Adamson, which, however, he denied, are too indelicate for publication.

³ Five "bows" or arches of this bridge, a former wretchedly constructed edifice over the Tay at Perth, fell on the 14th of January 1582-3.

⁴ This was rather a delicate affair for the minister, Mr Patrick Galloway, the successor of Mr John Row, who had died on the 16th of October 1580. Mr Galloway was about to be married to the lady familiarly designated "Matty Guthry," and Jean Thornton, who was a most desperate character, had propagated some scandal derogatory to that lady's good name. Under date, April 21, 1583, the following is recorded—^a Whilk day Mr William

Child-Murder.—The same day John Ronaldson recorded that about the same time of year, when Janet Paul's bairn was born, as is alleged, Nicol Ronaldson making John Killoch's grave found one dead new-born bairn yearded not an hand-breadth under the earth, without his or Nicol's knowledge.

Diseased Persons.—July 15, 1583.—Ordains the officiar to dispatch off the town all lepers, commanding none to receive them under the pain of L.20 (Scots, or L.1, 13s. 4d. sterling); and he to have half a merk (6d.) and his helper to have forty pennies (3d.) for their trouble.

Fine for refusing to collect Alms for the Poor.—July 22, 1583.—Ordains every one that is warned by the officiar to collect the poor's alms, and collects it not, to pay ten shillings (10d. sterling).

Inefficient Precentor.—July 29, 1583.—Ordains John Swinton first to keep the tenor in the psalm (singing); secondly, to help and sustain his bairn; under pain of deprivation of his office.

Distribution of Alms by James VI. at Perth.—August 5, 1583.—The distribution of alms by the King's Majesty at Perth the 3d of August, extending to the sum of L.22, 13s. 8d. (Scots, or L.1, 17s. 9d. sterling).¹

Bellman deposed and re-appointed.—December 16, 1583.—Whilk day, forasmeikle as Nicol (Ronaldson), bellman, is found not to ring the bells in comely order to the preaching and prayers himself; next, that after the bells ringing neither he nor his son is present to keep the kirk from bairns, dogs, and tumults; third, that he furnishes not the

Rynd, minister at Kinnoull, and the Elders (of Perth) being present, compeared Mr Patrick Galloway, Minister at Perth, and Matty (Martha) Guthry, and desire their banns to be proclaimed. Cautioner for him (Mr Patrick Galloway) John Peebles; for her (Martha Guthry) Oliver Peebles (the husband of Jean Thornton!) Term (of marriage to be) midsummer." This marriage is altogether overlooked in Wood's edition of Douglas—his *only* wife, according to the statement there given, having been Mary, daughter of Mr James Lawson, also a minister of Edinburgh.

¹ This was after the celebrated Raid of Ruthven, or the successful attempt to secure the person of James VI. by several of the Nobility at the castle of Ruthven, now known as Huntingtower, though the King afterwards escaped, which led to the conviction and execution of the first Earl of Gowrie. The sum was divided among eighteen persons, one of whom was "Sir Alexander Cock," described as curate of Perth before the Reformation. Mr Cock must have been in very desperate circumstances when he required the *eighteenth part* of L.1, 17s. 9d.

lights as he is charged, and so fails in every point of his office ; therefore presently the Minister and Elders deposed him from his office. But nevertheless, because he is of age (old) they admitted him *de novo*, provided he find sufficient caution to observe the premisses, otherwise he shall be *simpliciter* deposed without any farther indulgence, and the thesaurer shall be discharged to answer him of his yearly duty for his service. In the meantime ordains him to be warded, till he find caution to perform the premisses, as said is.

Discipline enforced.—December 22, 1583.—Whilk day, forasmeikle as no order can be had with harlots and disobedients to the voice of the Kirk, it is ordained that an Elder of ilk quarter pass to the Bailie thereof, and see the ordinances put to execution ; that is to say, for the north side of the High Gate (Street), Andrew Johnstone ; for the south side thereof, Andrew Malcolm ; for the quarter beneath the Cross, Oliver Peebles ; for the South Gate (Street), Mr William Cock, Reader ; and they to report their answers on the Assembly-days thereafter immediately following. *Same date.*—Whilk day, forasmeikle as Margaret Smith, spouse to George Hunter, absented herself from the kirk in time of sermon this year bygone, but especially in the time of public fasting, therefore she is ordained to pay L.3 (Scots, or 5s. sterling) for her absence commonly from the kirk in time of preaching, and other L.3 for her absence from the kirk in time of fasting ; and to be warded till she find caution, under the pain of paying of the extremity of the Act of Parliament made thereanent if she be found absent in any time coming ; who found John Donaldson, tailor, cautioner for the same, George Hunter, her husband relieving him as he promised to do : and further promised to give the sum laid to her charge, whensoever she should be required thereto.

Chandelier of the Weavers' Seat.—January 6, 1583-4.—John Lamerkin, deacon to the websters, being inquired why he found not light to the websters' seat, answered—It was because the wind coming in at the south kirk door suffered them not to shew light ; and offered willingly L.3 Scots, or 5s. sterling, to change the same that their lights may burn.

Alteration of the Proclamation of Banns.—January 6,

1583-4.—Whilk day, forsameikle as ane great abuse and slander have arisen through the convening of multitudes, and through banquets in time of contracts and banns of marriage given up before the Kirk, it is ordained that no contracts of marriage should be received on the Monday in time of Assembly, but that any day or hour of the day the parties to be contracted, with their parents, or any two nearest of their kin, their parents being dead, or any of them, pass to the Minister's chamber, or any other place assigned to them by the Minister, and there, before the Minister and two Elders, give up their banns; and thereafter that the two nearest of the kindred of the parties contracted come on Monday immediately thereafter following, and there, in presence of the hail Assembly, ratify the contract foresaid, and there act themselves, under the pain of L.10 Scots (or 16s. 8d. sterling), each one of them, that the banns given up, as said is, shall be performed within forty days thereafter following.

A violent Son-in-law.—January 20, 1583-4.—Whilk day compared Walter Bog, and being accused of cursing and biting of his mother-in-law to the effusion of her blood, and by the testimony of three honest men admitted and sworn witnesses convicted of the same, he was ordained by the uniform consent of the Minister and Elders to satisfy the Kirk in fulfilling the hail points of repentance prescribed in the Book of Discipline¹ to an adulterer or homicide; and publicly to crave pardon of his mother-in-law in presence of the hail congregation in the kirk, and in the common Vennell, where he committed the offence, and to pay a certain penalty to the poor: And further, desire the Bailies and civil magistrate to take order with him for punishing his person civilly, in respect his offence and fault is judged by the Book of God heinous and worthy of the dead (death), as well as an adulterer or homicide: And, moreover, that his father provide for him hereafter, that he be not found to molest her by word or deed, which, if it be done, his father and he both shall be subjected to ecclesiastical and civil censures extremely. And ordains this act to have place in all such like crimes, and to be extended alike on all such persons.

¹ The First Book of Discipline, compiled in 1560.

The Communion to be administered twice in the Year.—March 16, 1583-4.—Whilk day the Minister and Elders being present, it was ordained that the celebration of the Holy Communion should be twice in the year, viz. in March and in September, and this to be observed in all time coming.

Commutation of Punishment.—March 16, 1583-4.—Forasmeikle as Duncan Finlayson had not fulfilled nor entered to his repentance, neither yet paid forty shillings (3s. 4d.) to the poor, as he was ordained, for dispensation both from ward and from the Cross-head, it is ordained that the Bailies receive an ordinance to put him in ward till he pay the said forty shillings, and thereafter find caution to perform his repentance.

Deposition of the Bellman.—March 23, 1584.—Whilk day, forasmeikle as Nicol Ronaldson is not able himself to ring the bells in the steeple to preaching and prayers, and John Ronaldson, younger, who rings the bells under his father, neglects oftimes the ringing of them, and other times rings them unorderly; it is ordained that the said John desist hereafter in all time coming from the ringing of the bells, and it is ordained that Nicol's eldest son, named John Ronaldson, also ring the said bells in all times, because he does diligently await thereon, and has rung them since his entry in due time.

Insulting the Minister.—March 30, 1584.—Whilk day the Minister accusing Thomas Anderson, alias Turner, before my Lord Gowrie and the Elders for interrupting of the Psalms and speaking in time of sermon, and after sermon immediately calling his Minister (Mr Patrick Galloway) a *drunken minister*; he declined from the judgment of the Minister, because he was a party, unto the Presbytery; yet he giving injurious talk to the Minister, was commanded by my Lord Gowrie to be put in fast ward till he find caution to answer to the Kirk.

Baptism of an illegitimate Child.—July 7, 1584.—Whilk day Robert Combshank, having referred it to Janet Grant's oath whether the bairn she had born was his, and she having sworn that it was his only, he took with the bairn, and desired baptism to it, which desire was granted, providing he and she should find caution to satisfy the

will of the Kirk. He procured George Mathew to be cautioner for him, and Mr Henry Anderson to be cautioner for her, so the bairn was baptized in presence of the Elders and the congregation.

Marriages and Baptisms.—October 25, 1584.—It was ordained that the contracts of marriage should be received only on ane Monday, which is the day of (the) Assembly. Forasmeikle as sundry poor desire to (have leave to marry) in landward, because they have not to buy their clothes nor to make bridals, it was ordained that marriages should be as well celebrated on Thursday within our parish kirk in time of sermon as on Sunday; and hereafter no testimonials shall be given to marry a landward. It was also ordained that no bairn should be baptized of a preaching day, except the midwife deponed on her conscience that the bairn was weak to whom the parents desired baptism.

A Married Woman bound to good Behaviour.—March 29, 1585.—Compeared Isabel Wenton, and found John Wenton cautioner under the pain of L.100 (Scots, or L.8, 6s. 8d. sterling), that she should keep preaching and prayers in all time coming, especially on Thursday and Sunday; second, that she should live in peace with her neighbours, especially with Walter Elder and his servants; thirdly, that in all time coming she should be obedient to her husband, according to God's commandment; and John Elder her husband received her again, and obliged himself to relieve the said John Wenton.

The Bailies of Perth threatened with Excommunication.—August 30, 1585.—Present the Minister (Mr John Howison), Adam Andersou, William Hall, Thomas Cock, Andrew Stoup, Duncan Robertson, Constantine Melice, and John Strathmiglo. Forasmeikle as through the negligence of the Bailies sundry were not punished that contemned the Kirk, and the ordinances thereof, therefore the Assembly with one voice ordained the Minister to proceed with admonitions before excommunication against the Bailies, in case they put not the King's Majesty's Acts of Parliament to execution against Thomas Smith on Saturday next, and in all time coming against all such public offenders. And that the Bailies may be foreseen of this ordinance, the Assembly ordains Dionysius Conqueror and John Robertson to speak

(to) them, and to report the Bailies' answer to the Minister on Thursday next, that in case they do their duty he may stay to proceed, otherwise that he give his first admonition on Thursday next to come; and, in case of disobedience, on Sunday next come eight days to excommunicate them without any farther delay. And this Act to have place, not only against the Bailies present, but in case their successors Bailies do not do their duty, that in like manner the Minister of this congregation shall proceed against them, that good order may be observed within our burgh, and the Kirk may get obedience.¹

A Matrimonial Quarrel.—July 12, 1585.—Forsameikle as Eupheme Tully bruits her husband James Sym of adultery, and the Session for not punishing him, it is ordained that she either accuse him, or else she cease to bruit either him or the Session: and that she give her answer, which she promises to do this day eight days.

Keeper of a Disorderly House.—July 12, 1585.—Forsameikle as Kirstian Ochiltree is bruite to keep ane bordell, whilk she denied, it is ordained that an assize shall be summoned again this day eight days, that trial thereof may be had.

Aliment to a Man and his Family suspected of Disease and confined to his house.—July 12, 1585.—Forsameikle as William Ronaldson, having ane great household of bairns, is inclosed as suspected of infection, it is ordained that Nicol Blair, deacon, shall give him half a merk (6d.) till this day eight days.

Punishment of Refractory Persons.—July 12, 1585.—

¹ This threat of the Presbyterian Kirk-Session, which Mr Scott "admits has a good deal of the appearance of an act of ecclesiastical tyranny to be exercised over the civil magistrate," seems to have operated successfully with the delinquent Thomas Smith, whose crime was licentious intercourse with various women named in the Register, the result of which was the birth of several illegitimate children. On the 5th of July he was ordered to be "warded, shaven, and ducked, according to the Act of Parliament," but he contrived to escape out of prison, which excited the wrath of the Kirk-Session. The threat to excommunicate the Magistrates on the charge of conniving at his escape made him forthcoming on the 6th of September, under which date it is recorded—"Compeared Thomas Smith, and having satisfied the Acts of Parliament, submitted himself humbly to the Kirk, lamenting his stubbornness, and promised to satisfy whatsoever the Kirk would lay to his charge."

Forsameikle as Thomas Malcolm, baxter, and Margaret Oliphant,¹ were oft and divers times personally warned to come before the Assembly and satisfy the Kirk for their offences, and compeared not, but still remain obstinate; therefore the Elders, presently convened, ordained Mr John Howyson, Minister, to admonish them before excommunication, except (dissenting) Dionysius Conqueror and William Hall.

Parties before Marriage to give Oath of Purgation.—July 26, 1585.—It was ordained that all persons that were to be married should give their oath the night before; and if they refused to do it, that they either should pay forty shillings (Scots, or 3s. 4d. sterling), or to make their repentance public on the stool; and this to be done before the Reader and two Elders.

Disobedient Persons to be Fined.—July 26, 1585.—Whilk day it was ordained that ilk person that is warned before the Assembly to compear, and compears not, shall be puinded for the first fault of half a merk, and the said half merk to be doubled *toties quoties* they be warned to compear, and compear not.

Observance of the Sabbath.—September 13, 1585.—Forsomeikle as sundry resorted in time of sermon to taverns and ale-houses, and came not to kirk as became Christians, therefore it is ordained that ilk taverner or ale-seller that sells wine or ale in time of sermon shall pay twenty shillings (1s. 8d. sterling); and also all that resort to taverns or ale-houses, and are there apprehended, shall pay ten shillings (10d. sterling); and that this penalty shall be taken from the contraveners of this act as oft as they are culpable thereof.

Promise of Marriage and Scandal.—December 9, 1585.—Whilk day compeared John Wood, burgess in Perth, and gave in before the Elders ane bill against John Young, tailor, alleging that the said John Young has made ane promise of marriage to Agnes Wood, his daughter, upon the whilk, as the common voice of the town was, carnal dealing followed;

¹ On the 15th of August, 1585, Mr John Howison reported to the Kirk-Session with "grief and dolour of his heart," that he had excommunicated Margaret Oliphant for improper intercourse with James Monipenny, burgess in Perth.

and so, notwithstanding, the said John Young intended to marry Janet Mar, it was not lawful nor liesome to him to do the same by reason of the foresaid promise; desiring the Assembly for God's cause to take order with it. The Assembly, therefore, willing to take trial in this matter, with the advice and good will of John Wood, referred the matter to John Young's oath. He, not being resolved with himself at this present, refused to swear and give his oath. The Assembly, therefore, granted him licence till Monday next, to advise with the heads of the bill, and then to give his answer, which he promised to do. *December 13, 1585.*—Forsomeikle as John Young took to advice with his oath on Friday last till this day, and now being charged to give his oath, and would not, therefore the Session take till Monday next, to advise with the pronouncing of their decret: ordaining John Young's intended marriage with Janet Mar to stay (delay) till their decret be pronounced. *December 20, 1585.*—Whilk day the Session, understanding by the several trial of John Wood and John Young, that there was some conference betwixt John Wood on the one part, and John Young, and his father and his brother, on the other part, anent the marriage of John Young with Agnes Wood; notwithstanding that this day was appointed by the Session to pronounce their decret in the foresaid action, yet they still demanded of John Young whether he would swear or not that he made no promise of marriage to Agnes Wood, as was alleged by her father. He refused to do the same, but remitted the same to John Wood's oath, who deponed as follows—That the said John Young made a promise of marriage to Agnes Wood, his daughter, before his own father, his brother, and George Wood, and John Wood, in John Wood's own house; and it was agreed upon that John Young should receive of John Wood with his daughter three hundred merks (L.16, 13s. 4d. sterling), one hundred merks' (L.5, 11s. 1d. sterling) worth of plenishing to his house, and eighteen merks (L.1 sterling) yearly out of the house where Marcus Hynd remains at the Bridge-End: and the said John Young took Marcus Hynd's penny for the yearly payment of the said sum, and gave down to Marcus Hynd two merks (2s. 2d.) of the said eighteen merks. The first part being proven of John Wood's bill,

the Session demanded at John Young if he would swear he had no carnal dealing with Agnes Wood? He refused also to do it. Therefore, because the matter was weightier, they took till Monday next to advise with the pronouncing of their decret, ordaining John Young's marriage to stay ay and until their decret should be pronounced. Compeared Kirstian Justice, daughter to umquhile Justice, and alleged ane bill that John Young had made promise of marriage to her, upon the whilk they had carnal dealing together, and she had born ane bairn to him; yet because she could not prove the promise, but was made under blanket, the Kirk (Session) would not acknowledge it, but ordained John Young to appoint with the said Kirstian betwixt this and this day eight days at the sight of Mr Thomas Macgibbon and his own father, who promised to do it, and report an answer this day eight days. *December 27, 1585.*—The Session ordained John Young to send to John Wood, and to agree with him betwixt this and Monday next, and to report an answer, that they may decern in his action according to the determination of God's Word. And as concerning the matter betwixt him and Kirstian Justice, because she remitted her part to the discretion of the Assembly, they ordained John Young to give to the said Kirstian instantly ten merks (11s. 1d. sterling) money, and to take the bairn from her, and sustain it in all time coming, and to bring it up in God's fear.

Begging prohibited.—January 3, 1585-6.—Ordains the bellman to take tent (care) that no person that receives weekly alms beg at the kirk door, but to admonish them to desist from begging, and if they will not obey, to advertise the Kirk (Session) that their (weekly) alms may be discharged.

Excommunicated Females.—January 10, 1585-6.—Thomas Monypenny is admonished for the first time to debar Jean Thornton from his company because she is excommunicate. Alexander Anderson is admonished for the first time to debar Margaret Watson from his house and company, because she is excommunicate.

No Marriages on Sundays.—January 10, 1585-6.—The Assembly discharges all marriages to be made on Sundays in the morning in time coming.

Refusal to Marry.—January 10, 1585-6.—George Low, being demanded why he would not accomplish his marriage with Margaret Gall, seeing the tyme is past long syne? answered, That if the said Margaret would let him see his gear (that) he delivered to her, he is willing to marry, and accomplish his promise, at the sight of the Assembly. Therefore the Assembly appointed Thomas Gibson and Oliver Craigie (Elders) to see the gear brought before the said George Low according to his desire, and they to report their answer this day eight days.

The Kirk-Session outlaw the young Laird of Luncarty.—March 14, 1585-6.—Ordains Luncarty, younger, because he has been warned personally at his dwelling, and sundry other places, compear before the Kirk, whereunto he has obstinately and contemptuously rebelled, that he have no benefit of the land untill the day that he makes his obedience unto the Kirk. This likewise to be published openly, and given to the Bailies for this effect.¹

Marriage Contract dissolved.—April 11, 1586.—Forasmeikle as the hail Assembly, foreseeing the great inanimicity and mutual contention that is able (likely) to arise betwixt George Low and Margaret Gall if they be joint in marriage, and for avoiding all slanders and evil bruits that are to arise hereon, to the defame and slander of the congregation, do, with consent and assent of both the parties, absolve and make free the one of the other in all times, so that they may use themselves under the fear of God, as becomes true Christians, in all time coming at their own pleasure.²

Insult to Lady Monzie.—April 25, 1586.—Whilk day

¹ Mr Scott, in his MS. notes, with great simplicity observes on this act of the local tyrants—"Thus was the young Laird of Luncarty outlawed by an edict of the Church-Session. Perhaps a Church-Session never was guilty of such an exertion of civil power before or since that time. The surname of the Lairds of Luncarty at that period was Pitscottie." The case of the young Laird of Luncarty, the designation of a celebrated locality near Perth, was not the only one. On the 21st of March, seven days after Luncarty's formal outlawry the Kirk-Session summoned the Laird of Inchmartine before them, "betwixt this and Monday next, and failing hereof the charges to be used." In both cases the offences are not stated.

² Each paid the fine for breach of contract of marriage, which amounted to 16s. 8d. sterling. This seems to have resulted from the "gear," or presents of Low to his betrothed, which she refused to exhibit to him.

William Niving, webster (weaver), being examined and inquired if it was of verity the slander of Marion Rollock on the Lady Monzie, deponed as follows:—that the Lady Monzie and he being coming through the Water-gate, Marion Rollock, standing on her own stair, said to the Lady—“ Mistress, give me my wort-dish again;” and the Lady said—“ If I have your wort-dish, come to my house and ken it.” And Marion replied—“ Perchance ye will cut my tail from me above the tail as ye have done to others.”

Slanderers punished.—Same date.—Forasmeikle as John Macwalter and Alison Brice his spouse have been sundry and divers times called before the Assembly for troubling their neighbours, and especially for backbiting and slandering of Robert Dun and his wife, and of Malcolm Ferguson and his wife, and presently are convicted of the crimes laid to their charge by Robert Dun and Malcolm Ferguson; therefore it is ordained, first, that the said John Macwalter and his wife be put in ward until the time repentance be found in them for their slanderous life; secondly, they shall come to the place where they made the offence, and there on their knees crave pardon of the offence committed at the persons whom they have offended; thirdly, they shall pay a sufficient penalty to the poor, according to the act made against flyters; lastly, if ever they be found in word or deed hereafter to offend any neighbour, the bare accusation shall be a sufficient plea of conviction, that so the act made against flyters be extended against them, and finally to be banished the town for ever.

Private Funerals prohibited.—April 28, 1586.—The Assembly ordains that neither Nicol (Ronaldson), nor no other, bury either bairns or any other corpses without the advice of John Jack, bellman. And if Nicol be found contravening the same, as he has done divers times before, he shall be deprived of his office, and banished the town for ever.

Repair of St John's Church at Perth.—June 27, 1586.—Forasmeikle as the Minister and Elders perceiving the ruinous, pitiful, great, and lamentable estate of the kirk in all parts and places thereof, and the great decay that is able to incur thereon, and being deeply in heart and conscience angry therewith, they all in one voice, and with one consent, ordain

and by these presents ordain, the Minister to omit and leave his ordinary text and purpose whereof he preached of before, and desired him most earnestly to elect and choose some part and portion of Scripture which he thought most able and meet to move the hearts of the people, and especially the Bailies and Magistrates whatsoever bearing rule and authority in the said burgh, to provide that the same with all diligence may be repaired and mended in all honest and decent form; which failing, and being in no ways done, all shall return to ruin, to the great hurt and skaith of the common weill. Unto the whilks foresaids desires the Minister, perceiving their great zeal, heartily and willingly accorded in all points, as he was most zealous and prompt in performing their suit and desire in all points, according as they recommended, and farther, if possible were, to the furtherance of this godly enterprize.

Assault.—March 6, 1586-7.—Compears James Stewart, one of the poor of the Hospital, complaining on William Donyng, son to James Donyng, for striking and dinging of him. The said William is gently forewarned that if it shall happen him to commit the like in time coming, he shall be punished condignly therefor; and this is ane gentle admonition to (on account of) his youth and young manners, and the first.

Unmarried Sisters not to live together.—March 20, 1586-7.—Ordains the two sisters Elspeth and Janet Stewart, that they be not found in the house again with their sister, but every one of them shall go to service, or where they may be best entertained (employed) without slander, under the pain of warding their persons and banishment of the town.

No Stables in the Church-Yard.—April 17, 1587.—Ordains that no stables be in the kirk-yard after Whitsunday; and if ever any be found there, the setters thereof shall pay L.10 (Scots, or 16s. 8d. sterling).

Maintenance or adherence of a Husband to his Wife enforced.—May 1, 1587.—Ordains James Walker to take two bairns from his wife, and sustain them in bed and board; and for the furnishing of his wife and the other bairn, to give her weekly forty pennies (3d. sterling), forty shillings yearly (3s. 4d.) for her house-meal, at two terms; or else adhere unto her as his wife.

Banishment of strong and idle Beggars.—May 8, 1587.—Ordains that the Bailies, Council, and Elders, convene their officers, and convene the hail poor strong and idle beggars on the Bridge of Tay, and every one to be put out at the ports: And if the porters be found to let them in again they shall be discharged of their office, and this to be done ilk eight days; and any who shall be found in the town to give them lodging shall pay forty shillings (3s. 4d.)

Attendance at the Thursday's Sermon compulsory.—March 22, 1587.—Seeing it becomes every particular person within a reformed congregation and burgh to resort to the kirk, the place of public preaching, for receiving of instruction, and strengthening of their faith in the truths of God, at all occasions, and especially at appointed times, and should not be drawn away by (any) other occasion during the said space of preaching: therefore, the Session understanding that there are sundry honest men and masters of sundry vocations found walking in the gates (streets), or abiding in their booths, thereby absenting themselves from sermon on Thursday, to the great slander of the Word they profess, while the rest of their godly neighbours are occupied in the spiritual service of their God: the Minister and Elders, therefore, with one consent, ordain that the Dean of Guild shall convene the brethren of his calling, as also every Deacon (of Incorporated Trades) the brethren of their callings, honest men and masters, and then charge them that every Thursday, which is the ordinary day of preaching, they shall leave the exercise of their own calling for that time of preaching, shall frequent the kirk, and with the rest of their godly neighbours give themselves to the hearing of the Word and the spiritual service of God; as also, that the Dean of Guild and Deacons shall, with common consent, appoint the penalty expressed in the Act of Parliament for breaking of the Sabbath-day to be taken up of the contraveners of this ordinance; and to this effect that a Notary be appointed by the Dean of Guild, and by every Deacon within their calling, for noting the contraveners, and collecting the penalties, to be distributed to the poor. And in order that this Act made may have civil strength, appoints Alexander Oliphant, James Adamson, and John Anderson, Elders, with the Reader, to present it to the (Town) Council, that

it may be ratified there.—“ Whilk day the Bailies, Council, and Deacons of Crafts, in this our burgh of Perth, being convened for the time, have ratified the Act and ordinance above written, so that the same may stand thereanent in all points as anent the Sabbath-day; and that every person, honest men and masters, may keep the ordinary preaching day, to wit, Thursday: and that the Dean of Guild and Deacons of Crafts shall convene their brethren for charging and revealing the Act above specified to them, so that the said Act above mentioned may take good success, and that they and their brethren may proceed through the town to the spiritual service of God.”¹

A Careless Husband.—June 21, 1587.—Elspith Cuthbert gave in a complaint on Malcolm Denis, because he entertained her husband in his house, and suffered him not to come to his own house, neither night nor day, nor to entertain his wife and house (family) as he should do, which was found to be very evil done: therefore the Minister and Elders ordained the said Malcolm never to suffer to come (into) his house, nor entertain him any ways to draw him from his own house; and in case he be found to contravene the same, and to fall in the said fact in times coming, he shall pay a penalty according as the Minister and Elders shall appoint.

A Sabbath-breaking Baker.—July 17, 1587.—William Shepherd, baxter, being called and accused for breaking of the Sabbath-day, confessed the same, therefore he was denounced in the penalty; and it was ordained, if ever he be found to set out his bread to sell in time of sermon, or any other time on the Sabbath-day, he shall be punished therefor in his person, and the Act made anent breakers of the Sabbath to strike upon him with all rigour. And this Act to strike on all others who shall be found breakers of the Sabbath in times coming.

Removal of Excommunication.—*Same date.*—Ordains Margaret Oliphant to enter on Thursday next to the repentance-stool in sackcloth, and to continue four days in that

¹ The practice of preaching a sermon in St John's church at Perth commenced in 1560, and is still continued, though attendance has, of course, long ceased to be compulsory. A Tuesday forenoon lecture was instituted some years after the date of the above Act, and it was regularly observed at Perth till the end of 1755.

form, till she be received (pardoned) ; and to stand at the kirk door until the third bell and prayers be ended in the said sackcloth, and the Elders of every quarter to await on her, and convey her to the said repentance-stool.

Counterfeit Certificate of Banns of Marriage.—July 31, 1587.—David Baxter being inquired of whom he had gotten the testimonial of proclamation of his banns, declared in presence of the Minister and Elders that he got it not from the Reader, nor knew any thing thereof till the night before his marriage, when he declared to Margaret Ruthven that if she would not get her testimonial, he would in no ways marry her if she would not be ready that night, so that all might be performed on the day after. She declared she was as ready as he was, and gave him this testimonial, which he neither knew, nor of whom she had received the same. *August 8, 1587.*—Ordains Margaret Ruthven to be warded, and to be retained in ward, ay and until she declare the writer of the feigned testimonial of the proclamation of her banns.

Sabbath Observance.—August 8, 1587.—Ordains the Sabbath-day to be kept, especially in the mills, fleshers' booths, and baxters' booths and bakehouses, under the penalty contained in the Act of Parliament against the transgressors of the same.

Sabbath-breaking Boatman.—August 18, 1587.—Ordains William Lessels, boatman, and his companions, how soon they come to town, to be warded, because against the ordinance of God and the Kirk, and the King's Acts, he did in time of preaching on Sunday afternoon loose his boat, to the great contempt of God and His ordinance ; therefore ordains him to be warded, and to pay a penalty to the poor, for an example to others not to contravene the same in times coming.

Profane Swearer.—*Same date.*—David Innes being found ane filthy speaker, to the blasphemy of God's name and ignominy of this reformed congregation, it is ordained, if he be found so irreverently in times coming to speak of God and His holy Name, that then the said David shall be banished the town for ever.

The Millers censured for violating the Sabbath.—September 11, 1587.—Forasmeikle as the multerers have been divers

and sundry times charged to compear before the Assembly for permitting their servants to occupy (labour) on the Sabbath-day, as well as on the rest of the week, and to hold their mills going to any that resorted to them, expressly against the Law of God, the Acts of Parliament, and ordinances of the Kirk made thereanent; and though Dionysius Conqueror with John Anderson duly appeared, and declared that for their parts they were willing to have the Sabbath kept, and promised that the ordinances should be obeyed; yet every Sabbath-day they (the millers) are found to continue in the said offence, to the dishonour of God, contempt of the King's laws, and ordinances of the Kirk: Therefore the hail Elders ordain that if, after this day, they be found on the Sunday to have their mills going, and if the hail office men come not to the Kirk they shall be punished, and the penalty taken up from every person contravening the said act, and likewise the millers and office men of the mills at Balhousie and Craigie to be under the like censure.

An incorrigible Dame.—Same date.—Forasmeikle as Bessie Glass, alias Kisunie, relict of umquhile William Fenton, has been sundry and divers times called in before us for her dishonest and unshameful behaviour, for speaking indecent and uncomely language, for singing of filthy and ungodly songs and ballads, for dancing and becking (curt-sying) on the streets before noble gentlemen and women, for coming to their lodgings, and there most shamefully abusing (exhibiting) herself, contrary to the duty of ane godly or well reformed woman, a member of this congregation, and for not behaving (employing) herself in any good calling, but rather in scoffing and beggary, by her inordinate jests, contrary to the command of God and His Kirk; as also, last, more especially (she) has in the mercat place of this town, and all other places where she did frequent, in her skoffrie unnaturally and ungodly injured and defamed, so far as lay in her, Mr George Ruthven, with many and divers opprobries and slanders, sufficiently proven by honest and famous neighbours within this town, called, sworn, and admitted to testify in that cause, which is found very untruly and dishonest, to the great contempt of God and of His Word, and greatly cried out against by the hail godly neighbours of this town. In respect of the which premisses the

Assembly present thinks and agrees that the said Bessie has given great occasion of slander to the Kirk of God, and merits condign punishment therefor; and ordains the Act made against flyters with all rigour to be put in execution against her: As also, if ever in time coming she be found so to behave herself unshamefully, and shall be apprehended contravening this Act, she shall be taken to the Bailies of the town, and for an example to all others not to do the like, most rigorously to be punished, and last of all to be banished the town for ever.

A Fast enjoined to continue eight days.—November 7, 1587. Appoints ane Fast to begin on Saturday next, and to continue until Sunday eight days thereafter at even, with great humiliation and prayer to God, that it would please Him to remove the plague of the pest from Edinburgh, Leith, &c., and to preserve us therefrom; as also, to preserve us from the pest of the soul, which is Papistry's ignorance, maintained presently by thir Papists and Jesuits new come in, who press to bring men under the thraldom of idolatry and ignorance, and from the true knowledge of Christ our Saviour revealed to us in His Word, and to embrace their superstitious rites and ceremonies, from which the Lord preserve us! And ordains this to be notified from the pulpit on Thursday next, that none incur ignorance hereof; that every one may address them to (or observe) fasting, to prayer, and humiliation, at the time appointed.

Jesuits denounced.—November 20, 1587.—Forasmeikle as God, by His holy Apostle John, commands that if any man come to the faithful, and bring not the doctrine of the truth with him, he shall not be received in house, neither shall any bid him *God-speed*, for he that bids him *God-speed* shall be partaker of his evil deeds; yet, notwithstanding, there are sundry persons of this congregation that receive in (their) houses Jesuits, avowed enemies to God's truth, and Papists, reasoners against the truth,¹ infecters of others, excommunicate, and traffickers for the subversion of the true religion, keeping familiar society with them, contrary to God's command, and to the great slander and infection of the congregation, where the truth first began

¹ This is rather a curious distinction between "Jesuits" and "Papists."

in this kingdom to be published, and to the subversion of the gospel and true religion betime, unless order be put thereto speedily: Therefore the Minister and Elders in one voice ordain that none within this congregation receive in house or lodging any such Papist or Jesuit in time to come, neither use any familiar society with them, till first they advertise the Magistrates and Ministers and Elders of them, that order may be taken with them in their proceedings, and may be moved either to recant their errors, and subscribe the Confession of Faith authorized and statute by the King's Majesty, or else suddenly to depart the town, under the pain of them and their ungodly proceedings, and partakers of their errors, and of being called and pursued therefor as enemies of God's truth, and of being compelled to make their public repentance, and of being subjected to further punishment for their ungodly doing. And this Act to be published by the Minister in pulpit the next Sunday after sermon, that none pretend ignorance: as also Adam Anderson and Andrew Malcolm, Elders, are ordained to present it to the (Town) Council, to be authorized there, and thereafter to be published at the mercat-cross upon the mercat day foresaid.

A Violator of the preceding Enactment.—March 4, 1587-8.—Whilk day William Fleming being called before the Assembly for resetting giving lodging and entertainment to the Laird of Fintry,¹ an enemy of God and religion, an avowed Papist and Jesuit, excommunicate for the same, a common trafficker for the subversion of the true religion, which was against the command of God, and expressly against the rule of His Word, and likewise against the Acts made by the King's Majesty, and Assemblies general and particular, especially against the Act of our own Assembly published from the pulpit and cross of this burgh—being herefore accused, answered—That neither for contempt of God, nor no good rule or act made by the King or Kirk, he did the same, but rather of negligence, because he was in company with the Earl of Huntly,² and received with his concurrence; confessing the same to have been ane fault, and promises never to do the like in times coming;

¹ Sir David Graham of Fintry.

² George Gordon, sixth Earl afterwards first Marquis of Huntly.

and in case he be found to contravene in times coming, the penalty contained in the Act to strike on him, all excuse being put aside; which fault the Minister and Elders oversee at present, in hopes of amendment.¹

The Incorporation of Fleshers rebuked.—April 5, 1588.—Whilk day the haill fleshers being called before us, and accused for breaking of the Sabbath, and for being profaners of the Lord's table, swearers, and banners, and common bargainers, all confessed themselves guilty hereof. And because the Minister and Elders perceived them who were obstinate, especially Andrew Johnstone, and all the rest of the craft, to submit themselves to the will of the Minister and Elders; therefore the Minister and Elders suspended the judgment and rigour of the sentence which their faults required at this present, in hope of amendment. And in case any of them be found to contravene in times coming, the penalties contained in the Acts of Parliament anent such offences with all rigour shall be extended upon them, and that as oft soever as they be found culpable of the same.²

An unnatural Mother.—January 19, 1588-9.—Compears Nicholson Brown, after long inquisition heard and taken of her negligence and sloth towards her young infant bairn, of herself freely confessed that the bairn perished through her negligence; therefore she is ordained on Sunday next, in linen clothes, to make her repentance herefore, and in time of preaching to be put in the repentance-stool.

Alleged ignorance of Religion.—April 27, 1589.—Ordains John Hunter, maltman, this day eight days to be present, to give ane confession of his faith, because it is reported by

¹ Mr Scott mentions that William Fleming above mentioned was the nephew of the Lady of the Lord Chancellor Maitland, who married Jane, only daughter and heiress of James fourth Lord Fleming. Thomas Fleming, father of this William Fleming, was an illegitimate son of that Nobleman.

² The repentance of the Incorporation of Fleshers of the "Fair City" was either very evanescent or gross hypocrisy, for on the 15th of April, only ten days afterwards, they again pleaded guilty to a precisely similar charge, but were dismissed with the same threat of punishment. They appear to have been peculiarly contumacious, and on the 21st January 1588-9, cognizance was taken of them by the Kirk-Session for "not keeping the Sabbath, nor resorting to their own proper place as becomés"—meaning their pew or seat in the parish church.

the Elders that he is ignorant of the Belief (Apostles' Creed) and (Ten) Commandments.

Spaniards and others.—May 18, 1589.—Ordains the porters¹ to suffer no Spaniards, nor no other idle vagabonds or beggars whatsoever, to come within the town. And these that are presently within the town, that incontinent they go furth of the same, and dispatch themselves. And in case the porters let them in, that they (the porters) shall be *simpliciter* deprived of their office, because they have been divers times admonished for keeping of the ports. And in case any receive or lodge any Spaniards or beggars as said is, being let in by the sloth and negligence of the porters, they shall pay the penalty of twenty shillings (1s. 8d. sterling) for ilk person of Spaniard or beggar foresaid received. And that none pretend ignorance, ordains John Jack, officiar, to intimate the same to the porters, and these that have entertained them before.²

The "tender mercies" of the Kirk-Session of Perth.—June 2, 1589.—Ordains Janet Maoduff to be taken and presented on the Cross-head on Saturday next, there to remain fast in the irons from ten hours forenoon until twelve, with ane mitre (!) on her head, and writing of infamy; thereafter to be banished the town for ever, and in case she be found in the town again, to be burnt with the town mark on the cheek. And if any neighbours receive her in lodging in times coming, or any otherwise to entertain her, they shall pay forty shillings (3s. 4d. sterling).³

Theatrical Representations allowed conditionally.—June 3, 1589.—The Minister and Elders gave licence to play the play, with conditions that neither swearing, banning, nor any scurrility, be in it, to be ane offence to our religion which we profess, and ane evil example to others. And in

¹ Keepers of the city gates.

² The Spaniards denounced by the local tyrants of the Kirk-Session of Perth were the unfortunate crews and soldiers of the Spanish Armada, some of the ships of which were wrecked on the coasts of Scotland. Mr Scott in his MS. notes justly observes—"The barbarity of the above Act disgraces the memory of the members of Session at the time, though perhaps they might have been found fault with by some blind zealots if they had not made a shew of want of compassion for the poor wandering shipwrecked Spaniards."

³ The offence of this woman is not stated.

case any be in the same, or any person add any of the same, by the register of the play itself, ordains him to be warded, and to make his public repentance.

Lord Sanquhar.¹—July 28, 1589.—Forsomeikle as there is ane great bruit and slander arisen within the town of the uncomely behaviour of Janet Justice, that is to say, that she is ane common pandrouss betwixt my Lord Sanquhar and Margaret Ireland, now presently in Henry Adamson's house, besides the great suspicion of herself with the said Lord or his servants, by resorting there at ten, eleven, or twelve hours at even, which is uncomely, and greatly cried out against by the hail neighbours of this town: she being called, compeared, and being inquired if she was pandrouss, as said is, confessed that by my Lord she was desired to go to Margaret Ireland that he might have conference with her, which she refused, and as touching his resorting to her house the times and hours foresaid, granted the same, but upon no evil intention, but because she was his laundress. Therefore, the same being thought very suspicious in her person, she was commanded and admonished not to use (do) such things in time coming, nor to have her house open to any persons at such times in the night, nor use no suspicious company, otherwise it should be holden and repute as fornication, and she to be punished.

The loam of a Bell-Rope.—August 11, 1589.—Whilk day Nicol (Ronaldson), bellman, being called for not ringing the curfew and workman's bells at eight hours at even and four hours in the morning, according to the custom and use, answered, that David Mar had taken away the tow (bell-rope) to the Bridge-of-Earn. Therefore ordains Robert Anderson and James Adamson to intimate the same to the (Town) Council, to cause the said David hing up the bell-tows again as good and sufficient as they were when he took them down.

The Magistrates ordered to attend the week-day Sermons.—*Same date*.—Seeing there are many and divers enormities

¹ The Lords Sanquhar, ancestors of the Earls of Dumfries, were then proprietors of the lands and barony of Kinnoull near Perth. This Lord Sanquhar was apparently Robert Crichton, sixth Lord, who was executed at the Palace Gate of Westminster on the 29th of June 1612, for killing one Turner, a fencing-master.

done in time of preaching within the kirk, and about the same, with (by) bairns playing and crying in time of preaching in the kirk-yard, it is ordained that the Bailies keep (appear in) their own appointed seats on the preaching days, that the Minister may intimate to them such things as are to be done. And in case they be absent, to be nominate by their names to come to the same the next day, and then, in case of absence, publicly to be reprov'd (!) And likewise that the officiars wait on the Bailies, and keep the preaching as said is, otherwise to be punished as breakers of the Sabbath, as an example of all others not to do the like.

Playing at the Butts during Sermon.—September 15, 1589.—Forasmeikle as William M'Dill, son to Andrew M'Dill, ane burges of Perth, being accused of breaking and over-leaping the Greyfriars' dyke in time of preaching, to have access to the Butts, ly (opposed to) all kind of good order, and especially at such time when the rest of the town were at the preaching serving God; he confessed the same, and in hope of his amendment in times coming, the rigour of his punishment was suspended, with certification that if he do the like in time coming, he shall incur such punishment as shall be enjoined to him by the Minister and Elders.

Fast for King James VI.'s matrimonial voyage to Denmark.—October 28, 1589.—Forasmeikle as it stands with the Word of God, and with every one's bounden duty, to be instant in prayer for the King's Majesty, praying God to send him ane happy voyage through the sea, and ane joyful returning to this country again with his Queen and hail company—it is thought good, as the custom and form of all Scotland, to whom word of his departure is come, that Sunday next, and all other Sundays as shall be thought meet, ane fast shall be kept; and that the same more solemnly to be done, no marriages to be used (allowed) in the time.

False Accusation of Witchcraft.—November 2, 1589.—Forasmeikle as this day was assigned to certain honest neighbours of Tirseppie¹ to be present, and of their conscience to declare whether it was true that Guddal, spouse to Richard Watson, was ane witch, as John Watson then alleged, or what evil likelihood they saw in her—Walter Watson, John

¹ A small hamlet to the east of the road from Edinburgh, where the first view of Perth is obtained coming from the south.

Cowing, George Scott, James Scott, being inquired severally, as they would answer to God, what they knew, altogether agreed in one, without contradiction, that they saw never such things into her whereby they might suspect her of the same, but that she was an honest poor woman, who wrought honestly for her living, without whose help her husband, Richard Watson, would have been dead, who was an old aged man: therefore the Minister and Elders ordain the act of slander to be put in execution against the said John Watson, and Helen Watson his daughter.

Superstition.—December 1, 1589.—Whilk day Violet Brown, spouse to Alexander Moncreiff, flesher, compared as she was warned to this day, and was accused for *turning of the riddle with shears* (scissors), ane point indeed of witchcraft and devilry against God's Word, and that for wanting of a crown of gold of an young man's within her house. She denied the same, but that, she said, only through dolour of her heart for want of the same,—“ If it were either betwixt hell or heaven she should have it.” For the whilk cause foresaid John Hutton, flesher, was called, and accused, and confessed that he was in Alexander Moncreiff's house when the young man came in and delivered the gold to the said Alexander's wife, and likewise when he missed and wanted ane piece of the said gold; for the whilk the said Alexander's wife said she would turn the riddle, but did it not.

Profligacy.—January 12, 1589-90.—Forasmeikle as Henry Arnot, being called, was present, and was accused for his breaking of the Sabbath, blaspheming of God's name, slandering of his neighbours, and singing of filthy and ungodly songs. He confessed the same, and promised never to do the like in times coming; upon the which promise the rigour that such faults required was suspended.¹

Queen Anne's visit to Perth.—June 21, 1591.—Ordains for keeping order in the kirk at the Queen's Majesty's entry, Robert Mathew, Walter Gray, John Pitcairn, James Mercer, Andrew Wilson, Elders, to have the oversight and keeping

¹ Mr Scott, in his MS. notes, indignantly says of this leniency—“ I confess I would have insisted more strenuously for that man to make his public repentance without dispensation, than for any of the fornicators who were daily forced to submit to it.”

of the door, that no tumult may be made. *June 28.*—This day the hail town being occupied in the preparation for the Queen's Majesty's entry in this town, the Assembly was not holden.

Public Repentance for Sabbath-breaking and reviling the Magistrates.—November 29, 1591.—Whilk day the Minister and Elders understanding that Andrew Johnstone¹ has broken the Sabbath, and likewise contemned the special and civil magistrates by his light speeches; ordains him to pay thirteen shillings four pennies (1s. 1d.) to the poor, and also to make his repentance on Sunday next, under the pain of excommunication.

Public Prayers on Saturdays.—*Same date.*—Ordains that prayers may be said on Saturday in the morning hereafter, and the bells to be rung as on other days for the collecting the people to the same.

Superstitious observances at Christmas.—March 20, 1591.—Forasmeikle as the Minister and Elders have had experience and practice of the abuses that fall out in the time of Yule, with the slanders that arises hereof, besides the evil example that it furnishes to the landward parishes beside us: ordains that ane proclamation be made ane month before the next Yule day from the authority of the Bailies and (Town) Council, for suppressing of the same in times coning, with ane strict punishment, that none within the burgh may allege ignorance.

Negligent Magistrates.—July 3, 1592.—Forasmeikle as Thomas Taylor does give no obedience to the Kirk, but is found to be ane contemptuous person, and the Bailies are negligent; ordains the Bailies presently to put him in ward for his contempt, otherwise to proceed in excommunication against the Bailies in case they be negligent. *November 13, 1592.*—Whilk day, after sundry warnings and admonitions from the pulpit, compeared Thomas Taylor, flesher, and humbly, with confession of his offences in breaking the Sabbath, and his disobedience to the voice of the Kirk, submits himself to the will and discipline of the Kirk:

¹ Andrew Johnstone was a flesher. See p. 263 of the present volume. He was one of the incorrigible Incorporation of Fleshers who gave the Kirk-Session an infinitude of trouble.

therefore the Minister and Elders ordain him to make his public repentance for taking away of the slander arisen on his foresaid offences, and to compear on Sunday next, and in time of preaching to stand bareheaded before my Lady Gowrie's desk, and when he shall be required publicly to give ane confession of his said offences, to do the same; and for performance of the premisses Patrick Oliphant becomes cautioner, under the penalty of L.40 (Scots).

Keeping the Town-Clock in order.—February 12, 1592-3.—The Minister and Elders understanding the great pains and travels of Archibald Steedman in tempering the knock (clock), ordains the Master of the Hospital to give yearly to the said Archibald Steedman five merks induring his service in tempering of the knock.

Reapers.—August 27, 1593.—Forasmeikle as in the time of harvest both men and women, shearers, resort to this town on the Sabbath, walking up and down the streets in time of preaching, waiting only to be hired, and on a worldly profit, little or not regarding the profit of their souls, which thing as, on the one part, it is dangerous to the persons breakers of the Sabbath, so, on the other part, it brings ane heavy slander on us through the country, and will bring greater, except remedy be had thereto in time coming: Therefore the Minister and Elders ordain the porters to hold them out, under the pain of reprimand of them (the porters) in case through their negligence they have access and entry. And likewise that the Bailies remove and banish them the town, and suffer not such enormities to be unpunished.

Disturbance during Preaching.—September 10, 1593.—Because in time of teaching on the Sabbath, both the Ministers and hearers are preturbed by young bairns brought to the kirk that cannot profit, and likewise by barking of dogs: therefore it is ordained that they shall have no access to the kirk in time of teaching, and, if they come, to be removed by the beadle.

A Delinquent Keeper of one of the City Gates.—November 5, 1593.—Forasmeikle as William Kinloch, porter at the Brig of Tay Port, has sundry and divers times been found negligent in his office, and slanderous in his life, and now last in the time of public fast and humiliation, in time of

sermon before noon, on the Sabbath, in James Blyth's house, was found drinking, whilk he could not deny: therefore the Minister and Elders ordains him to compear in the place of public repentance barefooted and bareheaded, and in linen clothes, under the pain of excommunication, to declare his repentance before the congregation, whom he by his wicked and ungodly life has often offended and slandered.

Lighting the Parish Church.—December 5, 1593.—The Minister and Elders ordain every Deacon of Craft and the Dean of Guild for the merchants, to cause put ane twopenny candle in their pews every Sunday morning in time of the morning exercise; and likewise the Thesaurer to cause furnish ane twelve penny candle to the Reader, to be lighted immediately after the first bell, that all may see to praise God in singing psalms, which stays for lack of light.

A Foreigner's Expences defrayed.—December 24, 1593.—Ordains to count and reckon with John Pitcairn's wife for the entertainment of ane German scholar,¹ and they to be answerable to her for his expences and entertainment; and likewise ordains at his departure two crowns of gold to be given to him, the one to be advanced by Mr George Ruthven, the other by John Jack.

Disorderly Conduct of School-Boys during Preaching.—January 7, 1593-4.—Because that the scholars in time of preaching, by their tumults and running through the kirk, and likewise by their clattering and fighting, do trouble both the teacher and the hearers; therefore Oliver Peebles and Patrick Blair, Elders, are ordained to propone to the Bailies and (Town) Council the next day of their convention, that ane seat may be bigget for the scholars in some commodious place of the kirk, where they may hear and learn without troubling either the Minister in teaching, or the auditory in hearing.

Census of the City.—February 4, 1593-4.—Ordains Mr Alexander Balneaves, scribe to the Session, to begin the next Tuesday and write the names of all the inhabitants of this town, that after trial and examination of these and every one of them, in the grounds and heads of the Christian

¹ Mr Scott observes—"He is afterwards said to have been a minister sometime in Denmark."

religion, they may be admitted to the celebration of the Holy Supper of the Lord ; And for this effect appoint every Elder and Bailie to concur with the said Mr Alexander in their own quarter, when they shall be required by the officiar.

*Leaving the Parish Church before the Benediction.*¹—February 24, 1593-4.—Forasmeikle as sundry, both men and women, in the forenoon rise up at the chap (strike) of eleven hours, and depart away without the blessing, or giving of thanks unto God : therefore, for staying and repressing of this great enormity in all time coming, which is very slanderous, the Minister and Elders ordain the visitors, both Bailies and Elders, to keep both the kirk doors, and suffer none to depart out of the kirk before the blessing, except they be sick, and evil at ease.

Rules for Censure.—March 11, 1594.—The Minister and Elders have ordained and concluded, according to the word of God, that persons offending shall be privately admonished, and make a privy satisfaction ; and again, persons publicly offending shall publicly be rebuked, and make a public satisfaction, that others by their example learn not to do the like, and so sin, which daily increases, may be stayed and repressed, to the glory of God, and the weill of Christ Jesus' Kirk.

Falsehood Punished.—July 8, 1594.—The Minister and Elders understanding that James Doning, and William Doning his son, have falsely slandered and most unjustly traduced Henry Adamson, merchant-burgess of this town,² and William Robertson, notary there, partly by their own confession, both before the (Kirk) Session and Presbytery, partly also by their infamous libels and slanderous tickets written and subscribed by their own hands, and thereafter affixed on both the kirk doors, on Sunday the day of , being a day appointed for public fasting and humiliation, as also for the celebration of the Holy Supper of the Lord ; which infamous libels were written (and) affixed by them of malice to the effect proved, and of malicious intention, to defame both the said Henry

¹ This still is a very common practice in Scotland among both the Established and Dissenting Presbyterians.

² Henry Adamson at that time held the office of Dean of Guild in the Town-Council.

Adamson and William Robertson, and to make them, so far as in them lay, to be abominable both in the hearts and before the eyes of all men and women intending to communicate at the holy table of the Lord that day: therefore the Minister and Elders foresaid ordained the said James Doning, and William Doning his son, to be apprehended by the Bailies, and to be put in ward, and there to remain ay and until they find sufficient caution to satisfy for their slander and offence as shall be enjoined to them by the (Kirk) Session in all points. And although the offence of the slanderers foresaid deserved to be punished in all rigour and severity, and also that the Act made against slanderers should strike upon them in all points, without any favour or dispensation, yet the Session, having regard in special to James Doning, his decrepit age and grey hairs, in pity have mitigated their censures, which justly might have been extended against them, and for removing the slanders, ordained them only to satisfy as follows:—First, the persons, slanderers foresaid, on Sunday before noon, at the second bell to the preaching shall come to the south kirk door, where they affixed their infamous libel, and stand there while the third bell be rung and ended; thereafter they shall come to the public place of repentance, there to sit bare-headed until the preaching be ended; lastly, in the presence of the congregation, after sermon they shall confess their offence as they shall be requested by the Ministers, and thereafter come down and ask the party's pardon and forgiveness whom they have ungodly traduced and unjustly slandered.

*Mr William Cowpar*¹ admitted one of the Ministers of Perth. — June 23, 1595.—Whilk day the (Kirk) Session being convened, all in one voice, after sundry and divers times hearing of Mr William Cowpar, nominate by the Commissioners of the General Assembly, Synodal, and Presbytery of Perth, has allowed of (approved) his doctrine, and at his

¹ Afterwards consecrated Bishop of Galloway, and appointed Dean of the Chapel-Royal of Holyrood. This very eminent and pious man is elsewhere noticed. Previous to his admission as colleague to Mr John Malcolm, from the time of the Reformation thirty-five years before, Perth had only one minister. These were successively Mr John Row, Mr Patrick Galloway, Mr William Howison, and Mr John Malcolm.

returning shall accept of him as their minister, and a fellow-labourer with Mr John Malcolm, their present minister.

Weekly Catechizing.—July 7, 1595.—Forasmikle as sundry within this congregation are found ignorant of the principles and grounds of religion, notwithstanding that there is an yearly trial and examination before the celebration of the Supper of the Lord; therefore the Minister and Elders appoint in time coming on some days of the week a particular trial and examination of particular persons within families, that all may be instructed and catechized.

An Impostor.—July 21, 1595.—Ordains Thomas Cargill to declare his public repentance before his marriage, because that these years by-past he gave himself out for a fool and profane sporter, walking in a foolish garment, and playing the counterfeit man, which is slanderous.

Disorderly House.—September 29, 1595.—It is found by trial of honest and famous neighbours that Katharine Durinoch receives into her house infamous persons, drunkards, harlots, idle beggars, and vagrants, and that under silence of night, to the great slander of this congregation; and therefore the (Kirk) Session gravely admonish her to behave herself honestly, and receive no infamous persons into her house neither by night nor by day. And if it be found in time coming that she shall do the same, to make her public repentance, and to be banished (from the town).

An awful Crime in the estimation of the Perth Kirk-Session.—December 8, 1595.—It is found and tried that the Laird of Innernytie,¹ an excommunicate Papist, was received and entertained in Gabriel Mercer's house by the space of three days, notwithstanding that intimation was made out of pulpit that none should receive him in lodging within this congregation. But because the most part of the Elders were absent, refers this matter to a more full Assembly. *December 15, 1595.*—The Assembly being fully convened, and having tried the fault of Gabriel Mercer, in whose house the Laird of Innernight, excommunicate Papist, was received and entertained, has concluded for the most part that the said

¹ Elphinstone of Innernity, or Innernaughty, a Judge in the Court of Session by the title of Lord Innernytie. He was one of the *Octavians*, i. e. one of the eight persons nominated by the Crown to collect and administer the revenues.

Gabriel shall the next Sabbath after the sermon, before noon, in his own place (seat) give publicly a declaration of his negligence and oversight in receiving the excommunicate person foresaid, that others may learn not to do the like.

Foreign Travelling denounced.—December 22, 1595.—Compears Alexander Laurie, and being inquired by the Minister if, in his last being out of this country, he had been in Spain; answered, that he was in Portugal, but was never present at Mass, neither gave reverence to any procession, and that he was never demanded by any concerning his religion. The said Alexander being removed and censured, it was thought good by the (Kirk) Session that he should be admonished not to travel to these parts again, except that they were otherwise reformed in religion.

Parochial Superintendence.—September 13, 1596.—Forasmikle as it is a thing most necessary, profitable, and consonant to the Word of God, that the people not only be instructed publicly out of pulpit generally, but also instructed and catechized particularly; therefore the (Kirk) Session all in one voice, with the advice of the Ministry, has condescended and ordained that the hail congregation, as well burgh and landward, be equally divided to every (each) Minister apart, for weekly visitation and examination of families, that they may know what profit and progress the people make in Christianity, and specially in the grounds of (the) Christian religion presently professed in this country; and also that the people of God among us may be strengthened and armed against the false doctrine of the instruments of Satan, who go about craftily and maliciously either entirely to subvert or to corrupt the purity of the Evangel of Jesus Christ and his blessed Apostles, which, in the mercy of God, blessed be His name, we have bruiked and enjoyed these years by-past with such peace and liberty as no nation beside does for the present.

Dean of Guild Henry Adamson.—October 21, 1596.—The (Kirk) Session ordains Archibald Steedman to charge Henry Adamson to compear the next Sabbath, and declare his repentance publicly, as he was appointed, for his intercommuning with the Earl of Angus, excommunicate Papist, under the pain of the censures of the Kirk.

An Hospital to be erected.—November 15, 1596.—Whilk

day the (Kirk) Session, all in one voice, thinks it expedient that an hospital-house for the entertainment of the poor within our congregation be erected and builded, the place to be in the chapel called our Lady's Chapel at the shore; and for this effect ordains James Adamson, Master of the Hospital, with all diligence to buy timber and other materials for the furtherance of this work.

Baptizing Infants.—November 22, 1596.—Because that the women in time of preaching do rise and move out, and come in again, with bairns that are to be baptized, troubling both the teacher and the hearers; therefore the (Kirk) Session ordains that in all time coming the bairns which shall be baptized on the Sabbath be baptized before noon, betwixt the second and third bell (ringing), by the Reader having the power to baptize.

A Tyrannical Elder.—January 3, 1596-7.—Peter Craigdallie, Robert Blair, and James Gordon, gave in a bill of complaint upon John Anderson, Elder, one of the (Kirk) Session, heavily regretting and declaring that the said John had pursued and called them before the Commissar of St Andrews for certain [gear?] coft (bought) and received by their umquhile master, Robert Blair, litster (dyer), alleging that they were most unjustly pursued by the said John, and far against his duty as an Elder, seeing they at their master's desire and command did but carry this gear into his house. The said John answered—He pursued them justly, because he would prove they were intrmitters with his gear, and wrought with the same since their master departed this life. The (Kirk) Session, considering the poverty of the young men, and likewise that they were not the buyers of the gear, has ordained the said John to desist from all further pursuit in this matter; and likewise desired both the parties to submit the hail matter debated among them to honest neutral men, whereunto they agreed.

Christmas Loaves.—January 10, 1596-7.—William Williamson, baxter, is accused for baking and selling great loaves at Yule, which was slanderous, and cherishing a superstition in the hearts of the ignorant. He promises not to do the like in times coming.

Viragos.—April 4, 1597.—The (Kirk) Session ordains Margaret Murdoch and Margaret Waddell presently to be

put in ward, there to remain until they find caution to come to the cockstool on Saturday next, to remain betwixt ten and twelve hours before noon, for their flyting and profane speeches uttered by them against others upon the common street at the Cross, to the great dishonour and slander of this congregation.

Tender Mercies of the Kirk-Session!—November 23, 1597.—The (Kirk) Session ordains the Magistrates to travel with his Majesty to obtain a commission to execute (!) Janet Robertson, sorcerer, who has long been detained in ward.

Riotous Persons.—April 24, 1598.—The (Kirk) Session finds the doing and behaviour of George Macgregor, Robert Fary, and Thomas Anderson, to be very slanderous, and that they are worthy to be condignly punished by the Magistrates; and therefore ordains them presently to be committed to ward, and thereafter to be put to the knowledge of an inquest.¹

*Slaughter of Henry Adamson.*²—May 15, 1598.—Compears Helen Orme, relict of umquhile Henry Adamson, and craved of the (Kirk) Session, that seeing Thomas Peebles had murdered her husband and was fugitive, they would proceed against him with the sentence of excommunication. The (Kirk) Session thinks him worthy to be excommunicated, but referred the form to the determination of the Presbytery. *May 22, 1598.*—Mr William Cowpar, according (to) the command of the Presbytery, gave to Thomas Peebles the first admonition before excommunication, for his murder committed in this town.

Shaving on Sunday.—July 31, 1598.—Andrew Robertson, chirurgeon, being accused for breaking of the Sabbath by polling and razing of the Laird of _____, declared that he did it quietly at the request of the gentleman, without outgoing. The (Kirk) Session finds him in this point to be a breaker of the Sabbath, and therefore ordained him privately to declare his repentance, and to abstain in all time coming from the like, which he promised to do.

¹ Mr Scott mentions that this was a bacchanalian outbreak in the house of Katherine Durinoch, previously cited as the receiver of disorderly and suspected persons.

² He is repeatedly mentioned in these Extracts. He was brother of the celebrated Patrick Adamson, Titular Archbishop of St Andrews.

A Poor Boy's Petition.—August 14, 1598.—David Craig, ane poor boy, fatherless and motherless, gives in a bill of supplication to the (Kirk) Session, desiring them for God's sake to give him some support to put him to ane craft (trade). The Session ordains the Master of the Hospital to bind the poor boy a prentice to John Black, tailor, and to make an indenture betwixt them and him, and to give the said John L.10 (Scots) to learn him the tailor craft.

Defamation.—August 28, 1598.—Patrick Jackson, master miller of the Inch Mill, gives in a complaint against John Kilbridie, a servant, also in the said mill, regretting and declaring that the said John had in sundry places uttered scandalous speeches against him, tending to the great defamation of his person, being in a public and common office; therefore the (Kirk) Session ordained the said John Kilbridie to be charged to compear before them; who compearing, and hearing the bill of complaint read, confessed that he had called Patrick Jackson (a) thief, and offered to prove the same. The (Kirk) Session, after advice, found that this was criminal, and that the trial of this no way appertained to their judicature; and therefore, ordained John Kilbridie to prove it before the judge ordinary, and report the same back to them this day eight days, otherwise he should be convict and holden as a slanderer, and the Act made for the repressing of flyters and slanderers should be put in execution against (him) in all points.

Insulting a Magistrate.—November 20, 1598.—Compears Thomas Law, and in presence of the (Kirk) Session confesses his great offences; first, his rebellion and offering of violence to Constantine Melice, Bailie; secondly, his breaking of the ward and irons, being put therein by the Magistrates for his former offence; and last, his disobedience to the (Kirk) Session so long, being so often publicly warned out of the pulpit, and declares that he is very sorry that he has committed such offences, and by them has given slander to this congregation. And for these faults committed by him he is content to satisfy both the (Town) Council and (Kirk) Session, and earnestly craved for God's cause (sake), that the sentence of excommunication be not pronounced against him as he deserved. The (Kirk) Session ordains him first to satisfy the (Town) Council and Magistrates, to whom he

did the first injury; and afterwards, upon the report of the Magistrates, they shall prescribe to him the form of his repentance.

An Unnatural Son.—November 27, 1598.—Patrick Cunningham, being accused for putting violent hands on his father, denied the same; yet his father being dealt with, confesses that his son is a rebellious child unto him, and that he had put violent hands on him, struck and dang him with his knee: therefore the (Kirk) Session ordained him to be put in ward, there to remain for the space of eight days, and to compear the next Sabbath in the place of public repentance barefoot and in sackcloth, there to confess his sin in presence of the hail congregation.

*Lady Erroll.*¹—January 8, 1598-9.—It is reported that my Lady Erroll of contempt absents herself from the hearing of the Word on the Sabbath and other preaching days; and therefore the (Kirk) Session ordains Constantine Melice, Bailie, Oliver Peebles, Robert Mathew, and John Colt, Elders, to speak (to) her, and try the cause of her absenting herself from the hearing of the Word, and if she has no reasonable cause, to desire her to be present in time coming, otherwise the (Kirk) Session will proceed against her with all the censures of the Kirk.

Alleged Immorality.—January 22, 1598-9.—William Blyth being inquired why Gilbert Car resorted to his house, answered, that he was ane common host (landlord), and entertainer of strangers who resorted unto his house, and that the said Gilbert came to his house only as other strangers, to get lodging and entertainment upon his reasonable expences. And being inquired why he suffered Janet Kelt, his servant, to be in the same booth² with Gilbert Car, answered—That it was of no evil intention, but because he had no room in his house, and he caused his daughter to be nightly with his own servant. The (Kirk) Session thinks this doing to be suspicious, and that he has not done the duty of a Christian master unto his servant, but has done

¹ Countess of Francis Earl of Errol, who was a Roman Catholic.

² "Or shop," says Mr Scott, "in which were two beds, in one of which Janet Kelt lay (slept) with a young lass of her master's, and in the other Gilbert Car." This kind of promiscuous accommodation was long common in Scotland, and is not yet exploded.

so far as in him lay to make her an harlot ; and therefore ordains him the next Sabbath to declare his repentance publicly in presence of the hail congregation.

Sabbath Travelling.—March 26, 1599.—The (Kirk) Session ordains intimation to be made the next Sabbath, that none travel on the Sabbath. It is reported that the cadgers who resort to the town on the Saturday with fish and salt depart on Sunday morning, profaning the Sabbath, to the dishonour of God, and evil example of this congregation : therefore the (Kirk) Session ordains John Jack and Archibald Steedman, their officers, to make intimation that none depart or travel on the Sabbath, but either depart on Saturday at even, or stay till Monday morning ; with certification to them, if they be found to depart on the Sabbath they shall be apprehended by the Bailie, to be warded, and afterwards caused to declare their repentance publicly as breakers of the Sabbath.

Drunkenness.—April 9, 1599.—Compeared James Young, officiar (town-officer), being warned to this (day), who being accused for profaning of the holy Sabbath by absenting himself from hearing of the Word both before and after noon, and being beastly drunk, pursuing George M'Gregor through the street with ane drawn sword, to the dishonour of God and slander of this congregation, confesses the same. George Horne's wife declares that on Sabbath was eight days James Young with John Murray came to her house and craved drink, and when she refused, he drew out his sword, and said he should shew her another guise except she gave him drink ; and so being boasted, and knowing the disposition of the man, she furnished drink to him until twelve hours (at noon), and when he was desired to go home to his own house, he went into a cellar against her will, and drank until the sermon after noon was ended, and was so beastly drunk that he knew not what he did. The (Kirk) Session ordains him to come the next Sabbath to the kirk-door barefoot, and in linen clothes, and to stand from the (ringing of the) second unto the third bell, and thereafter (to) come to the place of public repentance, and there declare his repentance publicly in presence of the congregation. Because that George Horne's wife furnished drink to James Young and his companion, as she alleged

against her will, and that the cause of her being at home in time of preaching was sickness and a disease in her (head), the (Kirk) Session desired her to declare on her conscience that it was so indeed, which she did.

Disorderly Conduct in the Parish Church.—May 7, 1599.—It was reported that John Logan yesterday, in time of preaching after noon, especially perturbed the kirk and stayed others by his foolish behaviour from the hearing of the Word, for the which he was apprehended, and put in ward; yet the (Kirk) Session ordains him to be apprehended again by the Bailies, to be set on the cockstool.

A Bad Husband.—June 18, 1599.—Compeared David Jackson, and Isabell Jackson, spouse to Andrew Johnstone, regretting and complaining on the said Andrew, that he had misused (maltreated) them many ways; and especially the said Isabell declared that Andrew Johnstone her husband had sundry times struck her, and had shot (pushed) her out of his house; and farther declares, that when she was coming from the kirk on the Sabbath he came and invaded her openly on the street, and spulziet her of her silver belt: and farther, it is reported that he is a man slanderous many ways, given to all kinds of profaneness, (such) as drunkenness, tulzieing, and oppression: and therefore the (Kirk) Session requests the Magistrates to apprehend him, and cause put him to the knowledge of an inquest.

Misbehaviour on the Stool of Repentance.—August 6, 1599.—Margaret Marr compeared in the place of public repentance to declare her repentance for her slanderous behaviour many ways, and especially with one William Laurie. And being in that place she sat in the back side, with her face covered; and being desired by John Jack, officiar, to sit on the fore side, and uncover her face that she might be seen, she uttered words against him in a bitter manner, and extended her voice in such sort that she was heard through all the kirk in time of sermon, and so behaved herself uncomely in the presence of strangers, to the great slander of this congregation; and therefore, the (Kirk) Session ordains her to be put in ward, and there to remain by (for) the space of eight days, and to come the next Sabbath again to declare her repentance in a more humble manner.

The Paupers to attend the Church.—October 29, 1599.—Because there are many of the ordinary poor that resort not to the hearing of the Word, therefore the (Kirk) Session ordains John Anderson, distributor to them, to command them in their name to resort to the kirk for the hearing of the Word both on the Sabbath and likewise on the week days, and to convene and sit in St Catherine's Aisle that they may be seen; and if any of them shall absent themselves from the hearing of the Word without sickness or infirmity, the (Kirk) Session commands and ordains John Anderson not to give them anything of the poor's alms.

Sunday Recreations.—November 19, 1599.—Compears James Maxton, being warned to this day, and being accused for profaning of the Sabbath, by absenting himself from the hearing of the Word, and telling (counting) of silver at home with certain Highlandmen, confessed that he being in the kirk was sent for by some Highlandmen, who delivered to him a certain sum of money to be kept by him until they returned back. The (Kirk) Session finds him by this his doing to be a profaner of the Sabbath himself, and also an occasion of profaning the Sabbath to others whom he should have taught, and therefore ordains him to pay the penalty according to the Act of Parliament. John Gardiner, James Bowman, Laurence Chalmers, and Laurence Cuthbert, confess that they were playing at the golf on the North Inch in time of the preaching after noon on the Sabbath. The (Kirk) Session rebuked them, and admonished them to resort to the hearing of the Word diligently on the Sabbath in time coming, which they promised to do.

Assault in the Church.—January 7, 1600.—Robert Kerr accused for drawing of ane whinger (short sword), and wounding of a stranger called Adam Abercrombie, denied the same; yet it is found by the testimony of the Bailie, Oliver Young, before whom he had confessed it previously, and Thomas Crambie, flesher, who was present with them in the kirk, that he had so done, and therefore the (Kirk) Session ordains him to declare his repentance publicly the next Sabbath-day, and to pay L.10 (Scots) to be employed to the use of the poor.

An Offender humbled.—December 14, 1601.—Compears John Scott, flesher, being warned to this day, who being

accused for his great disobedience, being sundry and divers times warned ; next, for his profaning of the Sabbath by absenting himself from the hearing of the Word, and travelling to mercats on the said day ; and last, for injuring the officiar when he was charged. Answered, that the cause of his non-compearance, being charged, was not contempt in his person, but his infirmity and disease of the gout, which would not suffer him to come when he was charged ; and next, confessed that he travelled to Fowlis mercat on the Sabbath ; and thirdly, denied that he injured the officiar. The said John being removed and censured, was convicted, first, of disobedience, because it was known that he was walking upon the streets when he should have been present ; secondly, of profaning the Sabbath, because he has confessed himself (that) he travelled to the mercat on the said day ; and thirdly, of injuring the officiar, because it was testified by witnesses. And therefore the (Kirk) Session requested the Magistrates to put him in ward, and therein to detain him ay and until he should be brought to the knowledge of his offence, and humbled truly for the same. *December 21, 1601.*—Compears John Scott, flesher, and with humility upon his knees confessed his offences, first, that he offended God by profaning the Lord's Sabbath ; secondly, that he offended the Session by his disobedience, being often charged, and by injuring the officiar ; for the which offences he desired God to be merciful unto him, and submitted himself to the Session.

Female Offenders of the Sabbath.—September 3, 1604.—It was reported that there was a number of young women and lasses after supper in the (Sunday) evening found under stairs dancing, singing, and knocking upon doors, who were warned to this day ; compeared Agnes Anderson, Agnes Murray, Elspith Ross, Christian Paterson, Janet Low, Beatrice Clink, Helen Blyth, all warned to this day, and confessed that they profaned the Lord's Sabbath by lascivious singing and dancing at even under stairs, for the which they were sorry, and promised never to commit the like ; the (Kirk) Session sharply rebuked them, and desired the Magistrates to put them in ward. Because that the Lord's Sabbath is greatly profaned by young women, that gather and convene under stairs on the Sabbath at even, and there

use to sing and dance lasciviously, to the dishonour of God and slander of this congregation; therefore the (Kirk) Session ordains intimation to be made publicly out of the pulpit the next Sabbath, that no young women resort and convene on the Sabbaths at even to sing and dance in time coming, and that all masters of families take heed to their children and servants that no manner of way they profane the Lord's Sabbath.

Abusive Language to Mr William Cowpar.—October 3, 1604.—Whilk day, in presence of the Bailies, Ministers, and Elders, of the burgh of Perth convened within the revestry, William Hay, litster (dyer), burgess of Perth, being accused upon the uttering by him yesternight in John Stewart's fore-chamber of certain vile, slanderous, and abominable speeches against Mr William Cowpar, Minister of Christ's Evangel at the said burgh; to-wit, that the said Mr William was ane false common thief, and that he should have been hanged, and were it not the said William Hay he had been hanged, yet he should have him hanged—who would not?—and who would take his part?—and that he should improve him in the Scriptures. These slanderous speeches (were) uttered before Patrick Fleming, merchant, William Robertson, notary, John Robertson, merchant, Thomas Fleming, son to the said Patrick, John Gall and James Marshall, merchants; whereto the said William Robertson answered, Mowis (jest) or earnest? Whereto the said William replied, —Earnest, and bade the said William Robertson take it as he thought it. To the which he (Robertson) replied again, that he (Hay) lied like a knave. Thereafter the said William Hay drew ane whinger, and pressed to have stricken the said William Robertson, and called him ane common thief. Farther, being accused if he said that Mr William Cowpar was passing to England to London, and ere he came home would wear a surplice and a four-nooked (cornered) bonnet. All these particular heads above written the said William Hay being accused upon, granted that it was but in mowis (jest) that he spake anent Mr William's hanging, and farther denied that he called him common thief, and also denied that he said he should (could) improve him in the Scriptures; but only said that Mr William shewed no

pity to the poor man¹ that was in ward. And the said Patrick Fleming, John Robertson, John Gall, and James Marshall, being called, sworn, and admitted in presence of the said William Hay to testify the verity of the said matters, nothing being objected against them, and each of them being severally examined, deponed that they heard the former slanderous and abominable speeches uttered by the said William Hay against the said Mr William (Cowpar) and William Robertson. Farther, the said Bailies declared that this day, in the morning before eight hours, when this matter came to their knowledge, they took purpose to take and apprehend the said William, and put him in ward; and having apprehended him within his own dwelling-house, and accused him upon the said slanderous speeches, they heard him answer and say that he spake such speeches but in mowis. The (Kirk) Session takes to be advised upon the premisses with the Presbytery.²

A Poor Traveller.—September 16, 1605.—The (Kirk) Session ordains James Souter, ane poor traveller, who is greatly impoverished by the loss of his horse, to have L.10 (Scots) for his support; and because that they have not present money to help him, request Mr Henry Anderson, one of their Elders, to furnish it, promising to refund it again to him of the readiest of the casualties.

New Stool of Repentance.—September 23, 1605.—The (Kirk) Session ordains a more public place of repentance to be biggit (erected) with all diligence, and in it certain degrees, that therein (offenders) may be distinguished and better discerned both by their place and habit.

A Discontented Parishioner.—January 5, 1607.—Mr William Cowpar, Minister, complained upon Robert Keir that he had disdainfully spoken of his doctrine. The (Kirk) Session ordained him to be warned to the morrow. *January 6.*—Whilk day compeared Robert Keir, being warned, and being accused if he had spoken disdainfully of Mr William

¹ Apparently one Robert Blair, dyer, against whom the Kirk-Session pronounced a severe sentence on the 10th of September for slandering Robert Matthew, Dean of Guild.

² Mr Scott says—"The Records of Presbytery before the year 1618 are not extant, therefore it does not appear what advice the Presbytery gave to the Session."

Cowpar's preaching, denied the same; therefore the said Mr William took it to prove upon Monday next specially by Robert Fleming, who was ordained to be charged to the said day, and the said Robert Keir warned *apud acta*. *January 12.*—This day being assigned to Mr William Cowpar to prove by witnesses the slanderous speeches uttered by Robert Keir against his preaching, compeared Robert Fleming, warned to this day, and Robert Keir being inquired if he had any thing to say against Robert Fleming, why he should not be witness in the matter and cause foersaid, answered—He had nothing. Robert Fleming being admitted and sworn, declared, that when he came to Robert Keir as (Town) Treasurer, and desired him to pay for the Minister's coals, he answered—"Mr William preached against me the last day; let him preach against me the next day; the d—I a penny I'll pay for coals." The (Kirk) Session called the said Robert, and desired him to confess his offence, which he refused to do, and therefore the (Kirk) Session remitted him to the Presbytery.

A Frolic.—February 6, 1609.—It is reported that on Tuesday at even last ives Andrew Johnstone and his wife, James Jackson and his wife, David Jackson and Helen Hynd, went through the town disguised, with swords and staves, molesting and hurting sundry persons; and therefore the (Kirk) Session ordered them to be warded to this day eight days. *February 13.*—Compeared Andrew Johnstone and Janet Cunningham his spouse, James Jackson and — Stobie his spouse, David Jackson and Helen Hynd, all warned to this day, and being inquired why they went out disguised about the town on Tuesday last ives, at ten and eleven hours at even, with swords and staves, troubling and molesting their neighbours on the streets whom they met; answered—That after they had all supped together they had resolved to go about the town of no evil purpose or intention but merriness, and denied that they molested any. They being removed, it was instantly found that they were disguised, namely, Andrew Johnstone's wife having her hair hanging down, and a black hat on her head; her husband Andrew Johnstone with a sword in his hand; David Jackson having a mutch (woman's cap) upon his head, and (dressed in) a woman's gown; as Constantine Melice,

Bailie, and sundry others declared, and that they hurted and molested sundry persons. The (Kirk) Session finds their doing to be slanderous, and that because the pestilence still continues amongst us, and all these persons lately come in from the fields, when the botch and boyl was on their persons; and has ordained them to be condignly punished, first, to be put in ward presently, there to remain all together until the Sabbath; and next, because their fault is public and notorious, to come altogether the next Sabbath in linen clothes to the place of public repentance, there to confess their heinous offence, and to be rebuked as dissolute and licentious persons in presence of the whole congregation.

Midwives.—November 4, 1611.—Compeared Margaret Rutherford and Elspit Gloag, midwives, who gave their oath of fidelity to be faithful and honest in their calling; and farther, it is enjoined to them, under the pain of discharging them from their office, that they should not help any woman suspected of whoredom, and who was not married to ane husband, except that first they got their confession, with a solemn oath, to whom the bairn appertained, and who was the bairn's father; which they promised to do, with a solemn oath and extension of the hand, in presence of the whole (Kirk) Session.

Playing at Dice on Sunday.—An Informer.—November 11, 1611.—Compeared James Ferguson, who declared that he was out of the kirk on Sunday was a fifteen days in time of preaching before noon, and was in Walter Young's house, where he saw John Firskine and Hugh Firskine playing at the dice, and the said John Firskine won fourteen merks from the other, and that they drank a quart of wine at the dinner, where Walter Young, goodman (landlord) of the house, was present. Compeared Walter Young (baker), and being inquired how he, being a deacon of the kirk, suffered such enormities and profaneness to be in his house as diceing and drinking in time of preaching on the Lord's Day, answered—He knew no such thing, because he was into the kirk himself, and his wife remained at home. He was desired to present her before the (Kirk) Session. He answered, he would answer for her himself, and so menaced the beadle of the kirk. And therefore the (Kirk)

Session requested the Magistrates to put him in ward, there to remain until he should be better humbled.

Slandering the Elders.—February 20, 1615.—William Paterson (is) ordained to be warded for his reproachful and vilifying speeches against the Elders, verified by two of them in the presence of the (Kirk) Session.

Communion at Easter.—March 13, 1615.—The Bishop of Galloway (William Cowpar) and the hail Elders present the said day, ordain the Communion to be celebrated at this burgh on the 9th and 16th days of April next to come ; but Mr John Malcolm, Minister, dissented therefrom, alleging the celebration thereof on the said 9th day of April, which is Pasch Sunday, to be contrary to the Acts of (the General) Assembly made thereanent.

Prosecution of a Witch.—May 30, 1615.—The (Kirk) Session requests the Bailies to ward Marion Murdoch, complained upon for witchcraft, ay and until she be tried thereanent.

A Zealous Minister.—October 16, 1615.—Farasmeikle as Mr John Malcolm, Minister, declared before the (Kirk) Session that upon the last Sabbath, immediately after eight hours, he perceived Gilbert Henderson and John Lamb, skimmers, convoying a stranger with a horse pack of skins to the Inch Port, and that they got passage thereat ; therefore the Session ordain the said Gilbert Henderson and John Lamb, as also William Craig, porter at the said port, to be cited to compear before the morrow, immediately after the sermon, to be censured for their profaning of the said Sabbath.

Bishop Cowpar.—October 23, 1615.—Compeared Alexander (Lindsay) Bishop of Dunkeld, and George (Graham) Bishop of Orkney, declaring that they had commission of the Archbishop (Spottiswoode) of St Andrews to intimate to the (Town) Council and (Kirk) Session of Perth, that William Bishop of Galloway, by occasion of the affairs of his office of bishopric, might not serve the cure of minister any longer at this burgh, desiring them, therefore, to give some persons in leet to make choice of to supply his place. Whereunto the (Kirk) Session answered—That they were grieved at their hearts of his transportation, and that they hoped he would return again to occupy his own place ; and

in expectation thereof they would not as yet give any persons in leet. Yet nevertheless the said Bishops Commissioners desire to make note that they had done their commission.

A King of the Beggars.—February 1, 1616.—Patrick Crombie, conform to citation, having compeared, and being accused that he, usurping authority and command over the common beggars, they resorted to him from all parts to this parish, to the planting of many beggars of other parishes to have their abiding here within this congregation; who denied the same *simpliciter*, and is ordained to compear the next Monday for farther trial to be taken thereanent. *February 5.*—Compeared the foresaid Patrick Crombie, and being examined anent his foresaid usurpation, denied the same *simpliciter*, yet was verified by honest reporters the great resort of common beggars to the Muirton to him. The (Kirk) Session ordain request to be made to the Laird of Muirton to remove the said Patrick furth of his ground, and that he have no residence within this parish.

The Pulpit.—June 10, 1616.—The (Kirk) Session ordains that the pulpit be repaired with a sad (dark) green cloth fringed with green silk like the pulpit of Edinburgh.

Sleeping in the Church.—June 24, 1616.—John Tenenden (Kirk-Session) officer, is ordered to have his red staff in the kirk on the Sabbath-days, therewith to waken sleepers, and to remove greeting bairns furth of the kirk.

Bishop Cowpar's Successor.—October 1, 1616.—Forasmeikle as Mr John Malcolm, Minister, declared that Tuesday instant, immediately after the preaching, was appointed by the (Town) Council to convene in the council-house with the (Kirk) Session, and to intercommune anent the accepting or refusing of Mr John Guthry to be Minister at Perth in place of the Bishop of Galloway; and in respect that the Council convened not, the Minister protests as effeirs. *October 3.*—The Minister and Elders being convened this day, declared that they are ready to give answer for their part to the Bishop of St Andrews anent Mr John Guthry, recommended to be Minister here in place of the Bishop of Galloway; and that the (Town) Council were not convened for that effect, and protested as effeirs.

A Ferocious Executioner.—August 25, 1617.—Forasmeikle as delation being made of James Stewart, hangman, his

vicious life, and of the cruelty and oppression used by him against poor weak persons: therefore it is ordained, that the same be intimated to the (Town) Council that they and the (Kirk) Session may take order thereanent.

Well of Ruthven or Huntingtower.—May 4, 1618.—Conform to citation compeared Isabell Garvy, servitrix to Margaret Alsouder, widow, and Margaret Lamb, daughter-in-law to George Thomson; who being asked if they were at the well in the bank of Huntingtower the last Sabbath, and if they drank thereof, and what they left at it; answered, that they drank thereof, and that each of them left a prin (pin) thereat, which was found a point of idolatry, in putting the well in God's room. The form of their censure continued until the rest whom they have given (named) were present with them to compear.

Profane Swearing.—January 12, 1619.—Conform to citation compeared Marion Henderson, spouse to Walter Kely, and being accused for blaspheming of God's name in her flyting with another woman, and swearing by *His holy wounds*; answered, that in her ire she knows not whether she spake it or not, and on her knees declared her repentance therefor, promising to take better heed to her speeches hereafter. (She) was admonished to fear God and amend her life, which she promised to do.

Kneeling at the Communion.—*Die Jovis vicesimo quinto Marcii* 1619.—Present Mr John Malcolm and Mr John Guthry, Ministers, the Elders and other members of the (Kirk) Session present. Proposition being made if they will agree and consent that the Lord's Supper be celebrate at this burgh conform to the prescription of the Act of the General Assembly made thereanent last holden at Perth or not, viz. that the Ministers give the bread and wine with their own hands to the communicants, and that they be humbled on their knees and reverently receive it; and being voted, all agreed in one that the celebration thereof be made according to the said Act.

Indecent Conduct on the Street.—May 10, 1619.—James Wright, grave-maker, being accused for his indecent behaviour on the causeway with women in struggling with them, perceived by Mr John Malcolm, Minister, dilator thereof, excused himself that he did (it) as beside himself

through drink, declared his repentance therefor, and acts himself not to do the like hereafter under the pain of punishment.

Disrespect to Mr John Guthry.—August 3, 1619.—The whilk day compeared Alexander Peebles, burgess of Perth, taking exception against the doctrine delivered by Mr John Guthry, Minister, the last Sabbath in the afternoon, and alleged that the Minister had slandered him and his house (family) of sorcery, and consulting therewith by turning the riddel, and uttered many unseemly and outrageous speeches. Mr John Malcolm, Minister, and the (Kirk) Session certified in one voice that the doctrine was general, and necessarily followed on his text, Esther ii. 7. The said Mr John Guthry desired them to desist from any censure of the said Alexander in respect of the greatness of his misbehaviour.

September 13.—Forasmeikle as Mr John Guthry, Minister, having made ane great regret of Thomas Young, in that he has not only uttered speeches against him and his ministry, but also that he has met him divers times since on the causeway, and would not discharge that civil duty of salutation as became him to do towards his pastor; and also that immediately heretofore, as he was coming to the (Kirk) Session, meeting him in the north-west of the Kirk vennels, the said Thomas, in manner of provocation to tempt his pastor, by his want of particular duty, passed by him without using any kind of reverence; wherewith the (Kirk) Session were highly offended that he should have so far misregarded his pastor, and provoked him to ire, and therefore ordains him to be cited to compear before them the morrow after the sermon, and underly condign censure for his said offence.

September 14.—Conform to citation compeared Thomas Young, who being accused for uttering speeches and his misbehaviour against Mr John Guthry his pastor, and being asked what speeches he spake to John Guthry the pastor's son, answered—That it was not the duty of the pastor to charge his people with witchcraft, sorcery, turning of the riddel, and to utter calumnies against his flock, which he (Young) had spoken in general, and no way mentioned the said Mr John's name, whereby John Guthry (the son) had taken very highly, as he had since found no courteous dealing of him; and having yesterday entered unawares the Minister's way, meaning no ways to

offend him, but he indolently passed by. Being inquired if he had any opinion that the Minister had at any time grieved or offended him in word or deed, answered negatively; declared that he is sorry for that in any sort he had said or done that which may offend the Minister in word or deed. The said Mr John, in presence of the (Kirk) Session, having admonished the said Thomas, earnestly dealt with the Magistrates and (Kirk) Session present to inflict no punishment on the said Thomas, but to pass by (over) his offence, in the hope of his honest and Christian behaviour hereafter, which at his earnest entreaty was granted. *October 18.*—Mr John Guthry, Minister, reported to the (Kirk) Session that he having cited Alexander Peebles to compear before the High Commission for his offence committed against him, condign order was taken thereanent, and so it rests.

Strangers in the Kirk-Session.—October 18, 1619.—Forasmeikle as certain persons heretofore have taken such boldness as to come in to the (Kirk) Session (meeting) without leave asked and given, and at their coming have given occasion of offence to the Session: therefore it is statute and ordained, that none be admitted to have place in the Session until they first make them advertisement by the Kirk officers.

Removal of Mr John Guthry to Edinburgh.—January 17, 1620.—Forasmeikle as Mr John Guthry, Minister, shewed to the (Kirk) Session that he is warned and charged to compear before the Commission at Edinburgh the 23d of January instant, to underly censure for not yielding obedience to preach at Edinburgh conform to his Majesty's letter; therefore the Session thinks it expedient that (the Town) Council and Session convene to-morrow after the sermon to deliberate thereanent, and ordains them to be warned for that effect. *January 18.*—Whilk day convened within the revestry both (the Town) Council and (Kirk) Session, and they having considered that of necessity Mr John Guthry, Minister, must compear the said day, they have ordained that Andrew Conqueror, Bailie, as from the (Kirk) Session, and Andrew Wilson as for the (Town) Council, accompany the Minister, and to shew the High Commission that he may not be transported from this kirk without the great hurt and decay thereof; and ordains that the (Kirk) Session pay the one half of the charges and expenses.

From the Presbytery Records.—January 19, 1620.—The brethren of the Presbytery understanding, by report of Mr John Malcolm, that Mr John Guthry, his colleague, is summoned to compear before the Lords of his Majesty's High Commission at Edinburgh the 24th of this instant, to sustain censure for not compearing and preaching in Edinburgh, according as he had been directed by letter from his Majesty, and they are of purpose to urge the said Mr John with transportation to Edinburgh, ordain a letter to be directed in their name to the Lords of High Commission foresaid, shewing how necessary it is that the said Mr John continue in his present ministry, and how prejudicial the transportation (which God forbid) might be to the weill of the Kirk in this bounds; and in all humility to beseech their Lordships to desist from that course, requesting earnestly the Bishop of Dunkeld (Alexander Lindsay), their Moderator, in their name to direct a supplication to the effect above specified. *May 31.*—The brethren of the Presbytery, with an uniform consent, ordain a letter to be written to the meeting of the Kirk, which is to be at Edinburgh the 7th of June next to come, desiring most earnestly that Mr John Guthry be not transported from Perth to Edinburgh.

Rioting.—February 6, 1620.—Forasmeikle as dilation being made that Alexander Wilson and Patrick Soutar, in Muirton,¹ used great insolency, the last in the night time, in troubling and molesting of honest men's bairns and servants, and in ringing of the common bell about eleven hours at even; and the officer having passed to warn them to compear before the (Kirk) Session this day to sustain censure for their insolence, could not apprehend them; therefore ordains a letter of request to be directed to Patrick Eviot, of Muirton, their master, to present them the morrow.

Abduction.—February 14, 1620.—The (Kirk) Session think it expedient to advise with the Presbytery on Wednesday next what order shall be taken anent the ravishing of Elizabeth (or Elspit) Henderson concerning the Kirk's part. *February 16.*—Ane heavy request was made to the Moderator and brethren of the Presbytery,

¹ The farm lying immediately north of the North Inch between the road to Dunkeld and the Tay.

in that William Stewart, lawful son to William Stewart of Kinnaird, within the Presbytery of Dunkeld, has, upon the 10th of February instant, under silence and cloud of night, violently ravished and taken away Elizabeth Henryson, daughter to umquhile Andrew Henryson of Lawton, from her mother's house in the South Gate (Street) of the burgh of Perth, being assisted by divers of his accomplices all in armour; the said reverend Father (Alexander Lindsay, Bishop of Dunkeld, Moderator) and brethren, considering the great slander that has arisen upon this barbarous fact foresaid, and how evil a preparative it may be, unless censure proceed against the offenders; finally, having regard to the Act of General Assembly holden at Edinburgh in the month of March 1570, ordaining such persons to be dealt against by the censurers of the Kirk to excommunication; ordained summons *literatoris* to be directed against the offender foresaid, charging him to compear before them the next day of meeting to answer for his said offence, and to hear and see himself decerned to satisfy for removing thereof, with certification, in case he compear not, that they will hold him *pro confesso*, and proceed. The kirk-officer of the parish of Dunkeld, in which parish the said William Stewart lived, personally apprehended him, and gave him the first summons; an authentic copy of the second summons was given by the officer to William Stewart, elder (senior), the said William's father; and last of all, the officer having passed to the town (farm) of Middle Kinnaird, where William Stewart had his residence, and having found none to whom he might deliver the summons, affixed an authentic copy on the most patent door of the house, after that he had knocked nine several knocks. The reverend Father and brethren, finding that he continued in his disobedience, ordained the censures of the Church to proceed against him. They appointed the admonitions previous to excommunication to be given (to) him in the kirk of Dunkeld *ratione rei*, and in the kirk of Perth *ratione delicti*, and that solemn prayers should be joined with the admonitions, that God might bring him to the knowledge of his sin and repentance. No obedience followed after the first admonition; after the second compeared before the reverend Father and brethren Hugh Campbell of Seatt, who delivered a letter addressed to them

from William Stewart, wherein he represented that seeing he lay under danger of his Majesty's laws, and of the party whom he had offended, whereby he could not safely repair for giving satisfaction to the Church, therefore he craved that no farther process should be against him. The reverend Father and brethren having considered that if it be of verity which the said Hugh Campbell had reported, that William Stewart had obtained the goodwill and assent of Elizabeth Henderson, then the said William had not now such a mighty excuse as he pretended, seeing the fault was not capital, but penal, subjecting him only to an arbitrary punishment; also, that though it were capital, he without any peril might send back Elizabeth Henryson, and thereby give some declaration of remorse for his offence, which, if he did not, they perceive nothing in him but a purpose to elude the discipline of the Church, in the same manner as he had already, and did still contemn the laws of his country. Therefore they declared to the said Hugh Campbell that unless the said William should reponne the said Elizabeth in her mother's house, and thereby shew some beginning of obedience, they still would proceed against him as disobedient to the voice of the Church, which they desired the said Hugh would intimate to him; finally, they ordained that the third admonition should be given (to) him. After the third public admonition, the reverend Father and brethren having found that after so many admonitions no obedience was yielded by the said William, but that he still continued in his offence, cohabiting with the ravished woman, and detesting the voice of the Church, to the dishonour of God and evil example of others, declared the said William worthy to be proceeded against with the sentence of excommunication. For that effect they ordained the process to be extracted and sent to my Lord Archbishop of St Andrews, that his approbation might be had thereunto. In the mean time, *propter majorem abundantiam*, they ordained the ministers of Perth to continue the next Sabbath in prayers to God that the said William might be brought to the acknowledgment of his offence, and that if it were possible the heavy sentence might be prevented. On the 12th of April 1620, Mr John Guthry reported that he had corrected and sent the process deduced against William Stewart to

my Lord Archbishop of St Andrews, who had received the same, and sent his approbation in the end thereof in the manner following :—“ This process being formally deduced in all the parts thereof, I agree that the sentence be pronounced of excommunication against the party, in respect of his contumacy. *Dairsie, 10th April 1620, sic subscribitur, ST ANDREWS.*” The same day Mr John Malcolm reported that on Sunday last he gave a public admonition to William Stewart, and made prayers for him, *propter majorem abundantiam*, this being the fourth time. The Moderator, *pro tempore*, Mr John Guthry, and the brethren, ordained Mr John Malcolm to pronounce the sentence of excommunication against the said William Stewart on Sunday next before noon, in the parish kirk of Perth for his contumacy. Accordingly, on the 3d of May 1620, Mr John Malcolm reported that upon Sunday the 16th day of April he had pronounced the sentence of excommunication against William Stewart, which sentence being approven of by all the brethren, was ordained to be intimated on Sunday next from all the pulpits in the Presbytery of Perth.¹

Mr John Guthry.—April 4, 1620.—Forasmeikle as the town of Edinburgh has insisted this long time bygone by all means with our Sovereign Lord his Majesty and the Archbishop (of St Andrews) for transporting of Mr John Guthry, Minister, from Perth, to be Minister at Edinburgh, and it noways being his will to be transported, he sought the advice both of (Town) Council and (Kirk) Session how their (the city of Edinburgh) intentions might be frustrated; whereupon the (Town) Council and (Kirk) Session present ordain that the persons afternamed shall accompany the said Mr John Guthry to the Archbishop of St Andrews to-morrow, to-wit, Andrew Gray, Dean of Guild, John Mathew, Andrew Conqueror, Bailies, Charles Rollock, Mathew Cheap, Adam Paterson, Thesaurer, Andrew Brown, merchant, Andrew Wilson, Andrew Anderson, younger, Thomas Leisk, John Home, Patrick Pitcairn, John Fleming,

¹ Mr Scott observes in his MS. notes—“ William Stewart was not relaxed till September 10, 1621, after he had finished before the congregation of Perth his declarations of unfeigned repentance.” On the 15th and 22d of February 1620, several persons were summoned before the Kirk-Session for “ aiding and abetting” this abduction.

Duncan Barry, to travel with (persuade) the said (Arch)bishop, that the said Mr John may continue Minister of this burgh.

Bridge over the Almond.—May 15, 1620.—Forasmeikle as Sir Mungo Murray of (Drumcairn), Knight, John Graham of Balnagowan,¹ elder and younger, with divers others gentle and honest men, having meined (represented) to the (Kirk) Session how greatly they have been burdened by the building of the Brig of Almond, which as yet is not accomplished, and that it will take large money and expenses to perfyte it; therefore seeing that Brig is very serviceable to this burgh, craved the (Kirk) Session's support to the said necessary work. In consideration whereof the (Kirk) Session ordains the Master of the Hospital to give to the masters of the said work L.20 (Scots) money to bestow thereon.

Female Lunatic.—May 25, 1620.—Mr John Malcolm present only, declared that he is greatly troubled and disquieted in his mind and conscience for fear that Satan prevail so far with Margaret Alexander, now deprived of (her) right wits, that she perish in the water (the river Tay), as she has attempted several times to have done; and she being one of their congregation, and sometime had in good account, that it would be a great sin and shame to this town if they took not convenient order with her to disappoint Satan's working in her so far as they might: whereupon it was concluded by the (Kirk) Session and so many of the (Town) Council as were present, that she should be put in the (Halkerston's) Tower, and there kept close, and nourished on bread and small drink only a certain space, till God of his mercy restore her to (her) right wits, and ordains Patrick Pitcairn to furnish the same upon the (Kirk) Session's expenses, which he promised to do.

Indecent Conduct on Sunday Evening.—June 12, 1620.—Whilk day Thomas Crombie, Bailie, presented Alexander Wilson, in Muirton, who is accused for his great insolency and misbehaviour, in that he upon a Sabbath-day at night betwixt ten and eleven hours pressed to misuse Giles Lowry in her returning from convoying Thomas Leisk's wife home to her house, terrifying Robert Robertson's daughter, struggling with Matthew Cheap's servant in the kirk-yard, and that, having entered the kirk, he rang the common bells,

¹ An ancestor of the late Lord Lynedoch, formerly Graham of Balgowan.

thereby setting the hail town under fear either of fire or sword. His offence being so great, he is committed until the morrow, that after the sermon both (Town) Council and (Kirk) Session deliberate upon his punishment. *June 13.*—Whilk day the said Alexander Wilson was brought furth of ward, and was presented before (the Town) Council and (Kirk) Session, and there they ordained him to be detained in ward until Saturday next, when he shall be set upon the cockstool in the juggs, and his faults written in great letters and set upon his breast, and there to stand by the space of three hours.

Gossiping.—July 17, 1620.—The (Kirk) Session being informed that some honest men's wives haunt to the house of Margaret Sadler at certain times to waste and spend at wine, she is admonished not to receive such women in her house to that (purpose) in time coming, and acts herself not to contravene under such pains as the (Kirk) Session will inflict upon her.

Witchcraft and Housebreaking.—December 18, 1620.—The (Town) Council and (Kirk) Session to convene the morrow after the preaching, to take order with James Stewart in ward, suspected of witchcraft and charming. Also to resolve what course to follow against James Robertson and his colleagues for the invasion made against William Powery and his house at midnight the last Saturday.

Insulting in the Ohurch.—January 1, 1621.—Forasmeikle as George Dickson, merchant, having complained verbally to the (Kirk) Session that he was abused by Francis Scott, Thomson, alias called Billieald, and certain others their sociates, young professed knaves, by casting of their bonnets at him in the kirk this instant day; therefore the (Kirk) Session ordains that they should be apprehended and punished for their offence. *January 2.*—Whilk day the aforementioned Thomson being apprehended and presented before the (Kirk) Session for his insolency afore-said, (is to be) taken to the Grammar School, and there scourged with St Bartholomew's Taws (!) for his offence, and promises not to commit the like hereafter.

Night-Walking and Drunkenness.—January 9, 1621.—Compeared John Lamb, who being accused for his night-walking and drunkenness afore written, answered—He did

it (only) upon (that) occasion, and that he never did the like of (it) before. It was replied that he has been noted divers times before (as) very loose in his conversation ; he is admonished to amend, and to take heed to his ways in time coming, which he promised to do.

Mr John Guthry.—June 11, 1621.—The hail (Kirk) Session, and so many of the (Town) Council as are present, dissent allenary to the transportatiou of Mr John Guthry, Minister, to Edinburgh, to be actual minister there. *June 12.*—Mr John Guthry, said Minister, that by the space of an year and an half year last bypast he has been urged with letters directed to him from his Majesty, and other letters from the Archbishop of St Andrews and Commissioners of Edinburgh, and with letters of horning, to transport himself to Edinburgh to be actual minister there ; so that now, if he defers any longer to obey his Highness' letters, he dreads that it shall turn to ill both to him and the town, and asked their advice how it may be prevented. Whereunto they gave no other answer, but allenary dissented to his transportation ; yet he shewed that he meant to ride againward to Edinburgh immediately. The clerk having read to the (Town) Council certain heads of a letter to be directed in their name to the Archbishop, for that his Lordship is come in contrary to his word and writ anent the said Mr John's transportation, desiring the (Town) Council and (Kirk) Session to declare to him if he shall put it in form and if they will subscribe it ;—they answered (in the affirmative).

Inundation of the Tay at Perth.—October 16, 1621.—The (Town) Council and (Kirk) Session being convened, have ordained a voluntary contribution to be uplifted of the hail inhabitants, for declaration of their thankfulness to God for their deliverance from the fearful inundation of waters, threatening destruction both of the town and inhabitants, to be applied to the support of the poor ; whereof the manner followeth :—*In remembrance of God's visitation of Perth.* It is to be noted and put in register in this Book, the great and miraculous deliverance that the Lord gave to this burgh of Perth, of a fearful inundation of waters, compassing the same in all parts, so that thereby the brig of Tay was haily dung (thrown) down, except only one bow (arch) thereof standing. None could get furth of

it, nor yet come within it, to make any relief thereto. The manner of the rising of the water was this. The rain began on Friday the 12th of October, about ten hours of the day. It continued that day and Saturday, and in the night, unlooked for, the water rose so high that all those that dwelt outwith the Castle Gavel Port in laigh houses, the water increased so that they behoved to go to high houses for preservation of their lives; and being in high houses, the water rose to the loftings in the highest mid house in the Castle Gavel before six hours on Sunday in the morning. And the wind and wet continuing, the water came to Gilbert Henderson's yett (gate) in the Castle Gavel, and to Margaret Monipennie's yett in the Fish Mercat, and to Donald Johnstone's yett in the High Gate, to the Meal Vennel in the South Gate, and the water ran like mill clousses at the yetts of divers parts on the north side of the High Gate. A great tempestuous wind at the east blew all this time. The water also came above Henry Sharp's shop in the Speygate. The like fearful inundation of waters was never seen at Perth in no living man's remembrance, which put the people in such fear that they looked for nothing but to have been destroyed. Whereupon Mr John Malcolm, Minister, powerfully endued with God's Spirit, caused ring the preaching bell on Sunday at seven hours in the morning, and the haill inhabitants came to the kirk. And there he exhorted them to repent for (of) their sins, which had provoked the said judgment of God to come upon the city; assuring them that if they were truly penitent therefor, and would avow to God to amend their lives in time coming, God would avert His judgment, and give them deliverance. Whose powerful exhortations moved the people to cry to God with tears, clamours, and cries, and to hold up their hands to God (that they would) amend their lives, and every one of them to abstain from their domestic sins. The like humiliation both of men and women has not been seen within Perth before. Fasting, preaching, and prayers, continued all that week. Our pastor with great magnanimity insisted in exhorting the people to true repentance and amendment of their lives. The waters began somewhat to decrease after noon on Sunday; but after daylight passed there arose a greater tempest of wind and rain

than at any time before, which so affrighted the people that night, that they looked for nothing but (that) the waters should have arisen to greater height nor (than) they were before. Notwithstanding thereof miraculously, through the mercy of God, by (beyond) all men's expectation, the waters greatly in the meantime decreased, which in the morning moved the people in the kirk and all other places to give most hearty thanks to God for his mercy towards them. Mr John Malcolm, Minister, proved the part of a faithful pastor to his flock, with great godly courage and magnanimity to comfort them with the mercy of God. Great plenty of corns in all parts, both stacks and stouks, being on haughs and valley ground, were carried away by the waters, and divers ships by tempest perished, and horse, nott (cattle), kye, and sheep drowned. *November 13.*—The (Town) Council and (Kirk) Session ordain Charles Rollock, Bailie, keeper of the collected money, to give thereof to Henry Moss, boatman, a double angel, in recompence of his jeopardies, pains, and travels, in saving many persons from perishing by the late inundation of waters outwith the Castle Gavel Port by means of his boat, transporting them therewith from their houses full of water into the town.

Vagrants.—*November 27, 1621.*—The (Town) Council and (Kirk) Session being convened in therevestry, Adam Paterson complained upon certain coddrochs (vagrants) in Dionysius Conqueror, notar, his close (alley), who dwell in laigh cellars wanting chimneys, wherethro' he and his family are not only abused with the smoke and reek ascending up through the liftings of the house, but also are in perils and put in hazard of the burning of their land (tenement) ; and besides, that he (Adam Paterson) reports that men at very suspicious times resort even in the night to certain of the coddrochs, and that they are resettlers of that which unfaithful servants steal furth of their masters' houses. Whereupon the Council and Session think it very expedient that, conform to an Act made before, the said coddrochs be removed, and that the said Dionysius be ordained to remove them, and not to set (let) his houses to any that will kindle an ingle therein that want chimneys. And ordains that the said Dionysius and coddrochs be warned the next Monday to hear them discharged.

Unmarried Woman.—December 3, 1621.—Forasmeikle as dilation being made that Janet Watson holds an house by herself, where she may give occasion of slander; therefore Patrick Pitcairn, Elder, is ordained to admonish her in the (Kirk) Session's name either to marry or then pass to service, otherwise that she will not be suffered to dwell by herself.

Scolding in the Church.—January 24, 1622.—Compeared Violet Gardner, who being accused for profaning the Lord's sanctuary in flyting with Janet White immediately after their private prayers, she answered that the said Janet had abused her with vile words, and that she forbore the said Janet. They are continued till Monday next, and are ordained to be warned to that day.

Mr John Robertson succeeds Mr John Guthry.—January 29, 1622.—Mr John Malcolm, Minister, having asked if they be contented to have Mr John Robertson to be second minister, they all answered in one voice that they are well pleased with him. And because the haill number of (Town) Council and (Kirk) Session are not present, the haill absents are to be warned to be present the next Thursday. *January 31.*—They all agree in one that Mr John Robertson be their second minister. *February 20.*—Compeared in the Presbytery the Bailies and Council of the burgh of Perth, and produced a letter bearing my Lord Archbishop his consent that Mr John Robertson be admitted second minister at Perth, and that his Lordship has to that effect directed an edict to be served on Sunday next, to try if any has to say against him: and also directed a letter from my Lord St Andrews to give power to my Lord Bishop of Dunkeld to admit him in the kirk of Perth, that he may be received with a common consent of the haill people, which is granted. *Pennult day of February.*—The Moderator (Bishop Lindsay) declares that he has received a letter from the Lord Archbishop to admit Mr John Robertson, Minister, on Sunday next in the parish kirk of Perth. Compeared the Bailies, (Town) Council, deacons, and honest men of the said burgh, and produced an edict duly executed and indorsed, that was served in the kirk on Sunday last, if any has to say against Mr John Robertson, which edict being openly called at the revestry door, if any has to say

against the doctrine, life, and conversation, of Mr John Robertson, that they compear, and justice shall be ministrate. None compeared to that effect, and therefore the Presbytery ordained his admission to be on Sunday next, in the said parish kirk of Perth by my Lord Bishop of Dunkeld, and Mr Robert Murray (minister of Methven), Mr Norman Drummond (minister of Kinnoull), and Mr Alexander Balneaves (minister at Tibbermuir), to be with his Lordship at the said admission. *March 3.*—Whilk day (Sunday) Alexander Bishop of Dunkeld, Commissioner for the Archbishop of St Andrews to the effect following, with common consent of the (Town) Council and (Kirk) Session of this burgh, and hail community thereof, with all solemnities requisite and prescribed anent the ordination of ministers in the Kirk of God, admitted and ordained Mr John Robertson (to be) minister at this burgh, in place of Mr John Guthry, lately transported therefrom to Edinburgh, by imposition of hands.

A termagant Wife.—April 9, 1622.—Whilk day John Fleming, Bailie, resolving with the (Kirk) Session what form of punishment shall be enjoined to the aforementioned John Keir's wife for putting violent hands on him, and for wounding him in the head with a pair of taings (tongs); it is concluded that she, on the next mercat day, pass bare-footed, holding up the same taings in her right hand above her head through the streets of the town.

A suspected Witch.—April 16, 1623.—Margaret Hormsleuch, suspected of sorcery, being warned to compear this day before the (Kirk) Session, and not compearing, is ordained therefore to be warded. *May 5.*—Compeared Margaret Hormsleuch, who being accused if Robert Christie's daughter at the Mill of Huntingtower came to her with meal and beef to seek help to their cow, she denied. Also being asked if she heard that certain years syne (since) Patrick Paton's wife her cow's milk was taken from her by sorcery, which also she denied. Thirdly, being asked if a poor woman that lodged with her a certain space sought health to her sick bairn for God's cause, she confessed that she answered—"Let them give her health that took it from her bairn." She is committed to ward in the (Halkerston's) Tower till she be tried anent sorcery, whereof

she is holden to be greatly suspected. *May 8.*—The (Kirk) Session conclude that ane post be directed to my Lord Chancellor, with the clerk's letter, to purchase a commission for holding of an inquest and assize upon Margaret Hornsleuch, indited for witchcraft. *May 27.*—Whilk day, in presence of the (Kirk) Session and of Andrew Anderson, Bailie, Margaret Hornsleuch detained in ward, and delated ane witch, convened before them. She of her own free motion and will disponed to Mr Archibald Steedman, barber and kirk officer, ane cow pertaining to her under the herding and keeping of Chrystie, her son-in-law, since she was warded, declaring that during that time she has been entertained by Mr Archibald Steedman; in contentation to him thereof she dispones to him the said cow, and wills and ordains him to intromit therewith, sell, use, and dispone thereupon for payment to him of his bypast furnishing, and for the farther furnishing to be made by him to her during her warding, and requests the said Bailie to interpone his authority for said Mr Archibald to get intromission with the said cow, to the effect foresaid. *June 2.*—Compeared Henry Balneaves, alleging that Margaret Hornsleuch rests (owes) to him of bypast meall (house-rent) L.10 (Scots), and offered the cow to Mr Archibald for payment thereof, which he refused to accept, and desires the said Henry to satisfy him of the furnishing made by him to the said Margaret, and to furnish her in time coming, and to bruik the cow, which the said Henry refused to do, but is content to satisfy him for his bypast furnishing, and to meet thereupon after the prayers this night.

Witches.—June 3, 1623.—Compeared George Wilson, and deponit (paid) the eight merks which he was ordained to pay for his exemption from warding and the Cross-head; whereof Mr John Robertson took twelve shillings (1s. sterling), which he had disbursed in the affairs of the (Kirk) Session; and the remainder thereof, together with twenty-two shillings (1s. 10d. sterling) taken furth of the thesaury, and fifty-two shillings (L.2, 4s. sterling) received from John Fleming, was sent with George Robertson, post, together with the depositions of the witches, for purchasing an commission to put the witches to an inquest. And for procuring thereof he is ordained to direct ane missive to Andrew

Conqueror, commissioner for the town, and another to Charles Rollock, Bailie, who are both presently in Edinburgh, and ane letter to Mr John Guthry, Minister, that they all three may concur together for obtaining the said commission.

A Quarrel.—July 3, 1623.—Compeared Thomas Wilson, and is accused for dispersoning of Mr Henry Adamson, Reader, in saying—“That if he were not in the place of a Reader he would throw (pull or twist) his nose,” with other contemptible speeches. The said Thomas replied, that the said Mr Henry began first to blaspheme (insult) him, and to call him—“Deboished dyvour,” which he would take in hand to prove by Walter Balneaves and John Blossom. The (Kirk) Session think it expedient that the parties be reconciled; and because that the said Thomas’ offence is thought to be the greatest, the (Kirk) Session ordain the said Thomas to crave the said Mr Henry pardon, which he did, and they took (each) other by the hand.

Consulting with Witches.—July 24, 1623.—Conform to citation compeared Janet Barry, and is accused for consultation with witches, in seeking health at (from) them, as at (from) the devil and his instruments, to her bairn. She denies that she knew these women¹ to be witches of whom she sought health to her bairn; yet acknowledging her offence against God and this congregation in craving the advice of these women, and following thereof, she unfeignedly repents her therefor, and submits herself in the (Kirk) Session’s will. The (Kirk) Session continues till Monday next to deliberate in the said matter, and the said Janet is cited *apud acta*, then to compear. *July 28.*—The (Kirk) Session continues the censure of the aforementioned Janet Barry till Thursday next, that in the meantime they may have the advice of the Presbytery, to deliberate anent her foresaid offence. *July 31.*—Which day (the Town) Council and (Kirk) Session being convened in the revestry, compeared Janet Barry afore named, who for her consultation with witches, in seeking help and health at them to her bairn, plainly confessed by her and the witches, is ordained

¹ Mr Scott observes that the witches had been executed before the above date. He adds that the usual place for the incremation of witches is said to have been a hollow in the North Inch.

to stand in white sheets under the bell-string (rope) the next Sabbath before noon, there to confess her said offence, and to declare her repentance for the same, and also ordain her to pay before Sunday next twenty merks to the use of the poor. *August 1.*—Whilk day the (Kirk) Session for certain good motives and considerations moving them, continue (delay) the compearance of the said Janet the time and place appointed until order be taken with remanent persons consulters; and have received the twenty merks, whereof six were given to Mr Archibald (Steedman) in part payment of what was disbursed by him for (Margaret) Hormsleuch—the rest was put in the Thesaury.

August 11, 1623.—Compeared Janet Jackson, and is accused for consulting with witches, and following their advice for health to her bairn, in that she employed umquhil Isabel Haldane to go silent (secretly) to the Well of Ruthven, and silent back again with water to wash her bairn. The said Janet confesses that the said Isabell brought the water, and washed the bairn therewith, and that the said Isabell did it unemployed by her; and also that she put her bairn through ane cake made of nine carnes (pickles) of meal gotten from women married maidens, and that it is an common practice used for curing bairns of the cake mark. She is ordained to compear the next Thursday, to sustain censure anent the premisses. Compeared Duncan Tawis and his wife, and are accused of passing to Black Ruthven to Janet, (a) witch, to seek help to their bairn; they confessed their going there, but that they knew not she was a witch, but that the bruit went that she could help bairns who had gotten ane dint of ill wind. They are ordained to compear at the next warning. Compeared Grizzel Espline, and is accused for seeking help at Margaret Hormsleuch for remeid of her disease, which she could not deny; continues her censure thereanent till farther advertisement and compearance.

August 19, 1623.—Conform to citation compeared John Bog, and is accused of not resorting to God's service on the Sabbath days: Answered thereto, that when he may (can) come he does it, but by occasion of his sickness is lettit (prevented) divers times, as (his) neighbours know. Secondly, is accused for not communicating at the Lord's table with

the rest of this congregation. Answered, that he did communicate yearly thereat, except the last time of the celebration thereof; that he in the meantime was deadly sick. Thirdly, is accused upon a great slander risen of him, that his purse being stolen from him, he used devilish means to get intelligence thereof the time of the last tempestuous winds which did great hurt to the fruits of the earth. Answering thereto, he sat down on his knees, and with shedding of tears abundantly purged himself thereanent, saying that it was true that he wanted his money, which was stolen forth of his kist (chest) by thieves—that he purged his wife, daughter, and son-in-law thereanent, and besought God to strike him instantly to death if ever he used any such indirect methods to get knowledge of his money, but that he wants it as yet; whereupon the (Kirk) Session, till farther trial anent the premisses, remits him.

Poison.—April 27, 1624.—Conform to citation compeared Janet Sharp, and is accused of giving a drink of . . . leaves to umquhile Thomas Finlayson her son, and which hastened him to his death. Answered, that it was his own will to have it, and before that he drank thereof she drank of it; and because it is a poisonous herb, and that it is not leesome to any except physicians and skilled men to compose drinks of herbs, therefore, and to the effect that the like be not used in this congregation in time coming, she is ordained to draw up in the kirk the next Sabbath in time of the afternoon's sermon, and there in presence of the congregation confess her said fault, and publicly declare her repentance therefor, to the terror of others to commit the like within this congregation, under the pain of severe censure who controvènes. *May 3.*—The Kirk (Session) ordain that intimation be made publicly the next Sabbath that none of this congregation give drinks of . . . leaves, or of other herbs to such persons, but physicians and men of skill, under such pains as the (Kirk) Session pleases to enjoin against the contraveners. Compeared the said Janet Sharp, guilty of the said fact of giving a drink of the said leaves, and besought the (Kirk) Session to dispense with her thereanent, because she knew not if it might do any hurt to the drinker, but rather good, and that it has been commonly used within this burgh many years heretofore, and that she never used

it but once, and will never meddle with the like hereafter ; and that in respect thereof, and that it was never publicly prohibited, it would please the (Kirk) Session not to make ane public spectacle of her, but that they would accept from her ane penalty to the use of the poor according to her ability. The (Kirk) Session being ripely advised hereanent, dispense with their former act made against her, and being humbled on her knees declared her repentance for her said fault, and act her never to do the like hereafter : and ordain her to pay forty shillings (Scots) immediately to be given to Margaret Cook for furnishing made by her to umquhile Dionysius Duncan.

Drunkeness.—June 7, 1624.—Compeared Alexander Cairncross, who being accused for being in company with drunken men, and he himself also appearing drunk, and yet could not be satiate, but openly on the cawsey drank divers pints of ale, and in end fell in tuilzeing ; the said Alexander alleged that he was sober, but these in his company were overcome with drink and fallen in strife, and he was a ridder and intervener between them that not one of them should hurt another. He is admonished to fear God and use sobriety.

*Witchcraft.*¹—April 26, 1626.—Whilk day it was reported to the Presbytery by the Ministers of Perth, that Bessie Wright in the parish of Scone, who long has been suspected of witchcraft in curing of sick folks, who was also bound and acted not to frequent the burgh of Perth, nor to use farther her cures, as the Act in the Books of (the) Presbytery the last day of July 1611 years at more length bears ; notwithstanding (she) has contravened the foresaid Act in curing of sick folk, and frequenting the said burgh, to the great offence of many. The Presbytery ordain her to be cited, and examined according to the foresaid Act. *May 3.*—Whilk day Bessie Wright, being called lawful time of day bidden, conform to her citation, compeared not. Ordain her to get the second summons. *May 10.*—Whilk day com-

¹ Mr Scott informs us in his MS. notes, that from the 17th of October 1624, which concludes the seventh volume of the Kirk-Session Register of Perth, to the beginning of January 1631, that Register is lost, and that he has endeavoured to supply the deficiency by such extracts from the Presbytery Register as relate to the affairs of the Kirk-Session of Perth. The extracts, however, are for the most part of no importance.

peared Bessie Wright in (of) the parish of Scone, and being asked of her skill in curing diseased persons, answered—That she had a book whereout she had her skill, which was her father's, her good-sire's, and grand-sire's, and as she alleged, was a thousand years old, which her son Adam Bell read to her, which book also she declared was taken from her by Mr William Cowpar, Minister of Perth, or Archibald Steedman, beadle for the time. The Moderator and Brethren ordain that if she be deprehended in using any cure she shall be incarcerate; likewise that the Ministers of Perth shall make intimation on the Sabbath following, that because the said Bessie is under suspicion of witchcraft in curing of diseased persons by unlawful means, that none resort to her for any cure under the pain of the censures of the Kirk. *May 27.*—Mr John Malcolm, Minister at Perth, reported that he had made intimation anent Bessie Wright on Sunday last before noon, that none resort to her for cure.¹

A Public Fast.—July 26, 1626.—Whilk day ane letter was produced by Mr John Malcolm, directed from my Lord (Bishop) of Dunkeld, dated at Edinburgh, the 22d of July 1626, to this effect—“It has pleased his Majesty (Charles I.) to appoint in the kingdom of England ane public fast to be observed upon the first Wednesday of August next to come, and has given directions to this kingdom to do the same; therefore the Bishops and Brethren here (at Edinburgh) present have thought good and ordained that we conform ourselves thereto, and have appointed a public fast to be observed (throughout) all this kingdom on the said Wednesday and the Sabbath thereafter, and to be intimate the Sabbath before, for these causes—First, the intemperance of the weather, portending famine through the destruction of the corn; second, that the Lord would bless the arms of the King of Denmark and united Princes in Germany; third, that He would preserve the King's Majesty and whole body of the kingdom from the violence and cruelty of the Spaniard.” Which Fast the Presbytery ordain to be intimate in every parish kirk within their bounds on the Sabbath

¹ Bessie Wright, who seems to have been a very harmless and useful person, was repeatedly brought before the Presbytery after the above date. She was imprisoned, and ordered to appear before William seventh Earl of Menteith, Lord Justice-General. Her fate is not known.

next, the 30th of July instant, and therefore continue the Exercise to this day fifteen days. *August 9.*—The Brethren report that the Fast was solemnly kept in all the kirks on the Sabbath day and on the week day, in such towns as might easily convene.

Child exposed.—June 26, 1627.—Whilk day compeared Janet Smith in (of) the parish of (Inverkeithing), born in the North Ferry in Fife, who being accused of deserting and casting away her child, answered—she was moved so to do because the infant was not baptized; confessed also that the child was to one Alexander Lindsay, a beggar, now a suddart (soldier), and that she was delivered in a town above Pittenweem called Newbigging, twelve weeks since or thereby: The Moderator (Bishop of Dunkeld) and Brethren ordain the Ministers of Perth to take her repentance, and to baptize the child, being presented by some faithful Christian; thereafter the child to be delivered to the mother.

A Frolic.—March 3, 1631.—Whilk day compeared Isabell Hunter, lamentably declaring that upon the 1st of March instant, at ten hours at even, David Duff came in to their house, and passed with a lighted candle to the chamber where her husband lies, and looked in his face, saying to him—“That the picture of death was in his face, and that if he lived three Sundays hereafter he would live three hundred years.” Whereat she being offended that he should give her husband such dull comfort, said to him—“David, are ye a witch, that ye can discern upon life and death, and (the) time thereof?” He most slanderously answered—“You and your mother have witched him to be pining in his bed till he die,” with sundry other speeches both against her husband, herself, and mother, and against John Conqueror and his spouse, using great perturbation in the house, and would not pass forth thereof until he was put forth by violence. And after he was put forth, and the yett (gate) steiked (shut), he would not refrain from speaking most slanderous speeches against us; and so the said David had committed both oppression and the highest degree of slander against them, beseeching the (Kirk) Session to take condign order with him thereanent. The said David, conform to warning, compeared, and being examined upon the points above written, confessed certain thereof, alleging that

he being overcome with drink at the time knows not what he spoke. Matthew Lamb and John Conqueror, younger, being examined, proved the premisses, whereupon the (Kirk) Session find that the said David has committed notable offences against the said David Jackson and his spouse, and ordain Mr Robert Mitchell, Bailie, here present, to put the said David in ward, therein to remain until he pay a penalty conformable to his offences—the one half to be applied to the use of the (Kirk) Session to distribute to the poor, and the other half to the Bailie's use, which he promised to do.

Lykewakes.—May 6, 1631.—Forasmeikle as the (Kirk) Session, being informed of great profanities that customary are used at lykewakes by certain profane persons that purposely resort thereto for that effect, and that they use to come at midnight to honest men's houses when they are upon rest, and knock at their yetts (gates), declaring that certain special friends belonging to them have taken a sudden sickness tending to death, putting these persons at whose yetts they report these things under great fear, and causing them in a suddenty to rise furth of their beds to the visitation of those reported to be in the said sudden sickness, and find it but done in derision of mockery, tending to the offence of God and honest neighbours. For restraining of such profanity in time coming, the (Kirk) Session have ordained that the (Town) Council convene with them the next session day, to settle an ordinance anent sobriety and godly exercises to be used at lykewakes, and that profane persons be not admitted thereto in any time thereafter.

A Female in disguise.—April 16, 1632.—Conform to citation compeared Janet Gibson, a servant lass, and is accused of indecent wantonness in putting on men's clothes upon her. She answered that she simply drew upon her a pair of breeks (breeches), and cast them immediately, (and) she promises never to do the like hereafter. She is committed to ward, therein to remain the space of three hours.

A Man in Woman's clothes.—December 17, 1632.—Report being made to the (Kirk) Session that Burnet in the New Row disguised himself in woman's clothes, and went through the town in great profanity the last Sabbath at night, he is ordained to be warned to compear before the (Kirk) Session the morrow to be censured for the same.

Charming.—December 30, 1634.—Conform to citation compeared Robert Thomson, maltman, and it is shewn (to) him that delation is made to the (Kirk) Session that a bairn of his was taken to the Mill of Balhousie and put in the flapper thereof and the Mill set on, to be charmed, which is a lesson of Satan, and express against God's command. He answered that he knew not thereof until the bairn returned. Being such an odious offence the (Kirk) Session take to be advised with the Presbytery the morrow how the same shall be punished.

I.—MINISTERS OF PERTH.—As the "Ministers" of Perth are frequently mentioned in the preceding Extracts from the Kirk-Session Register, the following list, from the Reformation to the Revolution, is an appropriate conclusion.—

1. Mr John Row, who had been several years at Rome as a delegate from the Roman Catholic Hierarchy of Scotland, and returned to his native kingdom in 1555 with instructions from the Pope to oppose the progress of the Reformation, embraced the new doctrines, and was appointed minister of Perth, 17th July 1560, and died there in October 1590.

2. Mr Patrick Galloway, appointed successor to Mr John Row on the 14th of November 1580. He incurred the resentment of James VI. for supporting William Earl of Gowrie and his party, and was compelled to retire into England. Mr John Howison, minister of Cambuslang in Lanarkshire, was in consequence appointed minister of Perth *pro tempore* in November that year; but Mr Galloway regained the King's favour, and returned to Perth in November 1585. The General Assembly, held in June 1589, enjoined him to leave Perth and attend the King; and in June 1607 he was appointed one of the ministers of Edinburgh.

3. Mr John Malcolm, Principal of St Leonard's College, St Andrews, was inducted minister of Perth, 4th November 1591. He died at Perth on the 3d of October 1634.

4. Mr William Cowpar, minister at Bothkennar in Stirlingshire, was admitted colleague to Mr John Malcolm on the 23d of June 1595. He was nominated or consecrated Bishop of Galloway on the 31st of July 1614, resigned his charge at Perth on the 22d of October 1615, afterwards appointed Dean of the Chapel-Royal of Holyrood at Edinburgh, where he died on the 15th of February 1619. Bishop Cowpar, while minister at Perth, was often employed by the Magistrates to negotiate matters affecting the interests of the "Fair City" with James VI., who seems to have held him in great regard.

5. Mr John Guthry, ordained as colleague to Mr John Malcolm on the 20th of February 1617. He was translated to Edinburgh much against his inclination on the 11th of June 1621, nominated Bishop of Moray on the 20th of November 1623, and deprived of his See by the Covenanting Presbyterian General Assembly held at Glasgow in 1638.

6. Mr John Robertson, ordained colleague to Mr John Malcolm on the 3d of March 1621. He conformed to the Solemn League and Covenant, but was deposed by the Covenanting General Assembly in 1645 for "conversing," or having intercourse with, the great Marquis of Montrose, then under Presbyterian "excommunication." He was restored by the Synod of Perth and Stirling on the 11th of October 1654; but as a Covenanting Assembly had thought proper to enact that no "deposed" minister should be restored to the parish in which he had been inducted, he afterwards resided in Perth as a private individual.

7. Mr Joseph Lawrie, minister at Stirling, was admitted colleague to Mr John Robertson in February 1635, and died at Perth in July 1640.

8. Mr Robert Lawrie, his son, was admitted colleague to Mr John Robertson on the 4th of August 1641, according to the Covenanting Presbyterian manner. He was translated to Edinburgh, where he became minister of Trinity College church in 1644; conformed to the Episcopate after the Restoration, and appointed Dean of Edinburgh; consecrated Bishop of Brechin in 1671, and died at Edinburgh in 1677.

9. Mr George Hallyburton, minister at Menmuir near Brechin, was admitted colleague to Mr John Robertson, 4th August 1644; nominated Bishop of Dunkeld, 18th January 1662; resigned his charge at Perth in October 1664, and died in February 1665.

10. Mr Alexander Rollock, minister at Dunkeld, was admitted colleague to Mr George Hallyburton on the 25th of September 1645; died at Perth, October 1652.

11. Mr William Colville, minister at Edinburgh, where he was "deposed" by the Covenanting Presbyterian General Assembly in July 1648 for favouring the "unlawful Engagement," or the levy for war enjoined by the Scottish Parliament to rescue Charles I., then a prisoner in the Isle of Wight. He was reponed by the Synod of Lothian on the 8th of November 1654, admitted colleague to Mr George Hallyburton on the 1st of February 1655, and died at Perth in September 1662.

12. Mr Henry Auchinleck, minister at Mains near Dundee, was admitted colleague to George Hallyburton, Bishop of Dunkeld and minister of Perth, on the 23d December 1662, and died at Perth in March 1667.

13. Mr Mungo Law, ordained colleague to Mr Henry Auchinleck, 1st June 1665, died July 1671.

14. Mr William Lindsay, minister at Auchterderran, in Fifeshire, was admitted colleague to Mr Mungo Law, on the 9th of April 1668; consecrated Bishop of Dunkeld in 1677, resigned his charge at Perth in October 1678, and died in 1679.

15. Mr Alexander Rose, ordained colleague to Mr William Lindsay, 14th November 1672; resigned on the 7th of May 1683, when appointed Professor of Divinity in the University of Glasgow; in 1686 nominated Principal of St Mary's College, St Andrews, and Bishop of Moray, but consecrated to the See of Edinburgh in 1687; deprived in 1689, and died at Edinburgh on the 20th of March 1720, the last survivor of the Scottish ante-Revolution Bishops.

16. Mr Alexander Skeen, Professor of Philosophy in the University of St Andrews, was ordained colleague to Mr Alexander Rose, on the 26th of June 1679; resigned on 31st May 1680.

17. Mr David Anderson, formerly Professor of Humanity in St Leonard's College, St Andrews, and afterwards minister at Dunbarney near Perth,

was admitted colleague to Mr Alexander Rose, 27th October 1680, and deprived at the Revolution.

18. Mr William Hay, minister at Kilconquhar in Fifeshire, was admitted colleague to Mr David Anderson in March 1684; resigned when nominated Bishop of Moray on the 4th of February 1688; deprived at the Revolution, and died at Castlehill near Inverness in March 1707.

19. Mr Adam Barclay, minister at Keig, Aberdeenshire, admitted colleague to Mr David Anderson in May 1688; deprived at the Revolution.

We thus see that of the nineteen incumbents of the "Fair City," from 1560 to 1688—for Mr John Howison is not included, though a few of them were of Presbyterian ordination, they all conformed to the Episcopal Church, and most of them were canonically ordained Deacons and Presbyters. Mr John Row was in the orders of the Church of Rome. The two ministers of Perth at the Revolution, Mr David Anderson and Mr Adam Barclay, would not acknowledge King William's Government, and shared the fate of the suffering Church.

II.—ANCIENT FESTIVALS OBSERVED IN PERTH.—Two of these are repeatedly noticed in the preceding "Extracts"—viz. *Corpus Christi Play* and *St Obert's Play*.—Before the Reformation the people were exempted from labour on certain holidays, and after attending Divine Service in their parish churches they employed themselves in such diversions, amusements, and pageantries, as suited their inclinations. One of those observed at Perth was the Festival of *Corpus Christi*, against which the opposition of the Kirk-Session was vehemently directed by imprisoning and otherwise punishing offenders.

Obert, Berth, or Bert, was selected by the Perth Bakers as their tutelary patron. Of this holy man nothing is known, and no traces of him appear in any of the Kalendars, but he was the choice of the Bakers of the "Fair City," who acted a play in honour of him on the 10th of December, which was known as *St Obert's Eve*. It will be seen from the "Extracts" that numbers of persons perambulated the town in disguise on those occasions, dancing, piping, and excited by the beating of a drum, carrying lighted torches in their hands. It must be admitted that the pageantry was very foolish. One of the parties was clad in what was called the *Devil's coat*, and another was mounted on a horse which ambled in *men's shoes*! This annual observance excited the peculiar ire of the Kirk-Session, yet, notwithstanding all the denunciations against it, the Bakers held out till 1588, when they entered on their records an agreement that none would be entitled to the privileges of their "craft," but would be "banished the town for ever," who had any concern in *St Obert's Play*. This completely finished *St Obert*.

The Dragon-Hole of Kinnoull Hill was also the scene of an annual procession of young persons of both sexes on the 1st of May, and evidently originated in Druidical times, connected with the *Beltane* or *Bel Fire*—the worship of the sun. The rejoicings continued to be observed in various forms in Christian times, and the Dragon Hole of Kinnoull was known as such from the most remote antiquity. The beautiful Hill of Kinnoull rises conspicuous from the Tay opposite the "Fair City," of which it commands a splendid view, and is one of the finest environs of Perth. The Hill rises 632 feet above the level of the Tay, is exceedingly steep on the

south, and presents a front of rugged precipices of a striking and formidable appearance. It is adorned by plantations and numerous villas embosomed in shrubberies and gardens, and intersected by delightful walks. The east and south part of the Hill belongs to Lord Gray, and the centre to the Earl of Kinnoull, to whom the Hill and parish give the title, connected with the old castle of Kinnoull, which has now disappeared. Hawks, kites, and other wild birds nestle in the corners of the rocks, huge masses of which have from time to time been precipitated to the ground below. The *Dragon Hole* is in Lord Gray's portion of the Hill, and is of extremely difficult access. The Hole, which is said to have at one time been much larger, is capable of accommodating ten or twelve persons, and is about ten feet high. The cave is traditionally reported to have been the retreat of Sir William Wallace, many of whose exploits are connected with Perth and the vicinity. Henry Adamson in his curious historical poem entitled "Gall's Gabions," or the "Muse's Threnodie," relates a fable of a certain man finding in the cave a stone which had the power of rendering the person who possessed it *invisible*; but unfortunately he lost it before he left the cave, and though he often renewed the search it very naturally eluded his utmost vigilance. The expectation of discovering this stone might induce many persons in those credulous times to resort to the cave, though Kinnoull Hill contains treasures of a more tangible kind, vast numbers of fine agates, some onyx stones, and a few cornelians, having been obtained. Before the front of the Hill was planted, several persons obtained a livelihood by digging for these stones at the base of the cliffs, and carrying them to Edinburgh for sale.

III.—ST JOHN'S CHURCH AT PERTH.—The "Fair City" before the Reformation contained numerous religious houses, some of which were magnificent edifices and munificently endowed, especially the Dominicans, or Black Friars, on the north side of the city, founded by Alexander II. in 1231, and in which James I. was murdered in 1437; the Carmelites, or White Friars, founded in the reign of Alexander III., a short distance west of the city; the Charter-House, or Carthusian Monastery, the only one in Scotland, erected or founded by James I. and his Queen, Jane Somerset, in 1429; and the Franciscan or Grey Friars' Monastery, founded by Lawrence first Lord Oliphant, in 1460, at the south-east corner of the city near the Tay, the ground occupied by which was in 1580 ordered to be the common sepulchre of the citizens and parishioners in all time coming, and has since continued the parish churchyard, by the designation of the *Grey Friars' Burying-Ground*. The oldest tomb-stone in it is dated 1580—the year it was set apart for its present purpose. The other religious houses and chapels were the Nunnery of St Mary Magdalene with its Chapel, about a mile south of the city, but the time of its foundation uncertain; the Nunnery, Chapel, and Hospital of St Leonard the Abbot, founded before 1296, a short distance south-west of the city; Our Lady's Chapel, at the end of the North Street, near the old bridge, and considered an ancient building in 1210, when it was partly overthrown with the bridge by an alarming inundation of the Tay, and afterwards repaired—in 1845 used as the Burgh Hall, Court Room, and Police Office; St Laurence's Chapel, at the Castle Gavel, founded in 1406, and granted by Robert III. to the Black Friars; the Chapel of St Ann, mother of the Virgin Mary, on the south side of

St John's Church, the date of its foundation uncertain ; St James' also St Thomas à Becket's Chapel, on the south side of St John's Church, rebuilt in 1400 ; the Chapel of Our Lady of Loretto, on the north side near the head of South Street ; St Paul's Chapel, at the north-west corner of the New Row, founded in 1434 by John Spens of Glendewgllis ; the Rood or Holy Cross Chapel, on the north side of South Street Gate or Port ; St Catharine's Chapel, founded in 1523 by Sir John Tyrie, Provost of the collegiate church of Methven, at the west end of Perth, near the former locality of the Claypots. The Monasteries and most of those religious houses were demolished at the Reformation after the sermon preached by Knox in St John's Church, which originated the destruction of the cathedrals, churches, and religious houses in many parts of Scotland. St John's Church was apparently the only religious edifice in Perth which escaped the destructive propensities of Knox's mob, and it was considered necessary to preserve the building for the purpose of preaching. It is said that the Picts, after they embraced Christianity, dedicated the church and bridge of Perth to John the Baptist, who became the tutelary Saint of the town, and hence its common name St Johnstown, though it is not so designated in any public document. The burgh seal from 1400 to the Reformation represented on one side the decapitation of the Baptist by a swordsman, Salome holding a platter to receive the head ; on the reverse he is represented as enshrined, supported by priests ; and the legend on both sides is—"S. COMMUNITATIS VILLE SANCTI JOHANNIS BAPTISTE DE PERTH." The founder of the original church of St John the Baptist and the date are unknown, though it appears to have existed before the tenth century, but the edifice so called in the beginning of the thirteenth century was large, and of considerable architectural pretensions. In 1226 St John's Church was granted to the Monks of Dunfermline, and during upwards of a century afterwards it was allowed to become almost ruinous—the worthy Fathers endeavouring to impose the burden of keeping the fabric in repair on the citizens, and they in turn on the Monks. It had also to compete with the monastic churches, the mania for which in the town and parish began in the reign of Alexander II. King Robert Bruce ordered the edifice to be repaired, but it was partially done, and was neglected after his death in 1329. Fordun relates that Edward III. of England killed his brother John Earl of Cornwall before the high altar of this church in 1336, for wantonly ravaging various districts of Scotland, but the English historians are silent on this event, and merely state that Edward III., when he returned to England, left the command to his brother, who died at Perth in October that year. St John's Church, as it existed at the commencement of the fifteenth century, was in complete repair, the choir or east end had been rebuilt, the former altars, with the exception of the great altar of St John the Baptist, had been removed, but several new ones were subsequently founded, the first of which was that of St Ninian, on the 14th of August 1401, by a burgess of Perth named Robert Brown. The edifice long continued the only parish church after the Reformation. From 1560 to 1595, when the future Bishop Cowpar of Galloway was admitted colleague to Mr John Malcolm, the "Fair City" had only one minister, and from 1595 to 1716, including the establishment of the Episcopate in the preceding century, two incumbents were sufficient. St John's Church, as it now appears, is of various dates, and has undergone numerous

internal and external alterations. It is now subdivided into three parish churches, known as the *East*, *West*, and *Middle Churches*, from their local position. Before its division the Church was a long edifice, originally extending much farther to the west. The pulpit was placed close to one of the pillars which supports the steeple. The seat occupied by the Magistrates was round a pillar at the south-west, and the King's seat was at the north-west side. The interior was rudely fitted up, and it was common to see idlers playing at pitch and toss in the east end during divine service, while groups of individuals were conversing on the topics of the day in other extremities of the building. It is said that the ancient Family of Mercer of Aldie, represented by Baroness Keith, disposed to the community of Perth the grounds forming the North and South Inches for a right of sepulture below the north gallery of the present *Middle Church*. This edifice was subdivided into three portions early in the seventeenth century. The *West Church* was first fitted up, and soon afterwards an arch was built, separating the other sections of the structure into the *Middle* and *East Churches*. The *West Church* long contained *John Knox's pulpit*, and its preservation as a relic was strongly recommended by Mr Scott, who was the founder of the Antiquarian Society of Perth, but the local authorities allowed it to be destroyed. The *Middle Church* contained the pew designated the *King's Seat*, opposite to which, in the south gallery, was that occupied by the Magistrates. The *East Church* was at first partially fitted up, and contained only one gallery belonging to the Incorporation of Wrights. The pulpit was placed close to a pillar on the south side, near the centre, and the congregation were confined to a small area near the west end. The *cutty-stool*, or *stool of repentance*, was in the *East Church*, and delinquents were compelled to mount in sackcloth on it, besides paying the stool dues. It is said that even in the eighteenth century many instances occurred of *married persons* sitting on it a whole year during public worship. The only pavement consisted of flat tomb-stones of blue marble, one of which is now placed in the east wall, the two human figures on it supposed to represent the murdered James I. and his Queen. In the east part were kept the fire-engines, the gibbet, the wood used for the scaffold, the gallows ladder, the hurdle which conveyed criminals to the place of execution, and other materials. On the north side was the Sacristy, which was latterly the Kirk-Session house, in which the Records were preserved—a dismal looking edifice projecting into the Kirkgate, its small windows strongly grated with iron bars, the benches and chests of oak, and the entrance by a small arched door inside of the church. This relic has disappeared, and also Halkerstone Tower—a beautiful specimen of groined architecture erected above the north porch of the *West Church*, and consisting of two dismal cells above each other, one for culprits, and the other for unclaimed dead bodies. The whole interior of the edifice is much deformed by the mode in which it is arranged, the partition walls completely destroying the architectural effect. The length of the entire building is two hundred and seven feet. The square tower, under which is the *Middle Church*, is supported by four enormous pillars in that compartment, is the principal portion of the original edifice, and sufficiently indicates its ancient grandeur. The entire height is one hundred and fifty-five feet, and, with the exception of a clumsy wooden erection of a pyramidal form

covered with lead, termed in an act of the Town-Council in 1675 the "pricket of the steeple," exists in its original form. The steeple contains several bells, the most ancient of which is the *Little Skelloch Bell*—the word *skelloch* meaning *shrill*—cast in 1400, and *St John the Baptist's Bell*, cast in 1506, formerly called the *Preaching Bell*. It is locally known as the *Ten o'Clock Bell*, because rung every evening at that hour. Another bell, without any date, is supposed to be the *Curfew Bell*, which was cast in 1526.

IV.—THE HOSPITAL.—The "Hospital" of Perth and its official heads—the "Masters of the Hospital"—are repeatedly mentioned in the preceding "Extracts." It was founded by charter during the Regency of the Earl of Moray, dated at St Andrews, 29th August 1569, and was called "King James' Hospital at Perth." When James VI. came of age he granted a new charter, dated 29th July 1587, and both were confirmed by an Act of the eleventh Parliament of James VI. on the 5th of June 1597. By these Charters and Acts of Parliament the Minister and Elders of Perth were constituted Governors of this Hospital, and incorporated in the name and on the behalf of the "poor members of Jesus Christ residing and abiding in the burgh of Perth," with power to hold legal Courts "with their dues and amercements, and to have tenancies and the service of free tenants." The commissioner from Perth in that Parliament was William Fleming, mentioned in the preceding "Extracts," who had considerable influence at Court by his relationship to Jane Fleming, daughter and sole heiress of James fourth Lord Fleming, and wife of the Lord Chancellor Maitland, afterwards Lord Maitland of Thirlestane. The Masters of the Hospital were to be annually chosen by the Governors, to whom, and to the Court of Exchequer when required, they were to exhibit their accounts. James VI. assigned all the lands, rents, and emoluments which belonged to the suppressed monasteries, chapels, and altars, within the burgh of Perth for the support of the Hospital; but this munificent endowment has been much diminished, partly, it is alleged, by mismanagement, by the change in the value of the current coin, and by the forcible seizure of much of the property by communities and individuals. Orders had been issued from 1569 to 1616 to certain persons to provide a house for the poor, but nothing was done till 1750, when the present Hospital was erected near the site of the Carthusian Monastery. It is a large building of three storeys which the Government leased as a military hospital during the French War, when the Depot was built and a strong garrison stationed at Perth. The chief income consists of the rents of the lands of Lethendy, feu-duties of houses, and ground-annuals of tenements in the "Fair City" paid in Scots money, which produce only a small revenue. In 1837 the net rental was L.597 : 8 : 6. The Hospital has preserved many valuable ancient records, and Mr Scott's industry was employed in transcribing the four volumes of "Hospital Registers" now in the Advocates' Library at Edinburgh.

V.—THE CROSS.—The old Cross, at which the Kirk-Session of Perth compelled delinquents to appear publicly as a punishment, and to express contrition for their offences, stood in the middle of the High Street between the Kirkgate and the Skinnergate. Cromwell demolished the Cross in 1652, and appropriated its materials to the erection of his Citadel. In 1668 the Magistrates contracted with Mylne, the King's "master-mason," whose tomb is in the Grey Friars' Cemetery, to rebuild it for L.200, and

it was opened on the anniversary of the Revolution in 1669. It was about twelve feet high, having a balcony reached by a flight of steps, from which proclamations were read. It was removed, as an obstruction to the street, in 1765 by order of the Town-Council.

VI.—**INUNDATIONS OF THE TAY AT PERTH.**—In these “Extracts” a fearful inundation of the Tay is recorded under date 12th October 1621. In ancient times Perth was repeatedly visited by this calamity. The Tay, after leaving the fresh water lake of Loch Tay, about 500 feet above the level of the sea, has a course of upwards of seventy miles to its debouch into the German Ocean below Dundee, and the numerous tributary rivers which it receives from the mountainous districts often swell it to a magnitude as grand as it is dangerous and irresistible. The situation of Perth, which is only a few feet above the level of the sea, exposed the “Fair City” to the most alarming inundations, from one of which William the Lion, his family, and Court, are said to have narrowly escaped. In more recent times similar occurrences are recorded, especially in 1621, already mentioned, in 1773, and in 1814.

VII.—**PERTH BRIDGE.**—In the preceding “Extracts” some notices occur of the fall of part of the Bridge of Perth in 1573, 1582, and 1589. This is conjectured to have been the Bridge erected by the Magistrates in 1329, opposite the east end of the High Street. When the Romans were in Scotland it is said that Agricola constructed a large timber bridge over the Tay at Perth. Though this is a mere tradition, it is certain that a bridge existed in early times, and Fordun relates that the great inundation of 1210 swept away the then Bridge, numbers of houses, and a chapel. The Bridge of Perth is mentioned in a charter of King Robert Bruce to the town on the 29th of June 1317. Robert III., on the 10th of April 1395, bestowed the fines and amercements of the justice-ayres to repair and uphold the Bridge erected by the Magistrates in 1329; and by another charter, dated 31st January 1405, he granted L.11 of the burgh duties payable to the Crown for the same purposes, which was confirmed by James IV. on the 18th of June 1494. The portions of the Bridge destroyed by the floods of 1572, 1582, and 1589, were temporarily repaired with timber. In 1599 another Bridge was commenced, and on the 7th of February that year James VI. and the Privy Council signed an order allowing the Magistrates to take stones from a quarry at Pittheaveless to repair the structure, on payment of 50 merks annually till it was finished. The city records detail the progress of the work, the obstructions it encountered, and the means adopted to obtain the funds. In 1604 is an order to send Mr William Cowpar, then one of the ministers of Perth, to “England to his Majesty, to crave support to the Brig of Tay,” and on the 8th of August 1608 are “orders to go to Edinburgh for money for the Brig.” In 1609 the Parliament passed an Act, empowering Sir James Hay of Kingask, Knight, the King’s Comptroller, to pay to the Provost, Bailies, and Town Council of Perth the sum of 5000 merks annually for seven years, to commence on the 1st of November, for “bigging of their brig,” and the money was to be paid without any reference to the completion of the Bridge in a shorter period—“seeing it is understand to the Estates that the Burgh of Perth is impignorat in great sowmes of money for bigging of thair brig already, and that

the foirsaid haill sowme will not compleit the work of the said brig."¹ It was finished in 1617, when 3000 merks were paid for the last arch, but it was completely swept away in 1621. Several attempts were made to rebuild the bridge. King James issued a royal recommendation to procure subscriptions, heading the list by 10,000 merks payable at Whitsunday 1624, and a similar sum at Whitsunday and Martinmas 1625. The Prince of Wales, afterwards Charles I., by four instalments was to give 10,000 merks. This example was followed by numbers of the Nobility and gentry. Ludovick Stuart, second Duke of Lennox, created Duke of Richmond in 1623, guaranteed 2500 merks; Sir George Hay, first Viscount of Duplin and Earl of Kinnoull, 1000 merks; John seventh Earl of Mar, 1000 merks; Robert first Earl of Roxburgh, 800 merks; James second Earl of Moray, 800 merks; Alexander Erakine (either the eldest son of the first Earl of Kellie, or a younger half-brother of the Earl of Mar), 400 merks; Sir David Carnegy, first Lord Carnegy afterwards Earl of Southeak, 400 merks; Walter second Lord Scott and first Earl of Buccleuch, 800 merks; Alexander second Lord Spynie, 400 merks; Colin first Earl of Seaforth, 800 merks; William sixth Earl Marischal, 800 merks; William seventh Earl of Morton, 800 merks; Alexander second Earl of Linlithgow, 500 merks; Sir Thomas Hamilton, Earl of Melrose, afterwards first Earl of Haddington, 800 merks; John first Earl of Lauderdale, 800 merks; and John second Lord Cranstoun, L.100. Those several sums, however, were never paid by any of the parties. The death of King James and of several of the intending subscribers, the difficulty of obtaining sufficient funds, and the ensuing troubles, completely frustrated the design. It was revived by Charles II., dated Whitehall, 27th July 1661, but the project was again abandoned, and from 1621 to 1771 the communication on both sides of the river was maintained by ferry boats; till Thomas eighth Earl of Kinnoull succeeded by the most strenuous exertions in erecting the present bridge, which was begun under his auspices. The following extract from the Kirk-Session Register of Kinnoull, kindly transmitted to the Editor by William Ross, Esq. Writer, Perth, refers to the erection of this bridge:—"The foundation-stone of Tay bridge was laid in the bottom of the second pillar from Bridgend, in presence of the Right Honourable the Earl of Kinnoull, the Sheriff-Depute of the shire, the Provost and Magistrates of Perth, and several other gentlemen, on the 13th September 1766, between the hours of one and two afternoon. The middle arch was begun August 21, 1769; the key-stone laid September 1; the arch finished September 5; the last arch, being the second from Perth side, was finished; and the two lands joined May 26, 1770, a quarter before six in the evening. At the building of this arch two of the barrowmen were thrown from the top of the rope of the pully and killed, one on the spot, and the other died next day. Those were the only workmen who lost their lives during the whole time of the building. The bridge was completely finished, and the last of the workmen paid off, 13th November 1771, so that it was in all five years and two months in building. The Earl of Errol's coach was the first that passed it sometime in winter 1770 and 1771. The plan was drawn by Mr Smeaton, Architect, and the work completed according to his orders by Messrs Gregor, Maxton, and Jameson."

¹ Acta Parl. Scot. folio, vol. iv. p. 451, 452.

VIII.—THE GOWRIE CONSPIRACY.—Very few allusions occur in these “Extracts” to the Earls of Gowrie, and none to the celebrated Gowrie Conspiracy. It is singular that, though some respectable citizens of Perth believed that Gowrie was in communication with Queen Elizabeth, and others that he intended to secure James VI. and send him to England, the inhabitants generally long laboured under the extraordinary delusion that the whole was a plot of the King to kill the Earl. This absurd hallucination is exemplified in the following letter from Mr John Caw, Lord Provost of Perth, to George Chalmers, Esq., dated Perth, 23d January 1806, and while it proves that local tradition is often very questionable authority, it sufficiently intimates the long continued popularity of the Gowrie Family in Perth after they had become extinct.—“Mr Morrison¹ has published a book entitled ‘Memorabilia of Perth,’ about six weeks ago. It may be got at T. Ostell’s, Bookseller, No. 3, Ave Maria Lane. In it is an account of the tradition in Perth respecting that dark part of Scottish History, *Gowrie’s Conspiracy*, and is wrote by a very respectable man whom I knew, the late Mr Duff, minister of Tibbermuir. It may be worth your looking at. I have heard the same account from my father, who had it from his mother, as she received it from her grandmother, who was alive at the time. They had no doubt it, as Mr Duff says, was a conspiracy of the King against Gowrie—not Gowrie against the King. That Gowrie’s memory and character were very dear, and much respected for half a century and more after his death is a most certain fact, and his name was a proverb used by them who, I believe, did not know there ever was such a man as the Earl of Gowrie. For a mother in speaking fondly to her infant, would say—‘*My bonny Earl of Gowrie! my brow Earl of Gowrie!*’ This was the case in the end of the 17th century—I mean after 1690. You may smile at this trifling anecdote. Gowrie’s Palace is to be pulled down end of this month.”

¹ An eminent printer and publisher in Perth.



WARRANT BY CHARLES II.

IN FAVOUR OF

DON ROSTAINO CANTELMÍ,

DUKE OF POPOLI, AND PRINCE OF PETTORANO,

**TO ENABLE HIM TO PROVE HIS DESCENT FROM THE ANCIENT
KINGS AND QUEENS OF SCOTLAND.**

25TH August 1681.



THE Scotch have the reputation of being great sticklers for pedigree, and many absurd and ill-judged attempts to carry back families even of undoubted antiquity to remote periods have been, and will be, just subjects of ridicule. But, perhaps, with the exception of the learned Knight of Cromarty, who favoured the world with a pedigree traced directly up to Adam and Eve,¹ there never was a more remarkable instance of the kind than that of which the following document affords evidence, by which Don Rostaino Cantelmi, Duke of Popoli and Prince of Pettorano, proposes to establish a direct descent from the Kings and Queens of Scotland by a continued "course of pedigree from about three hundred and thirty years before the incarnation of our blessed Saviour." Now, as Fergus, the son of Erc, is the first known King of the Scots, and as all authorities concur in fixing his reign four or five hundred years after Christ, it must be admitted that this announcement is somewhat startling.

The "*Litera Prosapie*" following upon the royal warrant has been transcribed by Robert Mylne, and will be found in a MS. volume of *Diplomata* written entirely in the hand of that indefatigable antiquary, marked W. 6. 26.² It commences—"Carolus, &c. Et nos id circum notum ac certum facimus et manifestum esse publice testamur, prædictum illustrissimum Dominum Josephum Cantellanum, de Populo Ducem, et Jacobum Ducem, pietate et doctrina inclitum Romani Pontificis Legatum, Andream fortitudine et prudentia conspicuum de navali militia optime meritum, et predictum Rostainium Cantelinos, fratres germanos ex legitima thoro et matrimonio, et ex utroque parente illustrissimo amplissimo vere nobilissimo natos esse." The parents of these distinguished persons were Frabicio Cantelmi, twentieth Lord and sixth Duke de Popoli, and his spouse the Lady Beatrice Brancia, daughter of Francis Duke of Belvidere.

The pedigree is then carried back through the Cantelmis for several centuries until it reaches "Rostainius Dominus de Luc et Trilli, qui primus Abavi cognomine dictus est Cantellinus, et proavia Domina Phanetta de Beaux, filia Raimundi de Beaux, et conjugis sue Domine

¹ See his Works, printed for the MAITLAND CLUB, by Mr Stirling of Glenbervie. Glasgow, 1815, 4to. p. 155.

² P. 36.

Beatricis de For Lagnier, abavus Cantellinus de Scotia, a parentis morte Alfonsus dictus Dominus de Luc et Trilli, et abavia Ducis de Philastus filia Eustorgii de Philastus, Attavus Ebarardus Duncani Primi Scotorum Regis et Reginae suae Sybellae filiae Sybeardi Comitis Northumbriae filius natu minimus, popularibus jam dudum suis a capitis firmitate et iudicii quo nulla pollebat statula ac minime (Cuntalin) vel rectius Kuncalinei dictus est, sicut et frater ejus natu primus Malcolmus Tertius Scotorum Rex," &c. &c.¹

Having thus linked the Cantelmi upon the kingly line, the genealogist revels in royalty, monarchs are as "plenty as blackberries," and Fergus is the last *named* monarch, the pedigree maker not favouring the world with an enumeration of the *Irish* progenitors, although it is presumed that they must be the illustrious individuals alluded to in the Warrant, as flourishing "three hundred and thirty years before the Incarnation!"

Rostaino, the descendant of the Scoto-Hiberno monarchs, and whose pedigree was thus made manifest by the kingly authority of the Merry Monarch, subsequently became "Duca de Popoli e Principe di Petterano." He married in 1690 Beatrice Cantelmi, his niece, second daughter of his elder brother Joseph Duke of Popoli.

By the marriage with his niece the Duke had two daughters, Diana, a Benedictine nun, and Camilla, married in 1724 to Leonardo Tocco, Prince of Montemileto, and two sons, the youngest of whom (James) was an Ecclesiastic, and Joseph, born on the 14th September 1692, who married "Berta," daughter of the "Duca de Boufflers, Mareciallo di Francia,"² by whom he had no family; and dying 7th June 1749, the family of Cantelmi, Dukes of Popoli and Princes of Petterano, ceased to exist in the male line.

According to Litta, James, the founder of this Family, was one of the many warriors who, following the fortunes of Charles the First of Anjou, settled in Italy—"I suoi discendenti trovandosi gran Signori pretesero," continues the Count) "che Giacomo appartenesse alla stirpe de' re di Scozia, cosicche nel 1683, ottennero da Carlo II. re d'Inghilterra una patente, nella quale è tessuta una genealogia di antenati, che ascende a tempi rimotissimi. Dunque i Cantelmi sarebbero della consorteria degli Scotti di Piacenza, che essi pure vogliono discendere dai Signori di Douglas, che appartevano alla stirpe reale di Scozia."

¹ These extracts are from Mylne's MS., and it was judged better to print them as they stood, instead of hazarding emendations; the only alteration was to make Rostaino Rostaino, but this has been done on the authority of Litta.

² Litta, Famiglie Italiane. Milano, folio, tom. I.

WARRANT BY CHARLES II.

IN FAVOUR OF

DON ROSTAINO CANTELMÍ,

DUKE OF POPOLI, AND PRINCE OF PETTORANO,

TO ENABLE HIM TO PROVE HIS DESCENT FROM THE ANCIENT
KINGS AND QUEENS OF SCOTLAND.¹

CHARLES R.



MOST dear and most entirely beloved brother, right trustie and well beloved cousins and councillors, right trustie and well beloved councillors, and trusty and well beloved councillors, wee greet you well: There being a representation made unto us by Don Rostaino Cantelmi, a person as well of great honour and esteem, as of eminent trust under his Most Catholick Majestie in the Spanish Netherlands, and brother-germane to the Duke de Populi in the kingdom of Naples: Bearing that the said two brothers being able, by good evidences, to prove the descent of their family to have been from the line of our royall predecessors, kings and queens of that our ancient kingdome, by a continued course of pedigree from about three hundred and thirty years before the Incarnation of our Blessed Saviour to this time; and therefor earnestly desiring that so much justice may be done to them and their family, as to have an account of this their descent entered and continued in the most proper publick records of that our kingdome, and an authentick extract thereof given unto them in the most solemn manner, of the like favour as is usually granted to others in their circumstances: We have

¹ From a copy furnished by the late James Allan Maconochie, Esq. Sheriff of Orkney.

now thought fitt to let you know that we, judging this their desire to be very reasonable and just, it is our will and pleasure, and we do hereby authorize and require you to take care that all possible right may be done to them and their family in this their pretension, so far as the same shall be made good unto you by such documents and proofs as are usually received and allowed by you on the like occasions, and that a testification under your great seal of that our ancient kingdome (bearing an exact account of their genealogie and descent) may be granted to them in the most solemne and effectual manner, as the like favour is usually given to persons (of the highest quality) residing in foreign countries, who derive their pedigree from that our kingdome; and particularly, that the same may be presented in this or our nixt ensuing Parliament there, to the end it may be allowed and approved by them :¹ For doing of all which this shall be to them and you respectively, and to all others that may be therein concerned, a sufficient warrant, and so we bid you heartily farewell. Given at our Court at Windsor Castle, the 25th day of August 1681, and of our reign the 33d year.

By his Majesty's Command,

MORRAY.

¹ No traces have been found of any Parliamentary ratification.

CEREMONIAL
OF THE
FUNERAL
OF
FIELD-MARSHALL ROBERT DOUGLAS,
STOCKHOLM, JUNE 1662.





IN 1648, (1st November), Robert Douglas, therein designed "*Legatus Generalis in exercitu sub auspiciis Serenissimæ Swedorum Reginae in Germania Militantis*," obtained a "*Litera Prosapiæ*" or birth brieve under a warrant from Charles I. This document instructs that he was the son of Patrick Douglas of Standing-Stainis in East Lothian, and Christian Lesley, his wife, and that he was moreover nephew of Sir Archibald Douglas, Baron of Whittingham in East Lothian, one of the Senators of the College of Justice, and of James Douglas, Secretary "in auld to our most serene Father" (James the I.) He had other uncles, and of them it is said that "*honestis artibus spectabiles splendidi vixerunt et obierunt.*"

Patrick had four sons, William, Archibald, and Richard, who all had died in the service of Sweden, and Robert, who by the death of his three brothers, and four uncles, elder brothers of his father, without issue male, eventually became representative in the male line of the Family of Whittinghame.¹

The father of Patrick was Sir William, Baron of Whittingham, a Senator of the College of Justice, and Ambassador from James VI. to Denmark, who married Elizabeth Maitland, a daughter of Sir Richard Maitland of Thirlestane and Lindinstone (Lethington †) He died 17th December 1595.²

Sir William's father was also named William, and he espoused Elizabeth Lauder, a daughter of Robert Lauder of the Bass. This William was the son of another William by Margaret Dunbar, a daughter of James

¹ By the death of Archibald, the only son of Sir Archibald Douglas of Whittinghame, on the 26th of November 1660, the representation of the family in the female line devolved on his sister Elizabeth, who became the second wife of Alexander, first Viscount of Kingston. Although there were six sons of this marriage, the heirs-male failed upon the death in 1736 of the sixth son James, who had become the third Viscount. Of the three daughters of the marriage, the two eldest died young and unmarried, and the youngest Elizabeth married William Hay of Drummaikier, who retained the estate of Whittinghame for nearly a century. It now belongs to James Maitland Balfour, M.P. Mr Hay of Dunse Castle, through his ancestress Elizabeth Soton, is the heir-general of the Dunbars and Douglasses of Whittinghame.

² Register of Testaments.

Dunbar of Beil,¹ and he again was the son of William Douglas and Christian Dunbar, the only daughter and heiress of Patrick Dunbar of Whittingham. This last William was the lawful son of Sir James Douglas of Dalketh, by Christiana (according to the *Literæ Prosapiæ*) but Janet, on the authority of the Great Seal Record, a daughter of Sir William Borthwick of Borthwick.

Wood notices the descent of General Douglas from the Whittingham Family, and says—"His son was Governor of East Gothland, and married a sister of Count Steinbeck, by whom he had three sons, first, William Count Douglas, Aide-de-Camp to Charles XII., who was made prisoner with his Majesty at Pultowa, 1709," and two other sons, one of whom became a General in the Russian service, and the other a Captain in the King of Sweden's Guards.

In a Scottish Newspaper called the North Briton, now defunct, there occurs the following paragraph :—

"It is a circumstance not unworthy of remark, that a great number of persons of Scottish lineage are to be found in Poland. Among the Polish Nobility are several names very common in this country as belonging to our oldest and first families—such as Johnston, Lindsay, Gordon, and Middleton. These individuals are in general descended from Scottish adventurers who sought employment in the seventeenth century in the Russian armies."²

Whatever truth there may be in this assertion we know not, but assuredly many of the old Families both in England and Scotland, though extinct in the male line here, still, it is believed, flourish in the Continent and Colonies. The cause of the Queen of Bohemia, which was very popular, produced volunteers of all grades, and the ranks of the Lion of the North, the great and glorious Gustavus, contained some of the very best blood in Britain. In America the younger branches of many distinguished families settled at an early period, and if an heir male of the Percys, of the De Quincys, of the Keiths (Marischal), or of De Vere, still exists, the most likely place to find him is in the New World.

In the curious collection of "*Literæ Prosapiæ*" formed by old Robert Myln, and from which this notice of the Douglasses has been taken, there are several very remarkable birth briefs, especially one in favour of Edward Colbert, Marquis of Signaley, the son of the well known French Minister, who was proud to trace his descent from the Cuthberts of Castlehill in Inverness-shire.

¹ Sir Patrick Dunbar of Beil was the fourth son of George, tenth Earl of Dunbar and March, by Christian, daughter of Sir William Seton of Seton. Wood states that his son Hugh sold the lands of Beil and Mill of Mersington, in Berwickshire, to Robert Lauder of Edrington, 13th September 1499.

² North Briton, Jan. 5, 1831.

ACCOUNT
OF THE
FUNERAL OF FIELD-MARSHALL DOUGLAS,
AT STOCKHOLM, JUNE 1662.

SIR,

Stock-holland, June 14, 1662.



AFTER due thanks rendered you for your joyfull newes of the 13th last past, I shall, in continuance of mine with the last week's post, briefly inform you, that the solemnity of our Field Marshal Douglas his funeral was performed on Sunday last in the manner following.

First marched four companies of horse in their armour, carrying the muzles of their pistols downward, one beating the kettle-drums, and three trumpets riding before them. Five foot companies carrying their muskets under their left arms and trailing their pikes; a marshal; all the schollers; above a hundred ministers; again a marshal: above a hundred standards and collours (taken from the enemy under the deceased his general command) born by officers all in black; a pair of kettle-drums and eight trumpets; a marshal; six horses very richly harnished, their saddles and bridles all embroidered, each one led by two men in long mourning cloaks; again a marshal; three banners with the deceased his coat of arms; the first representing his ancient gentleman coat of arms; the second his baron arms; the third the earl's arms; three horses in mourning, each led by two men in side mourning betwixt these banners, with the same coats of arms the banners had. Then followed the head banner; next a horse in mourning with a white cross; then followed a man on horseback, horse and man in full armour, trimed with plumes of feathers; again a marshal; then upon four black velvet cushions was carried a pair of spurres, a sword, a commanding staff, a head-piece with a pair of gantlets; then the deceased his coat of arms of carved work; a marshal going before the

Herse, which was covered with black velvet, and born by twenty-four Colonells and Lieutenant-Colonells; on each side was carried eight colours with coats of arms representing the deceased his pedigree; next after the Herse was carried a mourning colour and a horse led in mourning; then followed the men attending the funeral; a marshal before the ladies; her Majesty the Queen a foot, led by the Marshal of the Kingdom; her Majesty's sister, and after her the ladies of honour; last of all some other ladies. After the funeral sermon was ended, which lasted above three hours, the corps being laid in the vault, a hundred and twenty piece of great ordnance were twice discharged, and all the horse and foot souldiers gave two pales of shot.

This was a branch of a Noble family, as being a brother's son of the House of Whittingham, a noble family in East Lothian in Scotland, descended of the illustrious House of Dalkeith, Earles of Mortoun, heritable Baron of Whittingham, his Majesty of Sweden's Privy Counsellor, Field-Marshal, General to his Majesty, Counsellor to the Colledge of War, Lord Shalby, Hochstaten, and Sangarden, Earl of Shonengem: And whoever will take a view both of our own and foreign histories, will find their chiefs at home eminent in supporting the honour of the kingdom, and their cadets abroad, as happy by doing service to the greatest principalities in Europe: particularly this great Heroe, whose funeral we have mentioned. For when his last master, the grand Gustavos of Sweden, was with his shoals of victorious Goths and Vandals, plucking down the high places of the superstitious Pollander, then was it that our evangelick Hector did tread upon the voracious Whigamerian Muscoviters, whose ravenous mawes came with full mouth to swallow up the whole graneries of Riga.¹ But such who are curious to have a particular inventory of his great deeds, we shall recommend them to the annals of the north-east part of the world, where they will find the flavour of his memory equally high amongst them as was that of Scanderbegs amongst the Epirolt.

¹ In English it is rye. Pliny in his oatmeal observations says it is good for composing the julep called *caryes*. [Note in the original.]

AN ACCOUNT
OF THE
LEWIS
AND SOME OF THE OTHER WESTERN ISLES.

FROM THE COLLECTIONS OF MACFARLANE OF
MACFARLANE.





THE following particulars relative to the Island of Lewis and the other Western Isles are taken from the topographical Collections of MacFarlane of that ilk, and will, it is hoped, be perused with interest. Of the Authors of the different accounts, excepting in two instances, no information has been obtained. The Description of the Lewis is by John Morrison, an indweller there, as he styles himself, and it may be inferred that he was a descendant of the illustrious "Morea," whom he asserts was the progenitor of all the Morrisons in Scotland.

We are indebted for the Description of Tyrie, Gunna, and St Colm-kill to the Reverend John Fraser, an Episcopal clergyman in the Highlands, who was the Author of a "Treatise on Second Sight," printed at Edinburgh, 1707, 12mo. a Work well known to the curious. Some interesting particulars communicated in 1702 by Mr Fraser to the Reverend Robert Wodrow, relative to the superstitions, customs, &c. of the Highlanders, were for the first time printed from the Original MS. in the *Analecta Scotica*.¹ The MS. now printed was in answer to some queries of Sir Robert Sibbald, and it would appear from the transcript that the original was "given in to me by the Bishop of the Isles." This was probably Archibald Graham, who was raised to this See in 1680, and who held it until Episcopacy was abolished after the Revolution.

Lewis has now passed from the hands of the old proprietors into those of James Mathieson, Esquire, M.P. for Ashburton. Harris has departed from a M'Leod, and is now held by the Earl of Dunmore; while Colonel Gordon of Cluny occupies the seat of M'Niel of Barra, and the Marquis of Salisbury has become the Lord of Rum.

The Macdonalds of Slate still flourish in Armadale, and the M'Leods continue Lords of Dunvegan. May some friendly entail long preserve those ancient inheritances in the same Families.

In a note relative to Dunvegan and its magic banner,² the drinking horn of Rorie More is alluded to, and it may be here remarked that the individual who could quaff such potent draughts was probably Sir Roderick M'Leod, who received the honour of Knighthood from King James VI., and who was infest as heir to his brother William in the Family estates, upon a precept from Chancery, dated in September 1596. This would make the drinking horn of comparatively modern date; for he apparently was the first "Rory" of Dunvegan. He died, it is said, in 1626, and the present M'Leod of M'Leod is his lineal descendant in the male line.

¹ Edin. 8vo. 1834, Vol. I. P. 117.

² See p. 346.

The following letter from this distinguished Chieftain, which the Editor found in his researches amongst the MSS. in the Library of the Faculty of Advocates, is characteristic of the writer, and well merits preservation. It is addressed to his master James, the "sapient and sext.:"—

"MY SOWERANE LORD AND MAISTER,—I commend my seruice vnto your Grace. Pleis wutt I have ressavit ane charge of your Grace to gadder my force withe all possible diligens, boddin in feir of weir, withe ane letter of my Lord Crownners, to the same effect. The letteris ar of the deat the penult day of August, and subscriwit be your Grace self; and the Crownners letteris ar of the deat the fyft day of September; quhilk letters your Grace sarvand, Duncan Murdoche, messenger, chargit me withe at Dunvegane, the xiiij day of September, I nocht beine thair, bot from my dwelling place besyd fourtie-aucht myllis, and from landing to the pairt I wes in, xxx myllis, quhilk is the vtermost pairt I the haild of your Grace, and the vter bordour that your Grace hes, and your Grace's messenger come to me to the said pairt the xvij day of the said monethe of September, quhair he fand me lyand vpon ane soir leg, and talkis God to wutness this is no excuise, and commandit me to be at Ila withe my force, the xx day of the said monethe, at my Lord Crowner, vnder the paines of tressoun, quhilk charge I talk God and your Grace to wutness giff it [wes] possible to me to haive done the samen, althocht my force haid beine togidder, and wund and wedder haid serued me at ewerie airt of the broken seis in the cuntreis, and my men lye far sindrie; and althocht the charge haid beine giffin to me the first of August it haid beine lytle aneuche to haive beine at the day apoyntit with my force. Sir, I beseik your Grace think nocht this to be ane excuise. I will ly all this asyd, and althocht I sould be borne in ane hors litter, I sall do my exact diligence to be at my Lord Crowner, quhair your Grace hes commandit me in all possible haist, as I sall answer to God and your Grace baithe, and quhome your Grace or my Lord Crowner will command me in your Hienes' name to pass on ather be sword or fyre, I sall do the same, or ony your Grace will command me to feacht hand in hand in your Grace sight, I sall pruve my pithe on him. Beseikand your Grace faivorably to lat not vse me withe letters of tressoun nor treatorie, I beine in mynd to serwe yowr Grace vnder God as my native king and maister, to the utermaist of my lyfe. This wayadge beine eudit, I will rejoice to be at your Grace, and to hawe your Grace presens, and to serwe and knaw your Grace as my only soverane, king, lord, and maister: luiking for your Gracis answeire, giff neid beis, againe with this berar, to hawe yowr Gracis presens, and God bliss your Grace. From Marvak the xxij of September anno 1596.

"Be your Gracis Hynes servand at the vtermaist
obedience of my service and lyf to be commandit,
"RODORICUS MACCLOID OF THE HERRIE."

"To his Hynes Maiestie, Soverane Lord,
King and Maister, this be delywerit."

AN ACCOUNT OF THE LEWIS.

I.—DESCRIPTION OF THE LEWIS BY JOHN MORISONE,
INDWELLER THERE.



THE remotest of all the Western Islands of Scotland is commonlie called the Lews, by strangers the Withy, yet it is divyded and cut be severall sounds and rivers of the sea into five several countries, belonging to five several heritors; as Barray to the Laird of Barray; South Uist to the Captaine of Clansale;¹ and North Uist to Sir Dónald; the Herrish to the Macleod of Dunveggane; and that which is properlie called the Lews to the Earls of Seaforth, of which we are now to speak.

This cuntrie of the Lews by situation lyeth longwayis from north-east to south-west sixtie myles in length, including the Herrish, and broad eight miles, and in some places twelve.

There are on the east side of the country four lochs, wherin shippes of any burden may ryde, viz. the Loch of Stornnaway, being the first and nixt to the north, a verie good and ordinarie harbour within, but in the entrie hath two rocks invisible with high water, one on each side of the entrie; that on the north side and outermost of the two is called the Beasts of Holm, and that on the south syde and innermost is called the Roof of Arinish; within those two there is no danger of rocks. The next harbour towards the south is Loch Herrish, where lyeth the Birkin Island, a verie good and usual harbour: next to it is Lochshell, which is a more open place, yet there is special good ryding in it; and next to it and southermost is Loch Seafort. The distance betwixt those places is from the Bawlinehead,

¹ Clanranald. Alas!—the Captains of Clanranald can no longer hoist their standard in South Uist.

which is the northmost promontarie of the Lewis to Loch Stornway eighteen myles of land, which are thus divided, from Loch Stornway to Loch Herrish five myles of land, thence to Lochshell five myles, from which to Loch Seafort eight myles.

There are several other creeks and bays wel knowne to seamen quhilk I omit. Upon the west syde of the countrie there are no harbouring for shippes, except the Loch of Carbuway, stretching in about in the middist of the countrie. The entrie of it is opposit to the north, having many brocken islands on the west syde; the loch itself streaching within the land in severall creeks and bayes. As for the islands and rocks without the land former chronologers have most exactly descived, as Buchanan and others; onlie there are seven islands twenty-five myles westward from the Lewis called the Isles of Saint Flannan, lying closs together, wherein there is chaple wherein Saint Flannan himself lived ane heremit. To those in the summertime some countriemen goes and bringeth home great store of seafouls and feathers. The way they kill the fowls is, one goeth and taketh a road ten or twelve feet long and settis his back to a rock or craig, and as the fowls flieth by he smiteth them continually, and he has ane other attending to catch all that falls to the ground; for the fowls flee there so thick that those who are beneath them cannot see the firmament. Those isles are not inhabited, but containe a quantity of wild sheep verie fatt and weel fleeced. When the people go there they use every tuo men to be comerades. They hold it a breach of the sanctitie of the place (for they count it holier than anie other) if any man take a drink of water unknown to his comrade, or eat one egg or leg of anie fowl, yea, take a snuff of tobacco. It is for certaintie that upon a tyme a countrie fellow being sent there, and left in it be reason he could not be kept from theft and robbie; and so on a time the fire went out with him, without which he could not live, and so dispaired of lyfe, and since he saw that there was no remead, he betook him to pray both to God, and to the saint of the island, as they term'd it, and by night being fallen in a deep sleep he sees a man com to him well clade, saying, Aryse, betake thee unto the altar, and there thou shall find a peate in fyre, for the Lord

hath heard thy prayer. So he arose and accordingly found the fyre, which he preserved until he was taken home, and henceforth he proved as honest a man as was in the countrie.

There are also, seventeen legues from the Lews, and to the north of it tuo islands called Saliskerr, which is the westmost, and Ronay fyve miles to the east of it; Ronay onlie inhabited, and ordinarlie be five small tenants. Ther ordinar is to have all things comon; they have a considerable growth of victual, only bear. The best of ther sustinance is fouell, which they take in girns, and sometimes in a stormy night they creep to them, where they sleep thickest, and throwing some handfulls of sand over their heads as if it were hail, they take them be the necks. Of the grease of those fowles, especially the soline goose, they make an excellent oyle called *gibanirtich*, which is exceeding good for healing of anie sore or wound or cancer either on man or beast. This I myself found true by experience, by applying of it to the legg of a young gentleman which had been inflamed and cankered for the space of tuo years. And his father being a trader south and north, sought all phisicians and docters with whom he had occasion to meet, but all was in vain, yet in three weeks tyme, being in my house, was perfectly whole be applying the aforsaid oyle. The way they make it is, they put the grease and fatt into the great gutt of the fouell, and so it is hung within the house until it run in oyll. In this Ronay there are tuo little cheapels where Sanct Ronan lived all his life tym as an hermite.

There are likewise three islands called the Island Chants or Sanct, lying to the southward, about third part way toward the Isle of Skie, abounding also in sea fowl, sheep, and other cattle. Other islands lying close to the coast of the Lewis; and in the mouth of Lochshell, Island Evart; and in the mouth of Loch Herish are Haray, Hava, and the Birkin Island; and in the mouth of Loch Stornway are Holme and Island Coull. On the west syde of the countrie are those—First, Island Mealistay, Mangray, Pabay, Vaxay, Vuiay Minor, and Vuiay Major. Betuixt those Isles of Vaxay and Vuiay ships might venture to Loch Royne, but without a good pylate I would not desyre them. There are likeuise Berneray Major, Berneray Minor, Kiarty,

Oaray, Grenam, Kialinsay, Berisay, Fladday, and ane high rockie island, lying fardest out to the westward of Loch Carluvay, called the Rock Island.

This country of the Lews is a fertile soyle for bear and oats; other grain they use not, such as wheat, peas, beans, &c. I take the reasons of it to be the multitude of cattle, which are seldom housed, but are constantly in the open fields, and such seeds would not endure to be ordinarlie traded upon as bear and oats will doe. It is very plentiful in all sorts of cattle, such as kyne, sheep, goat, horse. It is also plentifull of all sorts of vyld fowl, such as wilde goose, duck, dracke, whape, pliver, murefoul, and the lyke. It is also served with a most plentiful forrest of deir, naturallie invironed with the sea, and as it were enclosed betuixt Loch Seafort and Kerish, having tuo myles of ground onlie betuixt both the Loch ends;—full of goodlie hills, and wast bounds, so that there little differ betuixt it and a *pene insula*. But of all the properties of the countrie the great trade of fishing is not the least, wherein it exceeds anie countrie in Scotland for herine, cod, ling, salmon, and all other sorts of smaller fishes.

There are many fresh water loghes dispersed through the country, about five hundred streaming into the sea on both sydes of the land, all well plenished with black trout and eele, and also salmone. All the arable land of the countrie lyes be the sea syde round about. In several places there are great stones standing up straight, in ranks some two or three feet thick, and ten, twelve, and fifteen feet high. It is left by traditione that these were a sort of men converted into stones by ane inchanter. Others affirm that they were set up in places for devotion; but the places where they stand are so far from any such sort of stones to be seen or found, either above or under ground, that it can not be but admired how they could be carried there. There is a strange fountain in a place called Garrabost, the water of which being put, with either fish or flesh in a pot or kettle, it will not boil, though it were never so long kept at the greatest fyre, and yet will still playe. There is likewise a well in another place, called Chader, the water whereof, if it be brought and drunk be a seik man, he sall immediately dye or recover.

There are no woods (or plantations) in this country, only some small shrubs in some few places, yet the inhabitants dig up great trunks and roots of trees ten or twelve feet under moss.

The sea casteth on shore some times a sort of nutts growing upon tangles, round and flat, sad broun or black coullered, of the breadth of a doller, some more, some less ; the kernal of it being taken out of the shell is an excellant remedie for the bloodie flux. They ordinarlie make use of the shell for keeping their snuff. Ane other sort of nutt is found in the same maner, of less syze, of a broun colour, flat and round, with a black circle, quhilk in old times women wore about their necks both for ornament, and holding that it had the virtue to make fortunate in cattle, and upon this account they were at the pains to bind them in silver, brass, or tinn, according to their abilities. There are other lesser yet, of a whitish coulour and round, which they call *Sant Marie's nutt*, quhilk they did wear it in the same manner, holding it to have the virtue to preserve woman in child-bearing. There is no castle in this countrie saving the old castle Stornaway, but lately broken down by the English garrison in Cromvil's tyme.

The first and most antient inhabitants of this countrie were three men of three several reaces, viz. Mores, the sone of Kenannus, whom the Irish historians call Makurich, whom they make to be naturall son to one of the Kings of Noravay, some of whose posteritie remains in the land till this day. All the Morrisons in Scotland may challenge their descent from this man. The second was Iskair MacAulay, an Irishman, whose posteritie remain likewise to this day in the Lews. The third was Macnaiole, whose only daughter, Torquile the first of that name (and sone to Claudius the son of Olipheous, who likewise is said to be the King of Norvay his sone) did violently espouse, and cutt of immediatly the whole race of Macknaiole, and possessed himself with the whole Lews, and continueth in his posteritie (Macleod Lews), during thirteen or fourteen generations, and so extinct before, or at least about the year 1600. The manner of his decay I omitt, because I intend no historie, but a description onlie for the tyme.

The countrie is possessed and saflie governed by the

Earle of Seaforth,¹ by whose industrious care and benevolence the people, formerlie inclined to rudeness and barbarity, are reduced to civilitie, much understanding and knowledge, by the flourishing schooll planted and maintained by the saids Earls all the tyme in the town of Stornaway, and not onlie the people of the Lews, but also those of the nixt adjacent Isles; the gentlemen's sons and daughters are bred in that school, to the great good and comfort of that people, so that there are few families, but at least the maister can read and write. I do remember, in my oun tyme, that there was not three in all the countrie that knew A B by a Bible. *Nota.*—That there are neither wolf, fox, nor venomous creature in the countrie, except a few snakes.

Of anie famous batle in this countrie I cannot say much, but manie and assiduous skirmishes have been of old betwixt the inhabitants. The fights and skirmishes betwixt the countriemen and the Lairds of Fyff are to be found in Spotswood his Ecclesiastical Historie, to which I refer the reader. Onlie the late Earl of Seaforth² coming with a fleing armie, fought with the English garrison under Cromwall, killed manie of their men, but being destitute of artilrie, could (not) storm the garrison, notwithstanding that he assailed the trenches, neither would they be drawn out to the fields to encounter.³

Nota.—There is a little island hard by the coast where it is said that pigmies lived some tyme, by reason they find by searching some small bones in the earth. But I cannot give much faith to it, since greater men's bones would consume in a short time; but I hold them to be the bones of small fowles, which abound in that place.

Finis coronet Opus.

¹ The Earl referred to was evidently Kenneth the fourth Earl, who succeeded his father in 1678, and after the Revolution followed the fortunes of James VII., by whom he was made Marquis of Seaforth. He died at Paris in January 1701.

² Kenneth the third Earl, whose attempts to support the royal cause will be found in the Diurnal previously printed. He incurred the anger of Cromwell, and was excepted by him from the Act of Grace and Pardou 1654. His estate was forfeited without any provision being made for his wife and family, and he was kept in prison till the Restoration. He died in December 1678.

II.—DESCRIPTION OF TYRIE, GUNNA, COLL, AND ICOLLUMKILL.

THE Ile of Tiry, laying off the Ile of Mulle towards the west about twenty-four mylls of sea, and within the latitude of 56 degrees 20 minuts, is eight mylls in lenth from east-north-east to west-south-west, and three in breadth where broadest. This Ile is good for cattell, productive of corne and grasse abundantly, it is commodious for fowling and fishing, only ther is no salmon nor herrin taiken in it, there being no arms of the sea entering the land, nor any rivers of anie account. In the midst of this Illand is a large greine, two mylls in diameter and six in circumference, of excellente, goud, and kyndly grasse. Many watter lochs are in this Illand, in one of which is a small Illand on which standith ane ruinous tour, surrounded with ane trintch of stone and earth. Many goud springs are in this Ill, and one remarkable to be goud for persons in consumtions and that has weak stoamacks; severall medicinall herbs are found hear, bot no woods, the ground being most sandy and dry. Here are small cheapells of no great account, the lairgest pairte of the Illand being Churchland. To one of these chapels called Sorraby, the Deanery of the Ills is annexed. Sometimes spermacete is cast on this coast, and *lapides pregnantes* of the whyt and blake kynds. The coast round about this Ill is very dangerous, for many rocks, sandy banks, and violent tides there are; some herbors of bad entryes, yet when entered, pretty safe for small gellys and barks. Eastern and western moons make alwayes highe water in this Ill, and in the other Ills next to it.

Directlie northward from Tiry is the Ill of Gunna, about a myle of sea; it is ane myle in lenth, of small breadth, pretty fertiel, and commodious for fishing. In the midst of it is a ruinous chapell.

From that to the north lays the Ile of Colle, severed by a small streame, wadable sometymes when it is low water. This Ill extends to the north twelve mylls in length, only two in breadth. Sufficiently fertill; it has small woods, many fresh water lochs, goud springs, and medicinall herbs, pettie rivers. Here is found the myne of iron in abundance. In this Ile are two ruinous chapels, and a strong compact toure, seated near the sea. The coast of this Illand is better

than that of Tyrie or Gunna, for there entreth ane arme of the sea in the south and south-east syde of it called Loch-fern, wher ships may saflye ventur. It is pleasant for fishing and fouling.

Icollumkill, antiently called Iona, lays from Colle to the south and south-east about thirty-six myils of sea, and is distant from the south end of Mulle about one myil of sea. It is two myills in lenth, and almost from east to west, and one mile in bredth. It is very fertill; commodious for fishing and fowling. It hes two fresh water lochs, goud springs, and medicinall herbs. Here the sea casteth up in one place a number of small stoness of divers colours, and transparente, very fair to looke upon; they are really peculiar to the place, for the longer they lay upon the shoar, they reapeen and turn more lively in their coulors, yield to the feil, and admits of goud polishing and engraving. Marble also, of divers colours, and with beautyful vains, is found in this Illand. It hes been counted renound pairtly for the goud discipline of Columbus, who is buried in it, and pairtly for the monuments of the place; for it has two monastries, one of monks, another of nuns; a church of considerable dimensions dedicated to Columbus. This hes been the Cathedrall of the Bishops of the Illes since Sodora in the Ill of Man came into the Englishes hands. In this Illand are many other small chapells; the vestiges of a citie is yet visible in it, which, as some old manuscripts testifie, was called Sodora. Many of the Kings of Scotland, some of the Kings of Ireland and Noraway, were buryet heer. Many tombs appropriat to the families of the Illanders, as ther inscriptions, though now allmost obliterate, do testify; heer the famous Columbus himself was also interred. The coast round about Iona is very bade, full of rocks and violent tides. The whole Illand is Church land, so is also a goud pairt of Tyrie, the Ill of Gonna wholly, and the two ends of Colle. It is remarkable that there is in Iona a few people called to this day Ostiarii, from their office about the Church in Columbus' tyme; this people never exceed the number of eight persons in perfyte age; this is found to had¹ true, and there is a tradition that for some miscarriage in ther predecessors in Columbus' tyme this malediction was left them. The inhabitants of all the

¹ Hold.

said Illands are naturally civill and bountiful, right capable of all goud instructions. All thir Illands have been possessed by M'Leane and the cadette of his family.

JO. FRASER.

III.—A SHORT DESCRIPTION OF I OR IONA, 1693.

THIS Ile lyes straight in length to the south, south-west, two myles in lenth, one in breadth, full of little hillocks, pleasant, healthful, with a store of medicinall herbs naturally growing, and some (by) monks transported thither from other places, both esculent and medicinal. The Isle is fruitfull, and has plaine arable ground in good measure, interlyned betwixt the little greenhills theroff. The product and chief commodity is barley. Its severed from the south end of Mull by a narrow sound, three part of a leage, which makes it verie commodious for fishyng, and all water and sea foules.

This Ile has been famous, *first*, by Columbus his dwelling there. *Secundo*, by the large and curious church, altair, and nunnerie, founded there. A considerable citie was in the Isle of old called Sodora, the vestiges whereof are yet visible by the port and streets theroff. It lay in the midst of the Isle, upon the east cost, well stored with natural fountains, in great abundance—great many gardens yet visible, and many chaples, of whose particular uses, save that they served for divine worship, we can give little account. One of thes was dedicated to the Sant Oreanus, commonly called Oran.¹ It is situate near the great church and abbacie,

¹ When St Columbus first set about building, the walls fell down as soon as they were built. This was the working of some evil spirit, who took this method of shewing his dislike to the proceedings of the holy man. The wise men in his company coming to be of opinion that the only safe method of appeasing this malicious sprite was to make him the present of a live victim, Oran, a companion of the Saint, volunteered his services, and was thereafter buried alive in the unhallowed spot. Columbus, at the end of three days, had the curiosity to remove the earth, to see what had become of the mortal remains of his friend, when, to his astonishment, Oran started up, and began to make various disclosures as to the other world, in the course of which he was pleased to represent hell as a fable. This declaration so much shocked the Apostle of I, that he instantly ordered the earth to be flung in again, and Oran was a second time interred. Poor Oran was honoured with the title of Saint for

with a particular precinct, in which many of our Kings and the Kings of Ireland and Denmark lyes buried, with several other tombs of the heads of clans. *Tertio*, By Columbus his buriall there in a little chapel to himselfe, though the Irish alledge he is buried with them:—their credulative fancie is founded on a verse forged by some flattering priest :

*Hi tres sunt tumulo tumulantur in uno
Brigida, Patricius, atque Columba Pius.*

But I have seen his life extracted out of the Pope's Librarie for, and translated in Irish by a priest *verbatim*, as it was in Latin in the said Librarie, shewing he died, and was buried at I. The priest was Caal O Horan. There have been many inscriptions upon the tombs and pillars—the most is obliterate—many curious knotts of mosaick work yet to be seen, though many is over grown, and covered with earth. The buriall places of the nuns is about the nunnerie. No woman is yet tolerate to be buried near the great church,¹ or where the men are buried. This is alledged to be by Columbus' speciall order. In this Ile were a great many crosses, to the number of three hundred and sixty, which were all destroyed by ane Provincial Assembly holden on the place a little after the Reformation. Ther foundations is yet extant, and two notable ones of a considerable hight and excellant work untouched. In this Iland is marble enough, whereof the late Earl of Argyle caused polish a piece at London abundantly beautiful. In a particular place of the Island, neer the sea ebbing and flowing therinto, there are found transparant stones of all colours, but most ordinarily green, much resembling agatts: they yield to the file and toole, and I have severall sealls of them. In this Ile was a societie of the Druids when Columbus came there, but it seems they were none of the best, for he banished them all. Here are yete upon the Ile a few people called Ostiarii, from their office about the Temple, who are

his services, and it may be presumed that these disclosures were not from the mouth of the real Simon Pure, but that the offended sprite had possessed himself of Oran's body after his death, and took this mode of affronting his powerful antagonist.

¹ St Columbus was no admirer of the fair sex. He held them in such abhorrence, that he detested all cattle on their account, and would not permit a cow to come within sight of his sacred walls, because "where there is a cow there must be a woman, and where there is a woman there must be mischief."—See Pennant, vol. ii. p. 284.

observed never to exceed eight in number, which is said to be fortold by Columbus to be their judgement for some atrocious fault committed by their progenitor. The registers and records of this Ile were all written on parchmant, but all destroyed by that Assembly that destroyed the crosses.

IV.—DESCRIPTION OF SKY.

SKY, or Skianach, is the greatest of all the Æbuds or West Isles. It lyeth from south to north forty-two myles in length, and twelve miles in breath, in other places eight miles. The south place thereof called Sleatt is divided from the continent of Kyntaill, Glenelg, and Knodort, by a narrow firth. The promontaries therefore stretched into the sea like wings, for which it is called by some writers Alatae, since the word Skia in the old language signifies a wing. This Isle is blest with a good and temperate air, which, though sometimes foggy, and the hills often surrounded with mist so that they can scarce be discerned, yet the summer, by reason of the continuall and gentle winds so abating the heat and the thickness of the air—yet frequent showers in the winter so asswageing the cold, that neither the one nor the other proves obnoxious to the inhabitants, the summer not scorching nor the winter benumbing them.

The whole Island is verie fertile, their grains for the most part is barley, oats, and some pease, with which they furnish those on the Continent yearlie. Here is great store of cattell, such as cows, sheeps, goat, swine, &c. as also deer, roe, with all sorts of wild fowll, as swans, solan geese, wild geese, duck and drake, woodcock, heathcock, patridges, plovers, doves, hauks, and hundreds of other sorts tedious to relate. Its seas and rivers are sufficientlie provided with variety of excellent fish, as herring, salmonds, trouts, eels, makerel, whiting, lobster, cod, an infinit number of oysters. In the bowels of the earth there are severall mines of iron, and some presumptions to believe there are in it of gold also and some coal.

The commodities this Isle produces are wool, hides, tallow, goat, sheep, calves, fox and otter skins, as also butter and cheese, which they transmit to Glasgow, for which they receive in exchange sundrie other commodities.

The inhabitants of this Island are for the most part of a good stature, strong and nimble, of a good complexion, lives verie long, much addicted to hunting, arching, shooting, swimming, wherein they are very expert. Their language for the most part is Irish, which is verie empathick, and for its antiquity Scaliger reckons it one of the material languages of Europe. They are great lovers of all sorts of mussick—have a good ear.

As to ther women they are verie modest, temperet in ther dyet and apparell, excessively grieved at the death of any near relation.

All the inhabitants here have a great veneration for ther superiour, whom with the King they make particular mention of in ther privat devotion. Besides ther land rents, they ordinarlie send gratis to ther superiours of the product of ther land of all sorts. They honour ther ministers in a high degree, to whose care, under God, they owe ther freedom from idolatrie and many superstitious customes. Their traditions, wherein they are verie faithful, gives account that this Isle has been in time of the Danes and since, the scene of many warlik exploits. Some of ther genealogers can neither read nor writt, and yett will give an account of some passages in Buchanan his Chronicles, Plutarches Lives; yea, they will not onlie talk of what has passed in former ages, but in ther pedigree will almost ascend near Adam, as if they had an Ephemerides of all ther ancestors' lives. They treat strangers with great civility, and give them such as the place does afford without ever demanding any payment. There are among them who excell in poetrie, and can give a satyre or panegyrick *ex tempore* on sight upon anie subject whatsoever.

The southern part of this Isle is called Sleatt: it exceeds any part of the whole as to its woodes. Its chief place is Armidill,¹ one of the chief places of residence belonging to M'Donald. It is adorned with a house, fine gardens, with all sorts of fruits; it hes also a wood and park; it is verie commodious for its fishing of all sorts. On the west side of it, within two miles, lyes a fort called Dunskaich, not far

¹ The seat of Godfrey Lord Macdonald of Slate, an Irish Peerage created in the person of Sir Alexander Macdonald, the ninth Baronet of Slate.—17th July 1776.

from Locheafort, which excells all other lochs for the bignesse of its herring. In this part of the countrie there is a coave from the one end to the other twelve mile in length : the east side of Armidill, lyes Island Diermand, a safe harbour near Lochdale, betwixt which and the Kyle is a wood two mile in length.

To the north of which is Strath ; its chief place is Kil-mirrie, belonging to M'Kinon. On the east side of Strath are the Isles Croulin, Ilan-ni-ley and Scalpa, two mile in length, to the north of which is Portrie, a most excellent harbour for ships ; it abounds with all sorts of fish ; several rivers glide into it, abounding with salmond. Opposite to this Lough lyes Rasay, five miles in length ; it is beautified with house and yairds with all sorts of fruits, on the side of which is an excellent quarrie ; here is latelie found a huge mass of lime whit as snow. On the midle of this Isle is a rock Duncan, of such height as takes a view of the whole Isles. It has its name from Cannus, whom they relate to be Denmark's son, who being banished Sky, possessed himself of this rock.

In the west wing of this Isle is a mountaine of great hight covered with snow all summer. It is of universal vertue, as appears by the snow which is found to be congealed into crystall of the shape of a pyramid, some pieces quadrangular, octangular, triangular. The ladies in this Isle have a great many of them.

To the west lyes the Isles So-abretill—benorth it lyes Buiasa, a mile in circumference, not within a canon shot of land. There is no access to it but at two narrow passes, which, if secured, it lies invincible ; it is opposit to the mouth of Lochbrakidit. The chiefest place in this part of the Isle is Dunvegan,¹ belonging to M'Leoid, it is built upon a rock at the head of Lochfallert. Commodious for its fishing, and a good harbour in this loch, lyes Ilan Isa.

¹ "Dunvegan Castle," says Grose, who gives an engraving of it, "stands on a high rock over a loch of the same name, a branch of Loch Falart : part of it has been repaired in the modern taste, but the greater portion of it is ancient. The oldest part is a square tower, which, with a wall round the edge of the rock, was the original fortification."

In this fortalice was preserved the fairy flag of the Family, which was blessed by Titania, the spouse of Oberon King of the Fairies. Its power was to be exerted on three occasions ; and on the last, the standard

There remains three things of which this Isle makes its boast, and these verie remarkable in all preceding ages. It is ordinar saying with the inhabitants, they can never be ruined as long these three are to the fore. The first of which is a well in the parochin of Uig; the second, Loughsent Dulce; the third, Hebri Rock: all three within nine mile circumference. As to the first, its unparalelled for its goodness, ther one other excepted. The second being but an effect of ane more noble cause, we will first speak of the cause, and nixt of the effect. The cause is Loughsiart, or (the) Hallowed Lough; in the side of it is an principal spring beside which is (a botle). This well is not only by the inhabitants in this Isle, but also by all the Æbuds and Continent, esteem'd a Catholicon for all diseases, which occasions the resort that is to it from all airts. Severalls by it have been restored to ther health, others to engage ther coming to it ty themselves by a vow, which they endeavour to perform. The loch will not exceed two hundred paces in circumference. About it round ther are twenty-four herbrys, all of which pay this loch the tribute of their water; its surrounded with a fair wood, which none presumes to cutt, and such as have attempted it, have been observed to tryste either at that instant or thereafter with some signall inconvenience.

together with its bearer were both to be carried away. This not very enviable office was held by a family of the Clan, who possessed certain lands in Bracadale on the tenure of bearing the enchanted banner.

It has been produced thrice—"the first time," observes Pennant, "in an unequal engagement against the Clan Ranald, to whose sight the Macleods were multiplied ten-fold; the second preserved the heir of the Family, being then produced to save the longings of the Lady; and the third to save my own; but it was so tattered, that Titania did not seem to think it worth sending for." *Tour*, vol. i. p. 340.

Dunvegan still remains in the Family of M'Leod of M'Leod, and with it probably the magic banner. It was visited by Johnson and Boswell in 1773, who were hospitably entertained there by the proprietor, Colonel afterwards General M'Leod, and his mother—a daughter of Alexander Brodie, Esq. of Brodie, Lyon-King-at-Arms, who had lately come with her daughter out of Hampshire to superintend the establishment.

At Dunvegan House is also preserved—besides Rorie More's drinking-cup celebrated by Boswell—a Hebridean drinking-cup of the most ancient and curious workmanship. It is introduced in Scott's "Lord of the Isles"—

" ' Fill me the mighty cup,' he said,
 ' Erst own'd by royal Somerled.' "

(*Lord of the Isles*, Edin. 1815, 4to. p. 46.)

As to the second thing—the Dulce, the water from the well running over it, gives it a yellow tincture which renders it pleasant to the taste ; it is good for some diseases. There is another effect the water produces. Under the sands over which it runs are found stones of a finger-length, and pyramid shape, which they call *bolston*, because it kills worms in horse, which they call *bots*. This is confirmed by daylie experience ; they drink of the water wherein it is steeped ; it is to be found no where else but here. To the above-mentioned loch Mackdonald brought seven fair trouts, the product of which now is innumerable. On the west of this lyes a strong rock-bord Cruin, or round table ; according to Irish it is invincible ; it fears no canon ; one man is able to defend it against a whole fleet ; there is no access to it but in one narrow place, and that by climbing ; it hes a good well.

Duntalme,¹ the chieff place of residence belonging to M'Donald, built upon a rock 200 fathom above the sea.

V.—ACCOUNT OF KEABERA, COLA, FIG, AND OTHER ISLANDS.

THIS Ile perteynes to MacCoul of Lorne : it is near Dunolith. Ovir against the north end of that Iland Dunolith standeth not far from Dunstafnage ; it is fertill in corne, and plentie of pasture is in it, fiches also in the neighbour sea ; it is two mylis and a half or thereby, and not one myle in breadth. There is a small castell on the southwest corner of it called Dundouchy : heir are many foxes dangerous for sheep ; they are greater than ordinarie, and more bold.

COLA.

It perteyneth to sum of the race and name of Macklean ; fertil it is in corne, specially barley ; abundance also of fishes round about.

FIG.

It is fertill in corne and grasse for pasture, fish also many, but they have no skil of fishing. A little church it hath cald Kildonan. Where the Lord of the countrey resideth

¹ "Duntuilm Castle is a ruin, but was inhabited as late as 1715. It was the original seat of the Macdonalds in Sky."—Pennant, vol. ii. p. 351.

ther is a hie strait mountayne upon the south-west syd of it, where the inhabitants have sure refuge in tyme of danger from enemies ; upon the top there is a small loch, and therein ane iland ; it is 30 merk land, it is three myle in lenth and two in breadth.

ILAND NA MUICK.

That is to say, the Swyne Iland ; south it lyeth from Eig ; it hath corne, grass, and fische ; it hath a strenth built upon a rock ; it perteyneth to the Bishop of the Isles. It is six merk land.

RUM

Is a big Island, upon the west syd of Eig, and upon the south-east of Canna ; it perteyneth to the Laird of Cola.¹ It hath two touns, one upon the nord-west syd called Kilmore, the uthir upon the southwest syd called Glenharie ; it hath no corne land but about the said two touns, the rest is for pasture. It hath great mountayns and many deir ; more, it hath certaine wild fowles about the bigness of a dow, gray coloured, which are scarce in uther places ; good meat they ar, but that to them who are not acquainted they tast sumwhat wild.

CANNA.

It perteyneth to the Captain of the Clanrannald ; it lyeth next to Rum, west therfra betwixt it and Uist, it hath cornis, milk, and fishes, and the forsaid fowlis.

BARRAY.

Barra is five myles long ; it hath many glens fitt for pasture, it hath also cornis in reasonable plentie. The sea hath stoar of fishes. Ther be sum Ilands on the north syd perteyning to the Lord of it, as Erisga, Fuda, Linga, Tera, and divers uthers. To the south-west, or south of it, ar also divers small Ilands, fertill as the rest. None do go with boats into those Ilands in the summer and harvest seasons, befor the Lord therof has his dutyes paid to him, which is the half of all thair cornis, butter, cheiss, &c., and he hath an officiar resident ther for that use ; the names of

¹ This island has recently been purchased by the Marquis of Salisbury.

those Ilands are Watersa, Sondera, Pappa, Mewla, Bearnera. There is one church in Barra, upon the north or northeast syd, called Kilbarray. In this town is a spring of fresche water, whilk the inhabitants do believe doth prognostique warra, when they are to be, be droops of blood seen therin.¹ There is also a spring of fresche water falling from a green hillock above the church, falling into the sea hard by; with this water ar carried down to the sea innumerable quantities of small cokils, so small as they show no more but the rudiment of ther shellfishe; and a litle from that upon the sea sands are digged up verie great number of great and fair cokils, wherof the people carie away to their use infinit quantities, without diminution of the stoar. Near the kirk of Kilmore the sea hath almost, with continual working, rent the iland in two. The inhabitants are called Clan Neill Barray, for thois Ilands do al perteyn to M'Neill of Barray.² Ane castel it hath in the south end, in a litle

¹ "There is one church in Barray, on the north or north-east end of it, which is called Kilbarray; and in this toune there is one spring and fresh water well, and the inhabitants, and ancient men and women, both of men and women, in this toune and of the countrie, especially one ancient man, being of fyve or six scoir yearres old, doth say, when appearance of wars wer to be in the country of Barray, that certain drops of blood hath oftentimes been sein in this spring and fresh water well. The laird and superior of this country was called Rorie M'Neill, being a verie ancient man, of sex score years old or thereby, did report this to be true; and also did report this to be true likewayes, whensoever appearance of peace wold be in the countrie, that certain little bitts of peatts would be sein."—Macfarlane's Topographical MS. vol. ii.

² Macfarlane has preserved the following singular information relative to Roderick MacNeil of Barra, who flourished in the sixteenth century:—Rorie, in the time of his youth, "being a valiant and stout man of warr, and hearing from skippers that oftymes were wont to travell to ane island, which the inhabitants of the island alledged this M'Neill and his predecessors should be their superior, which island is seen oftymes from the tope of mountains of Barray. This Rorie hearing oftymes the same newes repeated to him, and to his predecessors, he fraughted a shipe, but nowayes could find the island, at last was driven to Ireland, on the west syd thereof, and took up a spreeth; and returned home thereafter. This M'Neill had severall Noblemen's daughters, and had sundrie bairnes; and at last everie one of them thinking and esteeming himself to be worthie of the countrie after the father's decease, being in lyf as yet, the said sones having sundrie mothers; at last everie one of them did kill others, except one that is alyff, and another drowned in the sea."—Macfarlane's Topographical MS. vol. ii. p. 208. The Island Chieftains do not seem to have been very remarkable for their morals, and old Rorie, with his "Noblemen's daughters," appears to have lived quite a *la Grand Signior*.

Iland, upon a rock in a fresche loch, called Kisimull. A fresche loch there is between this Kisimull and Kilbar; the town is cald Arinstill. One small river is in this yle called Quir. The south part of Barra perteyned of old to Macdonald Lord of Cantyre and Yla.¹

UIST.

Wist is next to the north of Barray; there be 16 myles of sea betwixt them, full of dyvers ilands. Wist is fertill of corne, milk, and abundance of salmond and whytfish; there is also plentie of wildfoul, specially wild geess. In this Isle are many small towers, built in fresche water loches—are strenthis in troublesum tymes. The Isle is rough and mossie, manie lochis; also there be many great and hie mountayns upon the southeast part thereof, where the great plentie of fishing is. The most part of the habitable lands are upon the west or north-west syd. The sea cometh into the fresche water lochis, so that almost al the water of the Iland tasteth saltish; under it be fresche springs and fountains. Here doth grow much barley. The oldest men report this Isle to be much empayred and destroyed be the sands overblowing and burieing habitable lands, and the sea hath followed, and made the loss irreparable; there are destroyed the tounes and paroch churches of Kilmarchirmoir and Kilpetil, and the church of Kilmonie is now called Kilpetil—that is, the church of the muirs, for so it lay of old nearest the muirs, but now the sea and the sands have approached it. There be sum remaynes of the destroyed churches yit to be seen at low tydes or ebbing water. One castel is in this Isle called Reinwhaill; one church also at the south end, called Kilfadrik. Thair is a toun with thrie churches in it that we have said is touching the south end of the Ile, the owner thereof is the Captaine of the Clanrannald, being of the race of Seil-Allein, or Clan-Rannald, being of the Clandoneill, descended of Macdonail his house.²

¹ The Macdonalds of Island Tirrim, or Castle Tirrim, were acknowledged as Captains or Chiefs of Clanrannald for a long series of years. This was disputed by the late Glengarry, who asserted his right to the Chieftainship, and raised unsuccessfully a reduction of Clanrannald's matriculation from the Herald's Office. The Court of Session had no inclination to adjudicate in such matters, and the summons was cast, as not properly and technically framed.

² See p. 362.

The north end of Uist is a pleasant and profitable cuntry, fertill of cornis, specially barly, with plentie of fisches, specially herring: milk also, and those commodities that cum of castell. There is not far an island called Heisker, and dyvers other islands all perteyning to the lord of this cuntry, where yearlie are folled innumerable numbers of seals.

HARAY.

The Iland of Haray do perteyn to MacLoyd, who is styled after this Isle. It is plentiful of cornis, fisches, milk, butter, cheese, &c.: great store of deir are also in this cuntry. This cuntry maketh up but one Isle with the Lewis, being devyded be a small cutt of land: tuo bayis of the sea or salt lochis coming on both syds so neer that they leave onlie a myl of land, which joyneth Haray to the uther. Ther is a paroch church called Rovidil, and a small towr in that town named after the Saint Cleaman, in English, Clement. The lenth of the two Islands Haray and Lewis, reckoned togidder, is accounted sixty myles, more trulie forty-six myles. Fra the Haray, befor you cum to the corn lands of the Lewis, there are accounted twenty-four myles, all consisting of mountayns, glens, muirs, and mossis. The race of the Clan Loyd of Haray ar called Siel Tormoid.

SKIE, OR SKIANACH.

This Iland is great and big, lying northward north and south. It is forty myles in lenth, viz. betwixt Trouternes and the point of Slait. It is devyded in dyers parts, designed be severall names. Sleit, one of them, lyeth toward the south, perteyning to Donald Gorum Mackoneil. It is fertill of cornis and pasture. There be therein two ancient castells; the one lyeth upon the east or south-east over agains Knodcort called Castell Chanmer, the uthir upon the nordwest syd of Slait called Dunskaigh. This Slait is thirty merkland. After Slait is Strahuardill. There are mountayns in it which divyde it from Slait, and from Mackloyd of Haray his lands in that isle. This part is fertill and playne, abundance is therein of herring and white fishing. It perteyneth to a gentleman cald Mackfenine or Macksenayne, whose predecessors were marshalls to

Mackoneyl, Lord of the Isles, in the tym of the greatness of that hous. The inhabitants are of that race called Mackfenayne; besydes cornis and fishes and pasture, it hath abundance of dear and roe: it hath a small castell called Killakin. Hard by is the Isle Scalpa, plentifull of deir, which doth much harme among the corne landis. It hath also wild sheep, which ever keep the fields contrair to the use of those countreys. A church and church toun it hath also upon the eastsyd thereof.

Then followeth Brayhairport and Troyndernes. Brayhairport perteyneth to MacLoyd of Haray. There are yit uther thrie small countreys therin, viz. Meiknes or Mingeness, Bragidill, and Deurnes. They are all good and weill inhabited, and have in them sum rivers stoared with salmond: one castel is in Durnes cald Dunveggan—MackLoyd his ordinar residence in that countrey.

Next is the countrey cald Vatirnes, perteyning to MackLoyd of Harray, being of old the possession of Macloyd of Lewis. It is thirty-two merkland, that is, four daachs of land.

Drointernes lyeth next to Vadirnes, and Brayhairport lying north from MacLoyd's countrey. Tuo loghis separat it from the rest, and make it almost one iland, one called Loghrye, the other Lochsnifort; one castel it hath called Dun Tuylim, built upon a hie rock in the sea, not far from the monasterie which beareth the name of Trointerness, being the most moderne part of the whole Isle. There are dyvers paroch kirks in this countrey: it is also fertil of corne, pasture, and fishing: mountaynes devyd it from divers neighbour lands: it is large, having of lenth sixteen or twenty myles, and sum six or eight in breadth. It is reckoned fourscoir merkland, all perteyning to Donald Gorum of Sleit.

RAASA.

Raasa, ane Isle near the Skye, upon nine myle long, perteyning to MacGillichallum. Rasa, of the hous of Lewis of old, now holds this Ile of the Earl Seafort. It hath one paroch kirk, Kilmalway; one castel called Breokill: hard by is Rona, a smal ile perteyning to that gentleman also.

LEWIS, OR LOD-HUIS.

Lewis is devyded from Haray, as was told, by a small neck of land, and much waste ground is betwixt them before you come to the habitable parts of Lewis. There are certain paroches and churches in the country, the first called Wuivy; the ordinar place of MacLoyd's residence in this country was Pappa, ane island within the sea: a next paroch is called Bearnera. There are therabout three sea lochs, Lochgarlua on the south-west syd, and upon the south-east syd Lochkeanhowliewaig; at the head of the last are thrie litle rivers with salmond fishing in them: next to Bernera is the parish Charluy; then are the parochis of Braiggarry, Claddigh, and Ness; those ar upon the north syd of Lewis, but the parish of Hayis is upon the east syd. Sternoway is the principal toune whair MacLoyd used to reside: in this place is a castell, it lyeth betwixt the parochins of Nes and Hayis. The parish of Loghur is upon the south syd of Sternoway, and upon the eastsyd of the country.

Upon the south, wher is the principall forest of the country called Oisserfail, among mountaynes and glens which abound with great herds of deir: the names of lochis in this isle ar Loch Siward, next the Haray; it hath the head eastward, the mouth southward; one smal river falleth in the head thereof cald the water of Siward: a river also cald Logsa cuming from the north, and falleth in a loch called Locharisford; the mouth of it is to the east; it is near the forest spoken of. In the parish of Wuicgh is a loch cald Loch Dua, with a river falling in the head thereof, whair abundance of fishe in a round water at the mouth of that river, which are left there destitute of water at the ebbing of the sea. At the nordwest of the Island is a loch called Loch Berwais of fresche water; the river that cumeth from it is onlie half a myle long. In the year 1585 it was observed that there were 3000 great salmond taken in that small portion of river.

There is a great forest about that place, on the south syd of Lewis, consisting of a great mountayne cald Cadsoil or Cadseold; the deer of this mountaine all have two tayls (!) whereby they are discerned from the rest.

Ther is a place not far of called Runacabaigh, where are

taken a kynd of small fishe, which hath four feet lyk a lyzard; it is thick-bodied and reidish coloured. The lenth of Lewis is forty miles, the bredth dyvers—in some places twenty-four, in uthirs half so much. It is fertil in every thing which the rest of the isles have. It perteyned to the race of MacLeod—a very ancient race of people, who, besyd, were masters of dyvers uthir lands. They deryved their descent from the Danish; their surname was Targoill. Those of the Haray were thair friends and kinsmen, but distinguished be surname, being called Clan Tormoyd; that is, Clan Norman being cum of one Norman MackLoyd. Those of Hairay do yet remayne, and have dyvers lands; but MachLoyd of Lewis were supplanted by sum barons of Fyf, who, not able to make use of thois lands, made over thir rights to the Earl of Seafort, whose sone now hath the same.



P A P E R S

RELATIVE TO THE SUBMISSION OF

ANGUS MACDONALD OF ISLA

TO

HIS MAJESTY JAMES VI.

1596.



As an appropriate addition to the preceding Articles relative to the Western Isles, the ensuing Papers from the Balcarras Collection of Manuscripts in the Library of the Faculty of Advocates have been included in this volume. They relate to the Island of Isla, and the former possessors, Angus and Sir James M'Donald, both of whom take a conspicuous place in the annals of the Isles.

Angus M'Connell, otherwise M'Donald, was the son of James M'Donald of Dunyveg and the Glens who had by his ability and energy rendered the Clan Donald "the most powerful and prosperous of any in the Western Isles."¹ On the death of his father in 1565 Angus became the Chief, and during the period of his rule he gave numberless demonstrations of his inclination to aggrandize himself; but not possessing the talent of his parent, he ended by losing Isla, the brightest gem in his possession.

The Glens or Glinnes was a large district comprehended between the rivers Inver and Boyse, which had come into the Macdonald Family by the marriage of John of Isla with Mary or Marjory Bisset of the Glens. His Irish relatives seem to have possessed themselves of the lands, leaving Angus merely the titularity. Angus had also large and valuable possessions in Kintyre.

The Lord of Dunyveg took to wife Fynwall Nikclane,² a daughter of Maclean of Duart, by whom he had James, knighted by James VI. in 1597, who married a daughter of Campbell of Calder.

Although thus connected with Sir Lauchlan M'Lean of Duart by marriage, Angus received any thing but benefit from the alliance, as his brother-in-law, partaking of the usual want of principle incident to the Islanders of that age, did not scruple for an instant to sacrifice all family considerations for his own individual benefit.

The following remarkable facts relative to the brothers-in-law are not calculated to create a favourable impression of the Lord of Duart, who, we cannot help thinking, merited the punishment to which he was personally subjected by the ill-used Angus.

¹ Gregory's Western Highlands, Edin. 1836, p. 192.

² According to Pitcairn—"Nik is considered to be a compound of Nyn and Vic, which is the genitive of Mac. Nik thus signifies daughter of the son of, or grand-daughter."—Criminal Trials, vol. iii. p. 6.

Donald Gorme M'Donald of Sleat, or Slate, was a cousin of Angus M'Donald, and purposing to pay him a visit in Kintyre, landed in Jura, then belonging partly to Angus and partly to M'Lean. Two outlaws, who had quarrelled with Donald, stole away some of M'Lean's cattle and then made off to sea. Sir Lauchlan, missing his property, fell upon the innocent Macdonalds as the thieves, and killed nearly sixty of the Clan, the Chief with difficulty escaping to a ship lying in the harbour.

Angus was anxious to make up this matter, and although dissuaded by his brothers Coll and Ranald, and by his cousin Ranald Macdonald, he resolved to visit Sir Lauchlan at Duart in the Isle of Mull. His brothers, having a better estimate of the hospitality and chivalrous feeling of the Knight than himself, refused to go with him, but his cousin Ranald accompanied him. Upon their arrival they were at first kindly treated, but the next day Angus had reason to repent of his temerity, as he and the whole company were made prisoners, Ranald with difficulty escaping.

Being thus entrapped, Angus was concussed into a renunciation of his right to the Rinnes of Isla, and on receiving his liberty was obliged to put his son James and his brother Ranald into the hands of their perfidious relative, as security for the performance of his obligation.

Having obtained his liberty the next thought of Angus was revenge, and as M'Lean was journeying to Isla, bringing with him his nephew, one of the hostages, whilst he left the other in prison at Duart, his brother-in-law invited him to stay at his dwelling-house of Mullintrea in Isla, seeing it was provided with all kinds of provisions. Now Sir Lauchlan was somewhat suspicious of retaliation, and was not inclined to accept the invitation, but Angus was prepared with an answer—His visitor need not be distrustful seeing he had his son and brother as pledges, and that he did intend nothing towards him “but to continue in all brotherly love and affection toward him.”

Whether moved by the promised good fare, or the promised good faith, so it was that the crafty Celt fell into the snare prepared for him, and taking his nephew as a hostage to save him from danger, he put his foot in the lion's den with eighty-six of his kinsmen and servants in June 1586—“where,” as the old Chronicler continues,¹ “at their first arrival they were made welcome with all courtesy, and sumptuously banqueted all that day; but Angus, in the meantime, had premonished all his friends and welwishers within Isla to be at his house the same night at nine of the clock, for he had concluded with himself to kill them all the very first night of their arrival, and still concealed his purpose, untill he found the time commodious and the place proper. So Maclean, being lodged with all his men in a long house that was somewhat distant from other houses, took to be with him his nephew James, the pledge before mentioned, with whom he never parted; but within an hour thereafter, when Angus had assembled his men to the number of 300 or 400, he placed them all in order about the house where Maclean then lay. Angus himself came and called upon Maclean at the door, offering him his reposing drink, which was forgotten to be given him before he went to bed. Maclean answered that he desired none for that time. Although (said Angus) it be so, yet it is my will

¹ History of the Feuds and Conflicts of the Clans, Glasgow, 1764, p. 45.

that thou arise and come forth to receive it. Then began Maclean to suspect, and so did arise, with his nephew James betwixt his shoulders, thinking, that if present killing was intended against him, he would save himself, so long as he could, by the boy. The boy, seeing his father with a bare sword, and a number of his men in like manner about him, cried with a loud voice for mercy to his uncle, which was granted, and Maclean immediately removed to a secret chamber till the next morning. Then called Angus to the remanent within, so many as would have their own lives to be saved, that they should come forth (Macconald Tearreagh, and another whom he named, only excepted); obedience was made by all the rest, and these two only, fearing the danger, refused to come forth; which Angus perceiving, he commanded incontinent to put fire to the house, which was done, so that the two men were pitifully burnt to death. This Macconald was the author of these troubles, the other was a very near kinsman to Maclean, and of the eldest of his surname, renowned both for counsel and manhood.

“After that the report of Maclean his taking came to the Isle of Mull, Allan Maclean, and some others of the Maclean, caused a rumour to be spread in Ila, that Renald (the brother of Angus Macconald, and the other pledge which he had given to Maclean) was slain at Duart in Mull by Maclean his friends; which false report was raised by Allau Maclean, that thereby Angus Macconald might be moved to kill his prisoner Sir Lauchlan Maclean, and so Allan himself might succeed to Sir Lauchlan; and indeed it wrought this effect, that how soon the report came to Angus his ears that his brother Renald was slain he revenged himself fully upon the prisoners, for Maclean his followers were by couples beheaded the days following by Coll the brother of Angus. The report of this fact at Mullintrea was carried to the Earl of Argyle, who immediately assembled his friends to get Maclean out of Angus his power; but perceiving that they were not able to do it, either by force or fair means, they thought necessary to complain to the King. His Majesty directed charges to Angus by a herald of arms, commanding him to restore Maclean into the hands of the Earl of Argyle; but the messenger was interrupted, and the haven port stopped where he should have taken shipping towards Ila, and so returned home; yet, with exceeding travel made by Captain James Stewart, Chancellor of Scotland, and many strait conditions granted by Maclean unto Angus, Maclean was at last exchanged for Renald, the brother of Angus, and pledge before-mentioned; and for performance of such conditions as Maclean did promise to Angus at his delivery he gave his own son, and the son of Macleod of Herria, with divers other pledges to Angus Macconald, who thereupon went into Ireland upon some occasion of business; which Maclean understanding, he invaded the Isle of Ila, and burnt a great part of the same, regarding neither the safety of the pledges, nor his faith given before the friends at his delivery. Angus Macconald returning out of Ireland, did not stir the pledges, who were innocent of what was done unto his lands in his absence; yet, with a great preparation of men and shipping he went into the islands and Tirhie appertaining to Maclean, invading these places with great hostility; where, what by fire, what by sword, and what by water, he destroyed all the men that he could overtake, (none

excepted), and all sort of beasts that served for domestical use and pleasure of man ; and finally, came to the very Bin-moir in Mull, and there killed and chased the Clan Lean at his pleasure, and so fully revenged himself of his former injuries. Whilst Angus Macconald was thus raging in Mull and Tirhie, Sir Lauchlan Maclean went into Kintyre, spoiled, wasted, and burnt a great part of that country ; and thus for a while they did continually vex one another with slaughters and outrages, to the destruction, well near, of all their country and people. In this meantime Sir Lauchlan Maclean did intyoe and train John Macean of Ardemurchie (one of the Clan Donald), to come unto him unto the Isle of Mull, promising him that he would give him his mother in marriage, unto whom the said John Macean had been a suitor. John being come unto Mull in hope of this marriage, Maclean yielded to his desire, thinking thereby to draw John Macean unto his party against Angus Macconald. The marriage was celebrated at Torloiake in Mull ; but the same very night John Macean his chamber was forced, himself taken from his bed out of Maclean his mother's arms, and eighteen of his men slain, because he refused to assist Maclean against Angus Macconald. These were (and are to this day) called in a proverb, *Maclean his Neptials*. John Macean was detained a whole year in captivity by Maclean, and at last was released in exchange of Maclean his son, and the rest of the pledges which Angus Macconald had in his hands. These two Islanders, Angus Macconald and Maclean, were afterwards written for by the King, and trained unto Edinburgh, the year of God 1591, with promise safely to pass and repass unhurt or molested in their bodies or goods, and were committed both to ward within the Castle of Edinburgh, where they remained not long when they were remitted free, to pass home again, for a pecunial fine, and a remission granted to either of them. Their eldest sons were left as pledges for their obedience in time coming."

Angus M'Conell of Dunyveg and Glennis, and Lauchlan M'Lean of Duart, were in the Parliament of 1592 duly warned that if they did not give in their obedience to his Majesty, and use their respective remissions, if they had any, in presence of the King and Council, or the Justices, or his Deputies, before the first day of August then next to come, accepting the conditions granted, and finding sufficient security for obedience, and for payment of the Crown rents in time to come, it should be lawful for the King to pronounce sentence of forfeiture of their lives, lands, and goods. Again in the Parliament of 1593,¹ the Lord Advocate produced the third summons of treason against " Angus M'Conell of Dunvege and Glennis, Donald M'Conell Gorme of Sleatt, John M'Eane of Ardnamurchane," and others.

In January 1597, Sir James, with his brother Angus Oig, the Laird of Loupe, and two or three hundred Highland "sorners and malefactors," set fire to the house of Askomell in the night time, although Sir James' father and mother were there. The latter affectionately addressed him as " thief," and asked if he intended to burn his mother ; but he paid no attention to her inquiry, leaving her to escape the best way she could ; the roof falling in, his father was burnt in several places, and had great difficulty of escaping, as a number of trees had been cut down to block up the

¹ Acta Parl. Scot. folio, (Thomson's edition), vol. iv. p. 4.

exit of the unfortunate inmates. As it was, he scrambled out, and got "pudillit in ane myre," from whence he was transported in his "sark" to Smerbie, two miles distant, where the pious son put him in irons. The object of this extraordinary attack was to gratify the Laird of Loupe, who was desirous of taking the lives of the children of the Tutor of Loupe, whom he had slain, and who were then under the protection of Angus Macdonald.

Sir James had the address to procure a letter from the King approving of his proceedings, and especially the apprehension of his father.¹ He took command of the Clan, and had the satisfaction of defeating and killing his uncle and enemy Sir Lachlan M'Lean of Duart, with four score of his kinsmen and two hundred common soldiers, at Lochgruinach. This victory was on the just side, for the grasping M'Lean, desirous of taking advantage of his nephew's youth and presumed inexperience, had endeavoured to possess himself of a considerable part of Isla.

For some time afterwards Sir James appeared as the recognised Chief of the M'Donalds in Isla, but latterly he fell under the ban of his Majesty. His restless spirit was probably worked upon by his brother-in-law, Campbell of Calder, who evidently had a longing eye after his possessions, and who ultimately effected his object. Indeed, as Sir Alexander Hay remarks in a letter to the Earl of Annandale,² the frequent insurrections in the West Isles, which occurred in the first fifteen years of the seventeenth century, "were encouraged, if not originated, by Argyll and the Campbells for their own purposes."³

Sir James' former conduct was accordingly turned to his disadvantage at Court. He was apprehended and warded in the Castle of Blackness, from whence he was transported, in consequence of an attempt to possess himself of that fortress, to Edinburgh Castle. He escaped, together with Lord Maxwell, and Robert Maxwell, called of the Tower, having assaulted previously and left for dead Alexander Struthers, keeper of the inner gate, and his wife Margaret Phillope. This took place in December 1607.

Having been again captured Sir James was tried for these offences convicted at Edinburgh the 13th of May 1609, and sentenced to be beheaded. James VI., who with all his faults was not fond of shedding blood, stayed execution, and he was ultimately pardoned. His return for this act of mercy will be immediately seen.

Mr Pitcairn, in some observations with which he has prefaced the trial of Sir James in 1609 before the High Court of Justiciary, talks of the "almost *incredible* wickedness and atrocious cruelty of Sir James Macdonald;" but assuredly he was neither more wicked nor cruel than his neighbours, and his remark might, with equal justice, be applied to most of the Island and Highland Chieftains of the period; for, as a writer of the time of James VI. declares—"All the Islanders are of nature very suspicious, full of deceit and evil intention against their neighbours, by whomsoever way they may get them destroyed; besides this, they are so cruel in taking revenge, that neither have they regard to person, time, age, nor cause."⁴

¹ Gregory's Highlands and Isles of Scotland, Edin. 1836, p. 280.

² 21st December 1615.

³ Gregory, p. 284.

⁴ Conflicts of the Clans, p. 44.

It is not a little remarkable that this unscrupulous Chieftain was fond of literature. In a letter from him to the Earl of Crawford, he prays him "to send any of my bookes that your Lordship can gett," and to "use your moyen to gett from the Erle of Atholl the bookes that wes tane from me at that onsett in Atholl. They gat the Three Conversions of England,¹ Burnes book,² and it that Philip sett out on the controverted heads, it ze saw Macartney wrote, the mekle old cornikle in wrett. Ther wes other bookes that I remember not, bot your Lordship may seek thame all to your selue."

In 1606-7 Angus and his son were in communication with the ministers of James VI. The Privy Council, 19th June, wrote to his Majesty—"Thair has bene sindrie offeris gevin in be Angus M'Coneill and Sir James his sonne this last wynter anent the West Yllis, and cautionn wes promeat for performance of thair offeris, bot thay being remitted to deale with your Maiestie's Comptrollair, and to gif him satisfioun in the suirtie and cautionn, thay failzeit in that poynt, sua that no certane conclusion could be tane with thame."³

According to Gregory,⁴ Angus M'Donald was dead anterior to the year 1613. Be this as it may, in June 1614 Sir James M'Donald landed in Ialay, and surprised the Castle of Dunyveg. In a letter from M'Neil of Thyneis to Lord Binning, Secretary to the King, but afterwards better known as successively Earl of Melrose and Haddington, it is asserted that the garrison was betrayed by one "Alexander M'Dowgal, brother to Raraye," who was constable of the Castle. "Sir James was four nights in ane little illand callit Colonsaye, and slew ane number of merttis, he hes maid ane strenth in it vpon ane fresch wattir loch in ane yllane."⁵ Calder's friends were expelled from the island, which was wholly occupied by M'Donald's adherents.

The following is Sir James' own account of the seizure of Dunyveg⁶—"We lay in ane buis about the house till the Captane and tuelf of his men com out. We persewed ouer rashlie or they came far from the hous. The Captanes men fled, bot him selue and three or foure they were slane. We geid in at the utter Barmkin with the rest, but they closed the zett of the inner Barmkin. Or tuelf hours we took the vatter, the vtter tour and the two Barmkins from them, and sett fyre to the zett of the inner Barmkin, brunt it, and hurt some of their men in it with our shott; for we shott from four in the morning till after tuelue. Tuo of myne wes killed, a shouldiou, and ane boy; tuo lightlie hurt. The hous wes promesed to yeeld or ten hours the morn. And so (it) wes the Pryour⁷ and all that came out gott their lyff and their cloathes.⁸

"I trust in God that all the Campbells in Scotland, without his Maiestie's power, shall not survive it so long as they live."

The news of the surprise of Dunyveg was communicated by the Lords

¹ By Robert Person or Parson, printed at St Omers in 1603-4, 8vo.

² Nicol Burnes' famous "Disputation concerning the Controvertit Heads of Religion, haldin in the realme of Sootland, 1580," and printed at Paris in 1661.

³ Melros Papers, vol. 1. p. 28.

⁴ P. 347.

⁵ Melros Papers, vol. 1. p. 220.

⁶ Letter to the Earl of Crawford. Balfour MSS. Advocates' Library.

⁷ This was the Bishop of the Isles, Andrew Knox, of the ancient house of Ranfurly in Renfrewshire.

⁸ This was a wonderful act of Highland generosity—not stripping the worthy Prelate and his followers of their cloathes!

of the Privy Council to the King in a letter, from which it appears that the Captain of the castle and some of the keepers had been slain.

Sir James announced his capture to Lord Binning,¹ and entreated his aid, "that his Maiestie and Counsall may be moved to let me possess this puir island, paying for it as anie uther may, or hes yet offerit to do, and getting my pardone, I sall find sufficient suretie for my yeirlye dewtye, and the peace and quyetnes of me, and all that dwells under me."

A postscript was added too characteristic to be omitted—"My Lord, if his Maiestie be not willing that I sall be his tennent in Isla, for Goddis cause let his Maiestie hauld it in his awin hand, for that is certane I will die before I sie a Campbell posses it; and his Maiestie haulding it in his own hand, his Maiestie may have ane thousand merks mair be yeir nor Calder suld pay, I making it quyt of me and my kin, whiche I will do, vpoun such reasonabill conditionis as I will schow your Lordship, if ye may assure me that ye may get his Maiestie brocht to this poynt, and in the meantime no employment to be given aganis me till your Lordship sie how this may be brocht to pas. As for this house of Duneveg which I tuik in four and twenty houres from Calderis men, your Lordship getting me favour of his Maiestie, the house salbe to serve his Maiestie, and never to be keipit aganis his Hienes; and if his Maiestie's awin gair, or the Bischope's, had been in the house, befor God, I wald never persew it; bot finding these in it who crewellie opprest the puir cuntrie wes the only suitteris, both of my life and landis, I wald I culd do thame mair disgrace."

His Majesty would listen to no terms, and accordingly the Earl of Argyll was dispatched westward, and Islay was as quickly retaken as it had been originally taken. Argyll, in a letter from Dunyveg, dated 13th October 1615, addressed to Lord Binning, says—"After I had landit my men, I maid ane onset on the rebels quher they war encampit at Planourse in Ilay, quher the greatest pairt of the rebels' boattis war apprehendit, and if it had not bene that sum of the tennents war neir to my camp, and seeing my forces row away in their boattis, the moone shyning, who presentlie maid on great beakins vpone the tope of ane hie hill, the quhilk, so sone as Sir James did sie, befor my men war at him be sex or seavin mylis of sea, he went to his boat accompanied with M'Rannald, Sorle M'James, and sum four and twentie or threttie with thame, otherwayes he could not have esaped. As they war going into thair boattis sum of the principal tennentis of Ilay desyred him to have stayed, and becaus they had hazard all for him, and knew thair wald be no mercie schawin to thame, they wald all die at his feit, bot M'Rannald perswadit him to the contrar. Efter his going from Ilay he maid his first cours towardes Inchedaholl, ane Ile vpone the back of Inchewin in Ireland. Sorle M'James and his cumpanie of Irishmen did leave him thair, and ar fled to the woodis of Ireland." His Lordship adds afterwards—"They affirme that Sir James his resolution is to cast himself in sum great man's lap, who will interceid at his Maiestie's handis for him."²

In a subsequent letter (29th October 1615)³ Argyll says—"I am now suirlye informed that he is pairted with M'Rannald, and landit in a place callit Rowvalin in Ireland, near whair the vnquhile Lord

¹ July 1, 1615. Melros Papers, vol. i. p. 226.

² Melros Papers, vol. i. p. 226.

³ Melros Papers, vol. i. p. 245.

Terchonellis¹ Ladye duellis, for sche is his father sister. His intention is, as I understand, to go to the Deputie and to deliver himself in his hands." The Knight subsequently escaped to Spain with his cousin M'Ranald, where they were well received. Upon Argyll² following their example in 1620, the two exiles were recalled, and the good-natured James allowed them a handsome yearly income. The flight of the detested Campbell must, no doubt, have been gratifying to Sir James, who entertained a most edifying hatred to the whole race of Diarmid.³

Sir James and his adherents five years afterwards obtained a "remission from the King for the slaughter of M'Lean for breaking of warde out of the Castell of Edinburgh, for surprizing of the Castell of Dunnyveg, for fyre raising, and all other crimes committed be thame." This remission being transmitted to the Privy-Council for the purpose of passing the Seal, their Lordships, 7th June 1621, respectfully remonstrated against the unconditional nature of the pardon, and representing the expediency "for preventing of all occasions that may fall out, that they sall find suirtie for the peace for thay and thair friendis, who now luikis and ar quyet, and who, without doubt, will ryse and joyn with thame, yf they sall happin to returne, hes so far medlit with the lyves and blood of nomberis of youre Maiestie's subjectis, that it may be certanelie expectit mutual revenges wilbe huntit for on ather syde, quhairpoun suche disorder and confusion will fall out in the Ilis as will require grite panes, chargeis, and expencis to pacifie the same."⁴ The Lords of the Privy-Council, on the 21st of March 1622, again addressed the King on the subject of the remission in favour of Sir James; but more particularly in reference to one obtained by M'Ranald, to the expeding of which their Lordships were still more opposed than they were to the one in favour of M'Donald. They speak of M'Ranald as a "man whose bipast lyffe and conversatioun hes bene so lewde, and violent in blood, thift, reafe, and oppressioun, that to this hour he never randerit obedience, and he was not only the contryvair and plottair of the said Sir James his eschaip and brek of warde, bot a principall actor in the rebellion that followed thairupoun, the suppressing quhairroff wes so chargeable vnto your Maiestie, and troublesome to the cuntrie; and we can expect nothing from him in tyme comeing, bot a constant continewance in the villanyis, quhairin he hes bene broght up, and hes spent the rest of his unhappie lyfe."⁵

¹ Tyroonnel.

² Of this Scottish worthy Scotstarvet remarks that he left the country, "not being able to give satisfaction to his creditors. He went over to West Flanders to serve the King of Spain and became Papist; of whose flight the poet Craig wrote these lines:—

' Now Earl of Guile, and Lord Forlorn, thou goes,
Quitting thy Prince, to serve his Spanish foes,
No faith in plaids, no trust in Highland trews,
Camelion-like, they change to many hues.'

Scott of Scotstarvet's *Staggering State*, Edin. 1754, p. 6.

³ In a letter to Andrew Knox, Bishop of the Isles, from Sir James, among the Denmiln MSS. Advocates' Library, dated 3d June [1614?] "Allwayis prais to God I am out of Calder's danger; and sett geve be oney meins I may have his Majestie's gracious pardon to myself, and these gentill men that assisted me, I will latt your Lordship se his Majestie's commodite sall novayis be impaired." He then protests against giving employment to the "Campbellis, who crawis ever to fish in drumly waters."

⁴ Melros Papers, vol. II. p. 402.

⁵ Melros Papers, vol. II. p. 448. One merit M'Ranald assuredly had—that of being the constant friend of his cousin Sir James.

Amongst the "Melros Papers" is a letter from the Earl of Nithsdale to Sir John Murray, afterwards Earl of Annandale, dated from Denmark House, 28th May 1624, with the following postscript—"I must intreat your Lordship will read over ane letter sent to me be Sir James M'Donnell, and intreat his Majestie's consideration of his estat. I have tauld him that he needs not fear bot his Maiestie will provyd, in his oune time, to supple his desyrs."¹

Sir James probably never returned to his native land, as he died in London in the year 1626. His estates have passed almost entirely to those whom he detested, for Campbell of Calder² retained Isla, and though no longer in that ancient family, it is at present in possession of one holding the same name, while the more valuable possessions in Kintyre form a principal portion of the estates of the Ducal race of Argyre.

From the offer made by Sir James in 1615 to the Ministers of James, with a view to obtaining a pardon for his treason, it would appear that he had a son; for, after proposing the Earl of Tullibardine, Lord Burleigh, Sir Rannald M'Sorle, John Campbell of Cadell (Calder), Macintosh, and the Laird of Grant, as cautioners each for five thousand merks, he adds, "and my sone to die if I fail." What became of this son, and whether descendants of this adventurous man still exist, the Editor has been unable to ascertain. Angus Oig, the younger brother of Sir James, was hanged for his share in the surprise of Dunyveg, and the slaughter of Captain Crawford and four persons. Whether he was married does not appear. Probably the male representation of this once powerful family is in the descendants of Sir James M'Donald of Dunluce.

With the following caustic observations by Sir Alexander Hay, contained in a letter from him to the above mentioned Sir John Murray, dated 21st December 1615, relative to Isla and its "unhallowed people," and their "unchristian language," the Editor concludes these prefatory remarks:—"So long as it pleis God of His infinite mercye to prolonge our maisteris gratus government over us, there is nothing to be expected heir bot all dewtifull obedience; and albeit now and then there may fall out some incidentis, so is there no bode of nevir so gode constitioun bot will haif a catharre, or some other distemperature. Alwayes our Iyles service is finished, and our Lieutennant, the Erle of Argyre, returned yisternight, and wilbe with the Counsell this day. By many it is thoght that if goode will did secunde the dewtye whiche they are bounde to do, thir frequent Iyland employmentis wald not occurre so often. I wrotte to yow in my former lettres that account being takin what this Iyla hathe stode his Maiestie's cofferis into thir tuo voyages, and specially in the accomptes of admiralitye there, I doubt if the rent of our whole Iyles will recompense it in ten yeir. Sen it is now quyted, it is fitting the purchesseris of the new right ather secure it heirefter, and disburdeyne his Maiestie's cofferis of furder charge, or then surrender it to his Maiestie; for when thir employmentis ar so profitable in present pay, and a prepara-

¹ Vol. II. p. 361.


² Sir Hugh Campbell of Calder was (February 6, 1662) served heir of his uncle, John Campbell of Calder, in the Inland and Barony of Islay, comprehending numerous lands, "cum castris de Dournivaig, et burgum baronis de Laggan." It is odd that in the new Statistical Account nothing is said about this famous Castle of Dunyveg, the scene of many exploits. The Earl of Cawdor is the heir-male of the Calder Family, and possesses the family estates in the counties of Nairn and Inverness.

tioun for making suite at Courte for service done, how easie a mater it is to haif some of these vnhalloved people, with that vnchristiane language, readye to furneis fresh wark for the tinker, and the mater so caryed as that it is impossible to deprehend the plotte ! But leiving this vntill the Lentennant mak a relatioun of his service, we haif had in the boundis of Cathnes some barne yairdes brunte to the Lord Forbes—a barbarous actioun, and pernicious in so skairse a year. Alwayes, howevir, baise lownes be actouris, it is muche to be feared that without setting on of greiter these thinges wald not be interpryised."

PAPERS
RELATIVE TO THE SUBMISSION OF
ANGUS MACDONALD OF ISLA
TO
HIS MAJESTY JAMES VI.
1596.

I.—LORD BLANTYRE TO THE LORD SECRETARY,¹ RELATIVE TO THE
PROCEEDINGS IN THE ISLES, 2^d OCTOBER 1596.

MY LORD,

 HE stay of the progress towards the Ylis ministeris na small occasioun of disgrace of his Maiestie's honour : and haiveing sen my cuming to thir pairtes bene in purpois with my Lord Coronell, and thairby persaiving how willing he is to obviat that quhilk may twiche his Hienes in honour, and how he thinkis that the advanement of ane small pece of money about sewin thousand merkis may reik fordwart his cumpaniys towardis the Ilis, quhair he is out of all dowl, be sic assistance as he lukis for to suppress the heich contempt done be Angus M'Conell—a work, gif it tak effect, will baith tend to his Maiesties honour and singular proffitt. And seing, as your Lordship knawis, the speciall cair and burdin thair of lyis on your Lordshipis and my schulderis, I will maist hertlie beseik your Lordship to consider quhat moyen and meanis may be vsit for the furthsetting of this turne ; and specialie that this abouewrittin sowme may be gottin advansit, quhair of the maist pairt will be restand in my Lord Presidentis²

¹ Sir John Lindsay of Balcarras, ancestor of the Earl of Balcarras.

² Sir Alexander Seton, afterwards Earl of Dunfermline.

handis, gif he may be persuadit to advanse the samin; or vtherwayis, gif your Lordship will pleis mak moyen thairfore in Edinburgh, I sall becum oblist to releif the samin, and freith your Lordship thairof, as gud reasson dois require. Incaise thir men war amis plasit in the Ilis, thaj will find moyen to mak thair awin forder intertenement. Albeit this mater being of importance, and wald have necessarlie crauit our personall conference, your Lordship may do me that faour as to supplie my absence, and to deliberat heirin, sa far as may be left to his Maiestie's honour, and discharge of our pairtis in dewitie, on quhom the burding thairof specialie consistis, as said is. The halding of thir men togidder is alwayis chargeabill, sa the spedier resolution that your Lordship tak heirin is the better; and I do beseik your Lordship yitt anis agane think quhat possible may be done for the furth getting of this turne, euin as ye sall find me maist cairfull to releiff ony burdin that heirin ye sall tak for the provisioun of the fairsaid soume. Remitting all furdur to the berar, and your Lordship's awin gud judgement, with hertlie commendatiounis being heirby rememberit, I commit your Lordship to Godis protection. From Cardonald, the secund of October 1596.

Your Lordshipis luifing frend assureit,

BLANTYRE.¹

To the Richt Honorabill my maist speciall
gud Lord, my Lord Secretar.

Indorsed—My Lord Thesaurer anent the
Ilis, 4th Octob. 1596.

II.—SIR JAMES MACDONALD OF DUNLUCE TO HIS MAJESTY
JAMES VI., CLAIMING RIGHT TO ANGUS M'DONALD'S ESTATES,
26TH OCTOBER 1596.

MOST myghtie and potent Prince, ve commend vs vnto
your Hienes, vithe our service forever. Your Grace shall
vnderstand that our forberars heathe bene from time to

¹ Walter Stewart, eldest son of the second marriage of Sir John Stewart of Minto, and Margaret, second daughter of James Stewart of Cardonald, in Renfrewshire, near Paisley. He was raised to the Peerage in 1606, and died 8th March 1617.

time your servandes into your owen kingedome of Scoteland, and our father and brother ended there lyues into your Hienes service heir in Yrelande, and now ve our selves ar heir as your true subiectes, and your servitoris duringe our lyves.

Vnto vs heir it is informed of your Grace's intromittynge vithe the landes apperteaneinge to the Clan-Donnell in Scotelande, vnto the whiche landes, as it is vell knowen, we haue (be tytill of ryghteousnes, and more lawfullie descended and gotten be the act of trew matrimonie¹) more ryght vnto these landes and contreis then ony that possessed the sameinge befor your Hienes intromitting vithe it.

The viche fornamed landes, and contreis, and territoireis, if it valde please your Hienes to bestow theise landes vpon vs, ve vill yeilde all submissioun and shew all obedience, and pay all dueteis (according to the auintient vse) vnto your Grace, togidder vithe all service, bothe in Yrelande and in Scotelande to our powar for the sameinge for euer.

Your Hienes shall most verelie and trewlie vnderstand that Angus Macdonnell of Dunnevage hethe offered me the most part of the landes perteaneinge vnto him self att this instaunt, and to enter in rebellious vithe him against the garizon and armie send vnto Kentire be your Grace, and to varre vpon them bothe daylie and nyghtlie. The whiche offer alluitterlie is be me refused from him, vnto suche time I heir from your Grace be this berar my servand, hopeinge that your Grace shall bestowe parte of my owen ryght vpon me.

In lyk maner your Grace shall vnderstande that all ar heir vnder tribuitt vnto the Quene of Englande since our first generatioun; and, thanks to Gode, hir Maiestie's officers in this Realme hathe nothings to lay to my chardges of my promise vnto them graunted: and muche more bound shuld I be to keip all service and promyses vnto your Grace, being my native Prince, and I your borne subiect.

I pray your Grace to returne this my servand vithe your

¹ This seems to be an insinuation that the descent of Angus Macdonald was tainted by illegitimacy. Of this we have seen no evidence. It must, however, be allowed that such blemishes were not uncommon in Highland pedigrees.

Hienes' ansuer : and so I most humblie tak leau and endes.
From Donluce the 26th of October 1596.

Your most gracious, trew, and faithfull seruitour,
JAMES MACDONNELL of Donluce.¹

To the most Puissant and Potent Prince, Kinge
James the Sext, Kinge of Scotelande, these.

III.—ANGUS M'CONNELLIS SUBMISSIOUN TO THE KINGIS
MAIESTEIS WILL, AND ENTERINGE OF HIS ELDEST LAUCH-
FULL SONE, AND ALS OF HIS BASTARD SONE² AS PLEDGIS,
ON DELIUERIE OF HIS HOUSE OF DONywaige, AS SALL BE
AGGREIT VPOUN TO BE THE BEST SECURITIE FOR HIS
OBEDIENCE AND PERFORMANCE OF HIS MAIESTEIS DE-
CLARATIOUN, SALL BE RESTORIT TO THE CONDITIONIS
FOLLOWING.

In primis, His Maiestie's will sall nocht be to tak ony
landis fra the said Angus, quhilkis pertenit lauchfullie to
the said Angus in heretage or fewferme before his last
forfaltour ; bot all his said auld heretage, gif ony be, sall
remane with the said Angus and his airis, conforme to the
lauchfull richtis thair of ; sua that his Maiesteis power vpoun
the said submissioun sall extend onlie to discerne vpoun his

¹ Sir James MacSorley Buy or Macdonnell was, according to Mr Gregory,¹ the eldest, and to Lodge the second son of Sorley Buy Macdonald, the ancestor of the Noble Family of Antrim. Sir James joined in the Earl of Tyrone's rebellion in the year 1597, and was present at the battle of the Blackwater. In the same year he took prisoner the governor of Carrickfergus, whom he caused to be beheaded. In 1596 he attempted to turn Angus MacConnel or MacDonald's treasonable practices to account, by setting up a claim to his estates, and his letter making his demand on the subject is now first printed from the Balcarras Papers in the Library of the Faculty of Advocates. Not taking any thing by his requisition, and having, like his Scottish ancestors of the Isles, a natural taste for rebellion, in 1599 he again was in arms against the crown. When James VI. reached the summit of his ambition by placing the English diadem on his brow, Sir James submitted to his rule, and ultimately became a strenuous supporter of his Majesty.

² This illegitimate son's name was Archibald. This is instructed by the retour March 30, 1619, of John M'Connell as heir of Archibald his father, "qui fuit filius naturalis quondam Angusii M'Connell de Dunavaig," in various large estates in Argyleshire, all united into the Barony of Gega (Gigha).

¹ Gregory's Western Highlands, Edin. 1836, 8vo. p. 227.

Maiesteis awin proper landis, quhair of his Maiestie hes alreddie rycht, by and attour the said forfaltour, and quhair of the said Angus can pretend no lauchfull richt presentlie.

Item, Be the said declaratioun of his Maiesteis will, his Maiesteis haild annexit propertie within the countreis of Sowth and North Kyntyris, togidder with the Ile of Gega,¹ (exceptand alwayis a fourtie merkland adjacent to the loch of Kilkarrane in Kyntyre,) sall remane still with the said Angus as kyndlie tennent and possessour thairof; and new takis sall be sett to him and his airis thairof, for payment of sic a reasonabill and yeirlye dewitie as may stand be law, according as his Maiestie hes aggreit with Donald Gorum² and Makclane³ anent thair lands.

Thirdlie, His Maiestie sall haue full libertie, with the said Angus and his sonis consent, to dispone vpoun the rest of Ilay, nocht sett to Makclane, and als vpoun the haild Ilis of Jura and Colonza,⁴ and vpoun the said fourtie merkland adjacent to Kilkarrane, as his Maiestie sall think gud, for

¹ In Munro's Description of the Western Isles (Miscellanea Scotica' Glasgow, 1818, vol. ii. p. 116), 1594, the Island of Gigha, there called Gigay, is said to be "six myle lang, an myle and an half myle breidth, with ane parochie kirk, guid fertile mainland; it has therein abundance of eddirs. The auld Thane of Gigay should be laird of the same, callit M'Neill of Giga, and now it is possessit by the Clandonald."

² Donald Gorme or Gorum Macdonald of Sleat or Slate.

³ According to Munro this island in 1594 "is brukit be ane gentle Captane, callit M'Duffyhe, and of auld to Clan Donald of Kyntyre." Miscellanea Scotica, vol. ii. p. 125. The "gentle Captain" probably held the island under Angus Macdonald.

⁴ In the account of the Family of Maclean of Duart, given by Douglas in his Baronage, p. 367, Lauchlan More Maclean, it is said, "was carefully educated by order of the King, and proved a great and *worthy* man." The reader has already had a specimen of his worthiness in the prefatory remarks, and perhaps may incline to think that *worthless* would have been a better word than *worthy* to indicate his merits. Douglas makes no mention of his sister, the wife of Angus Macdonald, and notices only Giles, the wife of Tormond Macleod of Macleod, and Florence, married to Hector Roy Maclean of Coll. He states that Lauchlan espoused Lady Margaret Cunningham, daughter of William, Earl of Glencairn, by whom he had five sons and one daughter. It was in the Family of Maclean of Duart that the incident occurred which has been dramatized by Joanna Baillie, and forms the subject of the tragedy called the "Family Legend." The lady, who was exposed on a rock, was a daughter of Colin first Ear[of Argyll, and her husband was Lauchlan Oig Macgillian or Maclean, the great-great-grandfather of Lauchlan Maclean referred to in the text.

planting of burrow tounis with ciuile people, religioun, letters, and traffique of merchandice thairvpoun.

Fourth, The said Angus sall nocht be owrchairgit nor straitlie handlit for the compositioun of the biganis auchtand to his Maiestie, nor in the qualitie of his cautioneris to be fund, for observing gud rewl in tyme cuming; bot sall be reasonable and freindlie handlit thairin, as hes bein done to Donald Gorum and M'Clane, the former pointtis being always aggreit vpoun, as said is.

Last, Gif the said Angus refuse to submit him self to his Maiesteis will vpoun the conditionis and reservationis abouementionat, and consequentlie forse his Maiestie to forder cummer and expenssis, his Maiestie will protest that it will be aganis his Maiesteis will and gud naturall inclinacioun to vse ony force or violence, and that it will be in the said Angus awin default in his present wilfulness, conjunct with the gret crymes committit be him of before, gif he and his hail posteritie be wraikit.



LETTER

FROM

JOHN COKE, ESQ.

TO THE

LORDS OF THE SCOTTISH PRIVY COUNCIL,

29TH JUNE 1626.



LETTER

FROM

JOHN COKE, ESQ.

TO THE

LORDS OF THE SCOTISH PRIVY COUNCIL,

29TH JUNE 1626.

RIGHT HONORABLE,



IS Maiestie being giuen to vnderstand that Sir Donald Macky¹ and Sir James Lesley,² Knightes, have levyed in that kingdome 4400 able men, to be transported into Germanie, to serve vnder Count Mansfeld, which tending to the advancement of the comoun cause, and particularly to the support of his deare vncle the King of Denmarke, his Maiestie, for the speedie setting forward of so acceptable

¹ The first Lord Reay.

² This is the Sir James Leslie referred to on the 17th June 1636 in the Diary of Sir Thomas Hope, Edin. 1843, 4to. p. 25. He is also alluded to by Balfour in his Annals, vol. iii. p. 271. It is not unlikely that he may have been the same person with James Leslie, second son of Patrick Leslie, first Lord Lindores, who succeeded to the title in August 1649 on the death of his brother Patrick (a man, says Lamont, who was "in his tyme famous for his whoredom," Diary, p. 9), and became the third Lord Lindores. According to the "*Laurus Lesliana*," folio, 1692—"Tertius dynasta de Lindors Jacobus quaternis vicibus conjugium iteravit: primum auspiciatus est cum N. Ormestone filia Baronis de Ormestone sine prole; secundum celebravit cum N. Gray, filia dynastæ de Gray, et matre ex illo Joannis heredis. Tertium cum N. York Angla; quartum cum alia Angla, quæ illi genuit filium N. et filiam N. primo Joanni Stuart Domino de Ennernerity dein N. Bruce Domino de Blairhall in matrimonium collocatam." This James was the immediate elder brother of Sir David, afterwards Lord Newark, who defeated Montrose, and who in his turn was defeated by Cromwell.

a worke, hath now giuen order to Phillip Burlamachi, a knowne sufficient marchant of London, to pay to the said Sir Donald 2000*l*. and to Sir James 600*l*. sterling, for the levying and transporting of the said 4400 men, and to pay foure hundred pounds more at their arrival at Hamburgh, as Count Mansfeld doth direct. And that there be no exception to the carriage of this service, his Maiestie hath commanded me, in his name, to require your Lordship and the rest of the Lordes of his Councell of that kingdome, both to see theis moneys well husbanded and duly expended, according to his Majestie's intention, and not otherwise; and also to take care that the companies be full and of such sufficient men as may answere Count Mansfelde's, and specially the King of Denmarke's, expectation, whoe as wee ar informed, doth earnestly desire to haue some footemen of that nation to renforce his armie. And further, your Lordships are to take order for the making vp both of perfect accomptes how the moneyes shalbe issued, and of muster-books for the numbers and conditions of the men; and those bookes and accomptes being allowed and signed vnder your handes, and speedily to be sent hither, that his Maiestie may thereby knowe with what diligence and fidelitie this seruice hath bene gouerned, and that your Lordshippes may haue the honour and frutes of your approved care. So praying your good Lordshippes to command me in what you please, I rest,

Your Lordshippes humble servant,

JOHN COKE.¹

From the Court at Whitehall,
29^o Junij 1626.

For his Maiestie's espetiall seruice.

To the Right Honorable Sir George Hey, Knight,
Lord Chancellour of Scotland,² and the rest of
the Lordes of his Maiestie's Councell of that
Kingdome.³

¹ John Coke, Esq. of Holkham, a son of the Lord Chief Justice Coke.

² Afterwards Earl of Kinnoull.

³ From the original letter amongst the Balfour Manuscripts in the Library of the Faculty of Advocates.

LIST
OF THE
SCOTISH OFFICERS
UNDER
GUSTAVUS ADOLPHUS, KING OF SWEDEN.

LIST
OF THE
SCOTISH OFFICERS
UNDER
GUSTAVUS ADOLPHUS, KING OF SWEDEN.¹



AMES SPENCE of Wormiston, Lord of Noreholme, General of all the Scots and strangers that served under his Swedish Majesty, and Ambassador from that King to King James the Sixth of Great Britain, the Emperor Ferdinand, and several other persons, afterwards made Chancellor of Sweden.

Sir Alexander Lealy, late Earl of Leven, Governor over all the cities along the Baltic coast, and since Felt-Mareschal over their army.

Robert Lord Douglas of Whittington,² Field-Mareschal.

Sir Patrick Ruthven, Field-Mareschal to Banner, and since General.³

James King, Lieutenant-General to Lealy.⁴

Sir James Ramsay, Major-General, Governor of Hannau, and betrayed, and taken there by the Imperialists. He died in prison.

John Lealy of Maines, Major-General.

Sir James Ramsay, nicknamed Fair Sir James, Governor of Brisack, an Colonel.

Thomas Kerr, Major-General, killed at the siege of Leipsick.

Sir David Drummond, Major-General, Governor of Staten in Pomerania, was taken prisoner at Gortz, where he died of his wounds.

Sir John Ruthven, Major-General.

John Renton, Major-General, killed at the siege of Novogorod in Russia.

Lord Hugh Hamilton, Major-General.

Sir John Innes, Major-General, by killing a Swedish Colonel in duel contrary to their discipline, was forced to make his escape and flee.

¹ As a supplement to the preceding article, and the account of the Funeral of Field-Marshal Douglas, the Editor has inserted the following curious List of Scottish Officers in the service of Gustavus, taken from a scarce pamphlet entitled "The Scots Nation and Union Vindicated from the Reflections cast on them in an Infamous Libel entitled 'The Publick Spirit of the Whigs,' &c." London, 4to. 1714. The author, referring to this Catalogue, says—"The manuscript I have had in my hands many years—neither is it to be contradicted, the histories of these times making frequent mention of all their names." P. 24.

² This should be Whittingham. See ante, page 331.

³ Created Earl of Forth in Scotland, 27th March 1642, and Earl of Brentford in England, 27th May 1644, in consequence of his defeating the Roundheads at Brentford. He died at an advanced age at Dundee, in January 1651.

⁴ Created by Charles I. 26th March 1642, a Scottish Baron, by the title of Lord Eythin, with limitation to the heirs-male of his body. Eythin probably means Ythan, a river in Aberdeenshire.

William Forbes,¹ brother to the Lord Forbes killed before Bremen.

Major-General Bonner.

Major-General Burdon.

Major-General William Forbes, brother to the Lord Forbes killed before Bremersconce.

General Legg, being then Major-General and Governor there.

George Earl of Crawford, basely killed by a Lieutenant of his own regiment, whom he had been provoked to battoon, and a council of war being held upon the said Lieutenant, he was acquitted of the slaughter, in regard it was contrary to the Swedish discipline to cudgel any officer, this council of war consisting of Germans. General Lealy being then Governor of Staten, where the Earl was buried, as Major-General and Governor of the place, caused him to be immediately apprehended and shot at a post.

SCOTISH COLLONELS UNDER THE KING OF SWEDEN.

Collonel William Ogilvie.	David Lealy, brother to the Lord Lindores,
Collonel John Cockburn.	Collonel of Horse, and Adjutant-General
Collonel Rutherford.	to General Banner. ⁴
Collonel Stewart.	David Sinclair, Collonel of Horse.
Collonel James Seaton of Gargunnoch.	Collonel William Phillip.
Collonel James Scot, Governour of Riga,	Collonel Gordon.
in Liefeland.	Collonel Alexander Irwing.
Collonel James Seaton, with a wooden leg.	Collonel John Nairn.
Collonel Sir George Cunningham.	Collonel George Lealy, Governour of Fecht,
Collonel James Spence the younger.	killed there.
Collonel Robert Cunningham, killed at the	Collonel Herbert Gladstane.
battle of Woodstock.	Collonel John Burder.
Collonel Sir James Lumadale, Governour of	Collonel William Borthwick of Johnston-
Osnabridge.	burn.
Collonel Sir James Hamilton.	David Sinclair, Collonel of Horse.
Collonel Sir John Hamilton.	John Sinclair his brother.
Collonel Alexander Hamilton, General of	Collonel John Sinclair, son to the Earl of
the Artillery, call'd Dear Sandie.	Caithness.
Collonel Donald Mackay, Lord Rhey.	Collonel Sir Hector Monro of Foulis.
Collonel Alexander Lealy, son to the Felt-	Collonel Sir John Hendersone.
Mareschal Lealy.	Collonel John Findlasone.
Collonel Alexander Forbes, Lord Forbea. ²	Sir William Lawsons of Boghall, Collonel.
Collonel Alexander Ramsey, Governour of	Collonel Francis Sinclair, brother to the
Craigmach.	Earl of Caithness.
Collonel Alexander Hay.	Collonel Sir John Seaton, brother to Gar-
Collonel Sir Francis Ruthven, ³ Governour	gunnoch.
of Monell.	Collonel John Urquhart of Cromarty.
Collonel Sir Hary Bruce, taken prisoner at	Collonel Taylor.
Nerlin, formerly Collonel at Carrellmalls,	Sir John Kinnindmond.
and continued prisoner to the Imperialists	John Kinnindmond, with one leg, Go-
unrelieved, according to the unkind cus-	vernour of ———.
tom of the Swedes.	James Kinnindmond.
Collonel MackDougall, afterwards Major-	William Kinnindmond, four Collonels
General to the German Emperor.	Collonel Sir William Gun.
Collonel Mackenzie of Pitcardie, brother	Collonel Lodovick Drummond, son to the
to the Earl of Seaforth.	Lord Maderty, killed before Copenhagen.
Collonel John Monro of Obstell, slain on	Collonel James Burdon, and Robert Burdon
the Rhine in Wetterraw.	his brother, called Burd by the Germans;
Peter More, Collonel of Horse.	the one of them Governour of Dutchneive,
Collonel Robert Monro.	the other of Rushneive.

¹ *Sic*, but should be either James or Arthur, both of whom were killed in the German wars.

² The tenth Lord Forbea. He again returned to Germany after serving Charles I. during the great civil war, and died there.

³ Probably Sir Francis Ruthven of Redcastle in the county of Forfar—a nephew of the Earl of Forth and Brentford.

⁴ Afterwards Lord Newark.

SHORT ACCOUNT
OF THE
GRIEVANCES
OF THE
EPISCOPAL CLERGY IN SCOTLAND.

SHORT ACCOUNT
OF THE
GRIEVANCES
OF THE
EPISCOPAL CLERGY IN SCOTLAND.¹



At the beginning of the late Revolution some hundreds of the Presbyterian party, who had been outlawed for their rebellion in the reign of King Charles the Second, took up arms, and turned out all the Episcopal ministers in the western shires of Scotland, threatening them, that if either they continued, or returned again into that country, they would use them as they had done Doctor Sharp, Archbishop of St Andrews, and Mr Pearson, minister of Carsphairn, both whom they had murdered; the one upon the high-way, and the other in his own house, in the night time.

The ministers, justly terrified with such barbarous threatnings, retired to Edinburgh, the chief city of the kingdom for sanctuary, expecting relief from the Convention of Estates, when it should meet. But the Bishops not agreeing with the other two Estates in all their resolves, the Convention was so far from redressing the grievances complained of by the inferior clergy, that they voted Episcopacy itself a grievance to the nation.

This Convention being afterwards turned into a Parliament, great endeavours were used to establish the Presbyterian

¹ From a copy apparently privately printed, in the Library of the Faculty of Advocates.

government ; but this met with opposition, and from none so much as the late Duke of Hamilton, who, though he agreed to abolish Episcopacy, yet would have all the inferior clergy continued in their livings, to rule the Church by their several Presbyteries, and (when the King pleased) to meet in General Assemblies.

This could by no means please the western counties, nor satisfy some of our Nobles, who were at that time much in favour with King William ; and therefore they used all their interest with that Prince to overthrow Duke Hamilton, in which they succeeded so well, that the Parliament was adjourned, and the Earl of Melvil, a staunch Presbyterian, sent down Commissioner, to hold a new session, which begun in April 1690, and established Presbytery in all its forms, founded upon the specious pretext, *the inclinations of the generality of the people* ; though it is certain there were at that time ten to one of the Episcopal persuasion in the nation, and two to one of the Nobility and gentry are so to this day, notwithstanding all the discouragements they have met with upon that account—so far are all the votes and resolves of Parliament from being the sense of the nation.

All I take notice of in that Act establishing Presbytery is a clause in the middle of it which expressly declares—“ That the Episcopal clergy had no right to their benefices from the time of their being turned out in the aforesaid manner.”

Not to weary my reader with the just censure to which this unprecedented hardship lies open, I shall content myself with resuming a speech made on that occasion by the Duke of Hamilton.

“ MY LORD—I believe the contrivers of this Act meant very well to Presbytery, but sure I am they have much mistaken themselves by incorporating this clause into it, which must some time or other turn to its disgrace : I wish this were all : No, my Lord, it goes further ; there is such plain and bare-faced injustice in this clause, that if it pass into an Act it must cast an indelible reproach upon the honour of this House.

“ Let us consider what we are doing, and what danger

there may be in such a precedent (for I am sure nothing like it was ever done before). We have now before us the case of near four hundred unfortunate clergymen, who have spent any little patrimony they had in fitting themselves for holy orders; they have come in upon the faith of the nation, and are possessed of livings; the laws are still standing unrepealed in their favours; and they have as good right to their benefices as I have to my estate, for I have no security but the law of the land.

“An armed rabble, without any countenance from authority, dispossesses them, and threatens them with death if they return. Must we, by an after act, patronize them, and countenance such bold and rash attempts, so destructive to all peace, order, and good government? How happy a man was I that escaped the fury of this mob! Had they fallen upon me, and dispossessed me, I know not what might have come of it. The Parliament might just as well find, that from the date of that, I had no right to my estate, as that these ministers have no right to their stipends from the time of their being turned out by the rabble.

“I am willing, if you please (though I am sensible it is a great hardship), to agree with you, that they shall have no right to their benefices in time coming. But to make an Act of Parliament with a double face, to look backward and forward upon them, is what I will never give my consent to. The worst of it is, we cannot so much as charge those poor men with any fault, to give some tolerable colour to such an injury.

“It consists with my knowledge that many of them are reduced to great straits, and that some of them cannot find bread to their starving families, but upon the credit of those two years' stipends due to them by law; and therefore let not our zeal for Presbytery make us forget the common rules of humanity, but let us ever bear in our mind that great law of Christianity, of doing to others as we would be done by were we in their case.

“I hope what I have said will make some impressions upon you, and prevail with you to expunge this clause.”

But our Parliament, deaf to all that could be said, put the question, *Expunge or not*, and carried it in the negative.

Upon which the aforesaid Duke rose in great concern, and boldly said—I tell it to the honour of his memory—“ That by this vote they had given a wound to the honour and justice of this House, and that this clause would be a MILSTONE HUNG ABOUT THE NECK OF PRESBYTERY WHICH WOULD SINK IT SOONER OR LATER.”

This freedom of speech so much picqued one Provost Muir, Commissioner for the Burrow of Air, that he said—“ No man, whatever was his quality, should be allowed to reproach any thing after it had passed into an Act.” To which the Duke fairly gave him the lie, telling it was but a vote and no Act, nor should he ever “ be witness to its being one ;” and so he, together with a great many of the Nobility and gentry, left the House, and never appeared there again till the Act establishing Presbytery was over.

Thus ye see a great number of unfortunate men, who had fitted themselves with much labour and charge for the ministry, were *bona fide* possessed of Church livings, who by the nature of their character, and the custom of the world, are disabled from going into the ordinary means of subsistence, were put to their shifts, exposed to beggary, and denied common protection, without any fault charged or chargeable upon them, and contrary to the constant rules which have been observed in all such great revolutions wherever they have happened, either in this or other parts of Europe. And to make this the more evident, take the following instances, which have been collected to my hands from authentick records.—

1. At the beginning of the Reformation in Germany the Princes, among other grievances, complained that there were so many idle bellies (meaning monks and fryars) in the Empire ; and though they found them both useless and burthensome, yet considering that the men were unfit for other employments, and incapable of getting a livelyhood for themselves, offered, by way of gentle remedy, that the present possessors should be allowed to enjoy their rents during life, but in case any of them should happen to die, none should be allowed to succeed them.

2. When at the Treaty of Munster the Archbishoprick of Madgeburgh was given to the Margrave of Brandenburg in consideration of what the Swede got from him in

Pomerania, it was with this express clause that the Bishop should enjoy his rents during life.

3. Let us consider what has been the temper of England when great Revolutions happened in it. 1. At the suppression of the Monasteries in England by King Henry the Eighth (none of the tenderest Princes), the Abbots and Priors had pensions settled upon them during life. 2. Queen Elizabeth his daughter allowed a provision for those Popish clergy who were turned out for non-compliance. 3. The Long Parliament in King Charles the First's time, notwithstanding their violent heat against Episcopacy, enacted, That those clergymen who were turned out for non-compliance should have a competent and honourable maintenance settled upon them during life. 4. When the chief management of affairs was established in the person of Oliver Cromwell, notwithstanding his exceeding hatred against the Church of England, and that he was a man so full of blood as to be void of bowels, yet either to avoid the censure of extreme cruelty, or that the miseries of so many honest men suffering for conscience sake made some impression upon him, ordered that a fifth part of their rents should be given to such as were unprovided of means of their own to subsist them. At the late Revolution such a tender regard towards the usual measures of clemency was shewn by the members of the English Convention, that they empowered King William to settle provisions even upon those who, by reason of scruple of conscience, could not come in to the interest of his government. And it is well known that such was the temper of our Reformers in Scotland, that they allowed the very Popish Bishops their rents during life.

By these instances the reader may see what has been the behaviour of this and other nations when great Revolutions happened in them—how tender they were of those unfortunate clergymen who could not comply with the unexpected changes that fell out, and always provided them of means whereby they could subsist. It is only those of the Episcopal clergy in Scotland who must be excepted from this rule. No compassion must be shewn to them!

But as men are never more ready to give a reason for

what they do than when they are doing amiss, our Presbyterian brethren offer at two reasons to justify this barbarity.—

1. They tell us we deserve no better from them, because 300 of their ministers were turned out when Episcopacy was re-established in the year 1662. I take this to be a bad reason, though the case were the same, which yet is as different as the spirit and temper of the two parties are. When Episcopacy was re-established all ministers were allowed to keep their livings, only it was required of all those who had, in the times of confusion and disorder, intruded themselves into churches without consent of the patron, that they should take a presentation from the patron and collation from the Bishop. Those who accepted of these conditions which the law required were continued, and those who refused were turned out. There is nothing singular here. It is what has been done by all the Churches in the world.

Nay, such was the temper of that easy Government, which yet is complained of by those who were never yet satisfied with any, no not the present, that a few years after all those ministers who had been turned out were allowed to take possession of those churches, if vacant, from which they had been removed, or to get a presentation to some other churches; and if all of them could not thus be provided, the Privy Council was empowered to give them 400 marks per annum for their subsistence. These favours were granted them without any impositions upon them—no oaths were required of them, not so much as the oaths of allegiance and supremacy which were required of all the Episcopal clergy, though the Government at that time had greater ground to believe them disaffected to it than the present has those of the Episcopal persuasion. If their frequent insurrections, and their seditious harangues from the pulpit, brought severities afterwards upon them, they have themselves in a great measure to blame for it.

But to prevent mistakes I presume to beg a favour of our Presbyterian authors who libel the government of King Charles the Second, that they will blot out of the books of their Martyrologie the names of those who suffered for maintaining such principles as have not been taught by any

Christian since Christ suffered upon the cross—the lawfulness of murdering those who served the King in any capacity, civil, military, or ecclesiastick—principles that sap the very foundations of all human society. Let them expunge those who were taken with the sword in their hands, in actual rebellion against their lawful Prince; those who murdered the most reverend Father in God, Dr Sharp, Primate of all Scotland, and such as harboured these rebels and assassins—I say, when this is done, you'll find a very short list of their martyrs.

But granting some had suffered at that time for lesser matters, yet the Presbyterians, in common prudence, should carefully avoid to upbraid the Episcopal party with it, when they look back upon former times, particularly from the year 1643 to 1649, when the scaffolds were daily reeking with the best blood of the nation for no other cause than their duty to their Prince and their affection to the mitre—no sacrifice so acceptable as the body of a Malignant. There is indeed one just reproach upon the reign of that Prince, that the most of those who suffered under him were such poor deluded creatures as were fitter for bedlam than a gibbet.

By this account you see how wide this case is from what I now complain of. When Episcopacy was re-established all the Presbyterian clergy in the kingdom might have kept their churches and benefices, if they would have accepted of those conditions which the Government required of them. But here the Government would offer the Episcopal clergy no terms at all—they were turned out summarily by the rabble, and their decree affirmed afterwards by the Parliament, without the common form of citing or hearing the parties aggrieved.

If I did not confine myself in this paper to the case of the Bishops and the clergy in the West, I could say much even in defence of those to whom conditions were offered and refused—many of them scarce being allowed a day to consider of matters of so great consequence, and seemingly inconsistent with all the former obligations they lay under.

I come to the other pretext made use of by the Presbyterians to justify their proceedings, which is—That the

Episcopal party are enemies to the present Government. But what ground have they given for such a charge?

For, 1. Ought those to be looked upon as enemies to the Government who have lived these twenty years peaceably under it, though they are so far from having any trust under it, or benefit by it, that they are put under all the temptations of poverty and want to disturb it? How happy would it have been for Britain if the Presbyterian party had given such proofs of their affection under the reign of King Charles the First and Second? I am sure if they had, they might have lived very secure and easy, and not been upbraided as enemies to the Government.

2. What Government expects the same measures of submission from men they dispossess of their livings, as from those to whom they have given them? All that the Government can reasonably expect from such men is their living peaceably under it. It were sure very hard to take a soldier's commission from him, and then expect he should swear to his colours, go on and fight your battles heartily, without either pay or place.

To clear this matter a little, I would put a question to all the sons of the Church of England, by whatsoever names they are distinguished, if at the late happy Revolution the government of their Church had been abolished, their Liturgy laid aside, and they themselves turned out of their copyhold, without asking questions, to make way for Anabaptists or Independents, what would they have done in such an event that the Scots Episcopal clergy have not done? I'll give them to the fourth or fifth of November next to make an answer. I believe they would have thought it hard to expect the same measures of compliance from them as from those who were possessed of their livings. Would they have reckoned it a great favour to have got a toleration, and to be put upon the same foot with the Anabaptists and others, the refuse of the Christian religion? They might well plead that they had been the legally established Church, and were run down only by the giddy humour of a prevailing faction—that they were turned out of their livings they did not know how—and that, seeing they maintained the same catholick principles of unity with the first and

best ages of the Church, and lived peaceably under the civil government, they ought not to be classed with Dissenters, who were schismatics, and had broke in upon their Establishment. I am sure they would have expected some marks of distinction from Anabaptists, &c.

3. What has become of yesterday's cant, that *protection* and *allegiance* are reciprocal, and where the one is not given, the other is neither due nor to be expected? I hope those gentlemen (for I own myself none of them) by *protection* understand something more than their persons.

4. But granting that the Episcopal party had some scruples (as the Presbyterians want not theirs), to take all the oaths that are now required by law, yet why may not they lay claim to as much favour under the mild government of Queen Anne, as the Presbyterian party had under the reigns of her royal father and uncle? For under both those they had a toleration without any clog—no oath was required of them. For my part I know no odds, save that the Presbyterian party rebelled twice in the space of fourteen years, but the Episcopal party in Scotland never yet rebelled against their Prince. This would tempt one, who is not acted by a principle of conscience, to think that it were no ill policy in the Episcopal party to imitate the others in this, perhaps, that might entitle them to some favour, seeing their peaceable behaviour seems to be void of all merit. But I would advise both parties not to try such a dangerous experiment under the present Establishment.

I shall not here take notice how that just now some of the Presbyterian agents are going about in a manner bullying even the British Government, by suggesting, that if a *toleration* be granted to the Episcopal party they will not bear it. This is indeed spoke with such an air of dutifulness and affection to her Majesty's person and government as is peculiar to them. If they be the better heard, both they and we may learn something by it.

What other hardships the Episcopal party have suffered these twenty years past has been fully published by others, and therefore I shall wave their frequent imprisonment and banishments for no other cause but their baptizing, and preaching faith and repentance to their people. Their watchful and spiteful enemies could never charge them with

any factious or seditious discourses from the pulpit nor elsewhere. All I take notice of are two or three instances of their sufferings since the Union, by which they hoped to be more immediately under the protection of the Church of England, and live more easy than they had done in a separate state.

The first is, when her Majesty was graciously pleased some three years ago, for quieting the minds of her subjects, to grant an indemnity, which she desired should be understood in the most extensive sense, where the exceptions were not express. Yet my Lord Minto (I mention not the other Judge who sat with him, because I know him to be a man of temper, and one from whom the Episcopal party may expect fair quarter)—I say, my Lord Minto denied the benefit of it to the Episcopal ministers who were cited in the district of Aberdeen before him, and passed sentence upon them, when adulterers and the vilest criminals were dismissed from the bar.

It is true, when this Judge (in the course of his circuit) came to Perth, the Nobility and gentry in those counties made such an appearance in favour of their ministers, and pleaded in so high a manner—that it could never be the meaning of their gracious Queen to seclude these from the benefit of her indemnity against whom nothing could be alleged, but that they served God in the manner she herself did—that they brought down this haughty Judge, and made him delay the sentence against them, though he would not allow them to be comprehended in the indemnity, and therefore obliged them to give bond that they should answer at Edinburgh when called upon.

Another instance is in the case of the inhabitants of Old Aberdeen. These people being desirous to worship God according to the form of the Church of England, called for that end an Episcopal minister who had given early proofs of his affection to the Government; and the better to secure themselves, sent up a loyal address to the Queen, craving her protection in the peaceable exercise of their religion, which she was graciously pleased to assure them of in a letter writ by the Earl of Cromarty, then Secretary of State. But my Lord Sunderland, late Secretary of State to her Majesty, to shew his zeal against the spreading evil

of the English Service, writ about two years ago to Sir David Dalrymple, her Majesty's Advocate for Scotland, to suppress their meeting-house. And accordingly an order was sent by the said Advocate to suppress it; and having given an account of his diligence to the said Earl, had in return a very obliging letter, the tenor whereof follows—

“ I have laid before the Queen the order ye have given for shutting up the chapel at Aberdeen, with which her Majesty is very well pleased, and orders me to tell you that you cannot do her more acceptable service than to discourage all such innovations every where.”

Thus the word *innovation* had its rise, and is still in use in all our Presbyterian judicatories, to express the Liturgy of the Church of England. This hard usage obliged these citizens to send up the following Address :—

“ *A Petition of the Gentlemen and other Inhabitants of Old Aberdeen of the Episcopal persuasion.*

“ TO THE QUEEN— We, your Majesty's most loyal and dutiful subjects, in name, and at the desire of the inhabitants of Old Aberdeen who are of the Episcopal persuasion, beg leave humbly to lay before your Majesty, that notwithstanding of the repeated assurances we have got of your Majesty's protection in the exercise of our religion, yet to our great surprise an order is lately come from your Majesty's Advocate in North Britain to shut up our chapel, for no other reason, whatever may be pretended, but because we make use of the Liturgy of the Church of England.

“ Were we guilty of any invasion upon the rights of the Established Church, or were there any standing law in North Britain against the Liturgy of the Church of England, we should not claim your Majesty's protection; but seeing neither of these can be justly alleged, we are assured your Majesty will not suffer us to be oppressed merely for serving God after your own way.

“ We never doubted but seeing we could not in conscience join with the Church, which by the Treaty of Union is established in North Britain, it would give least offence to use that form of worship which by the same Treaty is

established in South Britain. But we find it far otherwise ; for though the French Liturgy has been these many years publickly read in the College-Hall at Edinburgh, and though the Quakers have a solemn meeting-house near by us, and all sectaries are undisturbed in their way thorow this and your other dominions, yet no sooner does any own himself a son of the Church of England but forthwith the cry is raised against him, and he is charged with the most horrid innovation that ever crept into the Church of God.

“ May it therefore please your Majesty to put a stop to such hard proceedings against us, and seeing our minister gave an early proof of his good affection to the Government, is fully qualified in the terms of law, prays expressly for your sacred person, and keeps all the fasts and thanksgivings as they are appointed—that your Majesty will be graciously pleased to make us easy, and sharers of these extensive blessings that adorn your most happy reign : that your life may be long, and your arms ever victorious, shall be the constant prayer of,”¹ &c.

I could by many other instances besides this convince the true sons of the Church of England that the prosecutions of the Episcopal clergy in Scotland were not founded upon the account of their disaffection to the civil government, as is falsely given out by their enemies, and too easily believed by their friends in England, but for their steady adherence to Episcopacy, and their affection to the Liturgy of the Church of England.

The last instance I give is the case of Mr Hay, an

¹ Mr Patrick Dumbreck, private chaplain to the Earl Marischall, was persecuted by the worthy folks of Aberdeen, or rather by the fanatical portion of the community there. He read prayers, it seems, in the Earl's own house, nevertheless this *private* matter gave such scandal to the *godly*, that they got Sir James Steuart, the Lord Advocate, to interfere, which he did *con amore* ; but his threats or promises had no effect on the tenacious Episcopalian, who very coolly referred to the reversal by the Peers in Greenshields' case as his protection. One thing is plain, that if the House of Peers had affirmed, instead of reversing—as was done—the decisions in this case, Scotland would have been no resting-place for an Episcopalian ; as the Presbyterian inquisition at that period, if not armed with all the powers, had at least all the inclinations of a Spanish one, to persecute to the death those whose religious opinions did not accord with the sour creed of Calvin.

Episcopal minister, who being convened about a twelve-month ago before the Justiciary Court, had a jury set upon him for preaching and baptizing (surely no unpardonable crime in a minister), who brought in the libel not proven, which notwithstanding he had the sentence of banishment passed upon him—My Lord Minto¹ having overawed the jury, and shut them up a second time, to give a contrary verdict, in defiance of the stated rules of all Courts of Justice.²

How happy had it been for these unfortunate men, as to all the concerns of this life, to have been Deists, or some such monsters, as this would have freed them from some little scruples that disturb their narrow minds, so might it in these times have recommended them to some compassion ;

¹ Gilbert Elliot was for many years a Writer in Edinburgh, but having formed a good business connection he aspired to the honours of the *toga*, and was ultimately admitted an Advocate on the 22d November 1688. He obtained a reputation for the able way in which, as an agent or attorney, he conducted the case of William Veitch, one of the Presbyterian preachers prosecuted in 1679, and it was owing to Elliot's zeal that this person ultimately got off. It is said in after years that the Lord of Session, for such Elliot ultimately became, continued intimate with his old client, and upon one occasion the Judge being inclined to be facetious said to Veitch —“ Ah Willie, Willie, had it no been for me the pyets (magpies) had been pyking yere pate on the Nether Bow Port.” The answer was excellent —“ Ah Gibbie, Gibbie, had it no been for me, ye would hae been yet writing papers for a plack the page”—alluding to the practice yet prevalent in Scotland of paying writers or attornies so much each page. A plack, says Jamieson, is equal to four pennies Scots, or the third part of an English penny. It is curious to trace the rise of Families. Thus the *accident* of Veitch's trial converted the “*writer laddie*,” who earned the third part of a penny for a page of writing, into a *zealous agent*. His exertions in that matter brought him into notice—in process of time he became an Advocate, was knighted, obtained the lucrative office of Clerk to the Privy-Council, was then made a Baronet, and ultimately a Lord of Session and Justiciary. Nor was this all. He founded a Family—his great-grandson became first a Baron and afterwards an Earl in the British Peerage.

² The case alluded to in the text shows Lord Minto's Presbyterian predilections in a tolerably strong light. His behaviour was even worse than here represented, for the jury, after returning their verdict, had separated and gone home ; the judge ordered them all to be called together ; he lectured them in no very measured terms, and *commanded* them to enclose themselves again, and return a verdict of *GUILTY* ; and this—terrified by the threats of the *ci-devant* “*writer laddie*”—they actually did. See “*Letters from a Gentleman in Edinburgh.*” Edin. 1711, 8vo. p. 15.

or had they been palatines and vagabonds, or others, the dregs and refuse of the Christian world, this might have entitled them to some protection. But who can patronize such monsters as dare be so bold to profess the religion of their sovereign; this is too daring an attempt to escape with impunity.

Thus I have endeavoured to lay before my reader a plain account of these unprecedented hardships the Episcopal clergy in Scotland suffered at the Revolution.

And what has been the behaviour of this and other nations when great Revolutions happened in them—how tender they were of these unfortunate clergymen who could not comply with the unexpected changes that fell out, and always provided them of means whereby they could subsist? Sure I am, when our governours have leisure to consider of this, they will think on some redress, especially when they have so natural a fund for it as the Bishops' rents, most of which are now granted to such purposes as are no ways serviceable to the ends of Government.

No doubt the true sons of the Church of England will give their hearty assistance in this matter. They will always remember how that, about the middle of the last century, their altars, and those who served at them, were overthrown by a prevailing faction; and, therefore, as Dido said to Æneas, when he laid his misfortunes before her—

“ *Haud ignara mali miseris succurrere disce.*”



MEMOIRS
OF
JOHN DUKE OF MELFORT,
BEING AN ACCOUNT OF THE
SECRET INTRIGUES
OF THE
CHEVALIER DE ST GEORGE,
PARTICULARLY RELATING TO THE
PRESENT TIMES,
M.DCC.XIV.





JOHN second son of James third Earl of Perth, was a great favourite of James VII., and was created by him Viscount of Melfort in Argyllshire, and Lord Drummond of Gilestoun 14th April 1685. In 1686 (August 12) he was raised to an Earldom by the title of Earl of Melfort, Viscount of Forth, Lord Drummond of Riccartoun, Castle mains and Gilston, with remainder to the heirs-male of his body of his second marriage; whom failing, to the heirs-male whatever of his body.

His first wife, Sophia, was the daughter and heiress of Margaret Lundin of Lundin, near Largo in Fife, and by her he had three sons, but as he had turned Roman Catholic, the family of Lundin prevented him from converting his children, who remained Protestants. For this reason they were excluded in the first instance, and the titles destined to his issue-male by his second wife, Euphemia, daughter of Sir Thomas Wallace of Craigie, a Lord of Session. By this lady he had six sons and five daughters.

In 1690 the Earl received the Dukedom of Melfort and Marquisate of Forth from his master, whose fortunes he had followed, and he was moreover made by him a Knight of the Garter, having (in 1687) been previously a Knight of the Thistle. He was attainted 2d Feb. 1695, by statute; but in this Act there were exceptions in favour of the children by his first marriage.

His death took place in January 1714. His Duchess survived him many years, and at last died about the advanced age of 90, having latterly supported herself by keeping one of the two faro tables authorized by Louis XIV.

The following character has been given of the Duke in the Memoirs ascribed to Mackay:—

“ He is very ambitious—hath abundance of lively sense—will stick at nothing to gain his end—a well bred gentleman—understands the belles lettres—is very proud—cannot bear a rival in business—nor is he much to be trusted himself, but where his ambition can be fed. He is tall, black—stoops in the shoulders—thin, and turned of fifty years old.”¹ His Grace's descendants in the male line still exist in France.² The

¹ Memoirs of Secret Services of John Macky, Esq. Nichols, in his edition of Swift, vol. v. p. 153, ascribes this work to “ Mr Davis, an officer in the Customs.”

² In the year 1805, Charles Edward Drummond, calling himself Duke of Melfort, unsuccessfully attempted to challenge the right of Lady Willoughby, then the Honourable Clementina Sarah Drummond, to the Perth estates. According to the statement in his summons, he was the eldest son of James commonly called the third Duke of Melfort, who was the eldest son of John Lord Forth, afterwards second Duke of Melfort, who again was the eldest son of the second marriage of the first Duke.

present Lady Willoughby D'Eresby, who inherits the Perth estates in right of her father, James, created Lord Perth 14th October 1797, is the heir of line of his Grace's first marriage with the heiress of Lundin. By the following extract from a Magazine of the time it would seem that a descendant of the Duke in the female line intermarried with the Royal House of Spain :—

“ *Madrid, July 5, 1776.*—The infant Don Louis, brother to the King, was married last week to Dona Maria Theresa Vollbriga de Reza, niece to the Marchioness of St Leonard, and grand-daughter to the Duke of Melfort, who came to France with King James. This young lady and her sister had been for some time with their aunt the Marchioness; she is very beautiful, about seventeen years of age, and endowed with excellent qualities. Don Louis saw her, and desired to have her for his wife. He has obtained the King's formal leave to marry her, but with these conditions, that she retain her former name and arms, and that the children, if there shall be any, take only their mother's name. All the Royal Family seem very fond of her, and have made her very magnificent presents, and a splendid retinue has been appointed for her. The infant has more than a hundred thousand pounds of yearly revenue.” We suspect that in place of grand-daughter the lady was great-grand-daughter of the Duke.

According to Coxe, in his *Memoirs of Spain*, vol. iii. p. 65, 4to. edition, Louis Anthony, the youngest son of Philip the Fifth, was born in 1725. He was nominated Cardinal, and appointed Archbishop of Toledo and Seville, but afterwards renounced the ecclesiastical profession, and in 1776, with the consent of the King his brother, “ espoused Donna Marie Theresa Villabrigas y Rosas, Countess of Torres Seccas, a lady of one of the first families in Arragon.” Wood, in his account of the Melfort Family, passes over entirely this royal connection.

From Coxe we learn further that of this marriage there were two children, a son and a daughter; the former became Archbishop of Toledo, and the daughter married the notorious Don Manuel Godoy, better known as the Prince of Peace.

The *Memoirs of the Duke of Melfort*, which follow, are said to have been “ published from the original papers found in the closet of the said Duke since his death.” They were printed at London in 12mo. “ for J. Moor, near St Paul's, 1714.” Although evidently manufactured in England—with the palpable object of injuring, not aiding, the cause of the exiled Prince, they contain much curious matter, and are otherwise sufficiently interesting to obtain a place in this Miscellany.

The attempted rising mentioned in the beginning of the *Memoirs*¹ refers to the proposed invasion of Scotland in 1708, when Louis XIV. sent a military force to that kingdom, which embarked at Dunkirk in eight ships of the line and twenty-four frigates under the command of the Count de Forbin. The Count de Gacè, afterwards Marechal de Matignon, was to head the military part of the expedition. When the Prince departed, the French monarch presented him with a sword, the hilt of which was richly set with diamonds, and, it is said, addressed him in the same words in which he had formerly taken leave of James II.—

“ The best wish with which I can accompany you is, that we may never

¹ See page 407.

see one another again."—Klose's *Memoirs of Prince Charles Stuart*, London, 1845, vol. i. p. 59.

The memoirs of Forbin occur in Petitot's "Collection des Memoires relatifs a L'Histoire de France," tom. lxxv. Paris, 1829, 8vo., and are written in more than the usual gasconading style of such Gallic productions, and prove that the worthy Count was an ancestor of the Longbow and Monsoon families. His account of the intrigues of the Count de Gacè with the Prince to thwart him is very amusing. It seems the Prince and Count wanted immediately to set sail, whilst Forbin was opposed to any thing of the kind until wind and weather were favourable. Some days elapsed; at last, on board they went, and Forbin had his triumph; for that very night "un coup de vent mit toute l'armee en danger." The Prince bore the fright well, but his suite were in a dreadful state; whilst the gallant Count de Gacè, who had in the forenoon been proclaimed Marechal de Matignon, was as much alarmed as the rest. They were all ill, "tous vomissoient jusqu'aux larmes," and they all insisted on being put on shore.

Now came Forbin's revenge. He candidly tells us the extreme pleasure he had to see his rivals sea-sick, and consoled them with the information that he would keep them safe on board. "Le vin est tiré, il faut le boire. Pâtissez, souffrez tant qu'il vous plaira: j'en suis bien aise, et je ne me laisserai point attendrir. Vous l'avez voulu: de quoi vous plaignez vous?"

The invaders proceeded safely on their voyage, and reached their destination, when, to the astonishment of the French, the fleet of Queen Anne was at hand. The gallant Admiral and Marechal were at their wits' end, and the next thing was to get away from these formidable enemies. The English on board the Prince's fleet became more and more alarmed, at least so says Forbin:—"Les Anglais, effrayés de plus en plus, s'adressèrent au Roi, et lui proposèrent de s'embarquer sur la frégate qui venoit de la découverte, et d'aller descendre à au château¹ situé sur le bord de la mer appartenant à un seigneur dont sa Majesté connoissoit les bonnes intentions.

"Ce Prince me parla de la proposition qu'on lui avoit faite, 'Sire, lui répondis-je, vous êtes en sûreté, et les ennemis ne peuvent plus rien contre nous. Ce vaisseau qui nous poursuit, et qui alarme tons ces messieurs, n'est pas fort à craindre; et il seroit bientôt enlevé, si votre Majesté n'étoit pas à bord. Mais je pourvoirai à tout, et bientôt nous ne serons plus poursuivis de personne.'

"Le Roi, satisfait de cette réponse, témoigna n'en sonhaiter pas davantage; mais les Anglais, dont la frayeur augmentoit à mesure qu'ils voyoient approcher l'ennemi, firent de nouvelles instances: ils exagérèrent à ce prince le péril ou je le laissois; tellement que le Roi m'ayant demandé la chaloupe pour passer sur au autre bâtiment, comme on le lui avoit proposé, sur ce que je lui représentai qu'il n'y avoit rien à risquer pour sa personne, me répondit qu'il ne vouloit point tant de raisonnemens, et qu'il vouloit être obéi."

"Sire," lui rëliquai-je, "Votre Majesté va avoir ce qu'elle souhaite. J'ordonnai alors à mon maitre nocher de mettre la chaloupe en mer, mais en même temps je lui fis signe de la main de n'en rien faire."² He then

¹ The Castle of Wemyss, overhanging the sea, about four miles east of Kirkcaldy in Fifeshire.

² Tom. lxxv. P. 288.

entreated the Prince to retire to a private chamber, which he did, and Forbin assured him that he risked less in the vessel he was in, than if he went into another one. His Highness seemed satisfied, but the cannon balls beginning to fly around "ces poltrons," meaning the English, he again supplicated the Prince to land, which was again opposed by Forbin, and at last it was agreed they should return to France. The result of all this was, that the Count and the new fledged Marshall carried their royal burden safely back to France. The invasion was ill conceived, and worse managed.

Lockhart, in his *Memoirs of Scotch Affairs*, is of opinion that if the Prince had set out immediately he would have landed in Scotland without any obstacle, and that the delay which enabled the English Fleet to be on the alert, was the cause of the want of success. He also expresses a belief that Forbin acted under secret instructions from the French Court not to allow the Prince to disembark, unless there was a chance of a general rising.

MEMOIRS

OF

JOHN DUKE OF MELFORT.



WAS ever of the opinion that the last attempt on Britain, in favour of the Chevalier, would prove unsuccessful, and when I was call'd to Council, I urg'd many reasons, which, tho' the consequence prov'd them well ground'd, yet I could never get the better of a malicious censure of the world (tho' the Chevalier did not believe it), that I was not hearty in his interest. I remember very well all that I declar'd as my opinion in Council, and I don't doubt but that it now appears plainly, that what I then said were not random thoughts, but duly weigh'd and considered before spoken, and that then was not the proper juncture for the Chevalier.

All Europe (not even exclud'g France) at that time had too good an opinion of the British Ministers to expect a Revolution. Every part of the Administration was manag'd with so much vigilance and precaution in that *point*, that not the least favourer of his interest durst peep abroad, but they met with punishments, and their new laws were executed to the letter. England was then in perfect union at home, and made so considerable a figure abroad, that it was esteem'd the cement of the Grand Alliance. The war could not be carried on without them, and therefore all the Allies, and particularly the Dutch, knew very well it was their interest to fall in with the British Ministry, and join in all their measures to oppose the Chevalier. They could not suspect any double dealing, for the men then in power were even interested to keep him out. The Treasurer, the Chancellor, the General, and in short the whole Ministry, were his profest enemies, and had been successfully instru-

mental in the Revolution, obstinate in the procuring and maintaining the new succession, and in proscribing the Chevalier, so that they neither hoped nor expected any favour; but, on the contrary, they had made themselves entirely obnoxious to his interest, and by their power had so managed the inclinations of the people, that at that time no bug-bear was so frightful as the very name of the Chevalier was to the populace.

I then urg'd the unseasonableness of the undertaking, and heartily press'd, the waiting for a more favourable opportunity. Things were not then ripe, the Chevalier's friends were depress'd and not able to make a considerable party; and tho' the French King urg'd that expedition, and buoy'd the Chevalier with success, I rather look'd on the whole matter as a French stratagem to get rid of him, or at least to divert the British arms from pursuing their advantages after the fatal taking of Lisle. I know the taking of that place had very much affected his most Christian Majesty, and perhaps my too hearty zeal for the Chevalier's interest might make me express myself in warmer terms than was acceptable to his French advisers.

My advice was not then taken, but I was misrepresented. However, the success of that enterprise proved that I was in the right. And I very frankly told the Chevalier at his return that he had now quite ruin'd his affairs—that it would be impossible for his friends in Britain to be any further serviceable to him—that their secret practices would now come to light—and that it was very probable a great many might meet with punishment as traitors; but if not, yet there would be so strict an eye kept on them for the future that they could not be able to undertake any thing in his favour. The Chevalier answer'd me then very calmly—"Have patience, good my Lord, Rome was not built of a day; you'll yet see a turn in my favour." I confess I then was so short-sighted as not to see the least glimmering of expectance, but I find I was then mistaken. Affairs soon after had a new face; Doctor Sacheverel's affair was concerted in the Chevalier's Council without my knowledge; nor could I ever have advised the attempting any thing of that nature. I was sensible that preaching up passive obedience, and indefeasible hereditary right, made for the

interest of the Chevalier, and always advis'd those of the English clergy that wore his friends frequently to inculcate these doctrines; but I never could imagine that the Ministry, who were famed for their prudence, could easily swallow that bait, and be brought to arraign, in so solemn a manner, so insignificant a criminal. After that trial the Chevalier sent for me, and taking me into his closet, shewed me some letters, giving him an account of the whole proceeding—how the populace was enrag'd against the Ministry, and that every thing was tending to a change. “What think you now, my Lord,” said he, “are my affairs in England ruined? You see I have still friends there that dare be active in my cause.” I answer'd, that I confess'd my error, and that now I plainly saw that he was in the right—that a change in the Ministry must ensue, and consequentlie a change in the Councils—that England took different measures from the French in politicks, and that a new Ministry never failed to unravel all that had been done by the old—that the Councils must now be divided, and of course the people would be so too. He asked me then if it was not a proper time to attempt something? I told him no:—that a party openly appearing in his favour would but ruin him—that he must for some time be content to act behind the curtain—and that the divisions must be blown to a greater flame before any thing could be undertaken openly in his favour:—that the present advantage was, that his friends might take hold of this occasion to skreen themselves under a party, mix in all conversations, and since the church doctrines of passive obedience and hereditary right were come in fashion, they might insinuate by degrees a favourable opinion of his right—that all the actions of the old Ministry should be censured, all their schemes exploded, so that by degrees the resentment of the people might rise against them; and if they could be made believe that they had been guilty of any errors, it would be easy to lead them to think that every thing that had been done by them was wrong. There may something too, perhaps, be expected from the new Ministers. Some of your friends, under the pretence of loyalty, may get into play, and if so, one Minister will be able to bring the rest over in time to your interests; but should that fail, yet the new Ministers will

find it their interest to fix their rise on their predecessors' ruin—failings will be magnify'd into crimes. This will exasperate the persons turn'd out, and they and their adherents will not fail in their turns to bespatter the men then in power. A watchful eye will be kept by that party on all their actions, and any one false step will ever occasion another. Opposition of parties will so perplex their Councils, that at last, from one step to another, they will be obliged to have recourse to something desperate to extricate themselves. That's the crisis that you are to expect, and when matters are once come to that height, then you may openly avow your pretensions, appear at the head of an army, and at one brave push fix yourself.

The Chevalier told me what I said was feasible, and that he was resolved to take my advice. "In the meantime," says he, "do your part; don't fail to give your friends in Scotland the necessary cue, and, above all things, take care of intelligence, that we may take our measures accordingly: Hamilton will certainly serve us; I would have you to endeavour to be well with him; I don't doubt but he'll be employ'd, and I'm certain our interest will not suffer in his hands. Write to him to-night." I told him he should be obey'd; but that I look'd upon all my misfortunes to be owing to the misrepresentations of that Duke, and that I had suffered much on that account. "You are mistaken," said he: "I am convinced that you both love me, and that nothing has occasioned a misunderstanding betwixt you but zeal for my service. He was too certain, and you too diffident; but that's past, I will set all right. Assure yourself I will do nothing without your advice."

From that time nothing was done without consulting of me, and whenever any thing new occurred we had fresh consultations for improving every thing to our best advantage. The new scene opened a very pleasing prospect to us. Every thing seem'd to tend to our advantage. Our enemies fell daily in disgrace, and we were not without hopes that those that succeeded them might possibly be our friends, were it only in opposition to their predecessors. Our greatest bugbear was the continuing the General still in his office. He, of all men, we wish'd laid aside; but the time of his disgrace was not as yet come. However,

we saw him every day declining in favour, and that the addresses for carrying the war, particularly in Spain, was design'd as a side-reflection that the war was mismanaged, and hitherto been carried on in the wrong place. This news was pleasing enough to the Chevalier, inasmuch as it seem'd to reflect on his greatest and most powerful enemy ; but he was apprehensive that if that counsel was followed, that readily Philip might be driven from Spain, and that then the French King would have work enough to reinstate his grandson, and that his affairs might be neglected ; but I soon removed that fear, and satisfied him that the distance of place, and the difficulty of sending troops thither, must render such a project impracticable. I told him that the person who was destin'd to command there was in no ways acceptable to the Ministry ; but being too considerable to be laid aside abruptly, measures must be taken to remove him by degrees. I said then, that I plainly saw that the quarrel between him and the Duke of Marlborough¹ was a pure mismanagement, the more effectually to ruin them both. The Duke of Argyll, said I, does not as yet see through their design, that the making him General in Spain is but a feather to amuse him, and remove him from their Councils. They know very well he will not come into their measures, and if he misses disgrace in this new commission, it will not be their fault that sent him thither.

The next thing that alarm'd us was the secret negotiations in Britain for the peace ; but we were assured that everything in that affair should be to the Chevalier's advantage. He was desir'd to take no notice of any appearance to his prejudice, but to have a little patience, and all should go well. I inconsiderately took the alarm at the articles in favour of the House of Hanover ; but when I saw the whole scheme of affairs I was once more convinced that I was in the wrong, and that the Chevalier's affairs had then a better face than ever.

Whilst this treatie of peace was on foot, the Chevalier was

¹ The compiler of these Memoirs was not aware that the Duke of Marlborough was playing a double game. The Stuart Papers have put his Grace's delinquency past dispute. His immense fortune and high rank naturally made him cautious, but had the cause of the exiled family prospered, he would not have been long in offering his support.

frequently in private with the French King, and constantly when he came from thence he communicated to me the subject of those private conferences, which for the most part consisted in this, that the English ministers were resolved on a peace, and that the French King's own affairs would not permit him to let slip that opportunity. The difference between the terms formerly offered and those at present was very great, and the English now were much more reasonable in their demands, so that some condescensions must be made in their favour. The French King was truly tir'd of the war, and had long, without success, endeavoured to divide the Allies. Now was the critical juncture, whilst the people of England murmured and complained of the burthen of the war, and the Ministers found they could not support themselves without a peace. A peace must be clapt up with England, *coute que coute*; and whenever it could be fixed there, the rest of the Allies must come in of course, and take such terms as France would then give them.

By several reasons then mentioned I was brought over to be of opinion that a peace was necessary both for the French King's and the Chevalier's interest; but I doubted very much whether it would not be more difficult to be obtained in England than they imagined. I knew the populace were generally for peace, and that their cry might influence the then House of Commons; but the great bugbear was the Lords. We had computed the voices, and found that the majority in that house would certainly be against a peace; but were afterwards agreeably surprized to find that point was carried, and carried without a murmur by so bold a stroke, that we never so much as imagined that it durst be undertaken. The Chevalier was extremely pleased at the creation of the twelve Peers; and some time after, talking on that subject, he told me such a precedent hereafter might be of use to him, and that even this might be for his interest: "For," said he, "when men of low fortunes are introduced into the Nobility, they must by some means keep up their port; this puts them in a state of dependency; and those that best support their grandeur will always be surest of their service."

I told the Chevalier I was of that opinion, and that I did not now doubt but that every thing would go to his wish—

that as soon as the peace was concluded his affairs would come upon the tapis—that in the meantime his friends should be encouraged, and the party kept warm with hopes of soon seeing him at their head—that all endeavours should be used to fix the Treasurer in his interest, and if that could be done the game was then sure. That statesman, said I, is a perfect labyrinth ; there's no finding him out ; he relies entirely on himself, and does things surprizing, without communicating them to any till the moment of execution. These twelve Peers are a stroke of his politicks, and you will find he'll go through with every thing else. He is extremely dextrous at managing the Commons, and has an excellent knack of bringing them over to his opinion. I would advise that nothing be left unattempted to bring him entirely to your interest ; offer him anything, and if interest will not prevail perhaps revenge may. Let him be sated to the full, and give him assurances that all his enemies are yours. " Poh, poh !" replied the Chevalier smiling, " there is no body knows that man ; time will shew what it is he aims at. But, my Lord," continued he, " I have not told you that he insists that the French King should deliver up Dunkirk in possession to the English as a guarantee of his *bona fides* in the treaty ; and that after the peace is sign'd the fortifications are to be demolished, and the harbour ruined by the French. This, I confess, alarms me, and I'm resolv'd the next time I see the French King to persuade him to elude, if possible, that dangerous preliminary." I am positive, said I, that you will not prevail, for there is nothing less than that article will satisfy the English. Besides, I don't think that it is of such importance to your affairs as you seem to apprehend. I know the contiguous situation of that port to England is highly advantageous ; but we are not depriv'd of that advantage by the English being put in possession. The peace will be some time concluding, and then afterwards the demolition being to be performed by the French, that work may be carried on as slowly as the French King pleases ; delays may be invented till things are in a readiness for your once more embarquing at that port. All things in England seem to ripen in your favour ; all your enemies are in disgrace, and your friends come into play. Churchill is now no more at the head of the army ; and though he is

succeeded by a person on whom you cannot depend, yet it makes thus far for your interest that your greatest and most powerful enemy is removed from his charge, and I do not doubt but in a little time you will hear that he is removed from the kingdom also. You see how the House of Commons are picking holes in his side, and if they can find any to put their fingers in they will tear him without mercy. The populace are exasperated to the highest, and even his victories are now represented as so many crimes against him. The battles gain'd, and towns taken, are now represented as so many artful baits to gull the nation of its treasure, and by prolonging the war to sacrifice his country's wealth to his avarice and ambition. The current runs in your favour; have but a little patience, and you will find that even this article of Dunkirk will not prove to your disadvantage.

The Chevalier made me no answer at that time, but some days after, coming from Versailles he sent for me, and, laying his hand on my shoulder—"Melfort," said he, "thou art a very Matchiavel; I am now perfectly satisfied of what you said last; all will go well. Our friends in England and our cause prospers. Before Dunkirk is demolish'd you'll see strange things." I told him I did not doubt of it; but begg'd of him that he would be particular, if he had any greater reasons for the success of his affairs than what before he was pleased to communicate. "Yes," said he, "I have assurances, and such that I entirely rely on. The King assures me my interests are inseparable from his own, and that I should soon see it. He tells me the English in consequence of the treaty have, unknown to the Dutch, agreed to a cessation of arms, and though they are now in the field with them, they will soon march out and abandon them. Now this will expose them to the superior force of France, and if any ill accident should happen to their army the States will be irritated against the English, and in some measure break the strictness of the alliance, which is of the greatest consequence to my affairs. All misunderstandings betwixt England and the States make for my advantage. I would, therefore, advise all my friends in England to foment jealousies and widen the breach. The laying aside the late barrier treaty does me signal service. For the new one will weaken the guarantee for the succession, since a main article

is, that they are not to send relief to England unless sent for. And perhaps that such a message may be prevented, if my friends continue to encrease after the rate they have done these last two years, my enemies will make but an inconsiderable party, and without any foreign help I shall be able to make a stand in case anything should happen that would require my immediate presence. Besides, after the peace I am promised that several of my friends that have suffered here with me, shall go into England under the protection of the two ambassadors of France and Spain, and there abet my cause. I like that hint very well, and have improv'd it. What do you think of sending some person there, who, under the pretence of being Resident from some Prince, should manage my affairs? His frequent converse with the men in power will give him the opportunity of sounding their inclinations, how they stand affected to my cause. Such a person may with more confidence manage my interest, and come sooner to the point, than a subject who has the new laws in force against him, and dare not open his mouth in my favour but with risque of his life." Here he stopt, as expecting my answer; and after some little pause I told him that what he said was very advisable, but that the difficulty lay in the choice. A foreigner would never do the business, and he had very few people about him without objections to be made against them for such a commission; that I was puzzl'd to think of a proper person. "Why truly," says he, "I am as much at a loss, but what think you of ——?"

Here he mention'd three or four several persons, but as fast as he named them, he found out objections himself. But at last I chanc'd to name Sir P——k L——. "Ay," says he, "that's the man; he has courage to undertake it, and assurance to go through with the commission. He managed very well at Madrid, and I think is a Spaniard naturalized. He may go under the protection of the ambassadour of Spain, and some means may be found out to leave him in England as the Spanish Resident, whilst the ambassador of Spain is at the Congress, this will certainly do. I'll send for L——."

I had for some time before this been sick, and was still but in a bad state of health. I therefore was going to retire

when the Chevalier call'd me back :—"Melfort," says he, " I am sorry that you are indispos'd at this juncture, when your counsel is so much necessary. I am afraid you'll hardly be able to go with me, and I must leave France in a few days. It will be so stipulated in the peace, and I would rather seem to go voluntarily than be compell'd to leave this country ; so that I am determin'd to go before the peace is concluded, and my removal known to be one of the articles of reconciliation. Every thing is preparing for me in Lorraine, and I shall be more under cover in that retirement than here. It's true I shall be deprived by that means of personally consulting with his most Christian Majesty for the mutual benefit of our affairs ; but since your want of health won't permit you to accompany me, I can't employ a more trusty Resident than you. I would therefore have you to let me see you in a day or two, that I may give you your Instructions."

I could not reply readily to this, I was so surpriz'd, and the Duke De Aumont coming in prevent'd me. I retir'd home very much disorder'd, still ruminating on what the Chevalier had told me. I never imagin'd that the French King would have carried it so far as to condescend to the Chevalier's removal from France. The acknowledging the new Succession was the utmost I thought would be expected from him ; but the removal from France seem'd to me to carry the face of abandoning him entirely, and I could not guess what reasons the Chevalier had to be so well satisfy'd as he seem'd.

At that time I gave the Chevalier's interest for lost, and could hardly support myself under the uneasiness. I task'd him with credulity, and fancied that he was the dupe of France. Those thoughts confirm'd me in an old opinion, that all the friendship of the Courts of France was political and interest'd only to serve a turn. The sacrificing of the Chevalier's pretended father's cause came fresh into my remembrance, and from thence I inferr'd a second sacrifice more horrid than the first. I concluded now that the ill posture of the King's affairs must necessarily enforce him to comply with any terms that the conquerors could propose, and frightened myself with a thousand bugbears which had no other being but in my imagination. However they had

this effect on me, that they threw me into a violent fever, and this sometime after occasioned the honour of a visit from the Chevalier. When he came all were ordered to withdraw, and the Chevalier seeing himself alone with me, took me by the hand, and pressing it close, told me, that as he was much concerned for my sickness, so he was surpriz'd to hear of the diffidence I had expressed to some of my friends of the success of his affairs. "Look here," said he, "whether you have any reason;" at the same time shewing me a bundle of letters from England. I perused them all, and told him that I expected no less from thence; but I could not suppose that his friends would declare themselves unless they were supported by an army. "And so they shall, my friend:" says he, "What tho' the French King is obliged not to act in my favour? I'll have an army of my own." I could not comprehend well what he meant, till he shew'd me some amendments made to the former scheme which I had seen. My understanding then was cleared of all doubts, and I had not an objection left. I told him that now I should recover my health, for that all my illness proceeded from the embarrass of his affairs, and that now I hoped that I should be able to do him service and attend him. He told me I must stay at Paris, for that was absolutely necessary. I objected against this, that I never loved the French nor their politicks, and that having frequently express'd myself with warmth on occasion of any seeming neglect of his interest, I had procured the hatred of most of the courtiers, and made myself obnoxious even to the King himself, so that his affairs must certainly suffer under my management. "Make no reply, you must stay here," said he, "and let nothing discourage you, be constant in writing to me, and don't conceal even your fears; they'll be of use to me, and guard me against too great a security." I bowed, and told him he should be faithfully obeyed. "Well now," says he, "I'll bid you adieu; in a few days I go to Lorraine; you shall frequently hear from me, and I'll warrant you'll be surpris'd at some news from thence. I am to turn Protestant; my friends in England advise it, and depending on my conversion, make no scruple to mention in their addresses their zealous adherence to the Protestant Succession. There's one

Lesly¹ has undertaken it, and has written a treatise of controversie to that purpose; he's to meet me at Lorrain, and there we shall settle the point." I answered, that I feared the doctor's journey would be to no purpose, for that I knew him to be too rigid a Roman Catholick ever to depart from that faith, and that the people in England would never believe that he was a Protestant. "I don't know that," said he. How are you then wavering, and will you turn Protestant? said I. "Poh! poh!" said he, "did my father turn Protestant? The doctor's an able Divine in his way, and by his writings has perswaded all the people of England that they are in the right, and they, judging by themselves, think his arguments unanswerable. This will do my business, for if a report is spread of my being converted, it will do every bit as well as if I really were; and I know the doctor so well that he'll vouch any thing for my interest. He is too good an hereditary right-man to deny a necessary lye for my service, tho' I were a Turk. If the disguise of a Protestant will bring me into possession, I'll readily wear the habit for a time. I can at my proper leisure throw off the mask, when it's no longer useful, and appear myself."

I was overjoyed to hear him talk after this manner, and was confirmed in my hopes that I should see him succeed. His too scrupulous conscience in matters of religion had often given me uneasiness, but he now left me perfectly easie. The next day his Secretary brought me my Instructions, which were very full and clear, and particularly that nothing should shock me at Court, but that, let me meet with the coldest reception imaginable, I should still continue to give the Court an account of every thing that occur'd.

It was this part of my Instructions that bore me up under the uneasiness and resentment of my temper; for

¹ This evidently refers to Charles Leslie, a native of Ireland, where he died in 1722, who wrote, amongst other things, "Gallienus Redivivus, or Murder will out, &c. being a true account of the De Witting of Glencoe, Gafney," &c. Edinburgh, 1695, 4to. His most valuable work is "A Short and Easy Method with the Deists," of which several editions appeared. Perhaps the treatise of controversy referred to was "The Case stated between the Church of Rome and the Church of England." London, 1712, 8vo.

after the Chevalier's departure I was a long time before I could see the French King, and I was mortified enough to be obliged to have all the Chevalier's affairs communicated by the second hand of a minister, and even they treating me with an arrogance which would not have been supportable but for my Instructions. However, I was resolv'd to do my duty, and since I was commanded to be so, I was contented often with a shrug, a *peut estre*, or at best, with a general compliment.

The first time that the King vouchsafed to see me was, on the death of Duke Hamilton,¹ my advice happened to be the first that arrived, and this news was so surprising that the Secretary immediately ran to the King, and in less than five minutes I was introduced into his closet. As soon as he saw me, he cried out—"Good God, is the Duke dead?" I told him it was certain, and shewed him the letters I had receiv'd. He read them, and after a short pause—"This is unfortunate," says he, "Heaven seems to cross the Chevalier's affairs. Be sure to advise him of it immediately, and let us consult what's to be done."

Accordingly I despatched a courier, which was not the first the Chevalier had received with that unwelcome news. My courier returned, and my orders were to persuade our friends in England to get if possible another person then mentioned to succeed him, but that was not to be done, and we found that the Duke of Shrewsbury was to succeed in the embassy which was designed for D. Hamilton. On this

¹ The Duke of Hamilton was, in November 1712, as is well known, killed in a duel by Lord Mohun, who also fell. Macartney, Mohun's second, was obliged to fly, as it was asserted that he had murdered his Grace. He was outlawed, but upon the accession of George I. got his outlawry reversed. In the Library of the Faculty of Advocates is a tract, entitled "A Letter from Mr Macartney to his friend in London," which formerly belonged to the Honourable Archibald Campbell, Bishop of Aberdeen, and on the letter are the following notes in the handwriting of the Bishop. The friend in London was the "Duke of Richmond," and the letter was "written in London first, and then sent to Macartney, to be by him sent as his own to London." Of course, this pamphlet is a vindication of the supposed writer against the charge brought against him, which was, that after Mohun was killed, and the Duke wounded, and after Colonel Hamilton, the Duke's second, had disarmed Macartney and given him his life, he "basely came in behind the Duke, and reaching his sword over his Grace's left shoulder, stabbed him, and gave him that wound in his left breast whereof he died."

I had new Instructions ; but I could not discover any inclinations in that Nobleman for the Chevalier's service, nay, he was so reserved as not to admit of any conference with me but in publick. Another person that was there from England was not altogether so shy, but we frequently had opportunities of conversing together, and the witty creature used to rally agreeably on the Chevalier's affairs.

D. Hamilton's death had broke into our measures ; but, however, we were resolved to continue the game. The project of sending the person with the Emperor succeeded as we had projected, and from that time our intelligence was more frequent and particular. I still kept my station, and as constantly as I received any news of moment I despatched it to the Chevalier.

I found by my advices that the Chevalier's party increased daily in England, and some of my friends in their letters begged of me to advise the Chevalier to come over, but I look'd on that advice, however zealous, yet not duly weighed. The cooler sort advised the contrary, and from time to time gave me very satisfactory reasons for delaying that undertaking, at least till next year.

During the whole session of Parliament we had no reason to complain ; for nothing was done that gave the Chevalier any uneasiness, till at the last I received an express from him full of concern that both the Houses of Parliament had voted his removal from Lorrain. I was concerned, indeed, that the Chevalier was alarmed at this, but the news did not give me the least disquiet ; my friends had sufficiently prepossessed me that this was no other than a bait to gain elections in the next Parliament, otherwise perhaps that vote would not have pass'd with so little opposition.

There was but one man in Britain that gave me much uneasiness, and that was the Treasurer.¹ He was to me a riddle which I could not explain, none of my friends being able to give me any positive encouragement of his being in the Chevalier's interest. I knew he was accused by his enemies of inclining that way, and that all the steps he took were to them plain indications of his intentions in his favour.

¹ The Lord Treasurer Harley, created Earl Mortimer and Earl of Oxford, a very doubtful character.

I would willingly have believed this, but then I reflected that the Chevalier was always mute whenever that Minister was talked of, whereas he used to be very free with me in his speaking of every body else that either were formerly his friends, or lately become such.

In the midst of a hurry of business I fell sick, and finding my illness increasing daily, I desired the Chevalier that somebody else might be sent in my place least his affairs should suffer through my indisposition. He granted my request, and wrote me the kindest letter in the world.

I was now at quiet, and had nothing more than my wishes left for the Chevalier's service. However, having received several packets from my friends in England, I thought it my duty once more to write to the Chevalier, which I did.

A COPY OF A LETTER TO THE CHEVALIER.

“ My zeal for your service will not permit me to leave it without giving you the last proof of it, which (since my indisposition renders me incapable of acting in your cause) cannot be better shewn than by laying before you my sentiments, and what I should have advis'd in the present juncture, were I present at your councils.

“ I beg that if anything which I now advise should hereafter prove impracticable, that you would impute it to my error and ignorance, and not let my enemies prevail on you so far as to rank me amongst your ill advisers, or blacken my memory with infidelity. The very thought of such a calumny shocks me more than my distemper, and would make an end of me sooner than a thousand diseases. But I flatter myself, however I am accused, that I shall stand justified in your opinion, and be esteem'd a faithful servant, which is the greatest merit I pretend to.

“ I am inform'd your friends are now numerous in England, and what makes for your advantage is, they are not under that restraint they formerly were, but boldly appear your friends. The Fleet for the most part is laid up, the Army disbanded, so that if you can get your army ready by the spring you may land without much opposition; and if you once get footing in England, no doubt you will find friends enough to join you then.

“ I advise your attempting to land in England, rather

than Scotland, for if you can once get up to London, your stroak is sure ; whereas if you should land in Scotland, the distance from the metropolis will give your enemies time to raise forces to oppose you, and perhaps call over the Dutch to their assistance, which will be a great hindrance to your affairs. Besides I am of opinion that now your friends in England are more numerous than in Scotland.

“ The proper time for to attempt it will be about the first sitting of the new Parliament. Your friends propose great matters from thence, and though some of them tell me the Treasurer is not staunch, they say there will be means found out to make him comply with any thing that shall be propos'd ; the clamours against him have rous'd him to resentment ; he is impatient under injuries, and perhaps revenge may make him act even against his inclinations. This will be improv'd, and that artful statesman, who would manage all, may be managed in his turn. There will be two candidates for the Speaker's chair, and he is obstinate in putting in a friend of his ; this will meet with opposition, and even your enemies will be against him in this point. Much may be made out of this.

“ If divisions run high in the House of Commons, take hold of that opportunity ; an army then would support your friends, and embolden them to move for the revocation of the new laws, which at another time would be at the hazard of their lives.

“ An army in England at such a juncture must put the nation into confusion, and your friends may make use of their fears at that time to move in our favour—the specious pretence of it being necessary for the publick good and peace, will work a great deal with lukewarm patriots, who value their private interest beyond that of their country, and I believe these make up a great part of the British people.

“ The late expences of the War have been represented as a mighty burden, and the people will rather submit to any Government than begin another ; besides an army in England will even frighten your hardest enemies into submission.

“ Get but once into possession, and all will go well ; and when you are so, the first thing you are to guard against is a foreign enemy—of all things, if possible, prevent the

landing of a foreign power. The whole nation will probably join in opposing this, but should they once land, England would then become a theatre of war, your intestine enemies will revive, and undo your best concerted measures.

“ Ireland is full of enemies, but make England sure and you may destroy them at your leisure ; you have one sure friend there, and he will not fail to be active in your cause.

“ And now I have mentioned a friend, give me leave to warn you against an enemy, and he one of the most implacable and dangerous you have in Britain ; if possible make him secure—I mean the Duke of Argyll.¹ There is

¹ John, commonly called the great Duke of Argyll, has had the good fortune to be introduced in a favourable point of view by Sir Walter Scott in his tale of the “ Heart of Mid-Lothian,” but we fear his Grace was not the lofty-minded and independent Nobleman that our national Novelist has made him. His conduct after his father's death relative to the English succession was mean.—See Argyll Papers, Edin. 1834, 4to. Lockhart, who had good means of knowledge, talks of him as one whose services could be bought, and positively declares that during one portion of Queen Anne's reign he was in a fair way of becoming a Jacobite. The passage is very remarkable. In 1718 an attempt was to be made to tamper with his Grace through Colonel John Middleton, a person in whom the Duke trusted. “ Middleton reply'd that he perfectly agreed with what I said, and had good reasons to believe that his Grace had the same sentiments, and as I knew that he was once in the Queen's reign in a fair way of being brought over to the King's side, he did not see any cause to despair still of affecting it, notwithstanding what had since that time occurred, provided it were handsomely introduced, and dexterously managed ; but one thing he was sure of, his Grace would not directly or indirectly treat with Mar or any by commission from him, for he believed him his mortal enemy, and had no opinion of his honour.”—Lockhart Papers, vol. ii. p. 13. Argyll afterwards made up matters with the Hanoverian ministry, and the project came to nothing.

Glover's character of his Grace is distinct enough.—“ The Duke of Argyll was a man of considerable parts and wit, though by no means so great as appeared from an happy and imposing manner of speaking in public, where a certain dignity and vivacity, joined to a most captivating air of openness and sincerity, generally gave his arguments a weight which in themselves they frequently wanted, and many would go away charmed with his speeches, and yet be extremely at a loss afterwards to discover that strength of reasoning which they imagined at the hearing to have influenced them so highly in his favour. To style him inconsistent, is by much too gentle an appellation ; for though from the time he first had a regiment, being under twenty years of age, through the whole course of his great employments he was never known to sell a place, or even make those advantages which were universally esteemed allowable and blameless. Yet he was in his own person a most shameless prostitute to power, and extremely avaricious ; he indeed would sell nothing but

something so ominous in that name to your Family that my poor heart throbs me at the bare mention ; though Churchill is removed, yet the soldier remains in Argyll. There are many Marius's in that Cæsar. Do not expect to draw him over to your interest ; that Scot will never be reconciled : take care of him.

“ The reason of my being so particular in mentioning him is, because I look on him to be the most dangerous of your enemies ; strike at the root, and the branches are of course destroyed.

“ But in this and all other my advices I submit myself to your judgement. If I am mistaken in ought, the error is not in my intention ; for I am zealously yours,” &c.

himself, which he continually did with every circumstances of levity, weakness, and even treachery.” Glover then gives an instance of his double dealing, which is too long for insertion. He next quotes Lord Orford, who said “ that there were two men who wanted the sole management of the army, the King and Argyle, but”—with an oath—“ neither of them should have it.”

Argyle, in a conversation with Lord Chesterfield, explanatory of his conduct, concluded the conversation with a picture of his brother, the Earl of Isla, which portrayed him “ in the most infamous and diabolical colours.” He then added—“ Can your Lordship blame me for not seeing such a brother as this ?”—Glover's Political Memoirs, 8vo, 1813, p. 12. His Grace died shortly after this on the 3d October 1743, aged sixty-three. The Duke was not singular in opinion as to the demerits of his brother, for the Lord Chancellor Cowper, in his Diary privately printed for the *Рохвурнек Слуб*, Edin. 1833, states “ that the Duke of Queensberry gave an ill character of Lord Isla as without principle,” that he would “ do anything for an estate, leads his brother, shy of speaking to the Queen, but tiresomely importunate with the ministers.”—P. 51.

ACCOUNT
OF THE
BATTLE OF SHERIFFMUIR,
IN A LETTER FROM A GENTLEMAN IN STIRLING
TO A FRIEND IN EDINBURGH.



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OF THE
BATTLE OF SHERIFFMUIR,

IN A LETTER FROM A GENTLEMAN AT STIRLING TO HIS
FRIEND AT EDINBURGH.¹

SIR,

Stirling, 15th Nov. 1715.



GIVE you the following account of what has passed since Friday the 11th instant.

The Duke of Argyle being informed of Mar's motions and design, called a council of war, in which it was resolved to march to Dunblane and try to engage the rebels at Sheriffmuir, thereby to prevent their passing the Forth.

His Grace accordingly passed over the bridge with his little army of 3300 men, on Saturday morning by nine o'clock, and the same evening reached the fields beyond Dunblane, lying under arms all night within sight of the enemy.

By break of day next morning, both armies being in order of battle, the rebels with a large body of troops, which we at first took to be their whole army, advanced towards us; but the parties we had sent out soon informed us that they were marching another considerable body on our left, two miles to the eastward of us, under cover of the rising grounds. When his Grace observed that the first body, instead of advancing directly to us, turned up from the lower part of the mountain towards the heights thereof, and that the enemy designed, while their right attacked us in front, their left should take us in flank, he changed the disposition of his army—marched and gained the height, by which means our flanks being secured, the Duke, about

¹ From a rare printed broadside.

eleven o'clock, attacked the left of the enemy, and in less than half an hour put them into disorder, and forced about 5000 of them to quit the field of battle, pursuing them for three miles together to the River Allan, where many of those who had escaped slaughter in the flight were drowned. During this a body of Highlanders of the enemies' right falling suddenly upon Morison's, Orrery's, and Clayton's regiments, whilst they were in some disorder by the changing of their ground, broke quite through them.

But our dragoons charging vigorously, gave time to those regiments to retire in good order with their artillery towards Stirling. Here it is worthy of remark, that though the Western Clans and Restoration Regiment, being the flower of Mar's army, composed his right wing, and though he himself, General Hamilton,¹ and General Gordon,² Glengarie, and other heroes were there, yet they neither attempted to disturb our left in their retreat, nor to charge our right in their rear; but retiring to the top of a hill, looked on while their left was cut to pieces by a body of troops making little more than a third part of their own number.

My Lord Duke being returned from the pursuit towards Dunblane, halted there, and dispatched orders to his left wing to return and join him, which they accordingly did, and the army lay under arms all night, intending by break of day next morning to go in quest of the body of the enemy, which, when night came on, stood entire upon a hill about a mile from his Grace. But early in the morning he got intelligence that they made their escape under favour of the night. His Grace being in want of provisions, considering the fatigue his troops had undergone, and hearing of no enemy within five miles of him, returned to Stirling to refresh his troops, and wait for farther accounts of the enemy.

Yesterday thirteen colours, one standard, and three pieces of brass and one piece of iron cannon, with five covered waggons, taken from the enemy, were brought in hither, as will be to-morrow another piece of cannon, which could not be brought sooner by means of the carriage being

¹ Major-General George Hamilton.

² Major-General Thomas Gordon of Auchintool. Both he and Hamilton were attainted by Act of Parliament.

broke. Huntly's,¹ Tullibardin's, Panmure's, Mar's, and Logie-Drummond's² colours are of the number.

Panmure³ was taken, but being desperately wounded, was left in a cottage in charge of a dragoon, of which the enemy being informed by the country people, sent and carried him off in the night. Strathmore,⁴ the Captain

¹ According to the old ballad Huntly ran away—

“ Their chieftain was a man of fame,
And doughty deeds had wrought, man,
Which future ages still shall name,
And tell how well he fought, man.
For when the battle did begin,
Immediately his Grace, man,
Put spurs to Florance, and so ran
By all, and wan the race, man.”

(New Book of Old Ballads, Edin. 1844, p. 311.)

Florance was a horse presented to the Marquis by the great Duke of Tuscany.

² The Drummonds of Logie-Almond sprung from Sir John Drummond, Knight, third son of John second Earl of Perth. He married Grizel, daughter of Sir Thomas Stewart of Grandtully, and their marriage contract is dated 18th August 1664. Thomas, the eldest son of the marriage, held the estate for eighty years, from 12th December 1678 till 1758, when he died. His brother, William Drummond of Ballathie, was forfeited, and died before his brother. It was *his* standard probably that was captured. The last of this Family was the late Right Honourable Sir William Drummond, one of the most accomplished men of his age; and the estate of Logie-Almond devolving on Sir John A. Stewart of Grandtully, Bart. has since been sold to the Earl of Mansfield.

³ James fourth Earl of Panmure, was saved by his brother, Harry Maule of Kelly, and escaped to France, where he died on the 11th April 1723, in the sixty-fourth year of his age, leaving no issue by his wife, Lady Margaret, third and youngest daughter of William Duke of Hamilton. “The Earl of Panmure” (says the Earl of Mar in his Journal, London, 8vo. p. 7), “not being recovered of the severe wounds he received at the Battle of Sheriffs Moor, was not in a condition to march along with the army, which otherwise he would have done; upon which the Chevalier advis'd him, as he pass'd Dundee, to endeavour to get off in the first ship he could find, and by accident finding a little boat at Arbroath, he went off in it for France.” His brother Harry, but for the attainder, would have been fifth Earl, however his son William was created Irish Peer, 2d May 1743, by the style and title of Baron and Viscount Maule of Whitechurch, and Earl Panmure of Forth, with limitation of the honours to the issue-male of his brother John—a Baron of Exchequer in Scotland. See Lodge's Irish Peerage, 1st edition, London 1754, 8vo. vol. ii. p. 195.

⁴ James fifth Earl of Strathmore, whose death in battle saved the title and estates, which fell to his brother Charles, who thereupon became the sixth Earl.

of Clan Ronald,¹ Colonel Gordon, brother to Aboyn, and Mr Mackenzie, brother to Seaforth, are among the slain. Fraserdale died this morning at Dunblane. Appin is said to be killed, and the prisoners say Earl Marshall,² who stood by the standard when he was killed, has had the same fate. The body of rebels which broke through our centre gae no quarter. My Lord Forfar,³ who acted as Brigadier, and charged at the head of Morison's regiment, was barbarously butchered. My Lord Duke treated the enemy in quite a different manner, offering quarter to several gentlemen undesired, and giving it to all who asked ; and particularly his Grace parried the strokes of a broadsword aimed by a dragoon at a gentleman who was wounded and begged quarter.

My Lord Ilay⁴ has two wounds, one through the right arm near the shoulder, and another on the upper part of the right side, neither of which are dangerous, his Lordship resting well, and being free of fever. May God preserve so precious a life for the benefit of his country ! Should he die it would be an irreparable loss.

Our troops, who are very hearty and desirous of meeting the rebels a second time, are cantoned in town and the neighbouring village.

¹ Allan Macdonald. He was buried at Innerpeffry, the burying-place of the Noble Family of Perth. He was succeeded by his brother, Ranald Macdonald, in the Chieftainship. The estates were saved by the friendly exertions of Alexander Mackenzie, W.S. who adjudged them for debts to the amount of L.95,000 Scots, and were held by him in trust for Penelope, the widow of Allan, who, on the death of Ranald in exile in St Germain, in 1725, conveyed them to the next heir-male.

² This was, however, a mistake, and he afterwards became the gallant and faithful adherent of Frederick the Great, who, if he ever loved any one, assuredly loved the Earl Marischal.

³ A very interesting account of the death of this Nobleman will be found in the "Analecta Scotica," Edin. 1834, 8vo. vol. i. p. 194. His Lordship had received seventeen wounds—his right thumb had been struck off, his left hand was much hurt, as well as his left arm, and his head cut in several places ; he was not killed in the field, but died of his wounds at Stirling. The principal part of his wounds were received after he had surrendered.

⁴ Afterwards Duke of Argyll. See his brother's and the Duke of Queensberry's opinions of him, p. 424 of the present volume.

A
TRUE ACCOUNT
OF THE
PROCEEDINGS AT PERTH,
BY THE
MASTER OF SINCLAIR.
1716.





AFTER the suppression of the insurrectionary enterprize of 1715—for it hardly deserves the appellation of rebellion, a pamphlet appeared bearing the following title :—“ A True Account of the Proceedings at Perth, the Debates in the Secret Council there, and the Reasons and Causes of the suddain finishing and breaking up of the Rebellion. Written by a Rebel. London, printed for J. Baker, at the Black Boy in Paternoster-Row, 1716.”

On the title-page of a copy of this scarce tract, in the Library of the Faculty of Advocates, has been written in pencil—“ *By the Master of Sinclair,*” and Mr Robert Chambers, in his “ History of the Rebellion in 1715,” in “ Constable’s Miscellany,” without scruple assigns the authorship to the same person. Indeed the internal evidence is strong in favour of the claim put in for the Master, for it is written by a lukewarm Jacobite, and by one who held the Earl of Mar in supreme contempt. It concludes with the writer leaving the councils of the Chevalier and proceeding to the North—facts which correspond exactly with the known history of the Master. Coming from the pen of this very remarkable person, an account of the confusion in the councils of the Chevalier becomes an important historical document ; and although it is characterized by a dislike to Mar, and by a spirit of opposition to his orders, there can be little doubt that, in substance, the statements are generally correct. Undoubtedly if the Prince had any thing like a chance of success, that chance was destroyed by the want of vigour and the incapacity of his General.

The Master¹ of Sinclair was John eldest son of Henry seventh Lord Sinclair, a Nobleman of ancient lineage, and the representative of the elder branch of the descendants of William Earl of Orkney and Caithness, whose heir of line he was—the Earls of Caithness being descended from

¹ In Scotland the eldest son of a Viscount or Baron is usually called MASTER. Thus the eldest son of Viscount Strathallan is termed the Master of Strathallan—the eldest son of Lord Torphichen, the Master of Torphichen, and so on.

a younger son. The Master bore the commission of Captain-Lieutenant in Preston's regiment, which formed a part of the Duke of Marlborough's army. At the battle of Wynecdale, fought 28th September 1708, Ensign Shaw, a son of Sir John Shaw of Greenock, was heard during the action to call out something to the Master, and it appears that what he said contained an imputation of cowardice. A challenge was the result, but no meeting took place in consequence of a brother of the Ensign having been mortally wounded before Lisle, and his anxiety to be with him before his death was naturally urged as an excuse; yet Sinclair, deeming it unsatisfactory, struck his opponent—they fought, Shaw was mortally wounded, and after lingering a short time died.

Captain Alexander Shaw, another brother, having said openly that the duel was unfair, as the Master had paper in his breast, against which the Ensign's sword bent, and that he had received his wound after his weapon had been rendered useless, a second rencontre ensued, and Sinclair meeting the Captain, after a short parley shot him dead at the head of the regiment, Captain Shaw having at the same time his hand upon his pistol, but without drawing it from the holster. Both those meetings took place without seconds. This seems, however, to have been disregarded—at least considered as nothing extraordinary; and the Duke of Marlborough intimated to the Master that he had better escape—indeed *ordered* him to do so. This advice he appeared to have followed, but with great reluctance. Ultimately he received a pardon from Queen Anne.¹

Upon the accession of the Family of Hanover the Master of Sinclair, with many of the Fife Lairds, took a prominent part in the Enterprize of 1715. He joined the Earl of Mar, whose abilities he despised, and whom he appears cordially to have detested. One of the very few successful enterprizes performed during that ill-fated insurrection was the seizure by the Master of a vessel loaded with arms, which was lying in the harbour of Burntisland.

The Master was much exposed to the hostility of Mar's partizans. Many of the Highland party, including Farquharson of Inverey, who held lands under the Earl in Braemar, threatened assassination. One instance of the danger ran by the Master is given by himself in his *Memoirs*²—"I was advertised both by friends and foes that I was in danger. One evening Mr David Sinclair came from Mar's quarters and said he had been through all the taverns in town to find me out, and, as he called for me, he observed some Highlanders do the same in every tavern he was in, and that they were now in the house with him. He had no sooner told us so—for we were several present—than one of these Highlanders intruded himself where we were in a brutish manner. Being on our guard we ran out, and saw nine or ten of them in the next room. He (the first Highlander) proposed some shrewd insinuations, and seeing him a petty fellow who was sent to pick a quarrel, I left him in the room. The two friends who were with me before Sinclair came

¹ An account of the proceedings in the Court-Martial held upon John Master of Sinclair, &c. &c. with relative correspondence, was privately printed by Sir Walter Scott, as his contribution to the Roxburghe Club. This is perhaps one of the most interesting works printed for that Society, and is enriched by a long prefatory Introduction by its immortal Editor.

² Quoted by Sir Walter Scott in the Preface to the Court-Martial upon the Master.

in were the Lairds of Orrock and Kilrie ; they told me the necessity I had to take care of myself. I assured them I was as well provided as I could be, and that I was in no want of the same utensils¹ Highlandmen wore, though they were not invisible, and was determined to bear what was allotted to me."

The Master was present at the Battle of Sheriffmuir, but chose to remain stationary at the head of the Fife cavalry, when the right wing of the Highland army totally defeated the Government force opposed to them, and laid open the flank and even the rear of Argyll's centre to a brisk charge of cavalry. The Marquis of Huntly was equally blameable, and both those Noblemen are satirized in the old ballad of the Battle of Sheriffmuir for their conduct—

" Huntly and Sinclair,
They baith played the tinkler,
With consciences black as a crow, man."

In the clever ballad of " The Marquis of Huntly's Retreat," the Master is more severely handled—

" The Master with the bully's face,
And with the coward's heart, man,
Who never fails, to his disgrace,
To act a traitor's part, man.
He join'd Dunboig,² the greatest knave
In all the shire of Fife, man,
He was the first the cause did leave
By council of his wife, man."³

Sinclair quitted the insurgent army, and at Strathbogie joined Huntly, who had also left it, and who was endeavouring to make peace with Government. Ultimately the Master escaped to the Continent. He was attainted in blood for his participation in the Rebellion ; but as his father Lord Sinclair had remained quiet the family estates were saved, and ultimately by the sagacity and prudence of his Lordship were so secured, that while his son enjoyed the beneficial interest they were effectually preserved from forfeiture to the Crown.

After the death of his father in 1723,⁴ he, notwithstanding his attainder, assumed the title of Lord Sinclair. Wodrow, under the date of 27th September 1725, furnishes the following information relative to the Master :—" The most sincere amongst them, as every body reckoned, was the late Lord Sinclair, who now professes himself a firm Whig, and openly declares his thorough conversion. He carries very blamelessly, and seems to be a person of very bright and promising parts. The Scots ministers have an excellent report of him, and the best people among the Dutch. The Pensionary Hornbeck was prevailed with to use his interest to get him some favour from the Government. After he had yielded, and was using his endeavours, when the Jacobites heard this,

¹ Poinard and pistols worn at the belt of the Highland Guard.

² Major Henry Balfour of Dunboig. He was taken, and imprisoned in Edinburgh Castle. In spite of his alleged knavery his estates were forfeited. Dunboig now belongs to the Earl of Zetland.

³ New Book of Old Ballads. Edin. 1844, 18mo. p. 32.

⁴ " March 14, 1723, the Right Honourable Henry Lord St Clair was buried." Register of Dysart.

who, it seems, believe his conversion from their party real, resolved to put a stop to this. The Pensionary had never seen my Lord Sinclair, neither did he find it convenient to receive a visit from him. One of my Lord's old friends came to the Hague, and gave out himself for my Lord; and some way or other got access to the Pensionary, and told him, personating my Lord, that he had altered his resolutions, and the Pensionary needed give himself no more trouble that way. In a day or two, my Lord's friend, who had prevailed with the Pensionary, came to ask what was done! The Pensionary, in a fret, told that my Lord had been with him, and that affair was ended. The other sent to my Lord, who came and waited on the Pensionary, and then the vile trick was discovered."¹

In 1726 the Master received a pardon which protected his life, but did not remove the other disabilities. He retired to the family mansion of Dysart, where he spent the rest of his life. He died there, and was buried at Dysart on the 9th of November 1750, leaving no issue by either of his wives, Margaret, daughter of James Earl of Galloway, and Emilia, daughter of Lord George Murray.²

An Autobiography, including many historical details by the Master, still exists in MS.³ Sir Walter Scott, who had been permitted to take a transcript, was accustomed to speak of these Memoirs in the highest terms, and the use made of them recently by Lord Mahon in his History of England affords another evidence of their importance. It is a matter of deep regret that they have not been printed, and that every impediment has been thrown in the way of their publication in quarters where no opposition was expected. How any one of his representatives could object to a vindication of the Master from the heavy charges brought against him, and which at present cloud his character, it is not easy to conceive, and yet we are informed such is the case.

¹ Wodrow's *Analsots*, vol. III. p. 231.

² The estates ultimately devolved on his sister Catherine's male descendants, and now belong to the Earl of Roslyn, the heir of line. The Peerage, by a limitation in the Patent by which the forfeiture ultimately came to be obviated, went to the St Clairs of Hermandston.

³ The work probably referred to on the opposite page as the "fuller and larger publication."

A TRUE ACCOUNT
OF THE
PROCEEDINGS AT PERTH.



AS this work is not design'd to give a history of the late rising in arms, or rebellion in Scotland in its rise and progress, but rather of the conclusion and defeat of it, so it is not to be expected that I should enter here upon the particular steps by which it was brought to such a head, or of the posture of their affairs in the field at this time. These things are reserv'd for a fuller and larger publication, which lies ready for the view of the world as times and circumstances of things shall allow.

My design was only to record in my own memorial, which I keep of things as they come to view, the particular transactions of that most remarkable time, in which all the hopes we of that party had were defeated, and all the expectations of our friends in Europe, whose eyes were at that instant upon the affairs of Scotland, were frustrated, not by the formidable power of the national forces, which, it is well known, the other were at that time superior to in numbers, and able to have dealt with, at least we thought them so; but by the ill conduct of those on whose councils all things at that time depended, as well the want of concert among the leaders of the war as the want of resolution to act their part in the field. I must acknowledge it to be my opinion also that our miscarriage was not for want of readiness in the Chevalier to expose his person, or for want of courage in the soldiery, and in the gentlemen to do their duty in the field.

That it was not for want of personal forwardness in the Chevalier appears as well by his hazarding his life in a dan-

gerous voyage to put himself at the head of the army, as also his being willing, if the Council had advised it, to have ventur'd a battle with the national army, although it was confess'd that many things were wanting which were necessary to that service, and which would have occasioned the army to fight with great disadvantage.

That it was not for want of courage in the soldiery to do their duty in the field appeared by the frequent offers made by the heads and leaders of the Highland troops, who always press'd for a battle both in the Council and out of it; and if any of the gentlemen were enquir'd of, who could give an account of the earnest entreaties, the Generals Gordon, Ecclellin, Hamilton, and sundry also of the Highland Lairds, made for fighting, and how they offer'd to make the first charge, they would be fully satisfied the gentlemen wanted no resolution; neither did the ardour of the common soldiers discover the least abatement at the approach of the Duke of Argyll; as may reasonably be believ'd by the rage they were in when they were first made acquainted with the resolution of the Council to retreat, in which I have heard that some were so extravagant as almost to lay violent hands upon themselves. To retreat without fighting!—it was worse than death in any shape, and to have been kill'd in battle, never to know whether side had the victory, seem'd so much a greater advantage to them that they could not bear it with patience; and it was the opinion of some that they could not have been kept, had they march'd with the rest of the troops, from offering violence to some of those leaders who carried it against fighting, and perhaps would have forced the Chevalier to have gone with them to the hills, where they would at least have shewn the world that they durst die, if so much courage could not have had the possibility to conquer.

But fate determin'd it otherwise: the orders being given, the troops separated according to their respective directions, the greater part marching to Dundee, and others, among the Lairds of Keppoch, Locheal, Glengary, Sir Donald Macdonald, and many of the Clans, by the way of Dunkeld, of which I shall speak again in order.

But return we to the history of fact, before I come to the transactions in the Councils, and to the measures of

these people, the relation of which is so much the peculiar part of this work, that I shall omit much of the rest. It is useful that I give a brief account of the arrival of the person in whose name this commotion was raised and carried on. We had long been impatient for his coming into Scotland, and when many had given him over, and some were gone northward in discontent, occasioned by delay, on a sudden we were told he had appear'd at sea in the offing about the height of Montrose, and had made the signals and passed by. The news was brought by express from Montrose, and filled all his friends with incredible joy. The soldiers, who had been told of great forces that were to come with him, were particularly encourag'd with the news, and promised themselves great things, not doubting but there was a great fleet with him, little thinking that this great monarch, as we thought him, and all his foreign troops, were embark'd in one small ship of less than 200 tuns burthen; but of that hereafter. He was now arriv'd on the coast, and when he came to the height of Montrose, as above, thought to have landed there, but a ship appearing as cruising near the coast, it was taken for an English man-of-war, which caused them to stand off to sea, steering northward till evening, when making land again they resolved to run right in for the shore, be it what part it would. This took up most of the night, and before day they found themselves opposite to Aberdeen—a calm night and a clear sea, that is to say, clear of enemies, and finding that they had the command of the shore, so that if they had spied a sail they might land any where before an enemy could have came up. Upon this assurance they kept on till they come fair with Peterhead, a promontory near to Aberdeen,¹ and standing in, they mann'd out their boats and landed the Chevalier with about thirty-four gentlemen and their attendants.

The main cargo being thus safe on shore expresses were dispatch'd to the army. Our troops then lay quarter'd at large upon the banks of the Tay from Dunkeld to Montrose—considerable bodies of the foot being advanc'd into Fife to possess themselves of the sea coast. This was done by way of precaution that if any of our succours were driven to land

¹ Peterhead is thirty-four miles from Aberdeen.

on any part of the coast from Fife-Ness to Buchan-Ness, they could not come amiss. This caution was needful for the safety of the Chevalier, because as there were many English men of war cruising, especially in the mouth of the Frith of Forth, it was proper they might be assur'd that if they came upon the coast and were chased, they might put in at any port with safety, and not be in danger of falling into the enemies' hands.

Thus we were masters of the whole coast for above 150 miles, even from Bruntisland to the mouth of the river Ness near Inverness, which was not only a very wise precaution, but was doubtless the reason why, notwithstanding the vigilance of the cruisers, and the superiority of strength in their ships, not one of our ships ever fell into their hands, for ours no sooner made the coast, but they had some port or other ready to run into; whereas the shore being very dangerous at that time of the year, the cruisers cared not to give chase too far in, lest a wind coming off sea, they should not weather the heads of land, which were so far distant as Fife-Ness to the south and Buchan-Ness to the north, and so they should be fore'd in among the rocks, or be stranded on the flat shores, and fall into our hands.

It was many days that we had expected the coming of the Chevalier, as I said before. My Lord Mar either had promises, or gave out that he had so by every ship, that he was embarking, that he was in a readiness, and that he assur'd us nothing should be wanting in him to be in Scotland as soon as we could desire him; but the delay of his coming, the news of the defeat of our friends in England, and the little disputes which happen'd amongst us after the battle of Dunblane, had discourag'd many, and was, as we understood, the principal reason why Seaforth, Huntley, and other of the northern gentlemen went away with their men.

My Lord Mar would have it be said that we had gain'd the victory at Dunblane. It is true we were all of opinion that the Duke of Argyll had no pretence to it, and that at least he ought to have been content with calling it a drawn stake. But this bred nothing of distaste among the men, for the fortune of the field was what us soldiers every man was

or ought to have been prepar'd for ; but the Councils which were follow'd immediately after the fight were so foolish and so weak as evidently disgusted us all, and shewed the soldiers that they were under the conduct of such men whose abilities for the field were no way equal to what they had undertaken.

My Lord Mar knew now the strength of the national troops, the most of whom in that action was said to be no more than six or eight thin battalions of the new reduction, the complement upon the muster-roll being about 257 men each, with 12 or 14 squadrons of dragoons, and those who reckoned them at most before the fight made them not amount to above 4000 men in all. We knew they had lost above 500 in the action, either kill'd, wounded, or dismounted, besides the prisoners which we had taken on their left, where three battalions were in a manner ruin'd ; so that the state of the Duke of Argyle's force was this—he might bring into the field about 3200 men on any new occasion, and not more, for he had no reinforcement in his view ; and as to the multitude of volunteers, Western men, and Glasgow men, of which the prints at London made loud boasts, we neither found them in the field, nor apprehended any thing from them if they had come there.

On our side we had some loss, and it is true it fell hard upon the gentlemen in particular who had signaliz'd themselves in appearing for the cause, and that fine regiment of horse who were call'd the Restoration Regiment, and who, had they escaped better on their first appearing in action, would in time have been one of the finest regiments in the world, was broken by the weight of the English horses, not at all for want of courage in their riders, as appear'd by their rallying so often, and making such bold and desperate stands, as caus'd the other to be five hours in the chase of them from the field of battle to the distance of less than three miles.

However, on our right the loss was less considerable, our foot having broken the line of the national army, entirely defeated their infantry, and oblig'd the cavalry to retreat ; it's certain that the whole loss, kill'd, wounded, and prisoners, were not reckoned to be above 1200. We had remaining in and about Perth above 11,000 men, without reckoning

into that number the Clans under General Gordon, who were not in the action, and were at hand for another, and muster'd above 4000 foot and 300 horse.

General Hamilton, flush'd with the victory which on his wing was very clear, was for calling a great council of war at Tullibardine, but Lord Mar declin'd it; his design was evident, and he openly propos'd it, viz. to renew the battle, to send express to the Clans to join with all speed, to make chevaux de friz to cover themselves against the horse, and to encamp for eight days, in which time, he said, we might joyn all our troops together. As for the Duke of Argyll he had none to joyn, and if it was not a victory now, we ought to fight him once a week till we made it a victory, and that if we did so, though Argyll was to have such a victory every time, he would be ruin'd, and the country would be open to us.

But Lord Mar and his Council were of another mind, which, as I said before, caused some discontent, which was increas'd by the news we receiv'd every day of the coming of twelve battalions from Holland to be landed at Leith, and from thence a strong detachment to pass by sea to joyn the Earl of Sutherland, who about this time had taken Inverness. It is true these troops did not come then, and much time was spent in that expectation, and at length we had an account that part of those troops were landed in the river of Thames, and the other part shipwreckt on the eastern shores of England about Harwich. This news, though it was not true, yet animated our people much, and the officers of the Highland troops press the Council again that the army might be brought to action, and that we should attack the Duke of Argyll before he was joyn'd by any more forces; but nothing was resolv'd on, and it seem'd to us that they had agreed upon other measures before, and now they gave it out that they would not make any motion with the whole army till the Chevalier should arrive, who, we were told, would bring with him the Irish Brigade who serv'd in France, with 8000 men of the Duke of Lorrain's who were rais'd in France out of the old troops of the King of France's Household, which were disbanded for that purpose.

During these delays the Earl of Seaforth and the

Marquis of Huntly went north with all their men. It was given out that they went home to put their men into quarters of refreshment, the season of the year admitting no action, and that they would return on the first notice. Besides, they had a very good excuse to make, viz. that Sutherland having taken the fort of Inverness, and threatening to ravage their estates with fire and sword, it was proper for them to march with their forces to defend their lands and, if possible, to bring the Lord Sutherland with his men to a battle.

But the truth was that these men, seeing that the Earl of Mar resolv'd to lie still, expecting troops from abroad, and that they would do so till the Duke of Argyll, being reinforced, would be in a condition to ruin them, and seeing that the defence of Inverness, or the recovering it, now it was taken, was not in the least provided for, by which they were, as they said, left exposed—seeing things, I say, going thus, they retir'd in discontent, and afterwards finding it not practicable to attack the Earl of Sutherland, they enter'd into treaties with him, though severally and apart, for their submission—which treaties, and how they issued, were little known among us till after the breaking up of the whole design.

Having lookt thus far back, come we next to the time of the Chevalier's arrival. At the first news whereof it is impossible to express the joy and vigour of our men. Now we hop'd the day was come when we should live more like soldiers, and should be led on to face our enemies, and not lie mouldring away into nothing, attending the idle determinations of a disconcerted Council; but our joy was very much abated when we came to hear that there was no troops arriv'd, only about eighty officers, which, in truth, there was not by above half the number.

We were indeed buoy'd up with the account spread abroad that the troops were shipping off, and might be expected in a very few days, that the Chevalier—being willing to encourage his friends with his presence, and eager to be at the head of his armies, could not be easie in staying any longer for the shipping the troops, but resolv'd, though with the extreme hazard of his person, to venture alone, and came away before. This tale took pretty well, and

we, being willing to hope for the best, acquiesc'd, though we profess'd ourselves to be very much disappointed.

On the other hand, the Chevalier, as soon as he came to Perth, and had some leisure to look about him, began to enquire into the state of the army, and desir'd to see some of the troops; which when he had done, it was easie to perceive by his countenance that he was under a very great disappointment, and that he thought himself betray'd, which we heard more of in a few days.

He enquired after our men, and desired to see the *little kings with their armies*, so he was pleas'd to call the Clans. We appear'd, and he saw our exercise, and manner of fighting, and the goodness of our arms, all which he appear'd exceedingly pleas'd with, and was very inquisitive to know how many such as we were in arms for him; but when he was told how few, he gave tokens again of a disagreeable surprise.

The gentlemen who came with him more openly explain'd themselves on this head. They told the Earl of Mar plainly that they were all betrayed—that they were made believe that the whole kingdom was in arms on their side—that they were masters of the greatest part of it for the Chevalier—that they wanted no men, only money, arms, and officers—that the troops of England were embarrass'd at home—and that Argyll was in no case to stir from his strong situation at Stirling, and in a word, that the country was entirely their own; whereas, in truth, they were in no manner of posture—that the Lord Sutherland insulted them but with 1500 men, and had taken the most important pass of Inverness in their rear, and that all things were in the utmost confusion—all which was true enough. Nor had the Earl of Mar any force against their reproaches, but the disappointment of their friends in England, which he said had ruin'd all their designs.

The Chevalier was lodged at Scone, about two miles from Perth, and they talk'd of preparations for a coronation, but I never found that he was in haste for the ceremony; and I believe most firmly that he was not forward, because he, I mean his friends that he brought over with him, found from the beginning that it would not do—that the foundation was ill laid and could not support him, and

that he would be obliged to quit the enterprize with dishonour. However, the coronation was much spoken of, the place also seeming to concur happily with the proposal, being the very spot where all the ancient Kings of Scotland were enthron'd and crown'd.

I had thought here to have set down my observations at large of the person who was then call'd King, and in whose quarrel we were now in arms ; but I will not take that freedom here as was intended, because I know not whether it may turn to good or ill, according as into whose hands these Memoirs may happen to fall. However, in brief, his person is tall and thin, seeming to incline to be lean rather than to fill as he grows in years, his countenance is pale, and perhaps he look'd more pale by reason he had three fits of an ague, which took him two days after his coming on shore ; yet he seems to be sanguine in his constitution, and has something of a vivacity in his eye that, perhaps, would have been more visible if he had not been under dejected circumstances and surrounded with discouragement, which it must be acknowledg'd were sufficient to alter the complexion, even of his soul as well as of his body ; and I was told that as soon as he was on board the ship which carried him away he spoke with a different spirit, and discover'd such a satisfaction as might well signify that he look'd upon himself before as a mere state victim, appointed for a sacrifice to expiate the sins of other men, and that he was escap'd as from certain destruction ; his speech was grave, and not very clearly expressing his thoughts, nor overmuch to the purpose, but his words were few, his behaviour and temper seem'd always composed. What he was in his diversions we knew nothing of, for here was no room for those things—it was no time for mirth, neither can I say that I ever saw him smile. Those who speak so positively of his being like King James VII. must excuse me for saying that it seems to tell me they either never saw this, or never saw King James VII. ; and yet I must not conceal that when we saw the person whom we called our King, we found ourselves not at all animated by his presence, and if he was disappointed in us, we were tenfold more so in him. We saw nothing in him that look'd like spirit ; he never appear'd with cheerfulness and vigour to animate us. Our men began to

despise him; some ask'd if he could speak. His countenance look'd extremely heavy; he car'd not to come abroad among us soldiers, or to see us handle our arms or do our exercise. Some said the circumstances he found us in deject'd him; I am sure the figure he made dejected us, and had he sent us but 5000 men of good troops, and never come among us, we had done other things than we have now done.

It was now come to a crisis, and the time drew near that he was to defend his pretensions, and in which, it might be said, he was to lose his life or gain a crown. I think, as his affairs were situated, no man can say that his appearing grave and composed was a token of his want of thought, but rather of a significant anxiety grounded upon the prospect of his inevitable ruin, which he could not be so void of sense as not to see plainly before him, at least when he came to see how inconsistent his measures were, how unsteady the resolutions of his guides, and how impossible it was to make them agree with one another.

We were now, I say, arriv'd to the crisis of our affair; for on the 28th of January, an express came in from Stirling, where we had our spies, assuring us that Argyll would march the next day—that all was in readiness, the carriages provided, and the horses for the baggage come in, and that General Cadogan was already advanc'd with the first line of the army to Dunblane, 2000 men being employed to remove the snow, which indeed we thought impassable.

In this situation it may be said the Council sat continually to deliberate what was to be done; nor did their first measures and resolutions seem to concern the grand question, whether we should defend ourselves or no. But as if that had been no question, the consultations generally turn'd upon the question, in case of a resolv'd engagement.

Never men appear'd better disposed for action than ours of the Clans. The gentlemen embrac'd one another upon the news, drank to the good day, and prepar'd as men that resolv'd with chearfulness to behave themselves as Scots gentlemen used to do. The common soldiers, the followers and dependants of the Chiefs, were as gay and chearful as if an extraordinary solemnity had been upon their hands. Nothing dejected or displeasing was to be seen among us;

our pipers play'd incessantly, and we shook hands with one another like men invited to a feast rather than call'd to a battle. In pursuance of these resolutions, as we thought them, for fighting, measures were taken to bring our troops together, and post ourselves in such a manner, and to such advantage, as it might be easy to subsist, and yet easy to draw together, upon a signal.

In the mean time a garrison was placed in Tullibardine, a small place advanced about five or six miles on the road to Stirling, and all the villages between that and Perth were order'd to be burnt, and all the corn and forage to be destroyed, that the enemy might not find either shelter or provisions. Nor was this severity to be blamed in us, if our resolution to defend ourselves had held ; for as it was, it put the national army to very great extremities, some of the troops having no lodging but upon the snow for two or three nights, nor any covering, but as the French say, *sous les belles estoilles*, under the most glorious stars.

In the Council held that evening it seems that every man was order'd with freedom to speak their minds of the method of resisting, and whether the army should post itself in the city and defend it, or march out and fight in the open fields ? The first who gave his opinion was, as I remember, a French officer, to whom they shewed great respect, and who, they said, was also a good engineer. He told them that it was true, if it were open weather, and the enemy's army were able to lay a siege to the place in the ordinary forms, he did not allow that the place was tenable, or could hold out above five days open trenches, and it would be but to sacrifice the lives of the men to offer to defend it ; but that, as the case now stood, that neither was the national army strong enough to besiege a town whose garrison would be superior to their whole army, neither was the season such as would permit the army to lie in the field, no, not those few days requisite ; nor if they could lie abroad could they make any work of their siege, not being able to break the ground to dig trenches or raise batteries in order to carry it on ; and therefore, since the town could not be carried by scalade, he thought they would do well to suffer themselves to be attack'd in the town, when he did

not question they should give a very good account of themselves.

He then proposed the posting the horse behind the river, which being then frozen over, and passable both for horses or carriages, might either receive those who might be push'd by the enemy, or advance to share of the advantage which might be made. He gave them notice of a little spot of ground without the town, which formerly had held a wind-mill, and on which there was a house, all which was compassed in by a large old dry mote; and that if a good body of foot was posted on that piece of ground with four pieces of cannon, the town could not be storm'd till they were dislodged. He said many other things in relation to the manner of fighting, which shewed that he understood what he spoke of very well, but the particulars are too many and too long to repeat.

But the next day all these happy measures came to nothing, and the confusion and hurry without doors were equal to the want of concert within; for we could find that they agreed in nothing—that they not only differ'd in their opinion of general things, but also of every thing, and, in a word, here they broke in upon all they had done before, as shall appear presently.

The great men were up all night, and nothing was seen but posting to and fro between Scone and Perth. The case, as we afterwards learned, was this, viz. that all the military men were positive in the resolutions for fighting. The Earl of Mar, two or three clergymen who kept with him, and some others, who for the sake of the times I do not name, were resolv'd not to put it to the hazard. Their pretence was the safety of the Chevalier's person. Whether that were the true and only reason I shall say more of by and by; but nothing is more true than that we who were soldiers and volunteers did not believe them. We told them we had as much concern for the safety of the Chevalier's person as they had, and if we were for putting it to hazard, it was not without the hazard of our lives; and to shew the sincerity of our resolutions, we were willing the Chevalier should retreat to some place of security, and let all that had a value for his cause fight for it like men, and not bring

things this length, to turn our backs like scoundrels and poltrons, and not strike a stroke for him when he was come so far to put himself and his fortunes upon our services and fidelity. We carried this so high, that some of our number ruffled the great men in the open streets, call'd them cowards, and told them they betray'd the Chevalier instead of advising him. One of them, an intimate of the Earl of Mar, stop'd and talk'd some time with our people, who, indeed, began to threaten them if they offer'd to decline fighting. "Why, what would you have us do?" said he. "Do!" says the Highlandman, "What did you call us to take arms for? Was it to run away? What did the Chevalier come hither for? Was it to see his people butcher'd by hangmen, and not strike a stroke for their lives? Let us die like men, and not like dogs." "What can we do?" says the other. "Let us have a council of war," says the soldier, "and let all the general officers speak their minds freely, the Chevalier being present, and if it be agreed there not to fight, we must submit."

This was not the only ruffle. They met with a bold Norlander of Aberdeenshire, who threaten'd them in so many words—"That the loyal Olans should take the Chevalier from them; and that if he was willing to die like a Prince, he should find there were ten thousand gentlemen in Scotland that were not afraid to die with him."

Things began that night to be very disorderly and tumultuous, and I know not what it might have ended in, if some more discreet than the rest had not interposed, who satisfied the soldiery by telling them there would be a great council in the evening—that the Chevalier desir'd all that were his friends would acquiesce in such measures as should be resolv'd on there—that if it was adviseable to put it to the hazard, the Chevalier would take his fate with his faithful friends; if it was otherwise advised, he would do as they should direct, or to this purpose. And accordingly a great council was held in the evening of the 29th, and the most weighty and ultimate debates taking up so much time, that it could not be concluded that night, it was renewed the 30th, when the fatal resolutions of giving up their cause were taken on the same unhappy day that the grandfather of the Chevalier was beheaded at the gate of his palace by

the English usurper—a day unlucky to the Family, and which, as it dethron'd them before for almost twelve years, so it seems to have extirpated the very name of Stuart at last, and left the race to God's mercy, and a state of pilgrimage without hope of recovery.

It needs not to the understanding the debates of this great assembly that I should minute down what was said the first day, and what the second, the discourses being all upon the same subject, with no more than a necessary introduction on the second day to re-assume the discourse and go on where they broke off.

When the Council was set the Chevalier spoke a few words, and they were but few indeed, to let them know that they were met to consider of the present situation of their affairs, and to give their opinions in what was to be done; that their enemies were preparing to attack them; and that it was necessary to consider of the properest measures to defend themselves; and that he had order'd every thing to be laid before them, and desir'd that every man would freely speak their opinion; that whatever was resolv'd on, it might be with their general agreement and consent, and might be executed immediately, for that no time was to be lost.

The Chevalier having spoken, the Earl of Mar took the word, as was appointed, and open'd the case in a long speech to the purpose following:—

He told them that ever since the battle of Dunblane, I think he said the *victory* of Dunblane, he had endeavoured to keep the army together, and to put them in as good a posture for service as possible, having two expectations on which they all knew their whole affair depended upon, viz. the coming of the Chevalier, and the rising or landing of the Duke of Ormond¹ in England, as had been concerted and agreed between him and the said Duke of Ormond, as well before his going from England as since:—that the first of these had answer'd their expectation, and the Chevalier was happily arriv'd, having also caused to be brought to them powerful supplies of money, arms, ammunition, and other

¹ His Grace was an English, Scottish, and Irish Peer. His Scottish Peerage was the Barony of Dingwall.

necessaries, as well before as since his arrival, all which had come safe to their hands, not one vessel having fallen into the enemies' hands; but that their friends in England had met with many disappointments, and their designs having been betrayed, the chief gentlemen on whom the Duke of Ormond relied for assistance had been taken up, so that their measures had been entirely broken; and that, when the Duke, not satisfied with the advices he receiv'd, had sail'd even to the very coast of England, and had actually gone on shore there, yet he found their friends so dispers'd and discouraged, that it was impossible to bring them together without a sufficient force to be landed from abroad to make a stand, and give time for those who were well affected in England to come together with safety:—that upon this disappointment his Grace was gone back to France, where preparations were making for his descent upon England with such a power as should protect their friends, and give them opportunity to show themselves in a proper manner and place. That these things, however, have brought the weight of the war upon them in Scotland, and not only so, but had caused those succours which they expected from abroad to be stopp'd and reserv'd for the said expedition of the Duke of Ormond, which was now in a great forwardness in the western parts of France. But as by this means the national army was encreased by the addition of foreigners brought over to fall upon them, and that according to certain intelligence they were resolv'd to march, notwithstanding the violence of the season, in order to attack them, as they gave out, in the city of Perth, it was now to be consider'd of whether they were in a condition to maintain themselves in their present situation or not, and that if the affirmative were resolv'd on, the army might be disposed in such manner as it might act with the greatest vigour, and most to their advantage; and if not, that the retreat might be appointed in such manner, and to such parts, as the enemy might be least able to annoy them, and that they might prevent the hurry and disorder that such things are usually attended with, and that the person of the Chevalier might be secured, and the troops kept so together as not to be insulted by any parties, or oblig'd to halt by the enemies' horse, so as to be brought to the neces-

sity of a general battle, whether they thought fit or not ; in all which cases they would be obliged to fight with disadvantage, and the enemy obtain a cheaper victory than it would be possible for them to get, if they were obliged to attack them where they now were.

After his Lordship had finished his discourse, he threw down several copies of the intelligence he had receiv'd from Stirling, of the forces of the Duke of Argyll's army, and likewise lists of his own troops, in which copies it was easy to see that his Lordship was very well prepared to join with those who should think we were in no condition to fight the national troops—the lists, as we all afterwards believ'd, being calculated by themselves for the purpose, having so far magnified the enemies' forces, and diminish'd our own, as that we appear'd much inferior.

The accounts of the Duke of Argyll's army amounted to this, that he had 6000 Dutch and 3000 British foot, all old soldiers, 2500 horse and dragoons, 600 gentlemen volunteers of Scotland, and 1500 of Argyllshire Highlandmen led by Campbell of Finab, who would be follow'd in case of a siege with 2000 Western men from Dumfriesshire and Glasgow—that they had twelve field-pieces, ten pieces of heavy cannon, and four mortars—and that the cannon, &c. with part of the first line, was already advanced from Stirling to Dunblane, where they halted, while 2000 hir'd men clear'd the way of the snow—that the whole army would be in full march by the 31st, and would be at Perth in three days at farthest.

The account of our own troops he gave in to be twenty battalions of regular men, so he call'd those he had form'd into regiments, and officer'd by his own authority—which battalions, as he said, contain'd about 6000 men, the troops of the Clans which he call'd 3000 men, and about 2000 horse. What his battalions were we can say little to, he having rais'd, arm'd, cloth'd, and paid them by methods of his own, though we were inform'd that his infantry was at that time full 9000 men, not reckoning Seaforth's or Huntly's men, who, had he made a stand with that gallantry and conduct as he might well have done, would all have return'd when they heard of the Chevalier being arrived. As for us of the Clans, we were 4000 as good foot as

Scotland ever yielded, and on such an occasion should soon have been as many more. But of this in its order, for these things were farther discours'd afterwards.

These things being thus laid before them, the debates began. A Lowland gentleman speaking first, told them, as we were inform'd, that he had seriously weigh'd every thing that as a gentleman and as a soldier, and especially as one concern'd for the person of him who they had in trust to defend, he ought to do, and it was his opinion that they had it perfectly in their choice either to make a stand or to retreat, which they would, and that either might be done without any great hazard of loss or disorder—that, however the Duke of Argyll seem'd superior in his numbers, and, perhaps, had some advantage in the experience of his troops, yet he thought he had so much disadvantage by the severity of the season, that he made no doubt but they might defend the town of Perth till the enemies' foot should perish in the lying before it. He then went on to tell them that true it was the national army had with them a train of artillery, &c. for a siege, but that they could not break ground, the frost being so severe—that they could raise no batteries, nor open any trenches; and he believ'd it was never heard of that ten thousand men within the town were attack'd by but ten thousand men without the town, and taken sword in hand. On the other hand, as he said, supposing they thought it adviseable to retreat they might do it with all the leisure imaginable, leaving about two thousand men in the town, and before those men could be oblig'd to surrender the army might be posted in what advantageous part of the kingdom they thought fit.

A Highland officer stood up next. "I am ashamed," says he, "to repeat what I hear in the streets, and what the town is full of, viz. that we are met here to resolve to run away like cowards from an enemy who we have once already seen in the field like men. I hope none here will doubt whether we dare see them there again or no. I am perswaded there is not a man in the troops I have the honour to be at head of, but had rather fight and be kil'd, than turn their backs and escape. I beseech your Lordships to consider whither shall we retreat. I should have call'd it *flee*, for if we turn our backs on the banks of Tay,

we shall turn our faces no where else; if we flee to the coast, have we ships to carry us to sea? if we turn to the hills, can we subsist? How much less terrible is death in the field than in a ditch? and how much rather had all our people die with their swords in their hands than starve in the mountains? But what need we speak of it in such a melancholy tone? Let us inquire of the engineers and men of judgment whether our situation is such as that we ought not to dispute it, and that we shall be forced out, though our men do their duty. For my own part, I am not a professed engineer, yet I am of opinion, as our few cannon may be plac'd, and as some of our men may be posted, we may not only defend the town, but post the rest of our army so, as that they shall not be able to attack the one or the other, without the greatest disadvantage possible, and evident hazard of being ruin'd; and if they cannot attack us and storm us sword in hand, we know very well they cannot lie before the place, the severity of the weather will make it unsufferable, and they will not pretend to it; so that, for my share, I do not see the least reason for retreating."

Upon this speech it was said the Chevalier appear'd a little terrified, for as we understood afterward he was so possess'd with secret apprehensions of his being to be betray'd, that if the impetuosity of the common soldiers had oblig'd them to resolve on a stand, as it was much fear'd it would, he would certainly have retir'd in the night before with Lord Mar and others. In this consternation, as soon the officer had done speaking, the Chevalier look'd at a French officer, who was also an engineer, and who had formerly advis'd the fortifying the town of Perth with a compleat rampart, with five bastions, courtins, ravelins, and a double counterscarp, and offer'd to have made it tenable in five weeks' time.

This gentleman reminding them of what he had offer'd, and how much better it had been if those measures had been taken, told them, shaking his head, that he did not think the town was to be defended against a regular siege, nor that it could hold out five days' open trenches; but as it was observ'd that the enemy could neither raise batteries or dig trenches, nor lie before it twenty-hours without ruining their infantry, it was his opinion they might very

easily maintain the place if they thought fit, at least so long as to put the enemy to the necessity of going into quarters and turning it into a blockade, in which case, he told them, it would be their business to destroy the country round, and secure all the provisions, so as that the army should find no subsistence—it being known already that they had but five days' provisions with them, and that the forage for the horses might easily be destroy'd.

This gentleman told them, however, that it would be needful that they should come to a speedy resolution in this case, for that if he had order to prepare for a defence, he must desire as much leisure as possible, and must have as many workmen press'd in from the country as could be had, in which case he would do his endeavour to find them some difficulty before they should be able to attack the town itself.

He was desir'd then to give in some plan of his design, and by what method he would make the place defensible in so short a time, and how he would have the army posted. He answered with modesty, that the marshalling the army was not his part, but belonged to the general officers, who he knew understood their business. It was true it was usual for engineers to give in an account how many men were requir'd to garrison a town after they had fortified it, but that he thought the case differ'd here, and he supposed this was rather to be a battle than an attack of a place; and that, as the national army seem'd to resolve to attack them immediately, or perhaps with a little random battery, as they may suppose only to clear the way and then to fall in sword in hand, and by the desperate courage of their men, to carry the place, and in this case his business was, as he conceived, to give them a warm reception, and upon such an occasion the whole army, except the horse, would be necessary to be posted in the town, and to be so drawn up as, from the main body, to relieve every part as the generals saw occasion. As to the horse, the generals were to be consulted in what manner to post them, and where, and what service to appoint them.

It was evident the questions put to this gentleman were rather to get room to raise objections against it, and make it a matter of long debate, for it was certainly concluded

before hand not to stand or defend the place at all. However, it seems there were several general officers who were not let into that part of the secret, of which number one of them having heard this French gentleman with patience, yet discovering that he had something to offer, desir'd leave to give his opinion; whereupon he told them that when he was an officer in the Swedish army it was counted a dishonour for any general to mention a retreat in any case whatsoever, and that, as he always thought a soldier and a man of honour could with much more satisfaction fight, though at a manifest disadvantage than turn his back, yet, since of late years, it has been thought a part of generalship to make a good retreat with an army, and not to be forced to fight at the pleasure of the enemy, which, he would not deny, required great skill and experience, so he wanted much to hear what manner of retreating it was that was proposed here—whether a retreat in order to post themselves with more advantage, or a downright running away, separating and shifting for themselves, and giving up the cause they were engag'd in, and that till this was determin'd no man knew what to offer; for if they retreated, only to post themselves where they might receive the enemy with more advantage, then he told them he was to ask where that was, and that it was his opinion that no generals would in such a case decamp from one advantageous situation without knowing where they should post themselves next, and whether it was more to their satisfaction or not. On the other hand, if by retreating was meant giving up the design and shifting for themselves, he desir'd to know if they had consider'd what the consequence of such a manner of retreating would be, and how much better to the soldiery it would be to be overthrown in battle, and, after they had done their duty like men of honour, to die fighting, or accept of quarter from the enemy?

To retreat in this manner, he told them, was to abandon not only the cause, but the Chevalier, who had ventur'd his person to put himself at the head of the army, and not at the head of an army of runaways and poltrons, but an army of gentlemen ready to die in his service. He told them he believ'd the Chevalier had been impos'd upon abroad, and made believe that his army here was stronger than it was;

yet it was not so weak but that they were ready to do their duty, and to let him see that if he was deluded they were not the men that had done it. He concluded, that he depended upon the engineer's opinion, viz. that the place might give them an opportunity to fight with advantage, and he thought that was all could be desir'd, and therefore he declar'd he was for fighting.

In a word, all the generals or other officers who came over with the Chevalier, and all those who belong'd to the Clans of Highlandmen, were unanimously for fighting.

The arguments for fighting were the subject of many hours' debate, for many more spoke their opinions than those above-mention'd. It came then to the turn of those who were in the secret to act the part they had agreed on.

A young Nobleman,¹ but a warm forward man, who gave many proofs that he wanted not courage, was yet the first man that broke the ice in favour of a retreat; but he told them plainly he did it not that he believ'd they were not strong enough to maintain their ground, and to give the Duke of Argyll his hands full, "but," said he, "because I see no concert of measures among us—they that are not for fighting will certainly fight but very indifferently when they are forc'd to it; and if we are not all faithful and resolv'd to do our duty as we ought to do it, let us never suffer ourselves to be brought to it."

Another eminent person, a man of years and in good credit with the army, then entered on a serious discourse concerning the circumstances of their forces, and directing his speech to the Lord Mar, seem'd to discover that he was not yet in the main secret. "My Lord," said he, "these gentlemen who are for fighting, shew a great deal of gallantry and resolution worthy of themselves and to the honour of our nation, but I fear neither they or the engineers have discover'd some part of our present condition, in which I foresee we may, as our present situation is, be worsted without much fighting, and fall an easier prey into the enemies' hands than they are aware of. "I observe," said he, directing himself then to the French gentleman, who they call'd an engineer, "that it is this gentleman's opinion

¹ Apparently the Master of Sinclair himself.

that we are able to defend ourselves in this town, and in case of an attack may make the enemy sensible of their mistake by their loss and by the ruin of their infantry. And I am fully of his mind; and if they will ensure us that the Duke of Argyll shall add that mistake to the rest of his conduct, and attack us in this advantageous post, I shall be willing to give my vote for fighting, not questioning to make them repent the rashness of so hazardous an attempt. But because I think that attempt so hazardous, therefore I cannot believe the Duke will be so weak as to undertake it, especially when there will be so many several ways to ruin us without it; and therefore I desire to ask a few questions of these gentlemen, which, when they have answered to your satisfaction, I shall give my vote for fighting with all my heart.

“ My observation,” continued he, “ has been in all your discourses, that you are of opinion we are able to fight them in the town, posted to advantage, and covered with barricadoes and some regular works; but I have not heard one of these gentlemen say yet that we are in a condition to fight them in the open field—not, my Lords, that I am for quitting any advantage, and so chuse to fight in the field when we may fight upon better terms; but let me first ask whether we are able to fight them fairly in open field or not?

“ If we can, then I am for standing firm in the town, to see if they will venture to attack us there, which, if they decline, we may be able to prevent them doing us any other mischief by marching out after them if they offer to go to any other part, and perhaps cutting off their retreat. But, on the other hand, if we are not a match for them but under the shelter of the city, and that we dare not march out after them though they should proceed into our side of the country, leaving us behind them, then the consequence will be that they will hold us block'd up, and in the mean time ruin the country, consume the forage, surround our quarters, and at length oblige us to surrender for want of provisions. In the mean time all our friends will be ruin'd by their cavalry, and all those countries from whence our supplies come will be eaten up and destroy'd. So that the question is not, Whether we can maintain this post? but, Whether we

can at the same time protect the country behind us, and keep the enemy from quartering there at discretion, and so destroying the country and us too? If this cannot be done, we must consider of quitting this place and posting ourselves somewhere else to more advantage."

They began now to be weary of these debates. They found the arguments for fighting grew popular, and they were terribly afraid that the soldiery should get a scent of the design, so the grand council was adjourn'd to next morning; but notice being given to a certain number selected for the purpose to meet in an hour or two after, they had a private meeting accordingly, and here the Lord Mar open'd to them the whole mystery, telling them, in a few words, that the present debates did not answer their circumstances—that the question was not concerning their ability just now of maintaining that post, which perhaps they might all be of opinion, as he also was, might be done well enough, but they were to consider the situation of their affairs in general—that there were many reasons which made it inconvenient to make public all the circumstances of their affairs, and those especially which made it necessary to retreat—but that it was evident they were come now to a crisis in which it was advisable not to retreat only, but to put an end to the design in general for a time; and that measures might be taken to do it so now, as that the enemy might make less advantage of their retreat than at another time when the country was more easily to be pass'd; however, as this design was not to be communicated to the army lest it should too much discourage their troops, so all those who heard it would be less surpriz'd when they should hear the reasons for it, which should be communicated in form to them by the Chevalier's order. He told them also that they must agree to give the Chevalier assurances of their keeping private the present debate, in return for which they should all be assured that their personal safety should be taken care of equally with the Chevalier's own life—that true it is the enemy would make great advantages of their retreat, and some of their friends would be in danger of falling into their hands, but they were also to observe that measures were taken for such a retreat as that many thousands of their men should always keep together, and that so many

could not fall this way as would necessarily fall in so hot an action as fighting the present army must of necessity be—that the gentlemen should all be furnish'd with shipping to carry them over to France, where they should be all taken care of, have the half-pay of officers allow'd them, and be soon satisfied that they should return strong enough to retrieve all that should be lost by this retreat, and to make their enemies pay dear for all the spoil they should commit, and all the blood they should shed of their friends who might fall into their hands.

It is very rational to believe that those who were at this meeting, and were not, as is said, let into the secret, appear'd very much surpriz'd, and began to be very curious to hear what the reasons were for taking a step of such a dangerous consequence. To satisfy these gentlemen whose inquiry seemed so just, there was at this private meeting, as I was inform'd, a particular account given of the reasons, as they were called, why they were at this time obliged to quit the enterprize—which reasons, it is reported, contain'd, among other things, these odd and perhaps hitherto undiscover'd pieces of secret intelligence, whether true or false, we must leave to time to discover.

1st, They said that a certain powerful Prince, who, they were assur'd, was as firm in their interest as the great monarch whose power they depended upon was before him, having yet, for divers good reasons, not thought fit to declare openly in favour of their enterprize, but to connive only at their being secretly and by stealth supplied, had signified that it was his desire they should by no means put it to the hazard as yet, but rather make as handsome a retreat as possible, and withdraw as many as could by shipping make their escape into France, where they should be protected, &c. ; for that a little time would clear up things, and, when the Imperialists were thoroughly embark'd in a war with the Turks, which some Powers were very busy to prevent, but which he had taken care to make inevitable, that then he would talk another language, and would more openly and powerfully assist them, and in the mean time make them as easy under the disappointment as possible.

2d, They said they had intelligence from England that by the misfortune of their friends having been betray'd, and the train of their councils discover'd, the assistance which they depended upon from that side was at present render'd impracticable. That the Ministry in England had found means, by what arts and assistance they yet knew not, to get a scent of the general design, and to trace it so far as to lay their hands upon some of the most considerable persons engag'd for them, and that by this means they had not only prevented their appearing in arms, but had very much disconcerted the measures taken for the business both abroad and at home, and made it impossible to proceed upon it without taking a differing method and without a considerable strength from abroad, which before it was hoped there was no need of—that this was necessary now more than before, because by the disappointment above, the people now in the Government had had time given them to raise money and troops, and to get over foreign forces to their assistance, which, if their former measures had taken place, it would have been impossible to do—that by these things the war would be too heavy for them in Scotland, and that it was never pretended that the Scots gentlemen should bear all the burthen by themselves, and that therefore it were much better to lay by the design for an occasion more favourable—that, in the mean time, as they had not been beaten, so neither were they exhausted, but if they retreated in time, should be in a condition not only to supply and support the gentlemen who should thus go abroad with them, but should, by the supplies which their friends were raising in all parts of Europe, be soon in a condition to make the attempt in such a formidable and well concerted manner as should fully answer the end, and make them full amends for past sufferings.

3d, They said they ow'd the great disappointment of their affairs in England to the vigour and unanimity of that cursed *Assembly of Whigs*, as they call'd it, now in being. By these I suppose they meant the loyal and faithful members of the House of Commons, but they comforted themselves with this, that as these could not sit above a certain limited time, but that by the constitution they must die and dissolve of course, and that this time was not so long but

that their affairs here might revive in that time, and especially, because they were well assur'd that such was the affection of the common people in England to the Pretender, as that their friends had very well assur'd them they might depend upon it that the next House of Commons would be quite of another set of people, it would therefore be a madness in them to push at that which in its nature was a desperate service, when they were so well assur'd of having the work done for them another way in so little time—that, therefore, they were to quit the present design, and depend upon a bloodless yet as effectual a victory in the next elections of the British Parliament, when the interest would revive with an irresistible force. They said, the damage suffered by the present disappointment, however great, was nothing compar'd to the injury it would be to push on their interest before it was ripe—that now they were in a condition to reserve themselves for a better opportunity—and that the principal leaders, with the Chevalier, being secur'd out of the hands of their enemies, they would not carry their vengeance far upon the Commons, but rather seek to reconcile them to the Government, which for the present must be submitted to.

Such as these were the reasons given at these debates why it was necessary to retreat, and why they should neither attempt to come to a battle or to defend the town.

It was also made part of the discourse of those who were for the retreat, that if the Duke of Argyll, on his appearing before Perth, should not think fit to attack them immediately, yet as the river Tay was passable everywhere on the ice, and that the national army was superior in horse, they would not fail to pass the river, and make themselves masters of all the country by North Tay, and of all the towns which gave them opportunity of keeping open the passages by sea, such as Dundee, Montrose, &c. so that they would then be cut off from a retreat, and be at last forced to surrender for want of provisions; and not only so, but if any ships came in to their relief, they would fall into the enemy's hands with whatever they should bring—that during this time they should be, as it were, block'd up in the town, and perhaps be at last forced to fight with a

greater disadvantage—that it was not to be doubted but the enemy saw all these things as well as they, and therefore it could not be imagin'd that, tho' they march'd with a seeming resolution of attacking them in form in the place, they would do it when they should see how easy it was to ruin them another way, and how very likely it was that they should miscarry in the attack upon the town.

It was then added among themselves, that although it was true that they were strong enough to maintain themselves in the place against an attack, and supposing all that had been said upon that head was to be granted, yet that really they were not furnished with ammunition to make a long and regular defence in case of a siege-like attack, though they had enough for any sudden action in the field, and that it would be a lamentable case for a brave body of men to be coup'd up in a town with neither powder nor ball for their cannon, or sufficient store for any defence; neither had they any considerable magazines of provisions in the town, and though they had amass'd a vast quantity of corn, and 4000 bolls of meal in the country, yet great part of it lay at Dunkeld or Dundee, and some in Fife, and it would not be possible to bring it into the town, or to secure it from falling into the enemy's hands, if they themselves should confine themselves to the town of Perth or the parts adjacent; so that their magazines would by this means not only be rendered useless to themselves, but be made to supply their enemies in oppressing and reducing them.

But this was not all. There was, it seems, at this secret committee or cabinet of their chiefs a piece of secret news communicated to them, besides all this, which was very surprizing, and which made those who knew nothing of it before sit for a while as men amazed and confounded, looking one upon another, and waiting every one as if they wanted to know what was the opinion of another before they spoke themselves. This news was that the Chevalier had two days before receiv'd a certain account that some of the chief of those who had appeared in arms in favour of this undertaking had wickedly entred into a conspiracy not only to go over and to make their peace with the Elector of Hanover, so they termed the King of Great Britain, but to make their peace at the expence of their friends, and to

seize upon the person of the Chevalier, and deliver him up to the Duke of Argyll.

This seem'd to fill the assembly with horror; and they began to inquire which way this storm was expected, and who were the instruments. However, it was not thought fit to enter farther into the thing at that time, but it serv'd to satisfy all people there that it was high time to give over the enterprize, and to reserve themselves to an occasion when they might appear with a greater force from abroad, and be supported in such a manner as that they should not be in danger of treachery among themselves. It is true that this matter was kept with the greatest secrecy imaginable, for it was judg'd that it might be of very ill consequence to have such a thing so named among them, and that especially seeing there were no less persons than the Marquis of Huntly, the Earl of Seaforth, and others of the first rank, nam'd in the design, which, if it had been made public, would at least have made it more considerable in the thoughts of the people in the army than it ought to be, and might put it into the heads of some others in confidence of such a protection to make such an attempt in reality, which perhaps was never otherwise design'd than in discourse.

Be it as it will, if the opinions of the councillors varied before, this matter fully united them in the resolution of retreating; but then they had this difficulty, that these reasons were to be reserv'd to those few only who had, at the cabinet council aforesaid, been led into the secret, and it was meet they should be able to bring differing arguments to convince the rest of their friends who they could not trust with the other, and to bring them in to consent to so unsoldierly a design.

This they found very hard to do, for the Clans universally insisted upon fighting, and had the country been open, and the ways passable, such was their uneasiness at the resolution they found was taken to retreat, that they would have separated upon the spot, and gone away by the Blair of Athol to the hills, but it was not to be done; however, several of them, to the number of 800 men, of whom more than two-thirds were gentlemen, went away that night for Dunkeld, and were followed by some hundreds more the next day.

It remain'd in the next place to consider not only the places by which they should retreat, but the manner; for though in the cabinet over night the retreating was privately resolv'd on, yet it was not represented to the larger council till the next day, viz. the 30th, *dies infaustus*, when all the officers, as well of the army as of the Household, being assembled, it was proposed to consider the state of their affairs—that the means of resisting seem'd to be taken away by the several accidents of the affairs which were mention'd the night before—that the town not being tenable by reason of the frost, and their troops so dispers'd as not to be gotten together in time for a general engagement, it was not adviseable to run the hazard—that their provisions lay remote, and they had not a sufficient stock of ammunition if they should be oblig'd to sustain a siege—that therefore it was necessary to retreat from Perth, and post themselves in some place of greater advantage, where the enemy at this season of the year would scarce adventure to attack them, and where they might keep open their communication with the sea, in order to receive such of their friends as would be endeavouring to assist them—and that if the succours they expected should arrive in time, they might then be in a condition to advance again, perhaps before the enemy could settle themselves at Perth; and that if not, they might make their way by Aberdeen, and from thence by Strath-Spey into the Highlands—that as they were not in a condition to fight the whole army of the enemy, they were yet too strong to be insulted by less than their whole force, and that the Duke of Argyll would soon be obliged, by leaving garrisons in the places as he pass'd, so to lessen his army, that perhaps at length they might find an opportunity to fight him with advantage; and that in the mean time, having three or perhaps four days march of him, and the country being in the present condition by the frost, the cavalry, in which the Duke's chief force consisted, would be so harass'd, as to be in no condition for service; and that, especially when they came to the hills, the horse would be useless in fight, as they might order their business; and that, therefore, they should keep in a body, and make their retreat in such a manner as that the Duke of Argyll should not be able to follow in such a posture as he was now advancing.

These were the specious pretences of those who were in the secret, and by these arguments they seem'd to prevail upon the judgments of the rest who were for fighting, whereas in truth the resolution in the secret council was taken before not only to retreat from Perth, but to give over the whole enterprize, to make to the sea-side, and there, as many of them as could get shipping, should make off, leaving the rest to shift for themselves as well as they could.

In pursuance of this resolution a French gentleman, with a clergyman, were secretly dispatch'd to Dundee, to direct three ships which lay there, or a little lower in the Frith of Tay, to put immediately off to sea, and to come to an anchor about the height of Montrose, where they were to look out for a signal from a small boat which was to be kept close to the shore to receive orders. This was executed with all possible secrecy, and the ships fell down the Frith in the night tide—one of them being a French frigate of 28 guns, and an admirable sailer, had not come in above ten days before, having landed some ammunition, and about thirty-six gentlemen, had yet several things of value on board, and some money, which waited orders from the Chevalier. It was necessary the orders given should be kept very secret, so the captain was directed not to suffer any of his men to go on shore, and it was given out at Dundee that this vessel, having more arms and ammunition on board, was order'd to land them at —, a small place on the coast of Fife, for the use of the troops quarter'd in that county.

It is true these orders were executed with great privacy, and not the least notice taken of the true design, but the business of a retreat had gotten wind before it was debated, much less concluded, in the council. The soldiery express'd themselves, as is observ'd, with violent reproaches against those who were thought to be the advisers of it; but if the militarymen appear'd dissatisfied, the other part of the people concern'd shew'd the greatest concern imaginable. The clergy, the inhabitants of the city of Perth, the Magistrates, the gentlemen in the country, the merchants, tradesmen, and the like, who, though they had not taken arms, had yet publicly discover'd themselves, had received the Chevalier, had own'd him, had assisted in proclaiming him, and perhaps sign'd addresses to him, or some way or other

had distinguish'd themselves against those whose hands they were now to fall into. These were all in an inexpressible consternation, inquiring every moment what was resolv'd on at Scone, and visibly preparing to get out of the way, even before the army made any motion.

In the middle of this hurry expresses came on the heels of one another to bring an account of the posture the Duke of Argyll's army was in, and to tell them that they would certainly begin their march as that very day; and upon the appearing of a body of horse about Tullibardine, which was only a party sent out by the Duke to view the roads, and discover what they could of our preparations—I say, upon the appearance of this party our people were in a terrible hurry, believing we should be immediately attack'd; for as we had exact notice of their forwardness to advance, so we could not doubt but they had found means to be inform'd of our resolutions to run away, and of the consternation our people were in upon that account. We did not, therefore, without reason apprehend that this was an advance, perhaps of the whole cavalry of the Duke of Argyll in order to come to hands with us, and keep us engaged till their infantry might come up.

It is not easy to express the different faces of our several people on this occasion; those who were in the secret were in the greatest confusion possible, believing they should be attack'd before they should be able to stir away, and that they should perhaps be forced, even by their own people, to stand the shock, in which they were sure to be worsted now, for that they had not concerted the least thing relating to action, but had actually sent some of their people away, as well as made several kinds of other preparations for their being gone. On the other hand, the soldiery were in confusion, having no orders—no measures entered into for resistance. The general officers seemed to have given over the concern; and, as if they had been to march out into winter quarters at the end of a campaign, had left their people without any direction, and now they were in a hurry to post themselves, but had no scheme form'd, no order of battle drawn, no order in what manner to act, or how to behave. However, to give them their due, they all shew'd a good disposition for fighting, and seem'd to relish the notion of

defending their posts much better than they did that of running away, and though they seem'd in some disorder, yet they began to cheer one another, and to say—"They did not question but they should do well enough."

But this prov'd a false alarm, and three officers who were sent out from Tullibardine, and had been within three miles of Dunblane, brought an account that it was only a party of horse sent out to reconnoitre—that they were retir'd, and that there was no appearance of any march of the army as yet.

This restor'd every thing in town, I mean among the soldiers, but it serv'd to quicken the resolutions of the great council of war then sitting, who having debated all things as long as the opposers found room to object any thing, came to a final resolution, on the said 30th of January, to quit the town of Perth the next morning, and to retreat, keeping the army together in a body to Dundee, and from thence towards Montrose, and after that as fortune and their future councils should direct.

All this while the grand design, viz. of embarking the Chevalier, and such of his friends as were appointed to attend him, was kept secret with the utmost caution. Nor was it less than his life at stake, and the lives of those who had concerted that part of the design; for as the just resentment of the common soldiers would have run very high, so what length that of other people would have run who can say?

The council having determin'd this point, it was immediately made public, though all imaginable care was taken to prevent sending the news of it to the Duke of Argyll. Nobody went to bed that night but those who had nothing to remove but themselves, and the Chevalier came from Soone very early; some said it was but little after midnight and in the morning. Things having been all ready, the troops began to file off, and by afternoon most of the forces were over the river Tay, which at that time was so hard frozen, though a deep and swift river, as to bear both horse and man. We were not long leaving the town, nor were the national troops long behind us in taking possession, for expresses having carried the news of our flight, a body of dragoons enter'd the next day; however, they could not all

come together under two or three days, and having notice that we retired in a body, and were not to be insulted by a small party, they did not immediately follow. By this means we had leisure to proceed with the less confusion, and to make such provision for subsisting the troops as prevented the usual disorders in a flying army, for we had at least four or five days march of them. Besides that, when they did march their infantry could not keep pace with ours, though we did not press our men at all, and if we had been as able to have fought with them as we were to have march'd with them, they had had but an ill time of it ; for we could at any time march as fast as they, and rest our men every third day. Besides that, the fatigue of their march extremely harass'd the men, and lying two or three nights in the open field on the snow, in their march to Perth, pinch'd them so sorely, that they had so many men sick and lame, it was evident, had we ventur'd to defend ourselves in Perth, and they not immediately reinforc'd, they could not have lain three nights more before the place.

We made but small stay at Dundee, and kept on to Montrose. All this while we knew nothing of the real design, but were told that by this march we should harass the enemies' army, render them unfit for service, and have them cheap when we came by North Spey and the Braes of Mar, where their horse would be useless. The thing was rational enough had it been really in their design, nor did they suspect what follow'd in the least. If they had, I would not have answer'd for the heads of all those that were in the secret.

It is true that at Montrose a report was spread about, how it came to pass I cannot tell, that the great men had advis'd the Chevalier to go on board a ship that lay in the road, and escape. The very rumour of it put the people concern'd in a consternation, and made them cause the army to decamp, and advance northward sooner than was intended by some hours ; and to put the soldiers out of doubt, and to render the very suspicion of it ridiculous, the Chevalier's baggage mov'd away, and himself, with the Earl of Mar, and all his servants, appear'd with more forwardness than usual, and march'd along with the foot ; at the same time, all the boats belonging to the ships in the road were privately ordered to go off and row directly on board, which they did in sight of

the troops, and by this means all suspicion was effectually taken away, and the troops march'd cheerfully on.

But had you seen the confusion we were in the next morning when we were told that the Chevalier, my Lord Mar, and all the generals and officers, with several Lords of his Council, the French engineers, &c. were gone, it is impossible to express the rage of the soldiers, and especially of some of the Noblemen and general officers, how they exclaim'd against the Earl of Mar in particular—how they cry'd out they were betray'd from the beginning, brought into a snare, and abandon'd in the basest and most cowardly manner imaginable.¹

¹ If the Prince's advisers had managed his affairs while in Scotland as well as they did his flight from the kingdom, there is no saying what might have been the result. So well was his flight arranged, that the "Evening Post" gives the rumour of his departure from Scotland, and announces his arrival at Graveling, on the same page. The following extracts are from that paper:—

"*Edinburgh, February 9, (1716).*—It has been strongly reported for some days that the Pretender and the Chiefs of the Rebels embark'd at Montrose last Saturday's night, aboard of two French vessels lying there in that harbour since they arriv'd lately from France with gentlemen and officers on board, and that they immediately put to sea to return back to France; and there are a great many letters from the army, and some even from Montrose, affirming it for certain; but all that we can find real in it is only that the Pretender, with a body of his followers, were at Montrose that same time, lay there that night, and disappeared next morning, when two ships were also gone to sea upon the approach of General Sabine's detachment from the King's army to the town.

"We have now an account from Aberdeen, by some persons just come from thence, that both the Pretender and these ships arriv'd that same night, being Sunday, from Montrose, upon which, 'tis now reported, that he did truly go aboard and put to sea, but, falling in among some of our men-of-war, who gave him chase, he was glad to get ashore again there. Some say he did not go by sea at all, but travelled over land.

"*Edinburgh, February 11.*—We have an account that the Pretender, before he embark'd on Saturday last at Montrose, with the Lords Mar, Melfort, Drummond, &c., gave a letter to General Gordon to be read to the Rebels at Aberdeen. The contents whereof were, that he thanked them heartily for their assistance, but that he was baulk'd in his expectations abroad, therefore was obliged to go off for his own safety, and desired them to do the best they could for their safety, either in keeping together as a body, or dispersing.

"On Wednesday last, in the afternoon, the King's army arrived at Aberdeen, which place the Rebels abandoned in the morning. They have not, in their march to Aberdeen, got so much as a straggler of the Rebels, but the garrison of Dunnotar Castle surrendered themselves."

Well, there was now no remedy; complaining and exclaiming was to no purpose; we had a powerful army at our heels; our business was to consider what was before us. General Gordon, Ecclin, Buckley, and several other very good officers were with us still, with seven or eight Noblemen, and they call'd a council of war. The Chevalier had left a letter directed to Gordon to continue his march to Aberdeen; it was told us that there was also a letter of instructions which he was not to open till he arriv'd there; but others said there was a private order to him to provide shipping at Aberdeen for all the gentlemen, if possible, and to follow him. However, they gave it out in the army that they would live and die together, and that they expected a supply of men and money at Aberdeen.

All this while the Duke of Argyll follow'd with his whole army, and we lost a day's march in the confusions and distractions which any one might suppose these things put us in; but we were easy in that part, for we knew we could gain that again at pleasure. We arriv'd at Aberdeen, and making no great stay there, General Gordon drew us out in a line, and caus'd us to be acquainted that we were to separate, and make the best of our way to the hills—that the Chevalier had assured us we should speedily hear from him again—that he was sorry he was oblig'd to quit his enterprize for the present but that we should soon see his affairs settled upon a better foot, and that he would not fail to remember the faithful services of his friends.

This was heavy news to us; however, necessity obliging, we had nothing to do but to comply and to shift for ourselves. Those of us who kept in a body with our Chiefs, took the way of Strath-Spey, and made away towards Lochaber. Many of the gentlemen got shipping, and went off for the coast of Norway,¹ and others to France; we reckon above 400 gentlemen went thus away. The rest by different routs arriv'd in the Highlands, and in all this retreat it is to be

Then follows—London, Feb. 16—the following intimation of the safe arrival of the Prince :—“ We have advice that the Pretender and his company landed at Graveling, between Dunkirk and Calais, on the 7th instant.”

¹ Lord Duffus went to Stockholm.—“ He came” says the Evening General Post, No. xxiv., “ from Gottenburg to visit Admiral Seobald, his father-in-law” (May 4, 1716).

observ'd, that not 100 men ever fell into the hands of the pursuers, except such as willingly surrender'd.¹

We staid here some time, and the Clans coming in about Badenoch and Glengary, we found we had diminish'd very few of our number, and that if any sudden occasion requir'd we could still make up 6000 foot and about 400 horse; but not seeing any occasion of action we separated for a time, till hearing that the Duke of Argyll resolv'd to pursue us through the Highlands with fire and sword, upon which the Earl of Seaforth, who had, though too late, return'd to his first measures, sent to us that he would joyn us, and Sir Donald Macdonald the like, with whom we retir'd farther into the hills, and what happen'd to us afterwards I shall relate, if fate permits, when it is all over.²

¹ The ensuing particulars relative to the surrender of the Clans are interesting:—"May 26—Letters from Inverlochy say that the detachment sent into the Isles have disarmed the inhabitants and garrisoned the castles, was returned thither; that the handsomest appearance they saw thereabouts was Sir Donald MacDonald's men, who surrendered in a body of seven or eight hundred, well armed, with his two brothers at their head; whereas others surrendered only irregularly in parcels, and either very ill armed, or not at all; that Sir Donald himself was gone into the North Owest (Uist); that they knew nothing of Lochiel, Appin, Keppoch, or any other of the Chiefs of the Rebels, but it is believed some of them were gone beyond sea, and the rest were still lurking in the Highlands or Isles under General Gordon, who is likewise there; Glengary continues still at Perth a prisoner."—Evening General Post, No. xxxv.

² It is presumed the conclusion of this unhappy business will be found in the Master's MS. Memoirs. The vanquished party felt their defeat keenly, and their regrets would be heightened by the recollection of the incapacity of the General-in-Chief, the Earl of Mar, and the pusillanimity of the Prince, who left his gallant followers to their fate.

It had been the custom of the Edinburgh Jacobites on the 29th of May, the birth-day of Charles II., to decorate his Majesty's statue in the Parliament Square with flowers, and to celebrate the 10th of June, the natal day of the Chevalier, with great rejoicing; but, alas! in 1716 a "change came o'er the dream," as the following extract from the Scots Courant will shew—"Edinburgh, June 11th.—Yesterday being the 10th of June, the Pretender's birth-day, there was no disturbance or disorder in the least within the city or suburbs, nor on the 29th of May last, neither was the statue of King Charles II. attempted to be busked with flowers by any, as usual; nor is the silver arrow to be shot for this day." The Archers, be it observed, almost were all staunch adherents of the House of Stuart.

M E M O R I A L
RELATIVE TO THE
PRISONERS ENGAGED IN THE REBELLION,
1715.

MEMORIAL

AS TO THE

STATE OF THE PRISONERS ON ACCOUNT OF THE LATE REBELLION,¹

1715.



HAVING the honour to be employed in his Majesty's service in Scotland, and to serve for that country in Parliament, I presume, with great submission, to offer a few observations concerning the state of the prisoners on account of the late Rebellion, who, being in very different cases, seem to require different resolutions. I offer these considerations the rather because there is not in all the classes aftermentioned, nor indeed was there in the Rebellion, any one person with whom I am nearly concerned as a blood relation or by any other alliance or tye.

¹ This Memorial is printed from a MS. formerly in possession of the late John Dillon, Esq. and now in the Library of the Faculty of Advocates, collated with a copy privately printed in 1716. The writer states that he was a Scottish M.P. employed under George I., and had no near relations involved in the Rebellion. Now, as Patrick Haldane was Member for the Forfar District of Burghs in 1716-17—as he was a Commissioner for the forfeited estates, and had no near relatives in the Enterprize—it might follow he was the author. But Sir Robert Pollock was similarly situated—he was Member for the shire of Renfrew, held the appointment of Governor of Fort-William, and was attached to the House of Hanover. Lord Advocate Dalrymple was also a Scottish Member of Parliament, a functionary of the Crown, and of a Whig family; so that amongst these three persons the authorship seems to rest. The paper, however, recommends a more humane policy than the party to which the latter was attached would probably have recommended, and perhaps the merit of it may be ascribed to Haldane, who afterwards attained a notoriety through his controversy with the Lords of Session, who opposed his elevation to the Bench so successfully, that Government compromised the matter, and appointed him a Commissioner of Excise. This supposition is strengthened by the circumstance that Haldane was during this dispute accused of Jacobite propensities, and undoubtedly there was some slight evidence adduced of a predilection for the Stuart cause.

First, It is certain that the Rebellion breaking out of a sudden, when there was no army in the country, the people on the north side of Tay were soon under the feet of the rebels, and many were forced not only to submit to them as a government, but in many places men who had not any time before shown the least marks of dissatisfaction were directly forced into their service, and were dragged to the rebels' army from their houses and families, and even from the churches where his Majesty was publickly prayed for.

Some of these unfortunate people, as well gentlemen as commons, took the first opportunity to desert, and surrendered themselves, or were taken in their return home. Others not having courage enough to run the hazard of being treated as deserters by the rebels, and as enemies by the King's troops, were carried along in the Rebellion till they were taken at Dunblane or Preston. But the original motive of their coming to the Rebellion being the fear of a force which they were unable to resist, and which continued to the very time of their deserting or being taken, they seem to be proper objects of royal clemency. But more especially the case of those who deserted is to be pitied, who have been exposed to the hatred and neglect of the rebels, and to punishment at the hands of the Government. And it is evident that the case of the common people who have stood out to the end of the Rebellion is more criminal, and yet such are allowed upon the delivering up of their arms to enjoy their liberty, and pursue their private callings. But the common people, who have been taken at Preston and Dunblane, are kept under miserable imprisonment until they are glad to beg to be sent unto banishment without distinction of those that have been forced into that wicked service.

A *second* class, which deserves to be distinguished from the rest, is that of boys under age, from fourteen to twenty-one, who have been engaged from the misfortune of their education, the situation of their estates, or the errors of their near relations, before they came to maturity of judgment, which the law requires to make good their obligations or covenants in civil cases. It is true in matters criminal the law has not the same indulgence for the weakness of non-age. And if such as were under age could be convicted of any

facts atrocious, their punishment could be less regretted ; but where infants have been engaged under age by the rashness of youth or education into a crime that became too often in the places where they lived, it may perhaps seem hard to subject them to the severity of the law, though it may be useful to take some surety for their future behaviour.

A *third* class, that of children in family with their parents who went out with their fathers into the Rebellion, and menial servants who followed their masters, as to whom the maxim of the Roman law appears to be full of humanity—*Velle non creditur qui obsequitur patris imperio vel domini*. And though that maxim, in its full extent, doth chiefly concern private transactions, it affords some abatement from guilt in causes criminal, and presents such offenders to the royal clemency in a more favourable case.¹

A *fourth* class may be of these who, having hastily joined the rebels, did leave them when the Rebellion was yet subsisting, and these are in different cases. Some of them were not present at any act of violence or bloodshed—their crime consists entirely in having joined the rebels in arms, and having been present at proclaiming the Pretender, and of these men, especially such as were on the south side of Forth, having easy access to do it, came in and delivered themselves to the Government. Others did continue longer with the rebels, but deserted them, and lurked or returned to their own houses whilst the Rebellion was on foot, without making terms to themselves, and when the rebels flattered themselves with no despicable hopes. All these, in my humble opinion, seem less criminal than these who stood out to the last, and may be separated and distinguished from them. When all these persons who fall within

¹ The Hanoverian party, it must be confessed, for the most part had little sympathy for their opponents, and resorted to very strange modes of punishment. Think of *whipping* a young lady for lending her brother the clothes in which he escaped ! ! “ Last Saturday night Doctor Garden, a clergyman, who presented the address of the Episcopal clergy of Aberdeen to the Pretender, was since taken in the north, and hath been kept prisoner in Winton House here in order to be tryed, being apprehensive of danger, found means to escape in his sister's cloaths. His sister is kept prisoner for him, and threatn'd to be whipp'd ; next day being Sunday, no search was made, but yesterday morning a search was made to no purpose, for he is not yet heard of.” (Edin. July 17, 1716.)

these classes are separated from the rest, there will remain a great number in the common case.

When these facts are attested by probable evidences, it is humbly submitted, if it may not be for his Majesty's service, that of his princely motion and royal goodness persons in these different cases should be separate from the rest, and have clemency shown them. The cries of these people whose cases are not unknown pierce the hearts of his Majesty's most faithful subjects with pity, and the summer season coming on, their continuance in prison will be more terrible than death itself to the people who suffer, and though the punishment be a small temporal case to the sufferers, yet it will be no comfort to their afflicted families, nor satisfaction to the minds of many faithful subjects whose compassions are moved from being conscious of their circumstances.

On the other hand, the bounty of Government dispensed of proper motion, without being desired or requested, would soften the minds of the disaffected and increase the zeal of the loyal subjects.

There is another point which appears to be of very great consequence, and that is, three or four hundred Noblemen and Gentlemen of birth and interest in the country being chased to the hills and islands, and ready to escape to France, or any other Catholic country, it may afford such as are enemies to his Majesty and the Reformed religion an opportunity to form bodies of British subjects as they have some times done of Irish, which by the reason of the great influence which these people will have for many generations in the country where they have been born, will be recruited and kept up full. To which the sending of so many people to the Plantations, or into banishment, who may easily escape from them, may possibly not a little contribute. And this, with submission, in my humble opinion might be prevented by giving power to treat with such of these people as should come in by a time limited, with promise of security for their lives, on condition of confinement or bail for their good behaviour, where the persons are in that condition as to deserve so much notice, which confinement or securities may be continued for a certain number of years, or so much longer as the King shall see cause; and such

qualities may be also added, in the case of Papists being in the Rebellion, as may secure the succession of their estates to Protestants. As to their estates, that leads to a consideration of greater extent, concerning which I presume humbly to offer my opinion in a few words.

It is neither agreeable to the disposition of the Government, nor will it indeed be for his Majesty's interest and service, to take the lives of all who have forefaulted them in the Rebellion, though it is very just that some example should be made to the terror of others to commit the like in time coming. And if great numbers of men of birth and interest shall be turned adrift as beggars, the life that is spared in mercy shall become a burden to them and their relations.

The universal forefaulters of estates will produce nothing material to the public, for the Commission of Inquiry which in that case will be necessary, and will continue some years, will be an expence on the Government. Besides, the fees of stewards and sequestrations, with the interest of debts and burthens, will in that time go near to exhaust the value of estates forfeited, which no care or penetration of the Commissioners of Inquiry can prevent without the assistance of the offenders themselves; seeing the titles to estates will be suppressed and carried away; debts extinguished in whole or in part will be revived, and false ones made up, whereof there is a known instance in the Family of Douglas, who, having got the gift of the Viscount of Dundee's forfeiture in the year 1692, have never been able to make any thing of it, tho' very considerable sums have been bestowed in prosecuting that right, and that because the titles were suppressed, and the instructions of the payment of debts in the hands of the rebels and his friends could never be recovered. Besides, this way of sequestration will make a stop to the payment of the interest of debts due to lawful creditors, and extend the calamities of these forfeitures much beyond the case of criminals, and in proportion encrease the cries of the people, and interest them in their sufferings. The vesting of the Commissioners with judiciary powers would break in upon the settled judicatories, contrary to the 19th Article of the Treaty of Union, and extremely disquiet those who depend upon the ordinary Courts—a kind of men who in all countries have no small influence on the body of the people.

To all these considerations it may be added, that many estates of the rebels, and those of the most considerable, are secured by entails, contracts of marriage, and the estates of a great part of the vassals that will fall under forfeiture, must accrue to great families by virtue of the late Act of Parliament; so that the very subject of their forfaitings will not be by much so considerable as imagined, and on the whole matter the public will have nothing but expence and murmuring, tenants and creditors will be ruined, the nation moved with compassion and cries of the miserable, whilst no body shall profit but a few Commissioners and those employed by them in the management of sequestrated estates. For preventing of which mischiefs I humbly propose that a clause may be brought into the Attainder Bill in the House, or into the Inquiry Bill to this effect—

That whereas his Majesty was graciously pleased to declare that he would give up all the estates that should become forfeited to the crown by the Rebellion, to be applied towards the defraying of the extraordinary expence incurred on that occasion: and whereas it may appear to be for his Majesty's service, and the settlement and the quiet of the kingdom, to grant his royal pardon and grace to such offenders as he shall in his royal wisdom think fit: Be it therefore enacted, &c. that the said Commissioners shall have power to compound with such of the rebels or heirs to whom his Majesty shall extend his gracious pardon for their estates, and under such conditions as his Majesty shall direct—no composition being under a sum equal to — year's free rent, or in case of the estates that did belong to such offenders, after deduction of annual burdens and interest of sums due to any lawful creditor.

By this means the royal prerogative will be preserved, to be exercised under the best Prince that ever filled the throne for the quiet and tranquillity of his people; his royal promise at the opening of this meeting of Parliament will be made effectual in the easiest and best manner; and the proprietor being to have an advantage, will come and discover the value of their estates, and owing their mercy to the King's own bounty, will be tyed to him by the strictest rules of gratitude.

**RELICS OF THE REBELLION,
1745-6.**





THE following Papers relate to the Rebellion of 1745-6, and have been, with three exceptions, printed from the Original MSS. to which the Editor has had access.

I.—The first on the list is a remarkable anonymous letter transmitted to the Laird of Clanranald, the original of which was given to the Editor by the late James Allan Maconochie, Esq. It is in very bad condition, being defective at the commencement.

Ranald Macdonald who succeeded to the Clanranald Chieftainship and estates, by the provident kindness of Mrs Penelope Macdonald,¹ (see page 430) had prudence enough to keep what had then been preserved to the family. This letter, now for the first time printed, is the remonstrance couched in tolerably strong terms of some zealous member of his own family, who, having no estate of his own to lose, could have no sympathy for his Chieftain's caution. The Captain of Clanranald was not moved from his resolve by the taunts contained in this epistle, and he very quietly remained in Uist during the entire period of the Rebellion. With that eye to the future, common to many of the Highland Chiefs, Ranald permitted his son to join the Prince—so that, if his Royal Highness had prevailed, the son's services would compensate for the father's delinquency, and if he lost, although the son should be forfeited, the estate would be secured in the person of the father.

This prudent gentleman was born in 1692, and married Margaret, daughter to William M'Leod of Bernera, by whom he had, 1st, Ranald,

¹ This admirable woman survived her husband many years, and died on the 30th Nov. 1742. The following notice of her death occurs in the *Edinburgh Courant*:—"Yesterday died in Canongate, the Honourable Penelope Lady Clanronald, aged about 70. She was daughter of Colonel Murdoch Mackenzie, Deputy Governor of Tangier, (where her Ladyship was born), and spouse to Ronald Macdonald, Captain of Clanronald, who was killed at Sheriffmuir—a lady of consummate honour and probity, and blessed with every qualification that can adorn the sex."

Wodrow tells a very singular story in his *Analects*, vol. ii. p. 362, relative to a Lady Clanronald, a French Lady, who married the Captain of Clanronald in very peculiar circumstances. The entry is in 1723; and he calls her the late lady. This may improbably refer to the forfeiture of the estates, and not to her actual decease. If the anecdote be true, which may be questioned, it can only refer to Mrs Penelope Macdonald.

his heir ; 2d, Donald, an officer of great reputation in the British service, who was killed before Quebec in 1759, while under the command of General Wolfe ; 3d, Margaret, who died unmarried. Randal the younger, was attainted under the name of Donald ; by which error he escaped the forfeiture, and subsequently was pardoned. His father, on the 28th November 1753, renounced his liferent right in favour of his son, who in this way came into possession of the estates.

II.—The letter from the Prince to his father was originally printed in a periodical work, entitled “The Literary and Statistical Magazine,” of which a few numbers appeared, and which in a short space of time was “consigned to the Tomb of all the Capulets.” It was taken from a “manuscript volume containing a few Jacobite Relics,” and there seems no reasonable doubt that the document is genuine. Whether it was a veritable private communication from the Prince to his father may be doubted, as from its tenor, it would rather seem to have been prepared with a view towards publication, in order that a favourable impression of the Prince’s line of conduct, even to his opponents, might go abroad. Very probably it may have been printed as a broadside, and generally distributed.

III.—The letter from Hamilton is exceedingly curious, and the concluding portion relative to the dirtiness of the Highlanders brings to one’s recollection the account given by the Margravine of Bareuth, of the abominations committed by the Muscovites when Czar Peter the Great honoured her father King Frederick William with a visit. The rapacity of the Highlanders had been long a heavy complaint by the Lowlanders.

Cleland has satyriized the Mountaineers in his clever poem on the Highland Host, and the following extract from a scarce Poem is not without merit :—

“ In vain thy hungry mountaineers
Come forth in all their warlike geers—
The shield, the pistol, durk and dagger,
In which they daily wont to swagger.
And oft they sallied out to pillage
The hen-roosts of some peaceful village ;
Or, while their neighbours were asleep,
Have carry’d off a Lowland sheep.
What boots thy high-born host of beggars,
Maclean’s, Mackenzie’s, and Macgregors,
With Popish out throats, perjured ruffians,
And Forster’s troop of raggemuffians !”¹

IV.—Lord George Murray’s account of the Battle of Culloden appeared in the Magazine referred to, No. 2, and is particularly interesting. If one may believe the Chevalier Johnston, had the Prince slept during the entire period of his Scottish residence, at least for a proper time after the battle of Preston, and left the entire guidance of his affairs to

¹ Imitation of the Prophecy of Hereus—broadside—printed January 7, 1716.

Lord George, when waking he would have found the diadem on his father's brows.

In the Appendix to Home's History of the Rebellion 1745-6,¹ a letter is printed, adduced by Lord George Murray, under the assumed name of Vollignie, to William Hamilton, Esq. of Bangour, the poet, giving certain explanations as to his conduct. His Lordship at the outset observes—"I am persuaded you saw a copy of the letter which I wrote the 10th of May 1746, which copy I left at the Scots College of Paris. In that letter was a pretty circumstantial account of what I knew of these two last days, but to be sure but few paragraphs in that letter but could be much enlarged on." The present account is perhaps the one referred to by his Lordship, as it gives a particular detail of the "*two last days*," and corresponds with the brief statement embodied in Lord George's communication to Hamilton.

Mr Chambers has included in a singularly interesting volume, entitled "*Jacobite Memoirs of the Rebellion 1745*,"² from the MS. Collections of Bishop Forbes, another and totally distinct narrative by Lord George, which gives an account of all that was done prior to the defeat of Culloden. It is not unlikely that other papers still exist relative to the Rebellion 1745-6, from the pen of this Nobleman, and indeed it has been asserted—with what truth the Editor cannot say—that many of his Lordship's MSS. are preserved at Dunkeld. He was the father of John the third Duke of Athol, who by a resolution of the House of Peers, 7th February 1764, was declared to have right to the title of "Duke of Athole, Marquis of Tullibardine, Earl of Strathtay," &c. &c. Wodrow,³ in September 1725, has the following anecdote relative to Lord George:—"It may be the Lord in his providence has some good to bring out of the sufferings of these poor abandoned people, especially the younger sort of them. The Lord Sinclair seems an instance, and we have another in Lord George Murray, third son of the late Duke of Athole, in whom they say a very happy change is of late wrought. He was a half-pay officer, and went to the rebels at Preston, after that he came over with the handfull of Spaniards. At Glenshiel he escaped, and with a servant got away among the Highland mountains, and lurked in a hutt made for themselves for some moneths, and saw nobody. It was a happy providence that either he or his servent had a Bible and no other books. For want of other business he carefully read that neglected book, and the Lord blessed it with his present hard circumstances to him. Now he begins to appear, and its said is soon to be pardoned, and he is highly commended not only for a seriouse convert from Jacobitism, but for a good Christian, and a youth of excellent parts, hopes, and expectations."

The expectations raised of a change in the political opinions of Lord George were, however, not realised; for as has been seen, in 1745 he became the Prince's General, where his abilities proved of little avail, as the knot of unhappy advisers about the Prince successfully thwarted his projects, and rendered them unavailing. "He was tall, and robust, and brave in the highest degree; conducting the Highlanders in the most heroic manner, and always the first to rush sword in hand into the midst of the enemy. He used to say, when we advanced to the charge—

¹ Edin. 1802, 4to.

² Wodrow's Analects, vol. iii. p. 231.

³ Edin. 1834, 8vo.

‘ I do not ask you, my lads, to go forward, but merely to follow me ’— very energetic language, admirably calculated to excite the ardour of the Highlanders, but which would sometimes have had a better effect in the mouth of the Prince. He slept little, was continually occupied with all manner of details, and was altogether most indefatigable, combining and directing alone all our operations ; in a word, he was the only person capable of conducting our army.”

Lord George married a lady of his own name, Amelia¹ only child and heiress of James Murray of Glencarse and Strowan, by whom he had a daughter Amelia, who became in 1750 the second wife of the Master of Sinclair, and Charlotte who died 3d August 1773 unmarried. He had three sons, the eldest of whom became third Duke of Athole, as previously noticed. Lord George died in Holland in October 1760.

V.—The three letters written by James Wolfe,² Aide-de-camp of General Hawley, derive an interest from the name of the writer, who afterwards became enshrined in the history of his country as the conqueror of Quebec, and who died in the moment of victory. They are official, and relate to the proceedings to be adopted against the vanquished after their prostration by the defeat of Culloden.

VI.—The letter from Mr John Campbell to his cousin John Campbell of Kilberry is now for the first time printed from the original, obligingly communicated to the Editor. It gives an amusing account of the search for arms, &c. after the defeat of Culloden, and is written in that pleasant off-hand manner in which the great charm of epistolary correspondence consists.

VII.—The anonymous letter to Lord President Forbes was also among the papers of the late Sir William M^cLeod Bannatyne.

¹ Memoir of the Rebellion, 1743-1741, by the Chevalier Johnstone. Edin. 1830. 4to. p. 19.

² The reader will find in a note on these letters, the reasons which have induced the Editor to affirm that the writer was the same individual as the victorious general.

RELICS OF THE REBELLION,

1745-6.

1.—ANONYMOUS LETTER TO THE CAPTAIN OF CLANRANALD.

Sep. 14, 1745.

* * * * * NOT only to us who know it, but also to others, to our great and irrecoverable disgrace, you prove yourself to be the greatest coward upon earth, either by sea or land ; this comes far short of the exploits heretofore recorded not only of the most valiant and most illustrious Captains of Clanronald, but also of your own predecessors of the family of Benbecula. Where now is the brave hero who would among poor people boast that his hands should put the Crown upon the Prince's head, and had such regard for his empty picture : and when he is really come in person, you lurk like a coward that dares not appear. Your predecessors never consulted their royal King's enemies when they were to join him. I send you this to let you know what you are, and what you are really thought of by others. But you should flatter yourself falsely to be what you are not, as you want to do. There is nothing can recover your honour and the family's glory, but, in the name of God, to rise from that disgraceful sleep in which you slumber, and appear bravely for God, Religion, and your King, which cases, if they do not move one of your principles, it is a sign of an obstinate lethargy. Do not you know that God is strong with few as with many. Do not take this ill, for they are but the advices of a friend and wellwisher.

P.S.—Just now arrived young Glengary, my Lord John Drummond, Old Lochiel, and severall others, att Perth ;—att England * * * ¹ the Earl of Marishall, General James Keith, and six thousand French. Our army multiplis dayly. Each soldier eight pence per day. I do not

¹ Illegible.

doubt but you will be in more danger of your life for dialoyalty to your natural Sovereign than of losing your estate by the usurper.

To the Honourable Captain of Clanranald,
South Uist, with care and haste.
Indorsed by Clanranald "without date,
received September the 14th, 1745."

II.—LETTER FROM PRINCE CHARLES STUART TO HIS FATHER.

*Pinky House, near Edinburgh,
Sept. 21, O. S. 1745.*

SIR—Since my last from Perth it has pleased God to prosper your Majesty's arms under my command with a success that has surprised my wishes. On the 17th we entered Edinburgh sword in hand, and got possession of the town without being obliged to shed one drop of blood, or use any violence. And this morning I have gained a most signal victory with little or no loss. If I had had a squadron or two of horse to pursue the flying enemy, there would not one man of them have escaped. As it is, they have hardly saved any but a few dragoons, who by a most precipitate flight will, I believe, get into Berwick.

If I had obtained this victory over foreigners my joy would have been complete ; but as it is over Englishmen, it has thrown a damp upon it that I little imagined. The men I have defeated were your Majestie's enemies it is true, but they might have become your friends and dutiful subjects when they had got their eyes open to see the true interest of their country, which you mean to save, not to destroy. For this reason I have discharged all publick rejoicing. I don't care to enter into the particulars of the action, but chuse rather that your Majesty would hear it from another than from myself. I send this by Stewart, to whom you may give entire confidence. He is a faithful, honest fellow, and thoroughly instructed in every thing that has happened till this day. I shall have a loss in him, but I hope it shall be soon made up by his speedy return with the most agreeable news I can receive—I mean that of your Majesty's, and my dearest brother's, health.

I have seen two or three Gazettes filled with addresses and mandates from the Bishops to the Clergy. The addresses are such as I expected, and can impose on none but the weak and credulous. The mandates are of the same sort, but artfully drawn. They order their clergy to make the people sensible of the great blessings they enjoy under the present family that governs them, particularly of the strict administration of justice, of the sacred regard that is paid to the laws, and the great security of their religion, and liberty and property. This sounds all very well, and may impose on the unthinking, but one who reads with a little care will easily see the fallacy. What occasion has a Prince, who has learnt the secret of corrupting the fountain of all laws, to disturb the ordinary course of justice? Would not this be to give the alarm, or amount to telling them that he was not come to protect as he pretended, but really to betray them. When they talk of the security of their religion, they take care not to mention one word of the dreadful growth of Atheism and infidelity, which I am extremely sorry to hear from very sensible, sober men, have within these few years got to a flaming height, even so far that I am assured many of their most fashionable men are ashamed to own themselves Christians, and many of the lower sort act as if they were not. Conversing on other melancholy subjects, I was led into a thing which I never understood rightly before, which is, that those men who are loudest in the cry in the growth of Popery and the danger of the Protestant religion, are not really Protestants, but a sett of profligate men of good parts, with some learning, and void of all principles but pretending to be Republicans.

I asked those who told me this what should make those men so jealous about preserving the Protestant religion, seeing they are not Christians? and was answered, that it is in order to recommend themselves to the ministry, who (if they can write pamphlets for them, or get themselves chosen Members of Parliament) will be sure to provide amply for them; and the motive of this extraordinary zeal is, that they thereby procure to themselves the connivance at least, if not the protection of Government, while they are propagating their impiety and infidelity.

I hope in God Christianity is not at so low an ebb in this

country as the account I have had represents it to be; yet if I compare what I have frequently seen and heard at Rome with some things I have observed since, I am afraid there is too much truth in it.

The Bishops are as unfair and partial in representing the security of their property as that of their religion; for when they mention it, they do not say a word of the vast load of debt that increases yearly, under which the nation is groaning, and which must be paid (if even they intend to pay it) out of their property. 'Tis true all this debt has not been contracted under the princes of this family, but a great part of it has, and the whole of it might have been cleared by a fugal administration during these thirty years of a profound peace which the nation has enjoyed, had it not been for the immense sums that have been squandered away in corrupting Parliaments, and supporting foreign interests, which can never be of any servace to these kingdoms.

I am afraid I have taken up too much of your Majesty's time about these sorry mandates; but having mentioned them, I was willing to give your Majesty my sence of them. I remember Dr Wagstaff (with whom I wished I had conversed more frequently, for he always told me the truth) once said to me, that I must not judge of the clergy of the Church of England by the Bishops, who were not preferred for their piety or learning but for very different talents—for writing pamphlets, for being active at elections, and voting in Parliament as the ministry directed them. After I have won another battle they will write for me and answer their own letters.

There is another sort of men among whom I am inclined to believe the lowest are the honestest, as well as among the clergy—I mean the army—for never was a finer body of men lookt at than those I fought with this morning, yet they did not behave so well as I expected. I thought that I could plainly see that the common men did not like the cause they were engaged in. Had they been fighting against Frenchmen come to invade their country, I am convinced they would have made a better defence. The poor men's pay, and their low prospects, are not sufficient to corrupt their natural principles of justice and honesty, which is

not the case with their officers, who, incited by their own ambition, and false notions of honour, fought most desperately. I asked one of them, who is my prisoner (a gallant man) why he would fight against his lawful Prince, and one who was come to rescue his country from a foreign yoke! He said he was a man of honour, and would be true to the Prince whose bread he ate, and whose commission he bore. I told him it was a noble principle but ill applied, and asked him if he was not a Whig. He replied that he was. Well, then, said I, how come you to look upon the commission you bear, and the bread you eat, to be the Prince's and not your country's, which raised you up, and pays you to serve and defend it against foreigners, for that I have always understood to be the true principle of a Whig? Have you not heard how your countrymen have been carried abroad, to be insulted and maltreated by the defenders of their Protestant religion, and butchered, fighting in a quarrell in which your country has no concern, only to aggrandize Hanover? To this he made no answer, but looked sullen, and hung down his head.

The truth is, there are few good officers among them. They are brave—because an Englishman can not be otherwise—but they have generally little knowledge in their business, are corrupt in their morals, and have few restraints from religion, though they would have you believe they are fighting for it. As to their honor they talk so much of, I shall have soon occasion to try it; for having no strong place to put my prisoners in, I shall be obliged to release them upon their parole. If they do not keep it, I wish they do not fall into my hands again; for in that case it will not be in my power to protect them from the resentment of my Highlanders, who would be apt to kill them in cold blood, which, as I take no pleasure in revenge, would be extremely shocking to me. My haughty foe thinks it beneath him, I suppose, to settle a cartel. I wish for it as much for the sake of his men as my own. I hope ere long I shall make him glad to sue for it.

I hear there are 6,000 Dutch troops arrived, and ten battalions of the English sent for. I wish they were all Dutch, that I might not have the pain of shedding English blood. I hope I shall soon oblige them to bring over the

rest, which at all events will be one piece of service done to my country, in helping it out of a ruinous foreign war. 'Tis said my victory should put me under new difficulties which I did not see before, and yet this is the case. I am charged both with the care of my friends and enemies. Those who should bury the dead are run away, as if it were no business of theirs. My Highlanders think it beneath them to do it, and the country people are fled away. However, I am determined to try if I can get people for money to undertake it, for I cannot bear the thought of suffering Englishmen to rot above the ground. I am in great difficulties how I shall dispose of my wounded prisoners. If I make an hospital of the church, it will be looked upon as a great profanation, and of having violated my manifesto, in which I promised to violate no man's property. If the magistrates would act they would help me out of this difficulty. Come what will, I am resolved not to let the poor men lye on the streets; and if I can do no better, I will make an hospital of the palace, and leave it to them.

I am so distracted with these cares, joined to those of my people, that I have only time to add that I am your Majesty's most dutiful son,

CHARLES.

III.—A SHORT ACCOUNT OF THE BEHAVIOUR OF THE REBEL ARMY AT HAMILTON, IN A LETTER FROM A FRIEND, 6TH JANUARY 1746.

WE have at last got a visit from your formerly troublesome neighbours, which we neither expected, desir'd, nor wanted. However, their stay was but short, but at the same time very troublesome. Upon Tuesday the 24th December, there came in here 1900 horse and foot, tho' they gave themselves out for 2500. They were commanded, if I may call it so, by the Lords George Murray, Nairn, Elcho, Ogilvy, and Glenbucket, and others. Upon the Wednesday morning part of them went off for Glasgow; their Prince, the Duke of Perth, their French ambassadors Lochiel and others, with part of the clans, came in both these nights; the people of the town, tho' greatly thronged, were in greater peace than on the Thursday's night, when the Camerons,

Macphersons, and Macdonalds, of Clan Ronald's party came up (after having burnt some houses in Lismahague, and rifled one of the minister's houses, and had it not been for two of Lochmoidart's brothers they would have laid the whole town in ashes, and plundered the country about); and then indeed we felt the effects of an undisciplined, ungoverned army of Highland robbers, who took no more notice of their nominal Prince or Commander than a pack of ill-bred hounds. The provisions, ale, and spirits, beginning to run short in the town, they threatened the people with death or the burning of their houses unless such victuals and drink were got as they called for, which victuals were not of the coarse sort, herrings, onions, and butter and a cheese, which we looked upon as their best food, such as they would not taste. The people of England have taught them such a bad custom that they would scarce taste good salt beef and greens, the meanest of them calling for roast or fried fresh victuals; if such wer not got, they treated the people very ill. My lodgers wer so luxurious that they would not taste boiled pork a little pickled unless we would cause dress it in a frying pan with fresh butter. Amongst this set of ruffians there were some civil people, some of whom my aunt and her two neighbours had the good fortune to get for lodgers. I had no less than 33 of them the last night, besides horses and naked wh—s.

Our subscribers, volunteers and militia, were obliged to leave the place, amongst whom were your good brother and myself, so I had not the least trouble of them, tho' their three nights lodgings, with what they stole from me, cost me about 6s. sterling. They have rifled several houses in this neighbourhood, and broke and destroyed what they could not carry off, particularly Captain Crawford's, Thomas Hutton's at Smiddy Croft, and Woodside.

The Prince went a hunting upon Thursday in the Duke's park; he shot two pheasants, two woodcocks, two hares, and a young buck, all which were carried in triumph. He dined at Chatleroy, where I saw him, but could not find out this angel-like Prince among the whole rabble till he was pointed out to me. While here they stript the people of their shoes upon the street, and took what they thought proper for them, refusing to be hindered by any of their officers.

There was not any of this rabble but what were possessed of plenty of gold, even the smallest boys. We were freed from these troublesome neighbours upon Friday morning the 27th : who left us nothing but an innumerable multitude of vermin and their excrements, which they left not only in our bed-chambers, but in our very beds.¹ The civilest kind held their doups over the stock of the beds like crows — over the nest. Our town smells of them yet, but the people's spirits are gettin up, for while they were here they looked like dead corps. They stopp'd us from a merry Christmas ; but God be thanked we were blessed with a merry New-year's day. I wish you a happy New-year, and peace, which we now begin to learn to value. All friends being here assembled, join in good wishes and services to you. I am, &c.

Hamilton, 6th January 1746.

IV.—LORD GEORGE MURRAY'S ACCOUNT OF THE DEFEAT OF THE PRINCE'S ARMY AT CULLODEN, 16TH APRIL 1746.

SIR—In answer to what you write about the Highland army having not behaved with their usual bravery, or that some of the principal officers had not done their duty, which might be the occasion of their late misfortune, I must enform you, by all I can learn, the men showed the utmost eagerness to come to action, nor did I hear of any one Officer but behaved well, so far as the situation and circumstances would allow. The truth seems to be, that they were overpowered by a superior force, and their field of battle was ill chose, which gave the Duke of Cumberland great advantage, especially in his cannon and horse. Another misfortune they lay under was a total want of provisions, so that they were reduced to the hard necessity of either fighting an army a third stronger, or disperse. As to what happened the day of the battle, and the preceding day, I shall let you know what I could learn. On the 15th, all those of the Highland army as were assembled were drawn up in line of battle upon a muir south of Culloden, facing eastwards.

¹ On Sunday, the 29th of December following, a detachment of Highlanders plundered the lady of Alexander Napier of Blackstoun, Renfrewshire, "of 25 bow corn and a thousand stane hay."

This was done early in the morning, as it was known that the Duke of Cumberland was come to Nairn that night before, but as he did not move before mid-day, it was judged he would not move that day, it being his birth-day ;¹ and as his troops had made no halt from the time they left Aberdeen, it was reasonable to think he would give them a day's rest.

It was then proposed to make a night attack upon the Duke of Cumberland's army in their camp, which, if it could be done before one or two o'clock in the morning, might (though a desperate attempt) have had a chance of succeeding. Several of the officers listened to this, but as they knew that the Duke of Cumberland's was much superior in numbers to the Highland army, the objections to it were—"That a great many of the army had not as yet joined, particularly Keppoch, Master of Lovat, Clunie M'Pherson, Glengyle, the M'Kenzies, and many of the recruits of Glengary, and other regiments, which were all expected in two or three days, and some of them sooner :—that if they should fail in the attempt, and be repulsed, it would not be easy to rally the Highlanders in the dark :—that if the Duke of Cumberland was alarmed by any of his patrols, he might have time to put his army in order in their camp, (suppose no spy should give him notice), and place his cannon, charged with cartouch shot, as he had a mind, and his horse might be all in readiness so to pursue, if the Highlanders were beat off. And lastly, the difficulty of making the retreat with perhaps a good many wounded men, whom the Highlanders will not leave if it is at all possible to bring them off. That it was to be remembered that there was not intelligence of the situation of the enemy's camp ; and add to this, how fatiguing it would be backwards and forwards twenty miles, and probably be obliged to fight next day, even if they could make their retreat safe, and not to be attacked before they joined the rest of the enemy."

On the other hand, the Prince was vastly bent for the night attack, and said he had men enough to beat the enemy, whom he believed utterly dispirited, and would never stand a bold and brisk attack. The Duke of Perth, Lord

¹ His Royal Highness was born at St James' Palace, the 15th of April 1721.

John Drummond, and others, seemed to wish it, and Lord George Murray, Lochell, with many others, were induced to make a fair trial what could be done, though they were very sensible of the danger should it miscarry.

They observed with much concern the want of provisions. The men had only got a biscuit that day, and some of them not even that, and it was feared they would be still more reduced next day, except they could take provisions from the enemy; and they had reason to believe, if the men were allowed to disperse to shift for some meal, which many of them would do if the army continued there all night, that it would be very difficult to assemble them in the event of a sudden alarm, which, considering the nearness of the enemy, might very reasonably be supposed, as they must have lain that night upon the muirs near Culloden, as they had done the night before. They knew many of the men would disperse without liberty to several miles distance for provisions and quarters, and that it would be far in the day before they would be assembled again; and as Keppoch had come up and served the army in the afternoon, they flattered themselves that the men they had would do, if they could make the attack by one or two in the morning, especially if they were undiscovered, as they had great hopes they might; for having examined the different roads, of which they had perfect intelligence from the M'Intoshes, who lived in that neighbourhood, they found they could keep upon a muir the whole way so as to spare horse, and be a considerable way from the high road before daybreak, get back the length of Culraik,¹ which was a very stony road, and from thence by a hill they could retire the whole way, on the south side of the

¹ Kilravock, in the county of Nairn, belonging to the ancient Scottish family of Rose. The following curious anecdotes relative to the Prince's visit to Kilravock appeared many years since in the Courant :—

“On the day previous to the memorable Battle of Culloden, the Duke of Cumberland having halted with his army at Nairn, lodged at the house of Hugh Rose of Kilravock, who was then Provost of that ancient burgh, and whose loyalty and attachment to the cause of King George the Second is attested by the following inscription on a porter cup, presented to him by the Duke, and still preserved in the old Castle of Kilravock :—

“This cup belongs to the Provost of Nairn, 1746, the year of our deliverance.—A bumper to the Duke of Cumberland.”

water of Earn, till they were joined by their friends, whom they expected, and by the stragglers. Nor did they

“ About two o'clock of the same day, an officer from Prince Charles Stuart arrived at Kilravock, to announce that it was the intention of the Prince to dine that day at the castle. Mr Rose and his lady made the best preparation that the shortness of the time admitted, for the reception of so illustrious and unexpected a guest ; and in about an hour after the Prince reached the castle, attended by a numerous retinue of gentlemen, many of whom were French.

“ The manners and deportment of the Prince on this occasion were described by Mr Rose and his lady as having been most engaging. He asked the number of Mr Rose's children, and on being told three sons, he requested to see them, praised their dress, and kissed each of them on the forehead. Having walked out with Mr Rose previous to dinner, and observed several people engaged in planting those trees which now adorn the ancient family seat of the Roses, he remarked—‘ How happy you must be, Mr Rose, in being thus peacefully engaged, when the whole country around you is in a stir.’

“ Mr Rose, who was a capital performer, having taken up the violin and played an Italian minuet, said to the Prince—‘ That, if I mistake not, is a favourite of your Royal Highness.’ ‘ That it is a favourite of mine, Mr Rose, is certain, but how you came to know that it is so, I am quite at a loss to guess.’ ‘ That, Sir, replied Mr Rose, ‘ may serve to show you, that whatever people of your rank do or say is sure to be remarked.’ ‘ I thank you,’ said the Prince, ‘ for that observation.’

“ Prince Charles, his secretary Mr Hay, and Mr and Mrs Rose, dined together in what is now the parlour of the old castle, while forty of the Prince's attendants dined in a large hall adjoining. Between these two rooms there is a short passage, in which two of the Prince's officers stood with drawn swords while he was at dinner. When the cloth was removed, Mr Rose proposed to the Prince that he would allow those gentlemen to go to dine, adding—‘ your Royal Highness may be satisfied that you are perfectly safe in this house.’ To which he replied—‘ I know, Sir, that I am safe here ; you can desire them to go to dinner.’

“ A large and very handsome china bowl, capable of containing as much as sixteen ordinary bottles, is still preserved at the Castle of Kilravock. This bowl Mr Hay greatly admired, and said that he would like to see it filled. In consequence, immediately after dinner, the bowl, filled with good whisky punch, was placed on the Prince's table. After drinking a few glasses of wine, Prince Charles rose to depart, as did also Mr Hay ; but the Prince good humouredly said—‘ No, no, Hay, since you have challenged that bowl, you must stay to see it out.’ Hay, however, took only a glass, and accompanied his master to Culloden, where they slept.

“ Next day the Duke of Cumberland stopped on his march at the gate of Kilravock Castle, and Mr Rose having gone out to receive him, the Duke said—‘ So, I understand, you had my cousin Charles here yesterday.’ —‘ Yes, please your Royal Highness,’ replied Mr Rose, ‘ not having an armed force I could not prevent his visit.’ ‘ You did perfectly right,’ said the Duke, ‘ and I entirely approve of your conduct.’” So saying, he rode on to the moor of Culloden.

believe the enemy would follow (suppose the Highlanders were beat back) till it were good day light, so as they could see about them to send out reconnoitring parties to prevent them falling into snares and ambuscades. And before all this could be done, the Highland army might have reached Culraick, and the hilly ground on the south side of the water above mentioned, where regular troops could not easily overtake them, and where their cannon and horse, in which their greatest superiority consisted, would have been of little use; that they found the Prince was resolved to fight them without waiting the succours that were soon expected, and without retiring to any strong ground, or endeavouring to draw the Duke of Cumberland's army farther from the sea, whence he got all his provisions that were brought about in ships along as the army marched near the shore.

For these reasons these gentlemen, and most others, if not all who were spoken to upon the subject, seemed to think the night attack might be attempted; but most of them thought they were in very bad circumstances at any rate, and no attempt could be more desperate than their present situation.

About mid-day Lord George Murray desired Brigadier Stapleton and Colonel Kerr to cross the water of Earn near where the army was drawn up, (not far from the place the battle was fought next day), to take a view of the hilly ground on the south side of the water, which to him seemed to be steep and uneven, consequently much properer for Highlanders, for the ground they were then drawn up on was a large plain muir, and though in some places it was interspersed with boggs and deep ground, yet for the most part it was a fair field, and good for horse.

After two or three hours they returned, and reported that the ground was rough and rugged, mossy and soft, so that no horse could be of use there; that the ascent from the water side was steep, and there was but two or three places in above three or four miles where horse could cross, the banks being inaccessible. They could not tell what sort of ground was at a greater distance, but the country people informed them it was much like the other.

Upon this information Lord George Murray proposed that the other side of the water should be the place for the

army to be drawn up in line of battle next day, but this was not agreed to. It was said that this was like shunning the enemy, being a mile farther than the muir they were then upon, and at a greater distance from Inverness, which it was resolved not to abandon—a great deal of baggage and ammunition being left there. This was before the resolution was taken of making the night attack.

About seven that night an incident happened which had like to have stopped the designed attempt, and upon it many were for giving it up as impracticable. The thing was this. Numbers of men went off to all sides, especially towards Inverness, and when the officers who were sent on horseback to bring them back came up with them, they would by no persuasion be prevailed on to return, giving for reasons, they were starving, and said to the officers they might shoot them if they pleased, but they would not go back till they got meat.

However, the Prince continuing keen for the attack, and positive to attempt it, said there was not a moment to be lost, for as soon as the men should see the march begun, not one of them would flinch.

It was near eight o'clock at night when the army began to move, which could not be sooner, otherwise they might have been perceived at a considerable distance, and the enemy have got account of it. Lord George Murray led the van, Lord John Drummond was in the centre, and the Duke of Perth was towards the rear, where the Prince also was—having Fitz-James' horse and others with him. Proper directions were given for small parties possessing the road to prevent intelligence being carried to the enemy. Two officers of the MacIntoshes, with about thirty of their men, marched in front as guides. Some of the same Clan were in the centre, and in the rear, and in other parts, to hinder any of the men from straggling before.

The van had gone about a mile before as slow as possible to give time to the line to follow ; but express after express were sent to stop them, because the rear was far behind. Upon this the van marched still slower, but in a short time there came aide-de-camps and other officers to stop them, or at least to make them go still slower ; and of these messages there came near 100 before the front got the

length of Culraik, which retarded them to such a degree that the night was far spent; for to Culraick from the place they began their march was but six miles, and they had still four long miles to Nairn, and yet it was about one o'clock of the morning when Lord John Drummond came up to the van, and told him there were several behind, and if they did not stop or go slower he was afraid the rear would not get up. In a little after the Duke of Perth came also up to the front and assured them, if there was not a halt, the rear would not join. There was a stop accordingly: Lochyell had been mostly in the van all night with his men, which, together with the Athol men, who were likewise in the front, made up together a body of about 1200 men. There were several other officers that came up, there being a defile a little way behind, occasioned by a wall at the wood of Culraik, which also retarded the march of those behind. During this halt the officers fell a talking of the different places of making the attack, and agreed it was better to make the attempt with 4000 men before day-break than with double that number after it was light.

In the meantime Mr O'Sullivan coming up to the front, and it being now evident, by computing the time the army had taken to march little more than six miles, it would be impossible to make the other four miles before it was clear day light, besides the time that must be spent in making the disposition for the attack, as that would not be done by the army on their long march, Mr O'Sullivan said—"he had just come from the Prince, who was very desirous the attack should be made, but as Lord George Murray had the van, and would judge the time, he left to him to do it or not."

As the Duke of Perth, Lord John Drummond, and the other general officers, seemed much diffculted what to resolve upon, Lord George Murray desired the gentlemen volunteers' present, such as Mr Hepburn of Keith, Mr Hunter, Mr Anderson, and others, (who had walked all night in the front) and who were all deep concerned in the consequence, to give their opinion. These gentlemen were all very keen to march on. Some of them said the red coats would all be drunk, as they had solemnized the Duke of Cumberland's birth-day, and that though it were day light, (for it was agreed on all hands, that it must be sun-

rise before the army reach Nairn, and form, so as to make an attack upon the enemy's camp, for one part of it was to have passed the water a mile above the town, to have fallen upon them towards the sea side), "they would be in such confusion, they would not withstand the Highlanders." This opinion shewed abundance of courage, for these gentlemen would have been in the front rank, had there been any attack.

But the officers present were of a different opinion, as several of them expressed. Lochiel and his brother said—"they had been as much for the night attack as any body could be, and it was not their faults it had not been done, but those in the rear who marched so slow and retarded the rest of the army."

Lord George Murray was of the same opinion, and said—"if they could have made the attack, it was the best chance they had, especially if they could have surprised the enemy; but to attack a camp that were near double their number in day light, when they would be prepared to receive them, would be perfect madness."

By this time Mr John Hay came up, and told the line was joined. But when he was informed the resolution was taken to return, he began to argue upon the point, but nobody minded him. This was the gentleman the army blamed for the distress they were in for want of provisions, he having had the superintendence of all these things from the time of Mr Murray, the Secretary's illness, who had always been extremely active in whatsoever regarded the providing for the army.

About two in the morning (the halt not having been above a quarter of an hour) they began to return in two columns, the rear facing about, and the van taking another way. At a little distance they had a view of the fires of the Duke of Cumberland's camp, and as they did not shun passing near houses as they had done in advancing, they marched very quick—day light began to appear in about an hour after. Having got back to Culloden pretty early, the men had three or four hours rest. They killed what cattle and sheep they could find, but few of them had time to make any thing ready before the alarm of the enemy's being upon their march and approaching.

The horse of the Prince's army had been all on so hard duty for several days and nights before that none of them were fit for patrolling, and at that time Fitz-James's horse and several others had gone to Inverness to refresh, so at first it was not known whether it was an advanced party, or the Duke of Cumberland's whole army.

However, the Highlanders got ready as quick as possible, and marched through the parks of Culloden in battalions, just as they happened to be lying in the muir on the south side facing eastward, and about half a mile farther back than where they had been drawn up the day before. Lord George Murray proposed once more to pass the Water of Earn, as being the strongest ground, and much the fittest for Highlanders, but it was not agreed upon, for the same reasons given the day before. And speaking to Mr O'Sullivan, he told him he was afraid the enemy would have great advantage in the plain muir both in their horse and cannon. But he answered, that he was sure that horse could be of no use there, because there were several boggs and marshes; but the event proved otherways.

Mr O'Sullivan drew up the army in line of battle, he being both Adjutant and Quarter-Master-General, and showed every battalion their place—the right close to some inclosures near the Water of Earn, and towards the parks of Culloden. But I cannot justly tell what order they were drawn up in, there having been some disputes a day or two before about the rank. But nobody who had any regard for the common cause would insist on such things upon the occasion.

Those who had gone off the night before and early that morning to Inverness and other parts had now joined, and the Master of Lovat was come up with a considerable recruit of men.

It was observed that upon the right there were park walls, under cover of which so many of the enemy could draw up and flank the Highlanders. Lord George Murray, who commanded the wing, was very desirous to have advanced and thrown them down. But as this would have broke the line, and the enemy forming their line of battle near that place, it was judged by those about him too dangerous to attempt. Both armies being fully formed,

the cannonading began on both sides, after which there were some alterations made in the dispositions of the two armies, by bringing some troops from the second line to the first, as both ends advance to outflank one another.

The Highlandmen were much galled by the enemy's cannon, and were turning so impatient that they were like to break through their ranks, upon which it was judged proper to attack, and orders were given accordingly.

The right wing advanced first (as the whole line did much about the same time), and when they were within pistol-shot of the enemy, they received a terrible fire, not only in front but also in flank, from those posted near the stone wall; but notwithstanding, they returned the fire close upon the enemy, and went in sword in hand upon Barrell's and Monro's regiments posted on the left, and would have cut them in pieces had not they been immediately supported by other two regiments brought up from the second line, and two regiments of dragoons coming in upon the same side, entirely broke that wing; for though three battalions of the right were brought up and gave their fire very well, yet the ground and every thing else was so favourable for the enemy that nothing could be done, and the left wing not having attacked, at least did not go sword in hand from an apprehension that they would have been flanked by a regiment of foot, and some horse whom the enemy had brought up from their second line, a total rout ensued. I am positively informed that the Highland army did not consist of above 7000 fighting men, and the Duke of Cumberland's must have been 10 or 12,000. In the one army there was not above 150 horse, of which one-half was of the French regiment of Fitz-James's, in the other army they had 11 or 1200.

When a misfortune happens people are apt to throw blame upon persons or causes, which frequently are the effects of either malice or ignorance, without knowing the real springs and motives. Many are of opinion that the night attack could have been made, but I am convinced of the contrary for the following reasons:—

1. The Highland army, when they halted at Culraik, were not above 5000.
2. They had four miles to march, and part of them would have been obliged to make a large

circumference, so that it would have been sunrise before they could have made the attack. 3. The ground about Nairn, where the enemy lay encamped, was a dry hard soil, and plain muirs three miles round about, except where the sea intervened—the nearest strong and uneven ground being the wood of Culraik.

Now, let it be supposed they had made an attack in broad day light upon an enemy double their number, well refreshed with a day and two nights' rest, in plenty of all kinds of provisions, in a camp with their cannon pointed as they thought proper, their horse drawn up in a fine plain, what must have been the consequence? What would have been said of officers that led on men in such circumstances and such a situation? Would it not have been the certain death and destruction of all those who made the attack? Would it not have been said, and justly said, why went you on such a desperate attempt, seeing it could not be done by surprise and undiscovered? Why not wait the chance of a fair battle, by returning and being joined by the rest of the army, as well as with those that had withdrawn the night before, and a great many others who were hourly expected, where they might have had both cannon and choice of the field of battle? By this there was a fair chance, by other means there was none.

As to the above mentioned facts you may rely upon them, for I saw the Duke of Perth,¹ Duke of Athol, Lord John Drummond,² Lord George Murray, and Lord Ogilvy, Colonel Stewart of Ardsheill, Colonel Roy Stewart, Lord Nairn,³

¹ James, titular Duke of Perth, was born 11th May 1713. He joined Prince Charles, and was Lieutenant-General at the battle of Preston, and commanded at the sieges of Carlisle and Stirling. After the battle of Culloden he escaped to the coast of Moidart, where he embarked for France, but his constitution being exhausted by fatigue and ill health, he is generally considered to have died on his passage, 11th May 1746, when in the thirty-third year of his age. However, the legend now is that he did not die then—that he settled in the north of England, married a woman of a low condition in life, and left a family. An alleged descendant has accordingly preferred a claim to the Earldom of Perth, but no decision has ever been come to upon it.

² Lord John Drummond assumed the title of Duke of Perth. He died 27th October 1757, and was buried in the Abbey Church of Holyrood. He was twice married, but had no issue.

³ This was the titular Lord Nairn, who was forfeited for his accession to the rebellion 1715, when Master of Nairn. He was again forfeited in

and several others, at Ruthven of Badenoch's, and they all agreed on the same things.

One thing I must take notice of, that from the beginning of the whole affair there never had been the least dispute or misunderstanding among the officers. Some people find fault that the night-march was undertaken, seeing there was not a certainty of marching to Nairn time enough to make the attack before day light, as also that they had too few men. I answer to this—it was not doubted when the march was begun but that there would have been abundance of time, their greatest precaution was not to be discovered. The Highlanders had often made very quick marches in the night-time. The French piquets, I believe, were in the rear, and were not so clever in marching, and the muir they were in was more splashy than they expected, and they were obliged to make some turns to shun houses, and there were two or three dykes that took up a good deal of time to pass. The guides, though they knew the ground very well, yet were not judges to tell what time the army would take to march the ten miles (as they were called), though, by reason of indirect roads, it must be a great deal more. Notwithstanding all which I am persuaded most of the army, had not the van been frequently stopt and retarded by repeated orders and messages, would have been at Nairn by two o'clock in the morning. As for the number of men, though not half the number, they might probably have succeeded in the attempt had they made the attack undiscovered. Nothing is more uncertain than the events of war—night-attacks are most subject to disappointments.

This march and counter march was, as things turned out, to be sure a very great disadvantage. It fatigued the men much, and a council of war might have been called, in which doubtless a resolution would have been taken to choose a more advantageous field of battle, and perhaps postpone

1746. He died in France, 18th July 1770, aged 79. He married his cousin, Lady Catherine Murray, third daughter of Charles, first Earl of Dunmore, and by her, who died at Versailles 9th May 1754, had eight sons and three daughters. This was one of the titles restored by George IV. ; but the issue-male has failed, and the honours are claimed by Lady Keith, who is descended from the Hon. Robert Nairn, second son of the second Lord Nairn, who took the name of Mercer upon marrying the heiress of Aldie.

fighting for a day, till the succours that were coming up with the utmost expedition should join. Councils of war were seldom held, and were out of request from the time the army marched into England. I remember but of two that were held there, one at Brompton, whether to return and besiege Carlisle, or to march forward and attack General Wade; and the other council was at Carlisle, where it was resolved to march forward into England. As to what happened at Derby, it was accidental, by most of the officers being at the Prince's quarters; and taking into consideration their situation, they were all unanimous in advising the Prince to retreat. I think there was but one council of war called after they returned to Scotland, and that was near Crieff after the retreat from Stirling, where there was some difference of opinion, but it was at last agreed to march for Inverness in two separate bodies—the one by the Highland road, and the other by the coast; several at first being for the army all going one road. The day of the battle of Falkirk the officers were called to the field, where the army was drawn up betwixt Bannockburn and Torwood, and they all agreed to march straight to the enemy. Also the retreat from Stirling was advised by many of the principal officers, particularly the clans, who drew up their reasons and signed them at Falkirk three days before the retreat was made; the chief of which was, a vast number of men had gone after the battle, and were not returned, and that as the siege of Stirling Castle was not advancing, they did not think it adviseable to fight in such circumstances.

This letter has been much longer than I intended; but before I conclude, I must acquaint you that six weeks before the battle of Culloden some officers proposed sending up meal to several places in the Highlands, and in particular to Badenoch, that in the event of the Duke's marching towards Inverness before, they might retreat for a few days till they could assemble; or if a misfortune should happen by a defeat, there might be some provisions in these parts. But this was reckoned a timorous advice, and rejected as such, though I have reason to believe that all the Highland officers were of the same opinion. They were not for precipitating any thing.

There is no doubt the Highlanders could have avoided

fighting till they had found their advantages, and in so doing they could have made a summer campaign without running the risk of any misfortune. They could have marched through the hills to places in Aberdeenshire, Banff, the Mearns, Angus, Perth, or Argyleshire, by ways that no regular troops could have followed them; or if the regular troops had continued among the mountains, it must have been attended with great difficulties and expence. Their convoys might have been cut off, and opportunity might have offered to have attacked them with almost a certainty of success; and though the Highlanders had neither money nor magazines, they could not have been starved in that season of the year, so long as there were any cattle or sheep to be had. They could also have separated into two or three different bodies, got meal for some days' provisions, met again at a place appointed, and have attacked the enemy when they least expected. They could have marched in three days what would have taken regular troops five, nay, had those taken the high road as often as they would have been obliged to do upon account of their carriages, they would have taken ten or twelve. In short, they would have been so harassed and fatigued, that they must have been in the greatest distress and difficulty, and at the long-run probably been destroyed; at least much might have been expected by gaining of time: perhaps such succours would have come from France as would have made the Highlanders to have made an offensive instead of a defensive war. This, I say, was the opinion of many of the officers, who considered the consequences of losing a battle. They knew well that few of the Highlanders would join heartily against them so long as they continued entire, but would do it upon a defeat. There was one great objection to this, that the Irish officers, who were so brave men, and as zealous in the cause as possibly could be, and many of the low countrymen, could not endure the fatigue of a Highland campaign. As for the common soldiers who came from France, there was not 400 remaining. They and their officers, even though a battle was lost, had but to surrender and be made prisoners of war. It was very different with the Scots, whose safety depended upon their not venturing a battle without great probability of success.

But any proposition to postpone fighting was ill received, and was called discouraging the army. I have nothing further to add, but that I am, your's, &c.

V.—LETTER, JOHN CAMPBELL, ESQ. TO LIEUTENANT COLIN CAMPBELL OF KILBERRY.

Inveraray, 14 July 1746.

DEAR COLIN—Whether you are dead, or still in the land of the living, are two things I am equally ignorant of. Another point not easy for me to decide is, whether this very long silence—this almost total extinction of our correspondence—has happened through your fault or mine. But as I choose to avoid meddling with any question of so much intricacy, these shall, for me, be left to be discussed by the learned; and upon a supposition of your being yet numbered among the living, shall proceed to acquaint you with what I think you wish to know of the warlike operations in our western world.

After the junction of the two armies under the General and Collonel, they remain'd at Appine a week or two, receiving the arms and homage of the rebels of Appine and Glencoe. Both the arms, and the persons who brought them in, were of the meanest and worst sort, and it seem'd that necessity, not inclination, had been the principal cause of their obedience. We must, however, except the Laird of Glencoe, a good sensible well behav'd sort of man, who surrender'd himself to the General, and is since that time a prisoner at large within this town.

About the beginning of June (I can't be exact as to dates, having seen none of the Officers' journals), the combin'd army embarked at Dunstafnage, and after touching on the coast of Mull, landed in Strontian,¹ in the county of Suinart, famous for the lead mines. Here they staid some days, and sent out parties quite around to apprehend and search for arms, stragling rebels, and cattle. A good number of guns and swords were brought in, and a great number of cattle. The former were no better here than at

¹ The seat of the speculations so ruinous to Sir Alexander Murray, Bart. of Stanhope—a man much in advance of the times in which he lived.

Appine, but the latter exceeding good. Here Mr Cameron of Dungallon¹ surrendered. He is also now with us in town at large. In this country and at Appine we have got about 700 stand of arms, according to the best information I could get. It was one of the party sent out from Moydart, in the neighbourhood of Strontian, that apprehended his lowsy Lordship of Lovat.² At Moydart, about six weeks ago, the General, with 100 militia, and some red coats from Fort-William, parted from the army, and re-embarking on board the ships, sett out for the Western Isles. Our last accounts of him were of the 8th current, from Barra, where he had just then arrived, after visiting the Islands of St Kilda and South Uist. There was nobody found there. But as there is the highest reason to believe that the Pretender's son and some of his gang are skulking thro' some of these Isles, he was to make a tower thro' North Uist, Lewis, and Harris before his return. The Collonel, with the rest of our militia, excepting 3 or 4 companys who have been disbanded, wait the General's arrival at Strontian. When that happens, we look for them all, bag and baggage back again here.

¹ Cameron of Dungallon was descended from Donald Cameron, second son of Alan Cameron of Locheil who fought at the battle of Glenlivet in 1594.

² If we may credit Burt's letters from the Highlands, the epithet bestowed on the wily Simon was not altogether unfounded. The following particulars relative to Lord Lovat, &c. which occur in the Inverness Courer, will be read with interest :—

“RELICS OF THE REBELLION IN 1745.—Lately, as some men were engaged in the drainage of part of Loch Farraline in this county, they came upon a quantity of old fire-arms—a brass blunderbuss in excellent preservation, about twelve muskets, the scabbard of a sword, and other articles. The loch is situated in the high mountains above Loch Ness. There has been a tradition among the people of the district for many years that a quantity of arms was thrown into the lake at the stormy period of the Rebellion in 1745, which seems to be confirmed by this occurrence. As the drainage proceeds, it is probable that other discoveries of the same kind will be made, in accordance with the popular belief of the peasantry. In the immediate neighbourhood of the spot is the house of Gortuleg, which, in 1745, was the property of Mr Fraser, chamberlain and agent of Lord Lovat. Old Lovat himself resided at Gortuleg at this interesting time, and hence we may suppose took place this accumulation of fire-arms, which were afterwards thrown into the loch, when the battle of Culloden had decided the fate of the Jacobites. It is well known that, after his defeat, Prince Charles retreated through Strathnairn, a district possessed by the Clan Macintosh, of whom their leader, and every indi-

I forgot to tell you, that beside Glencoe and Dungallon, four more gentlemen (one of thom M'Donald, a brother of Kinlochmoydarts,¹ who was the bankier at Paris), surrender'd to the General at Strontian. So that I believe our little army can give as good account of their success as I believe any of the detachments can do. If the General besides should nabb young Charles, our campaign would end with great glory, and no blood but that of a good many cattle, who to be sure were in the Rebellion.

Here then endeth the history of our military operations hitherto; perhaps there is yet to come matter to fill a heavy volume. It is time now to let you come home among your friends. Knockbuy was remov'd about three weeks agoe by the General's order from his former station of Castlemenzies to Dunnoon, within 6 miles of Dumbarton, where he still remains with Rasekelly's company of militia under his command. Your mama and sisters left Glasgow at Whitsunday, and have once more betaken themselves to Kilberry. They took baby from us more than a month agoe. Captain Angus, after being all winter and spring Governor of Castle Lachlan, was discharg'd beginning of June, and the garrison locked up. The Captain and our

vidual of rank, had fallen in the action, and came towards evening to the house of Fraser of Gortuleg. Lovat had prepared a sumptuous feast in anticipation of victory! The house was crowded with the retainers of Charles Edward and Lovat, and connected with this Mr Fraser used to relate a touching and striking anecdote:—The children of the family were for convenience placed in a small room between the Prince's chamber and another, but which had communication with both. The whispers of the children, afraid to speak out, produced a suspicion in the mind of Charles that he had been betrayed, and he exclaimed with agitation—"Open the door,—open the door." One of the boys having complied with his request, the unfortunate Prince presented a countenance so strongly marked with terror, that his features were indelibly impressed on the minds of his juvenile beholders. One of them described, in vivid terms, the fair oval face and blue eye, distended with fear and agitation, of the tall, handsome, young wanderer. Seeing his mistake Charles gave way to the following pathetic exclamation:—"How hard is my fate, when the innocent prattle of children can alarm me so much!"—words which long dwelt in their memories, and often moved the household to tears. Charles was too much agitated to think of rest. He changed his dress, and taking a glass of wine, left the house at ten o'clock at night for Invergarry, the seat of Macdonell of Glengarry.

¹ Kinlochmoidart had two brothers, Ranald and Allan, both Captains under Clanranald. Macdonald of Kinlochmoidart was descended from John fourth son of Allan eighth Chief of Clauranald.

aunty Bell and I can keep family at Minard, where I have mostly been for two months bygone. My brother Robin parted with the army at Dunstaffnage, and now somewhat unwillingly indeed has resum'd the old dung-fork business. Soon after you left this our Megg brought us a chopping fellow who now goes by the name of Archibald, and is a very promising young man. 'Tis confidently said she has another on the stocks. It gives me great concern, as it will also to you, that I cannot tell you the same thing of our sister Susy at Glasgow. Poor thing, she had the same misfortune this spring as she had last year. I am told, however, she is in for't again.

The inclos'd comes from a fair of your acquaintance, as I assure myself you will lose no time in making her a return; pray put it under cover to me, and in as many lines as your constant hurry or more constant laziness will allow. Send a few sentences to

My dear Colin,
Your very affectionate cousin and servant,
JO. CAMPBELL.

Let me know if my direction for you is right.

To Lieut. Colin Campbell of Kilberry, of the
Right Hon. the Earl of Lowdon's Regiment
at Strathbogie by Aberdeen.

VI.—THREE LETTERS FROM JAMES WOLFE, ESQ. AIDE-DE-CAMP
TO GENERAL HAWLEY, TO CHARLES HAMILTON, ESQ. CAPTAIN
OF COBHAM'S DRAGOONS AT FORFAR, 1746.

(1.)

Inverness, May 19, 1746.

SIR,—I am ordred by General Hawley¹ to acquaint you that he has shown your letter to his Royal Highness, who

¹ As Hawley had rendered himself, by his abominable spoliations of the Jacobites, very unpopular with that class of the community, it is not surprising that they should make his birth in keeping with his conduct, and represent him not only as illegitimate, but as sprung from the dregs of the people. It seems, however, that this most unpopular man was the son of a General Hawley, "who lost his life at one of the sieges where General Erle had a command, by taking up a hand-grenade which burnt in his

approves of every thing you have done, and desires you will continue that assiduity in apprehending such as have been in open rebellion or are known abettors, and that you will be carefull to collect all prooffs and accusations against them, and deliver them to Major Chaban, and let the Major know from General Hawley that he is to receive and keep together all such accusations as shall be sent him from you, or any other officer under his command, that they may be more conveniently had when called for: you know the manner of treating the houses and possessions of rebels in this part of the country. The same freedom is to be used where you are as has been hitherto practised, that is, in seeking for them and their arms, cattle, and other things that are usually found. These that have submitted to his Royal Highness' Proclamation are to be treated as you have mentioned. The list is to be kept, and their arms are to be taken from them.

I am, SIR, your most obedient Servant,
J. WOLFE, Aid-de-Camp to General Hawley.

P. S.—You will be so good to show Major Chaban what concerns him in this letter, and also what relates to the possessions of the rebels, that he and the officers under his command may make a proper use of it.

(2.)

SIR,—The General has shown your letter to his Royal Highness, and both approve your conduct. You are permitted to graze your troop in that neighbourhood, for the

right hand."—Gen. Mag. Feb. 1805, p. 135, 251. He had a sister Anne, for whom he provided amply. From the terms of his will it is clear he had no near relations excepting his sister, as he leaves the whole of his property, real and personal, which was very considerable, between Lieutenant-Colonel John Toovey and Captain William Toovey (Tovey), sons of "Mrs Eliza Toovey, widow," who is declared in the will to have been "for many years my friend and companion, and often my careful nurse, and in my absence a faithful steward." He consequently gave her the liferent of certain heritable estates, vesting the fee in her son William, then a Captain in his own Regiment of Dragoons, who was enjoined to take the name of Hawley.

The General held the government of Portsmouth, and Colonelcy of the Royal Regiment of Dragoons. He died on the 24th of March 1759, at his seat near Portsmouth, aged eighty. His will was proved by William Toovey, the sole executor, on 27th March, just three days after his death.

reasons you assign as the most effectual means of doing your duty. Major Chaban must be acquainted with the General's intentions in that respect; and you are likewise to let him know, that he and the rest of the regiment have no right to claim any share of seizures made by your troop when in separate quarters.

The General is satisfied with what you have done in regard to the meeting house, and the money may be applied as you think proper. Young Fletcher's effects are to be secured, but not disposed of till further orders. If you think the attestation of Mr Watson's tennant a sufficient proof of his having acted in treasonable manner, you are to make yourself master of his person, and confine him at Montrose with the rest.

I am, SIR, your most obedient humble Servant,

JAMES WOLFE, Aid-de-Camp.

Fort-Augustus, June 11 1746.

(3.)

SIR—General Hawley acquainted the Duke with the purport of your letter, who was very well satisfied with your conduct, and you have leave to dispose of the effects of Brown and Watson, but nothing further is to be done in Fletcher's affairs.

The General bid me tell you that when any seizures were made of cattle or otherwise in this part of the world, the commanding-officer and every person concerned have shares in proportion to your pay. You mention Mr Doway to me as a person to be recommended, but at the same time say you have very little knowledge of him, as I have much less, and no more interest here than you have. I think if you have found him serviceable to you, will not neglect an occasion of rewarding him, as it is not known when the troops will move from hence, or what road General Hawley will go. I'm sorry to let you know it's impossible for me to appoint any place for your seeing him.

I am, SIR, your most obedient humble servant,

J. WOLFE, Aid-de-Camp to General Hawley.¹

¹ On the letter is written—"This letter was brought me from Fort-Augustus by Baillie Doway on Teusday 22d July 1746."

The father of Wolfe was, according to Lord Mahon, General Edward Wolfe, "a veteran from the wars of Marborough."¹ He fixed himself at Westerham in Kent, where he rented the Vicarage house as his residence. In that house his eldest son, James, was born on the 6th of November 1726. At the early age of sixteen he was present at the battles of Dettingen in 1742. He fought at Fontenoy in 1745, and at Lauffeldt in 1747.

Whether Wolfe was in Scotland in 1746 has been disputed, and Mr Chambers asserts that Southey held an opinion that he was not there at that time; of course the greatest deference is due to the opinion of that distinguished person, who had access to many of Wolfe's letters, and who intended to write his Life,² but we should like to have been furnished with the evidence, if any, to support the assertion of Wolfe's absence from Scotland at that precise period. From Bishop Forbes' memorials we learn that there was a Major Wolfe in Scotland, who was accessory to some of the many thefts and robberies—for they deserve no other name—committed by General Hawley. His Christian name has not been given, and undoubtedly there was then in the army a *John* Wolfe, who was made a Lieutenant-Colonel in 1750.³

But the letters now for the first time printed, establish this much, that General Hawley had an Aide-de-camp called *James* Wolfe; and when we call to remembrance that he fought under the Duke of Cumberland at Fontenoy, it is a reasonable presumption, that the regiment to which he belonged would, upon the return of His Royal Highness from the Continent, and subsequent progress to Scotland, accompany him thither. Added to this, after a careful search, no other officer of the name of James Wolfe has been traced.⁴ We have little doubt, therefore, in holding that Hawley's Aide-de-camp was the Conqueror of Montcalm. Although Wolfe may have been present during the sanguinary atrocities of Cumberland, and the mercenary abominations of Hawley, it does not follow that the deeds of these worthies met with his approbation, nor is it a necessary sequence, that because he was Hawley's Aide-de-camp, he was the *Major* Wolfe whose zeal for the General is so particularly set forth in the work before alluded to.

"One Major Wolfe," says Mrs Gordon, informed her, that "by the Duke of Cumberland and General Hawley's order, I was deprived of every thing I had except the clothes upon my back." He remarked that Hawley having inquired into her character, had heard well of her—that she had no hand in the Rebellion, and that she was a stranger without any relations in that country, and that therefore he would make interest

¹ Mahon, vol. iv. p. 325. His services in the Marborough wars could not have been very considerable, for he must have been then, if this assertion be correct, a very young soldier. This seems to follow from the following memoranda as to his promotions:—Colonel Edward Wolfe was appointed in November 1739 Colonel of the Third Regiment of Foot Guards, was in Cuba October 1741, under General Wentworth. He was made Brigadier-General in February 1744. In April 1745 the Brigadier was Colonel of His Majesty's own Regiment of Foot. In June following he was made Major-General; and in 1747 a Lieutenant-General.

² See "Lives of Eminent British Commanders," by the Rev. R. G. Gleig, vol. ii. p. 317.

³ On 30th of March 1750, John Wolfe, Esq. was raised to the Lieutenant-Colonelcy of Lord Viscount Bury's Regiment of Foot—(Gen. Mag.) This, however, may have been the same person who in January 1749 was Captain of "Borelli's" Regiment, and was promoted to a majority in Sackville's Regiment."

⁴ In August 1743 there is a James Wolfe, Captain and Adjutant in Lord Dunmore's Regiment, but this is probably the hero of Quebec.

with the Duke of Cumberland that she might have any particular thing of her own she had a mind to.

Mrs Gordon proposed to take the *tea* belonging to her; when the gallant Major announced it was remarkably good, and that as *tea* was scarce in the army, he did not think she could have it. Chocolate was asked and refused. She next begged her china, but Wolfe said it was very pretty, and that they were "very fond of china themselves,"—in short, the poor lady was regularly pillaged. So pitiful was the military tyrant Hawley, that when she sent for a pair of breeches for her son, a lad of fourteen—for a little *tea*, a bottle of ale, and some flour—she was positively refused. She says—"This Major Wolfe was Aide-de-camp to General Hawley."¹ This may have been a misconception on her part; however, the General had several Aide-de-camps, and a Colonel Watson, amongst others, is specially noticed.

The noble-minded Hawley finished by robbing this poor woman of property to the tune of six hundred pounds, which he packed up and sent to England by sea. The inventory of the stolen property has been printed, and the variety of articles is wonderful,—table-covers, blankets, china, glass, plate, silk stockings, shirts, wigs, breeches, *tea*, chocolate, butter, pickled pork, wash-balls, Cheshire cheese, wax candles, Florence oil, a spit, copper fish-kettle and drainer, larding-pins, hooks, &c. &c.

Wolfe was in Scotland afterwards for some time, and it is perhaps to his last visit that the following anecdote is referable:—"When Mr Wolfe was a young officer, part of his regiment was quartered at Glasgow. There being a College of considerable reputation in that city, Mr Wolfe obtained a letter of recommendation to a Professor, who introduced him to one of their social evening meetings. The conversation happened to turn on subjects with which Mr Wolfe was unacquainted. He was so much mortified at not being able to bear any share in it, that he next morning entreated his friend the Professor to put him in a train of acquiring the knowledge he found himself so deficient in. He was gratified in this request, and he became a most diligent student while he continued at Glasgow."—*Gent. Mag.* June 1791, p. 506.

VII.—ANONYMOUS LETTER ADDRESSED TO LORD PRESIDENT FORBES.

MY LORD—Tho' no mortall can have more true regard for the merits of his Royal Highness the Duke than I have, yet I cannot see, without indignation, all the praise rendered to him upon this happy occasion, and that the publick should take no notice of your never enough to be admired part in the management of it. Your modesty, my Lord, upon all occasions, is well known; but pardon me, if I think it

¹ P. 223. James Wolfe was only then twenty years of age—rather too young for a majority; but the actual Major may have been a relative, and the patronage of the "butcher" Prince will easily explain how the youthful hero may have been, at and after the battle of Culloden, attached to the General's staff.

impossible that you can be so unsensible of the infinit sacrifice you have made, as not to expect at least a small share of the glory.¹

I am determined, my good Lord, after paying my first compliments to yourself, to inform the mistaken world of your deserts, which can be done no way so well as by shewing what your joint deliverers had in their power. It is needless for me to enumerate the noble qualities of his Royall Highness; the publick has done him sufficient justice in that respect; but not to derogate at all from his merits, people of sense must consider the Duke as a foreigner, son to the Elector of Hanover, whose family Britain made choice of to rule over them,—wisely judging that to be the way to become a happy people. But the advantage we reap from that succession might very probably have been overlooked by the people, especially as the Court party themselves, at the time affected to be patriots, had, in a most outrageous manner, instil'd subject of clamorous complaint into the

¹ The Duke of Cumberland did not think so highly of the President's services towards the House of Hanover as the writer of this letter appears to have done. "After all, what do you think of the return the Lord President of the Court of Session, the *sagacious Duncan*, met with for all his remarkable services! Remarkable indeed they were, and yet the utmost scorn and contempt he had in return for them! When his Lordship was paying his levee to the Duke of Cumberland at Inverness, he thought fit (as it well became his character and station) to make mention of the laws of the country, &c. To which the Duke of Cumberland was pleased to say—'The laws of the country! My Lord, I'll make a brigade give laws to the country, by G—d.' 'It was well that President Forbes escaped a kicking bout, as the Duke of Cumberland uses his friends with freedom. For my own part I would not wish to be the person that had received the sage advice of the *sagacious Duncan* with derision, because it would have been a lasting imputation upon my judgment and discretion; for certain it is that his Lordship was a gentleman of very extraordinary and uncommon parts, and had an extensive knowledge of men and books. It was not beneath the dignity of a crowned head to listen to his words. He was one of a very high spirit; and the usage he met with for all his services, joined with the miseries of his country, bore so hard upon him, that it is indeed a prevailing opinion among us in Scotland that he died of heart-break.'"—*Jacobite Memoirs*, p. 333. This, be it remarked, was the communication of a Whig, and there is no reason for doubting the accuracy either of the anecdote or the justice of the commentary. *Duncan Forbes* was exceedingly ill used unquestionably by the Whig Government. It was to him, and not to the Duke, that the suppression of the Rebellion was mainly attributable—a Peerage was the least return King George could have made for his services.

mind of the populace, that nothing less than a miracle, one would have thought, could have so suddenly razed out. Add to this the present accomplishments of the young Chevalier, which even his enemies owned to be very great—the male heir of our Scots King, under whose reign our forefathers had nobly maintained their libertys against the attacks of the most powerful invaders; and which is still the strongest argument of all, the young Chevalier, conscious of his own innocence, and the purity of his intentions, threw himself, I may say, naked into the hands of his pretended subjects, when he knew thirty thousand pounds were sett upon his head; and as a proof of what a surprizing effect that had, being equal mixture of the savage and the thief, instead of taking that bribe to better their pityfull circumstances, they fled to his protection, and risked their lives, and the peace of their familys, to procure him what they had been taught to think his right. Behold, my Lord, and admire the amasing force of nature, this bulwark in the humane mind, which his Royall Highnes the Duke had to combat with: And, my Lord, in that combat he might have trembled to think what the consequences might have been, had not your conduct and address paved the way to the late happy victory, by crushing—in the two most powerfull, (tho' God knows—the weakest Chiefs), the very principles sucked in with their milk, and strengthened by some education. With so much art, my Lord, did you steal in upon them, that before they were aware of it, you had plucked the very seeds of nature, and what they once thought honour and religion, out of their hearts, and turned a ridiculous love to a barren spott of country into a noble resolution of murdering and butchering it, as it was become senseles and stupid, to prefer the family of Stewart, only because, forsooth, they were their own detestable blood, to the illustrious House of Hanover.¹ This was a stroke of

¹ Some of the Highland Chiefs were induced by the President to refuse their aid to the Prince. One of the persons referred to in the text was evidently Sir Alexander M'Donald of Slate, whom he persuaded to withdraw from the Rebellion. "He likewise talked with many others upon the subject, and was the happy instrument of keeping above two thousand of them from joining the standard of the Chevalier."—*Memoirs of the Life of Duncan Forbes, Esq.* Lond. 1748, 8vo. p.64. The other Chief referred to above may have been the elder Clanranald, or rather Macleod of Macleod.

yours, my Lord, never to be forgot by posterity, which knocked that audacious boy's natural scheme quite in the head. Your Lordship, however, was too great a man even to stop there. You have now put your hand to the last commendable work, and torn out the very bowels that brought you furth. The Romans killed themselves to save their country; how infinitely have you exceeded to preserve the present happy establishment. My Lord, you have sacrificed your native country, laid it in ashes, and stopt your heroick ears to the tears and lamentations of her widows and orphans. William has indeed slain his thousands, but these were his enemies; Duncan, the immortal Duncan—let it be published even from Dan to Barshaba—has slain his ten thousands, and these his friends and countrey-men.

P. S.—One thing I had almost forgott, which is of the utmost consequence. All conspicuous great men have, you know my Lord, their enemies, and as that is much the case with you at present—and all mortalls are frail, and have ane open side for satyre—one cryes the Lord President may be a good any thing but a General: he has of late plaid that part with ill luck. Another cryes, C——, he is a bad Divine, witness his piece of the Revelations;¹ and a third cryes, Nay, he is even but ane indifferent lawyer, witness the late story of the proceedings some years ago at Glasgow. Now, my dear Lord, these things require a mighty able pen to defend them. I would therefore advise your Lordship to take your own, and clear these points to the publick.²

¹ "A Letter to a Bishop concerning some Important Discoveries in Philosophy and Theology." This was originally printed in the year 1732, and a third edition in 4to. was published at London in 1735.

² The President died upon the 12th of December 1747, in the sixty-third year of his age. "Thus died Duncan Forbes of Culloden, who was above six foot high, very straight and genteel in his body, which much inclined to slenderness; his face was smooth and majestic, his forehead large and graceful, his nose high; his eyes were blue and full of sweetness, and though very quick, yet rather grave than sparkling; the pupilla was charmingly intermixed with the white; his cheeks and chin were finely proportioned, his hands and arms were every way delightful; the moment he appeared in public, he challenged admiration and esteem; his graceful outward parts bespeaking more sublime and internal beauties."—Memoirs, p. 73, 74.

INSTANCES OF POPULAR CREDULITY
AT THE
COMMENCEMENT OF THE EIGHTEENTH
CENTURY.

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I.—IRELAND'S WONDERS FROM THE SKIES, OR A WARNING
PIECE TO ALL PAPISTS.¹



WE have had so many miracles of this kind, spectres and phynonimas in the air, that I would not offer this subject to the world, if I had not more then common authority to confirm it. I will not insist upon the person of quality from whom the letter (which implies the contents of this paper) was communicated, nor instance the person to whom it was writ, tho' of sufficient credit to affirm the truth of what is inferred.

The letter bears date the 18th, wherein are such prodigies exprest, as would exceed all believe, if it had not proceeded from a person of so much integrity, and confirmed since by so many persons of undeniable authority :—

THE LETTER.

“ In the town of Youghall, near Kingsail, in the county of Cork, upon the 18th of November last, about nine of the clock at night, my aunt the Lady L. going to see her sister, discovered a strange and unexpected vision, viz.—the moon which was then in her encrease, all red, with a cross, gules in the middle, upon which being surprised, she called her servants to be spectators. This suddenly disappearing,

¹ From a printed broadside in the Library of the Faculty of Advocates.

another succeeded, which, changing the former figure, bore the emblem of a lyon. By which time all the town being alarmed, came out to behold this wonderous prodigy: no sooner they appeared, but both these wonders disappeared.

“The two moons overcast with a dark cloud, appeared dismal to the spectators, when on a sudden the cloud dispersed, and all the firmament appeared clear and serene.

“After this appeared a more prodigious spectre, viz.—two armies in visible and distinctive habits, one red and blew, the other white and yellow, betwixt which two seemed a most deep and deadly engagement, in so much so that a shower of blood dropt from the gathering clouds, but most discernable in the white and yellow. Afterwards the two moons appeared as visible as before, with the same figure till the morning, which put a period to the combat, and drove us (who were spectators) with horror and amazement to our respective habitations.”

The truth of this surprising relation is testified by

SIR WILLIAM PARRY, Mayor.

DENNIS HYND, Collector.

THOMAS OSBOURN, Sherriffe.

ROBERT HOPKINS, Vintner.

HENRY DAVIS, Church-Warden.

WILLIAM DAWSON, Minister of the town.

THOMAS DAVIS, Town-Clerk.

II.—AN ACCOUNT OF A WONDERFULL CHILD BORN AT VERONA,
IN A LETTER FROM ITALY TO THE DUKE OF BAVARIA.¹

Brussels, June 2d, 1700.

WE hear the Elector of Bavaria, our Governour, hath received a letter from Italy, importing as follows—That there was born at Verona, (a city belonging to the Republick of Venice), on the first of March last, a child of a Genoese merchant residing there, which, the second day

¹ From the original included in a volume marked CCC. 3. 1. Advocates' Library.

after its birth, being in the nurse's lap, cried out, to the great terrour of those that heard it—"Mercy, mercy, repentance." The skin of it was rough, like a haircloth. It continued the first six days without taking any food, and grew rougher and rougher. On the following days it took some food, and on the 19th of that moneth was as big as a child of four years of age. From the 19th to the 22d it continued alwayes kneeling, with its arms a cross on another; and on the 23th cried out with a loud voice, and its eyes full of tears—"Poor Sicily, poor France, unhappy Parma, waste and desolate Italy, frightful Naples, destroyed Burgundy, Poland, full of blood—blood flows over all." The Inquisition has since taken this child into their custody.

III.—A LETTER FROM A GENTLEMAN IN PARIS TO HIS FRIEND
AT THE HAGUE, CONCERNING the GOVERNESS OF CHATEN-
DUN, WHO BROUGHT FURTH SEVEN CHILDREN AT ONE
BIRTH.

Paris, February the 1st, N. S.

SIR—I have not written to you for a considerable time, things being very dead here; but thought it worth my while to send you this line, with the following account, which you may trust as verity. I have it from my intimate comrade and very near relation, the Governor of Chatendun his domestick servant, whom I can put my trust too. He writes to me as follows—

DEAR COUSSING,

SIR—I wrote to you before, giving you an account of my lady her indisposition, which has been upwards of eight months, her Ladyship's age being between forty-eight and fifty years. No person ever suspected that she was with children, tho' she was excessive big. That all persons who ever saw her were astonished, and severals alledged that that swelling or bigness was occasioned by dropsie; whereupon my master the Governor thought fit to apply to Physicians for remedy, if there would be any had for her, and they being called, they have held several consultations upon her case, and at last resolved, contrary to my master his inclina-

tion, to make an incision into her side, which they did within two days after, and to their great astonishment and admiration, when instead of water, which they had expected to have come furth, they observed that she was with seven children, four boys and three girls, and that each girl was adhearing to one of the boys, (in such a manner as cannot be modestly expressed), tyed together, with something representing a Franciscan's girdle. The odd boy, who was alone by himself, was in a sitting posture, holding in his hand a thing resembling to a sceptre, and upon his head a sort of cap resembling to a mitre. Upon the morrow after this incision was made, to the great grief of my master the Governor, and all his and her relations, and all those who ever knew her, she departed this life. However the children was taken from her, but with the great trouble her Ladyship was in, they all died, and now they are making great preparations for their interment, which will be to-morrow at four o'clock in the afternoon. There are several sundry discourses about this strange and wonderful thing; but for my part I believe the like did never fall out before. The Physicians themselves do not know what to say anent this.

Sir, I would have written more to you anent her, but being afraid for disobliging my good, civil, and discreet master, which I would not presume to do; but believe me, as I have life, all which is before related is verity. My master takes her Ladyship's death very ill out, and I am afraid it may be ready to cast him into sickness, which I pray God to prevent. No more to trouble you at this time, but my kind service to your lady. I am, Sir, your coussing,

JOHN LERUEX.¹

IV.—A STRANGE AND WONDERFUL RELATION OF THE SWEEMING OF STONES, AND OF A BLOODY BATTLE OF THREE KINGS IN IRELAND.

FROM an old Irish prophecy (the authentick copy of which is not as yet come to hand) we have this account of several

¹ Edinburgh, printed by John Reid in Bell's Wynd, 1709. Amongst the Fountainhall broadsides in the Advocates' Library.

both Scots and Irish men of great integrity and unquestionable credit, with whose memorie (tho' they cannot remember the whole) the following particulars are abundantly consistent, viz.—That Mr Mansfield's mill, near Castle-Fin, should fall of it self, which accordingly did, and that after the rebuilding thereof, the first miller that should come to it should have two thumbs upon one hand, which accordingly he hath, and that he could have no rest where he was before, till he came to that mill, after he heard of its being rebuilt. And that shortly after the stones of Fin-Water should sweem of themselves, either down or up the said water; and if they should sweem down the water, it should betoken much good to the Irish, but if they sweem'd up the water (as they did) then this presaged as much misery to befall them. Then after this, that there should come three Kings to Ireland, and should meet near Castle-Fin, where they should have a bloody battel, with considerable great loss on all sides, and that one of the three Kings should receive a mortal wound, and should die in that mill.

Upon Thursday the 4 of August 1715, the following strange and surprising prodigy happened, being first discovered by a servant of Mr Mansfield's, as he was going along by the foresaid water of Fin in the county of Dunnygald,¹ to his great amazement, he espied about a dozen of stones all sweeming up the stream, in the ford near to Mr Mansfield's house. Upon which strange and amazing sight, as the man was returning home to discover the same to the family, he met two honest men of his acquaintance riding, to whom relating this strange prodigy, they desired him to return with them that they also might behold what he had related to them; so he leaping on behind one of them, they rode all three into the ford, wherein they plainly saw several stones sweeming, but particularly to their great amazement and consternation, they clearly perceived three stones of a prodigious bigness, each of them being more than two horses could draw in a cart, sweeming by their horse legs. Upon which surprising sight they went straight to Mr Collier, a justice of peace, who after strict examination of the truth, took all their oaths in the confirmation thereof. Another

¹ Donnegal.

man came and informed Mr Mansfield that he had seen another great stone sweeming up the water by itself several yards before the rest, which appearing to be the stone upon which the women used to beat their cloath, after tryal it was found to be the same stone which lay by the ford side, and was the mith whereby the ford was known to be rideable or not, for when that stone was seen, any man might ride the ford, but when the water was over it, none durst ride; when the water was low it did not come the length of the stone. And which is admirable, that big stone did of itself creep out of the hole at this time into the water, and sweem'd up the stream like any strong fish or salmond, which can be attested by a great many creditable witnesses.

The ford was not of any deepness, not above half a yard and half an inch deep, so that the great stones did shove along through the ford like a boat on shallow water, raising the sand and the gravel, because they had not water to float, but in the deep water some would float, so that people were induced to go into the water with staves and canes, &c. to try if they could put them to the bottom, and keep them from sweeming, but they speedily sprang up again like cork, and did float. They continued sweeming and moving for two or three days, and went about two or three miles up the water; the second day of their sweeming a certain man being hard of belief, fell a swearing at some of his neighbours, when he heard them tell of the stones sweeming, and how they did see them clearly sweeming against the stream like any strong fish, he told them that their eyes were fallacious and deceived them, or else they were drunk, for it was impossible for stones to sweem of themselves; whereupon the fellow rode straight to the river swearing and rideing as if the devil had drove him, for they must needs run whom the devil drives; and being come to the water he plainly perceived several stones sweeming amongst his horse feet, passing up the stream by him. Upon which amazing sight both he and his horse fell a trembling before they came out of the water, and so he went straight home, declaring the truth of the stones sweeming as well as others—thus seeing makes believing all the world over: Some of the stones were stepping stones in the water, and the knocking stone that crept out of the bank into the water of

itself. These remarkable stones are said to have returned back to their own place again, but there were several little ordinary stones sweeming amongst the big ones, of which no particular account needs be given.

The whole of this relation was brought from Ireland by a worthy minister of this church in November last, about the time of our greatest trouble and danger, who then gave unquestionable certainty of the premisses from the testimony of both ministers and others of good credit in Ireland, from whom he had the same, and is ready upon occasion to confirm the whole of it, which would have been published long before this, had not the confusions of the time hindered its publication.¹

V.—A PARTICULAR RELATION OF THE BURNING OF LISBURN (A TOWN IN IRELAND), IN A MOST DREADFUL AND EXTRAORDINARY MANNER, BY FIRE FROM HEAVEN; ATTESTED BY GOOD VOUCHERS, LATELY OOME FROM IRELAND.²

UPON the Lord's day, the 20th of April 1707, a little before 12 o'clock, while people were at church, a fire broke out in Lisburn, alias Lisnagarvie, a very neat well situate small town, in the county of Antrim in Ireland, about six miles above Belfast, which burnt with great fury along both sides of the streets, consuming all along as it went.

People running out of the church in great confusion, carried out what effects they could to the church-yard, as a place of safety, it being very large, and not near to any house, except the church; but the fire having seized upon the church also, descended likeways upon the goods in the church-yard, and consumed them entirely.

Within less than three hours the whole town was burn'd down, together with the Castle—the place of residence of my Lord Connoway, except only the town house, a house belonging to one Roger, and a smith's house; and that which is very remarkable is, that after the fire had seized upon the Castle, a coal was carried from it by the wind,

¹ Dublin printed, and Edinburgh re-printed by J. M. From the original among Lord Fountainhall's broadsides.

² From Lord Fountainhall's collection of broadsides.

over the river, to a village at above half a mile's distance, which also consumed the same entirely.

The town, castle, and village, being burn'd as aforesaid, enquiry was made in what manner the fire broke out, but none within the town could give any manner of account how it began; but some people who were in the neighbouring fields having reported that they saw a flame of fire in the form of a great sheet descend from Heaven, and fall upon the town, they were brought before Mr Justice Hörnbe, my Lord Connowoy's Chamberlain, and upon oath declared that they saw the flame descend from Heaven in manner foresaid. And this is all the account can be got of the burning of the town.

That which makes this the more credited, is the extraordinary fierceness of the fire, which burnt with great violence, and did flee from house to house, tho' at a great distance, and overtook the goods brought into the church-yard for safety, where every body believed them to be secure, and even upon a May-pole, which stood at a great distance from any house, which was burn'd within two yards of the ground.

Tho' the fire had broke out in the ordinary manner, it must be own'd to be of Divine permission, as a judgment upon such as suffer by it; but how much more must this flame, immediately descending from Heaven, be acknowledged to be a judgment upon the inhabitants of the place consumed, and ought to be taken as a warning by others.

Possibly some may think the inhabitants of this town have been very impious, and compare the possessors of the two houses that are sav'd to Lot, who escaped when all his neighbours were destroyed. But not knowing any thing of the matter of fact, either of the impiety of the one nor sanctity of the other, I shall say nothing of it.

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