

To
HECTOR FORBES OF CULLODEN

This Work is (by kind permission) gratefully dedicated.

To
Colonel A. R. B. WARRAND,

My dear Redmond, .

You and I have discussed these papers for many years, and I have always felt that with your very intimate knowledge of all things Highland you would have edited them in a far more interesting manner. As, however, you wished me to undertake the work, I have now made a beginning, and would ask you to accept the special dedication of this first volume, because it covers a period you know so well, and because I am

Your affectionate Brother,

D. W.



DUNCAN FORBES, FIRST OF CULLODEN.

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zCulloden Papersz

MORE CULLODEN PAPERS

EDITED BY
DUNCAN WARRAND, M.A., F.S.A.

VOL. I. 1626 TO 1704.



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INTRODUCTION.

THE Editor of the original "Culloden Papers" described his work as the selection, from a chaotic mass of MSS., of "what was considered as best calculated to subserve the purpose of history." His great-grandson, who has devoted much time to the study of the whole collection, has found no reason to criticise his ancestor's powers of discrimination, and he recognises that the documents published for the first time in this volume, and in its successors, are "on the whole of greater local than of general importance." This admission seems to me to constitute no depreciation of their value, for local history, apart from its great immediate interest to those who love the neighbourhood of their birthplace or their home, is, as it were, a laboratory in which the student of national history may best acquire a real and understanding knowledge of the actual working of the general processes which it is his task to elucidate, to describe, and to place in their relative importance in his narrative. We can never realise the effect of events and movements in national history, of customs and legislation, or of changes in social or political conditions, until we have traced their influence upon the lives of individual men and women. Narratives of victories and defeats, records of progress and of the catastrophes which hinder progress, rules and regulations, and Acts of Parliament, all fail to give us just this kind of information. We are accustomed to general and vague intimations that, in times of civil war, much suffering is caused not only by the ravages perpetrated by one side in a hostile district, but also by the billeting and provisioning of troops sent for the defence of the same district; but no general statement can bring the conviction, or afford the illumination, yielded by the Inverness documents of the years 1646-7. The records of Parliament contain references to the difficulty of obtaining provisions for the garrison of

Inverness, but the report on p. 37 shows what these difficulties were and the sources from which supplies were obtained, including £600 Scots . . . for wine taken out of a cellar in Inverness "for the use of the officers," and a letter on p. 40 tells how the soldiers threatened that, as long as there was a peck of victual in the town, they would not want, and how the inhabitants feared that they would be "forced to leave and desert the town, man, wife, and bairn." Again, we have on pp. 43 to 78, a catalogue of the losses suffered by the town of Inverness, "occasioned partly by the cruelty and barbarity of the common enemy [the Royalists], and partly occasioned by our own friends and by orders of the Governor and remanent officers of the town of Inverness and garrison thereof." These reparation claims have many other points of interest as valuable evidence for economic and social history. A widow lady whose two fair lodgings, each of three storeys, at the west end of the Bridge of Inverness, were burned for the safety of the garrison in time of siege, had possessed, before that unfortunate event, no fewer than fourteen standing beds and ample supplies of bedding, including feather beds and bolsters—this and similar entries are treasure trove for the historian of manners and of trade. I am here concerned with the elucidation of general history which the documents supply, and with the insistence (p. 79) that the presence of a garrison put the town "in as evil case as when the enemy lay about" it.

The incidence of taxation and its pressure upon the individual citizen cannot be appreciated from a mere recital of the acts by which it was levied, and the Inverness Stent Roll of 1671 (pp. 182-6) is valuable evidence of the apportionment among the burgesses of the sum required by Parliament from the town as a whole. Its importance is increased by the accompanying documents relating to the liability of feuars of the burgh to taxation, and when the history of taxation in Scotland comes to be written, the historian will be very unwise if he neglects "More Culloden Papers." The last of the documents printed in this connection (p. 197) has an

incidental value as providing an actual instance of the character of the close corporations which ruled Scottish burghs before the Burgh Reform Act of 1833. The Council was composed of relatives and connections of the Provost, and, in appointing the stentors or assessors of the tax, he had only to choose the nine "most related to himself."

These are some illustrations of the way in which general history is rendered real and intelligible by this volume, and it must be remembered that, if Inverness history is "local," the locality is very wide, for the documents often concentrate the whole—too much neglected—history of the Highlands for the period to which they relate. More direct contributions to the national history as a whole will be more abundant in later volumes, but the present volume is by no means devoid of them. The Rising in the Highlands (p. 90), which immediately followed the execution of Charles I., has been overlooked by recent writers, and it has an important bearing upon the action of the Government in putting to death the Marquis of Huntly. Our knowledge of the negotiations—if they can be called so—for the Union under the Commonwealth, receives a valuable addition from the documents on pp. 117-121. It is interesting and significant that when the burgh of Inverness was invited to send a representative to the Convention or Conference at Dalkeith, which discussed the terms of union offered, or dictated, by England, the Town Council gave its representative, John Forbes of Culloden, a commission which was regarded as inadequate by the Commissioners of the Parliament of the Commonwealth of England. The Council deliberately forbade Forbes to agree to anything "seemingly prejudicial to the future good of this nation and this burgh" without referring to it for further instructions. This was an after-thought on the part of the Council, which had originally given him wider powers, and the English Commissioners insisted upon his being invested with "the power of the whole burgh," and he was authorised "to do everything as he shall see fit." Again, in

the warfare which followed the Revolution, the documents here printed are a distinct contribution to our knowledge.

Space forbids my enlarging upon the value of these pages for economic and social history, to which I have already incidentally referred, and the Editor and Mr Barron have provided all the commentary that is necessary, but I should like to draw attention to the human interest of the correspondence between the third Culloden and his son, John Forbes, afterwards famous in Highland history as "Bumper John" (pp. 224-232). The boy was travelling abroad, and his father was anxious about both his manners and his morals. He urged him, in writing home, to send messages which his father could deliver to all the family friends, "from the greatest to the least," and added:—"Though Monroe be a tailor, you need not upbraid him with it upon the back of my letters." He desired that his son should learn to take care of his own finances, and resented any statement of expenditure. The boy knew what he had to spend, and if he could not keep within his income, he must come home the sooner. Books were so cheap as to be a poor excuse for extravagance:—"You may drink as much at a doun-sitting, without being very much debauched, as would compass all the necessary expense such books requyres." Young Forbes had been idle in his youth, and his father did not wish him to repeat the experiment of the years "which you spent under pretence of the Latin at Edinburgh." His letter lacked a date, a crime which the old gentleman regarded with as much severity as Mr Osbaldistone, senior, himself would have shown. In another epistle, the son is again reminded how he "shirked his schools" at home, and is urged to "get as much Latin and (if you could) French as would let you understand books, if ever your inclinations led you to use them." The paternal pen was sometimes dipped in gall. He laid stress on dancing and fencing; a wise man would find Paris a good place for both, "but he had neid of some of Job's manners, to fear God

and eschew evil, and yu see by this what I would be at." There is one letter from the boy, who, after an illness, confesses that both his money and his time have been misspent, "so that I cannot yet come home without making myself a reproach to you . . . when it would appear that, instead of improving myself, I had done nothing but misspent my time, I should certainly be hiss'd and laughed at by all, and give very good ground for the old proverb, Send a fool to France, he'll come a fool back again." He will restrict his expenditure to bread and water, and be content, if his father will let him remain abroad. How the prodigal's letter was received does not appear, but it is interesting to find that the eyes of his Inverness friends were as critical as he represents. We hear next of him on the eve of his marriage.

The residue of the Culloden Papers, as illustrated by this book, and, perhaps, even more by such of the contents of later volumes as I have seen, is well worth printing, and should make an appeal far beyond the County of Inverness. The series will form a valuable source of Scottish history for the 17th and 18th centuries.

ROBERT S. RAIT.

The University,
Glasgow, 4th December 1923.



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MORE CULLODEN PAPERS.

FOREWORD.



IN 1911 an article, "The Culloden Papers and the Forbes Family," appeared in "From a Northern Window," issued by Messrs James Nisbet and Co., through whose kindness I am now permitted to re-publish it. Altered and considerably shortened, it may serve as an introduction to a new series of Culloden Papers, for which it was originally intended, had not the war extinguished interest in everything except current events:—

The founder of the house of Forbes of Culloden was Duncan Forbes—"Grey Duncan." The account of the family given by his own grandson in the continuation of Lumsden's "Genealogy," relates that "about the year 1567, John Forbes of Badenley married Elizabeth Keith, daughter of the laird of Tulloes, and had by her Duncan of Culloden, John, and Patrick." This John of Badenley, son to Alexander Forbes, and grandson of Tolquhoun,¹ died young, and "his wife having gone into another family," there was none to care for the three orphans. They seem, however, at first, to have been brought up at Tolquhoun, and when Duncan was about sixteen years of age "his aunt, the Lady Streichen, caused her second husband, the tutor of Lovatt, to carry him to this country." "I am told," his grandson further relates, "that when he was young he was ryotous; cards and dyce were his exercises, and

1. See "The Scots Peerage" IV. Page 46, where it is stated that Sir John Forbes, brother to Sir Alexander Forbes, first Lord Forbes (died 1448), was ancestor of the families of Tolquhoun, Foveran, Watertoun, Culloden, and others.

drinking and quarreling the concomitants of these. His daughter has told me that he has left his cloathes at cards, and layen abed till his aunt provided him anew. When he was about twenty or twenty-two he became manly, and strong, and agile, to that degree, that at all exercises he outstrip Duncan Bayne of Delny, Donald Bayne of Fairly, and Donald Fraser of the Leys, who were three of the most extraordinary men for strength and stature in the kingdom. As he became manly, so he became dexterous in manadging of bussiness, which made the tutor employ him much in going about his affairs, both in Buchan and in the Hylands."

The birth and early connections of Grey Duncan are important factors in the subsequent history and influence of the family, his descendants being often addressed as "cousin" by the Lords Forbes. In 1608 he married Janet, daughter of James Forbes of Corsindae, William Forbes of Tolquhoun being a party to the marriage contract. The bride and bridegroom each settled 1000 merks, not a large sum on his part, when it is considered that some thirty years later he paid 19,500 merks for the lands and barony of Culloden.

Through the courtesy of their present owners, the writer has been permitted to make use of letters and documents concerning the family. Of these many have appeared in the "Culloden Papers," but the remainder, it is thought, will be of some interest to students of local and even of general history.

In the year 1626, when the papers commence, Duncan Forbes was Provost of Inverness and Member of Parliament, and the part played by him and afterwards by his eldest son John, himself Provost and Member for the Burgh, was not inconsiderable, at any rate in the affairs of the neighbourhood. The grievances of Inver-

ness are amply set forth, but while the laird and his son attended to these, they were certainly not neglectful of their own interests. There were large dealings in several classes of merchandise, and an account is extant of "the sums of money payed be the Earle of Sutherland to John Forbes of Cullodine," the said sums being part of a debt settled in "salmond and grilises." Though they were sometimes at variance over the amount of the debt, their correspondence is of a most friendly nature, the former ending his letters "your werie reall friend."

Duncan Forbes died at a great age in 1654, and his son John, though appearing in the roll of persons excepted from the Act of Indemnity, eventually took the oath of allegiance and subscribed the declaration in 1665. During his time, a fact which proves that the family was by no means ruined, the additional estates of Ferintosh in Ross-shire, and Bunchrew near Inverness, were acquired. The former became famous for its "aqua vita," and the latter was in after years the favourite retreat of the Lord President Forbes.

Duncan, the first laird, had also two younger sons—James, who married a daughter of Munro of Pitlundie, and settled in Caithness, and Duncan, who lived at Assynt in Ross-shire. Of his two daughters one was married to Baillie of Dunan, and the other to Macpherson of Cluny, and afterwards to Mackintosh of Connage.

John, the second laird, by his wife, Anna Dunbar, daughter of the laird of Grange, had besides his successor Duncan, several sons, among whom were David, afterwards Sir David Forbes of Newhall, and Colonel John Forbes of Pittnacrieff, in Fife. Of his two daughters, one was Lady Munro of Foulis, and the other Mrs Dunbar of Burgie.

Duncan, the third laird, by his wife Mary, daughter of Sir Harry Innes of that

ilk, had only two sons—John, who succeeded him, and Duncan, afterwards Lord President of the Court of Session; but he had seven daughters, married respectively to Innes of Innes, Forbes of Philine in Assynt, Urquhart of Burdsyards, Munro of Newmore, Fraser of Achnagairn, Ross of Kindeace, and Paterson, a doctor in Elgin. He took an active part in the politics of the day, and it is unfortunate that his “journal of events,” mentioned by the editor of the “Culloden Papers,” is not now to be found. He was certainly in favour with King William, who “looked upon himself to be beholden” to the laird, as indeed he was. Thus Culloden obtained (July 1690), in consideration of the losses his lands had sustained in the troublous times before and after the revolution, “a perpetual grant of a liberty to distil into spirits the grain of the barony of Ferintosh, upon paying a small specific composition in lieu of excise”—a privilege which the Government resumed in 1784 after payment of a not too generous compensation.

The elder son of the third laird is one of the most interesting personalities among all the writers of the “Culloden Papers.” Though perhaps deserving of the name “Bumper John,” he had a keen insight into politics, and his unpublished letters, written chiefly from London, when a member of Parliament, are full of political and court gossip.

It might be expected that the new letters would throw fresh light on the early life of his brother, the Lord President Forbes, but there is little to add to what is already known, and nothing to show, as has been stated, that he at any time contemplated either a military or commercial career.

It is his correspondence, however, which forms by far the larger part of the unpublished collection, and it may be divided into periods:—

- (1) Covering the years till he became Lord Advocate in 1725.
- (2) From 1725 till 1737, when he was appointed Lord President of the Court of Session.
- (3) From 1737 till the commencement of the 'Forty-five.
- (4) During the years 1745 and 1746 and till his death in 1747.

“No individual did more,” writes Mr Mathieson in his “Scotland and the Union,” “no individual did nearly so much to frustrate the designs of Prince Charles.” The situation of his estates, to which he had succeeded in 1734 on the death of his brother, was admirable for the purpose. Culloden lay near the high road from Inverness to Aberdeen; Bunchrew was on the threshold of the Fraser country, to the west of the town, while across the firth to the north lay Ferintosh in Ross-shire, and from these three centres he could watch the progress of events.

His correspondence at this period must have been immense, and the conveying of letters to and from the friends of the Government a dangerous task. In this respect a certain youthful messenger is worthy of notice, without whose courage and resource at least one important despatch would never have reached its destination. This was Fergus Fergusson, whose first introduction to Culloden is narrated in a modern letter, written by the Rev. A. Macpherson, and dated from Dores Free Manse 14th September 1876. It runs as follows:—

My Dear Sir,—I have to acknowledge the receipt of yours of the 11th instant, and I have had very great pleasure in complying with your request. I have accordingly this day visited Betsy Smith, alias Widow Macdonald. She says she is 102 years of age, and I have every reason to believe her statement is perfectly

correct. Her health, memory, and other faculties are in a wonderful state, considering her extreme old age.

Her statement in reference to her grandfather, Fergus Fergusson, was as follows:—One day early in the year 1746 the Duke of Athole took him to his library and showed him a portrait (that of the President Forbes of Culloden), and asked him if he would recognise that man if he would see him. Fergus, who was then a boy of fifteen years old, replied that he would. His Grace then gave the boy a letter for the President, who was then at Culloden Castle, and put it in a hole at the end of the pedestrian's staff. A duplicate of it was put in one of his shoes between the soles, which were of course carefully sewn, and a triplicate in the collar of his jacket. The youthful pedestrian was seven times searched, and his pockets rummaged on his way from Athole to Culloden. When he arrived at Culloden Castle the party at the castle were sitting down to dinner. The butler or valet was in the lobby in the act of taking dishes from the kitchen upstairs, when the Athole boy addressed him and told him he wanted to see a gentleman in the house. The butler asked him what gentleman. The messenger replied that he did not know the name of the gentleman, but he would know him if he saw him. The butler laughed most heartily, and went upstairs and told the party about the curious boy. The gentlemen laughed. There were three or four gentlemen in the room with the President—Doctor Murdoch and one or two whose names he does not remember. One of the gentlemen went to the library to meet the strange boy, but he was not the man wanted. Then another, but the right one was not yet in the right place. Then the President made his appearance, and he was at once recognised. The boy

was then asked concerning his business, but he refused to divulge the affair till the room would be cleared. When the President and the boy were alone, the latter opened the stick and produced the letter. The Athole youth was of course treated to supper, bed, &c. The following morning, when he was ready to start for home, he was asked by the President if he felt inclined to remain altogether at Culloden, when he stated he was, provided his Grace the Duke of Athole would give his sanction. Fergus remained in the service of the Culloden family till he died. Widow Macdonald recollects all about her grandfather. He died when she was near forty years of age.

Duncan Forbes, the Lord President, left by his wife, a daughter of Hugh Rose of Kilravock, an only child, John, who succeeded to estates heavily burdened because of his father's advances for the service of the Government. This John Forbes, a colonel in the army, had fought for that Government abroad, and though a heavy loser by the President's zeal, he remained till the end of his life a staunch Hanoverian. "A well-wisher to his country," he wrote in 1753, "and a Jacobite, I think a contradiction that cannot meet in the same person." It is true that his father's losses were never repaid, but it is satisfactory to note that in 1754 he received a pension from George II. of £400 a year during pleasure, while in the next reign he had a pension of £600 a year settled upon him for life.

From the time of the President's death till late in the century the family lived but little at Culloden. A fire had consumed part of the old Castle, and it is not surprising if many documents went amissing in the confusion of rebuilding. The editor of the "Culloden Papers" states that "but for an accident, the mention of which would be wholly uninteresting to the public,

they might still have remained in the obscurity and oblivion into which inadvertence had thrown them." In concealing the story of their discovery, he scarcely did himself justice, and the public never knew the obligation they were under to him until the publication of some of his own letters in 1902. "They were," he wrote, "gifted to me spontaneously, and were indeed saved by my happening to be at Culloden from being used as loading paper by the gamekeeper, as my first acquaintance with them was from a parcel lying on the table for that purpose." The letter is signed "H. R. Duff"—Major Hugh Robert Duff of Muirtown, near Inverness, who had married the only daughter of Arthur Forbes of Culloden; and the letters were given to him by his brother-in-law, Duncan George Forbes of Culloden. The result of the discovery was the appearance of the "Culloden Papers" in 1815.

Major Duff has received severe criticism for the arrangement of his material, but it would now appear that his publishers were as much to blame; and the addenda having been discovered "when the printing had been far advanced," were given to the public in that form to avoid reprinting the whole.

That the "Culloden Papers" have been of historical value is sufficiently evident; that the editor chose wisely appears from the fact that the residue is on the whole of greater local than of general importance. It is hoped, however, that there will be not a few of wider interest among the many new documents now to be offered to the readers of the "Inverness Courier," whose editor has kindly offered me sufficient space to make publication possible.

During the last hundred years the collections have been seen by many, and some extracts have appeared from time to time in various books and pamphlets, to which reference will be made if

necessary. Though it has been found impossible to contemplate a reissue of the "Culloden Papers," it is hoped that the list of corrections to that publication, given at the end of this volume and corresponding with the dates embraced therein, may be useful.

No plan of arrangement in the present case seems perfect, but I have ventured, so far as possible, to group together kindred letters and documents with a few words of explanation. "Prefaces," my great-grandfather wrote in the original work, "have generally one of three objects: either to solicit favour, to apologise for defects, or to afford explanation"; and the second of these is in my mind.

In conclusion, I have to tender my best thanks to the many friends who have assisted me with kindly help and advice, especially to my brother, Colonel A. R. B. Warrand, and Professor R. S. Rait, C.B.E.

To Hector Forbes of Culloden I am especially indebted for giving me access to the charter chest of his family, and leave to publish such documents and letters contained therein as might appear expedient.

D. WARRAND.



I. From 1626 to 1660.

**(1). CONCERNING THE AFFAIR OF
CLAN CHATTAN.**

On the night of 7th February 1591-2 James (Stewart), Earl of Moray, the "bonnie Earl" was murdered under revolting circumstances, a crime for which George (Gordon), sixth Earl, afterwards first Marquess of Huntly, was directly responsible. The feud which followed between these two great families, in spite of a matrimonial alliance at the King's instigation, made much local history, and the fortunes of Clan Chattan were interwoven therewith. So also were those of Inverness.

Occasional adjustments of differences there might be, when the two great lords ravaged the lands of a common enemy instead of fighting each other; but the old jealousy became acute once more in the year 1624. A section of the Mackintoshes had, in revenge for their eviction by Moray two years before, laid waste the lordship of Petty, and Moray was strong enough to obtain an authority as Lieutenant in Forres, Nairn, Inverness, Elgin, Aberdeen, and Banff, armed with which he promptly took measures not only against the Clan Chattan but against all who had, or were supposed to have, assisted the rebels. Huntly was deeply offended at the commission given to his son-in-law, and when it was renewed in 1626, he complained that Moray was exceeding his powers. But it was too late; James VI. was dead, and at the Court of Charles I. Huntly was not so welcome; he had, moreover, alarmed the Government when his own influence was highest.

In point of fact the commission was a very formidable document, and could hardly have been wider in its scope. Moray was lieutenant, justiciar and commissioner with power against the whole of Clan Chat-

tan, already denounced as rebels, and if they could not be brought to obedience they might be extirpated. Moreover, in the ratification of 24th March 1626 all the Earl's sentences, and indeed those of his deputies, were confirmed, and he, his heirs and assigns, were granted the gifts of the escheats. This was to others as well as to the Clan Chattan a very real and serious menace, because anyone might become suspect to the advantage of Moray's coffers.

At this time Duncan Forbes was Provost of Inverness, and the town was, perhaps not unjustly, thought to be inimical to Moray's interests. It would appear from the "Culloden Papers" (II and III) that Duncan made his first journey to London in the spring of 1626. Patrick (Lindsay), Bishop of Ross, "quho being at Court for the tyme as commissioner for the Kirk of Scotland," writes of "greater favors and courtesye at my Lord the Earle of Morray's hands nor could be expected by any other kynd of dealing whatsoever"; so that on this occasion no petition was presented. He had in fact drawn one up, but Sir William Alexander of Menstrie (then Secretary for Scotland at the English Court, whose letter is dated 18th and not 28th March as given in the "Culloden Papers") relates that Forbes worked the same effects in a more fair and plausible manner—in a word, in the presence of sundry exalted personages the Earl of Moray took him by the hand, in name of the town of Inverness, and promised his best assistance—on terms, "you doing your dutie in reason as becometh you." Therein lay the difficulty.

Soon after this the Provost departed as appears by "Culloden Papers" (IV). "Since your departing hence," wrote the Bishop on 22nd April, "I had two conferences with His Majestie," adding quaintly "and since that tyme I have been visited with ane grievous ague." But the Bishop like most had his price for these favours,

desiring a loan of "some ten or twelve thousand pounds Scots . . . to satisfy some of my most urgent creditors." The superlative is illuminating.

How the Earl of Moray kept his promise may be gathered from the draft petition, "Culloden Papers" (No. I), and the real petition (No. II), which the King saw at Bagshot on 16th August 1626. Whether Forbes presented this in person is not of great importance, the chief point being that it was referred to the "Commissions for the Grievances." But what is of some interest is that negotiations were in progress in the spring of 1627 with the Marquess of Huntly as appears by two autograph letters from him, one dated from Leith 1st February, and the other from Inverness, 17th February, addressed "To my very assured friend, Duncan Forbes, Provost of Inverness." They are sealed with the arms of Gordon and the coronet of a Marquess, and though no year is given it seems sufficiently clear that 1627 is correct. They are as follows:—

Right Assured Friend,—These are to show you that if you be further pressed in that business anent the Clanchattan, your best course wilbe to petitione the Lords of the Privy Councell, declaring his Majesties reference to the Commissione of Grievances, together with the people's sufferings, and the unreasonableness of the Commissione in prejudice of the whole Lieges, I can assure you the best of your Neighboures have neid to look into the preventing of suche a preparative, and you shall doe weall for to sounde the myndes of them that lye aboutt you, als weill the gentrie as the burroughes, whither they will concurr as to a generall caus, and I shalbe readie

to joyne with them (whiche you may promise for me as from yourself) and upon your advertisement I shall caus draw up the petitione and labour for the concurrence of the other shyres, who I know will gett Reasone if they seeke it for that Commissione is generallye evill taken by all men; the counsell have directed a letter to you for being neir against the first of Marche as a Commissionar for the revocation, and that wilbe a good tyme for all together, communicate this letter with none butt Alexander Bailzie, but what yow doe, lett it be as off your self, and as presuming only upon the knowledge of my dispositione, and advertise me before yow come your self, what yow find amongst your neighbours, cheiflye the Erle of Seafort and my Lord Lovatt. So till I heare from yow I rest—Your very assured friend,

G. Gordoune.

Right Assured Friend—I have resaved your Letter, and seene those others, whiche wer sent to your townes people, they make you theyr owne answer, and I am still of the same opinione as before, that our Sovereigne will refuse hearing to no faithful subject. If my endeavours can contribute any thing in your behalf upon your advertisement I will labour in it as your loving friend,

G. Gordoune.

So that there were to be more petitions, backed by Huntly himself.

Two warrants are extant following on precepts, dated from Castle Stuart, 23rd May 1627, summoning Donald Macmillan and Alexander Cumming, both burgesses of Inverness, to appear within the Tolbooth

of Elgin at the instance of Moray. Their offence principally was that they had given to members of Clan Chattan

meitt drink powder leid bows bowstringis and durkis and sould to thaim clothes and furnest sundrie uther necessaryes to thaim and resetting of victuall hors, nolt, schep and uthers pertaining to ye said nobill lord and his tenants and uthers in the monethes of Januarie Februarie Marche Apryll May June July August September October November and December in the yeires of God 1624 and 1625 yeires at the leist in ane of the saidis monethes.

Now this action of Moray had been one of the chief things complained of in the petition of 1626, Article 6 ("Culloden Papers" I.), and it would therefore appear that the said petition had borne little fruit up to the summer of 1627. What then happened is narrated in a document of 9th November 1629, being a special charge given in for Duncan Forbes, late Provost and Commissioner of the burgh of Inverness, in the suspension raised against him by the present Provost and others. It is endorsed "Special charge Duncan Forbes and Town of Inverness anent the secund commission," and concerns the payment of his expenses. Some light is thrown on the matter by a document undated, but subsequent to 1664, being a memorandum concerning stenting, in which it is mentioned concerning "Duncan Forbes his expenses to London" in the year 1626 (which would presumably be the first commission) that "the said Duncane Forbes was forced to pursue the particular persones granters of his commissione and did recover decret against them before the Lords of Councill and Sessione. . . . and in the next year thereafter 1627. . . . in the. . . . actione contra the E. of

Murray, everȳ individuall persone within the Burgh did grant a voluntarie contribution for defence of the same."

Here is the above-mentioned declaration of Duncan Forbes relative to the second commission. The first few lines are almost illegible, but it is evident that he departed in

July 1627 from Edinburgh, and raide post to Theobalds, his Majestie beand then at his progress, dureing the cowrs quhair of he preferred unto his Majestie sevin severall petitionnes in favor of the toun, quhilk wer all receavit, and sum of them in presence of the earle of Murrey's partie, beand ane powerfull adversar aganis the said toun, be quhais moyen he was forced to stay and depend opoun his Majesties leasour of wouchsifeing any answer to the saidis petitions quhill Allhallowmes or thairby, at which time his Majestie callid for the said commissiõner to the rowme next the bedchamber at Hampton, in presence of Sir William A[lexander] ane of his Majesties secretaries, and Mr Alexander Guthrie, commissioner for the borrowes, beand present for the tyme, quhair be his Majesties awin sacred mouth he wes commanded to returne to Scotland and to the toun of Inverness with full assurance that thei sould receive no wrong, injurie nor oppressioun from the earl of Murrey in thaire persones nor estaites, and if any thei sould happin to receive, thei sould have opoun theirre complent and petition redres at his princelie hand Quhairby he wes compelled to returne hameward to Scotland, quhair he aryved about Mertimes, the said yeire of God 1627, dureing which space from the dait of the commissioun to the said time of Mertimes, he was enforced throw the urgent expediencie of the convenient executeing of his said commissioun to be at greate charges and expensses, and

throw occasion thereof to deburs great soumes of money in attending upoun his Majestie's leassour, and in making of honorable friends, without whois credet and assistance he wes unable to have had aecess to his Majestie for preferring of the saidis petitions or effectuating any thing at his Majesty's handes, quhilk soumes the said commissioner declaires upon his honestie and credete to have amounted to the soume of foure thousand merkes, by and attour the 800 merkes, quhilk wes the onlie soume that he receavit from the toun the tyme of the granting of the commission. And as for the particulars quhairin the same was debursed, the same is nocht necessar nor reasonable to be particularlie specifeit in respect of the manifold occasionous of debursments, baith in small and great, and in respect of the trust quhilk the commissioner gat from the toun, and deserves be his noterlie paynes and travels.

Quoting again from the later document:—

The next act produced of date the first of Januarie 1628 for the sowme of ten thousand lbs. for making ane agriement with the Earl of Morray wherof two pairts was offered willingly. . . . and the third pairt which is fyve thousand merks was to be stented and leavyed. . . . but it is very weell knowen to the Provost of Inverness himselfe and to the whole countrey that the said agreement never took effect, and nothing followed upon the said act also the Earl of Moray exacted off three particular persones of the said toun the said sowme of ten thousand pounds besyde great sowmes of money off other particular persones to the defence of which persones the toun never contributed a farthing.

An exceedingly dull document of 16th February 1628 endorsed—"Memorandum for Provost of Inverness" appears to be a draft "to forme ane bill" at the instance of the burgesses and inhabitants of Inverness, who had been threatened by the Earl of Moray and were in the uncomfortable position of perhaps losing their property by the Earl's general gift of escheats while unable to prepare their defence, so long as they remained nominally rebels; and any "relaxatioune the said Earle impeids." The document was evidently to be addressed to the Lords of Session, whose favour, it was hinted, the Earl had already obtained "be purchessing of ane pretendit warrand from his Majestie direct to the Lordes of Session not to meddill in any kynd with any thing concerning the validitie or extent of the said commissioun," that is Moray's commission against the Clan Chattan.

The last document dealing with the subject is a letter from Aberdeen, written to Duncan Forbes as Provost of Inverness, "and in his absence to the towne clerk of the said burghes." There are indeed preserved two letters from the same writer identical in almost every particular—

Ryt honoll and very speciall We acquaint the towne of Edinburgh with Erle Murrays answer as thair missive heirin inclossit direct to us will Informe you quhilk consider And gif be sending ane commissioner to towne Edinburgh with sufficient Informacion that they may acquaint therewith Mr Jon Hay, quha is presently at court, do thairin as ye think most convenient for your awin weill and gif ye send any man it must be done very secratly that nan knaw thereof to acquaint my lord Murray, as also with expedition that Mr Jon Hay be not cum from court before advertisement cum to him. Our Provost being seik and sum

our baillies absent I thocht met to send towne Edinburgh lettre to yow for [y] our best Information quhilk quhen ye have considerit Redelyver the same to this bearer. So my Loveing dewtie remembrit I tak my leave and Restis as evir sall.—your most affectioned to be includit in quhat I can,

Ja.¹ Jaffray.

Abd. this 25 August 1628.

The letter from the town of Edinburgh was evidently copied on the inside of one of Jaffray's originals. It is signed by the Provost and three of the Bailies, and is one of entire sympathy with the town of Inverness in its struggle with Moray. "Quhair for seeing the borrows hes ane commissioner with his Majestie for other affaires we do not think it wer amiss to him. . . . to lay open to his Majestie our just grivance in that particular and we sall do our pairt. . . . and sall straine ourselfis to the uttermaist of our power for the guid and queyit of every particular member of that estait"

There being no more documents on the subject and, as with due regard to space, it is not proposed to include letters, etc., from other sources, the reader is referred for further information to the authorities on Clan Chattan, more particularly, A. M. Mackintosh, "The Mackintoshes and Clan Chattan."²

1. One would have expected to find "Al." (Alexander), but the "Ja." seems to be correctly transcribed.

(2.) FRAGMENTS—1633-1639.

There are few letters or documents extant covering these dates. The "Culloden Papers" give none.

A letter addressed from Dieppe by John Forbes to "my loving father Duncane Forbes in Inverness," and dated 25th November 1633, contains some not uninteresting information on commercial matters. The stay at Dieppe was unwelcome, and owing to a leak in the ship. Salmon appear to have been his principal commodity, and these (in barrels) he had endeavoured without success to dispose of in bulk, and was therefore resolved to wait for a better market "in respect the quantetie this yeir is not in this contrey as the last for that theirs a gryt many gone to Spaine. Ther is no sale heir for hert hydes for their is presentlie in James Mell his lodging above thrie thousand which they can not get sold. . . . which be pleased show George Abrahame who I ame informed hes no small number heir. Your playding I think shall be worth 23 to 24s but hes sold non thereoff as yet. Ther is gryt pryce for tallowe of which I wish ye hed or may have ame quantitie. . . . gif ther be any thing heir qrwith ye think I may doe any guid at home (such as tobacco which I heir is mytalie rissen in Scotland and sold heir at 2ls the lb.) aquant me."

Duncan Forbes has been named "Duncan of the Skins," but Inverness trade in those days was more particularly, it may be gathered, in salted salmon, and in the year 1639 he actually presented a petition (Acts of the Parliament of Scotland), craving exemption from the act regarding close-time for salmon fishing. He was then again Provost of Inverness, in which capacity he received letters of horning at the instance of the agent general for the royal burghs to make payment of £40 "for

not sending the dewis of the general missive direct[ed] to you. . . . and for not sending the compt of the impost of all guids transportit to or fra Picardie and Normandie with payment of the said impost."

The document also shows that in that year he was commissioner for Inverness at the Convention of Royal Burghs.



(3) "THE TIME OF THE TROUBLES"
1638—1650.

Introduction by EVAN M. BARRON.

In order to understand the documents which follow, some knowledge of the general history of the period and of the part played in it by Inverness is necessary. The years from 1638 to 1650 are notable in Scottish history, for it was in 1638 that the National League and Covenant was subscribed in answer to Charles I.'s attempt to force episcopacy on Scotland, and for the next twelve years Scotland seethed with discords and civil strife. So these years came to be called "the Time of the Troubles," and with good reason. In 1639 occurred "the First Bishops' War," between Charles I. and his recalcitrant Scottish subjects. In the following year Charles again prepared to invade Scotland, but instead the Scots invaded England in August, and brought Charles to terms. This was "the Second Bishops' War." From the beginning of the year (1640) the Scots had been preparing for the coming struggle, and the Earl of Seaforth was appointed General of the armies to be raised "benorth Spey." In March Inverness was called upon to make its contribution to the national forces, and the Town Council ordained that "every man and inhabitant within this burgh and the territory thereof" should assist in furnishing "powder and ball for satisfie of themselves and the country."

In 1642 the Great Civil War began in England. . A year later, in August 1643, the famous Solemn League and Covenant, by which Scotland threw in her lot with the English Parliament, was drawn up and subscribed, and in January 1644 a Scottish army marched into England to assist the Parliamentary forces. But there were

Royalists in Scotland as well as in England, and that troubles were apprehended in the north the following extract from the Inverness Burgh Records shows. It is dated 1st April 1644:—

“That day the Provost, baillies, and counsell of the said burgh understanding that whereas the whole neighbours in the landward that hold of this burgh are obliged . . . , if this burgh shall happen to be invaded or assaulted by any enemy of whatsoever quality, to maintain and defend the same with their lives and estates, therefore in case there shall happen to be any assault made upon this burgh it is statute and ordained that all manner of persons in the landward belonging to this burgh and that holds of them, dwelling upon the territory thereof, shall upon two hours’ advertisement from the Provost and baillies come into the town with their whole force and following for maintenance and defence of the same, and that they stay and abide with them during the time that they shall happen to have adoe likewise it is also statute and ordained that in case the neighbours in the landward shall happen to be first assaulted by invading of their persons or away taking of their goods, that the whole body of the town upon due advertisement shall concur and assist with them for their safety and defence by directing a competent number of their body with them.”

In this same month of April an army was being formed at Elgin for the defence of the country against possible enemies. Duncan Forbes was Provost of Inverness at the time, and a further entry in the Burgh Records shows that on 20th April he presided at a meeting which selected twenty-four “able and sufficient men of the inhabi-

tants of this burgh to go to Elgin to join with the army now standing there for defence of the country, the burgh being required to that effect by the Committee of War there residing." Later in the same year, on 19th August, when Colkitto's Irish levies were in Glengarry, on their way to join Montrose, the Town Council of Inverness "thought fit and expedient that the number of fourscore of the best, most resolute, and best trained musketeers be presently sent from this burgh to the height of the country of Stratherrick to join and assist my Lord Lovat's forces there in opposing the said rebels." John Cuthbert of Castlehill was appointed to command this force, but before it set out word was received that the "Irish rebels" had left the country of Glengarry, and were "now within the country of Badenoch, forcing men, taking up goods, and burning towns." Whereupon, on 23rd August, "the Provost, Bailies, and Counsell" ordained that the above-mentioned "fourscore soldiers of the best and most resolute men within this burgh" should be at their rendezvous not later than six in the morning "to the effect that they march tymeouslie towards the said expedition."

It was in this same month of August 1644 that Montrose put himself at the head of the army which was to make him famous and after his victory at Tippermuir on 1st September he marched north and attacked and captured Aberdeen. Unable to hold the town, he retreated to Rothiemurchus, and the Covenanters immediately threw garrisons into Aberdeen and Inverness, a regiment being sent to Inverness, and every possible means being taken to place the town in a position of defence. "To the great trouble and cost of the country," says the Wardlaw MS., a contemporary authority, "the town was sconced round with an earthern wall, a deep trench, ramparts, and pallisades, a strong

port to the east, another to the south in the top of the Castle Street, another at the bridge, the fourth low at the church. Every parish came into the town successively till all was finished, and Inverness made a considerable strength. The Castle and King's house they abused, cutted down the planting, stately ashes and planes about the Grey Friars and St Mary's Chapel Yard."

Montrose, however, did not advance on Inverness just then, but struck over the hills to Inverlochy, where, in February 1645, he inflicted a decisive defeat on Argyll. Thence he marched towards Inverness, by way of Stratherrick and Abergarriff, with the intention of persuading or compelling the northern clans to join his standard. But Inverness was found to be too strongly held to be taken by a coup-de-main more especially as the northern clans, such as the Frasers, Mackenzies, Mackays, and Macleods were assembling to oppose him, so he struck off through Strathdearn, and, marching east and south, seized in turn Elgin, Banff, Stonehaven, Brechin, and Dundee. From Dundee he retreated north, pursued by General Baillie, and eventually joined Lord Gordon, who was being threatened by a strong force, under Sir John Hurry in Aberdeenshire. Hurry retreated hastily to Inverness, where he found strong reinforcements awaiting him, the Earls of Seaforth and Sutherland having come in with most of the Northern clans. On 4th May 1645 Hurry marched out of Inverness with an army of nearly 4000 men, among whom were the Frasers, under the command of Fraser of Struy, the Mackenzies, the Roses, the Munroes, and the Mackintoshes. At Auldearn they came in view of Montrose's army, and a fierce battle took place, but at the critical moment Montrose led a brilliant charge, and the Covenanting army was totally routed.

The Covenanting infantry suffered heavily, but most of the horse "escaped by a more timely than honourable fight." Hurry with his broken troops fled to Inverness, and in the main guard of the town a court martial was hastily called to try Captain Drummond, who had been in command of the cavalry, and who was blamed for having caused the defeat by his treachery. The trial was brief. Drummond was speedily found guilty, "and was shot at the post upon the High road as you go to Tommahurich." Treachery there had in all probability been, but it is believed that the traitors were Sir John Hurry himself and Seaforth, both of whom in no long time thereafter joined Montrose.

Inverness now lay open to Montrose, but Baillie was hanging on his rear, so from Auldearn he turned south, and, on 2nd July 1645, routed the Covenanting army at Alford. In August he again met Baillie at Kilsyth in Stirlingshire, and inflicted on him a terrible defeat, nearly 6000 of the Covenanting infantry being cut to pieces. Kilsyth, however, was Montrose's last victory. A month later, 13th September 1645, he was surprised at Philiphaugh and totally defeated.

But Montrose though defeated was still undismayed, and he was soon in the north endeavouring to raise another army. Some of the northern clans who had hitherto supported the Covenanters were now wavering, notably the Mackenzies, Macleods, and Macdonalds of Sleat; but the Frasers, thanks to Sir James Fraser of Brea, still stood by the Covenant, and Sir James was commissioned to fortify and reinforce Inverness. Montrose was now intent on the capture of Inverness, for he knew that so long as it remained in the hands of the Covenanters he could not depend upon the northern clans following him. Accordingly in April 1646, after having with some difficulty persuaded Huntly to throw in his

lot with him, he advanced on Inverness, "the most considerable garrison of the North and the Haven there most commodious for entertaining foreign forces." (Wardlaw MS.) Huntly, however, was luke-warm, and when Montrose reached Inverness he found that his ally had evidently no intention of supporting him. He was thus unable, according to the Wardlaw manuscript, to beleaguer it sufficiently to starve it into surrender, even although his forces had been strengthened by many of Seaforth's men and a number of the Macdonalds. Meanwhile General Middleton, at the head of a strong Covenanting army, was hastening north, and this, while it gave Huntly an excellent excuse for not joining Montrose before Inverness, at the same time made it necessary for Montrose to capture that town speedily unless he was to be compelled to raise the siege. Accordingly, on the 29th April 1646, he "set close siege to Inverness, fixed his guns upon the top of the old Castle Hill under a hathorn tree due east and battered hot." The river happened to be very low, and detachments of his men finding it to be fordable crossed over and scoured the Fraser country in search of plunder. So effectively did they do their work that between "the Bridge end of Inverness and Guizachen, 26 miles," laments the author of the Wardlaw MS., himself a Fraser, "there was not left in my country a sheep to bleat, or a cock to crow day, nor a house unruffled, so severe was the depredation, only the garrisons were safe and preserved men's lives . . . otherwise all had perished in the fury of this surprise and onset."

Meanwhile the siege of Inverness went on determinedly, "the garrison defending most valiantly, securing the outskirts of the city, burning the stone Houses and Kilns near the bridge end south-west, to prevent shelter for the enemy. They were well

stored within, and as well without, yet enemies in both their camps."

On 5th May, however, the siege came to a sudden end. Middleton's army succeeded in crossing the Spey without being observed by Montrose's scouts, and the first warning Montrose had of the enemy's approach was when their trumpets sounded, when they were about two miles from Inverness. Montrose had little time to secure his retreat, but he managed to get his men together, and, crossing the river above the town, marched by way of the Caiplich to the stock-ford on the Beauly, where he crossed the river and encamped two miles above Beauly. So precipitate had been his retreat, however, that he left his camp standing with all his provisions and ammunition. His worst loss was his two brass ordnance canions, which he was compelled to abandon where they stood, and which were taken into Inverness, where they lay upon the street near the Cross and Court of Guard for six years thereafter. Middleton, who, the Wardlaw Manuscript says, "was well content that Montrose escaped his fingers," rode into Inverness with his victorious army, and after a short halt followed in Montrose's track. He pitched his camp in full view of Montrose, and for two days the two armies lay facing one another, but early on the morning of the third day Montrose escaped before Middleton was aware, and made his way in safety to the Spey. That, however, was the end of his campaign. He had failed to rally the North to his side, and shortly afterwards he went into exile on the Continent.

Scotland was now at the feet of the Covenanters, and they proceeded to make their hold secure by planting garrisons up and down the kingdom, Sir James Fraser of Brae being confirmed as the Governor of Inverness.

Inverness and the surrounding district had thus had their full share of the

“troubles,” and the documents which follow show to what dire straits the town was reduced. War cannot be waged, sieges cannot be sustained, and garrisons cannot be maintained for nothing, and although Montrose’s operations in the neighbourhood of Inverness came to an end in the summer of 1646, the state of the country and the uncertainties of the times were such that a strong garrison was maintained in the town for several years thereafter. What the presence of that garrison meant to the burgesses several of the documents which follow eloquently show.

Of particular interest and value is “the report of the losses of the Provost, Bailies, Burgesses, and Inhabitants of the Burgh of Inverness, and the tenants and possessors of the lands, rowmes, and possessions within the bounds and territories thereof,” produced before the Committee of Bills, Losses, and Ratification, at Edinburgh on 9th December 1646. The document is not only unique in itself, but it casts a flood of light both on Montrose’s campaigns in the North and on the life and conditions of the period in Inverness. Local historians will note especially the light which it throws on the extension of the burgh “be-west the river,” on the nature of the goods and gear to be found in the house of a well-to-do burghess of the period, and on the character and extent of the trade between Inverness and foreign countries.

E. M. B.



1643—1646.

The first document (possibly written in 1643) concerning the "Time of the Troubles," is from the Town Council of Inverness, and is endorsed by John Forbes, their Provost—"Instructions to me for obtayning the burgh frie of manenance and leavyes."

These instructions were:—

1. "Ye sall studdie to obtaine the towne exempt from maintenance in hail or in pairt."
2. "If any leavies happin to be raised of the kingdome, ye sall use your best moyan that the town be maid subject but for als few men as ye can."
3. "Anent the locall quartering of horses in our toune we desyre earnestlie that this be obviat be you."
4. "If ye think expedient that any thing be moveit be you at the parliament for alteratione of the taxt roll, we leave it to your wysdome to do thaerin as ye think fit."

An isolated letter of 1644, dated from Kinross, 16th November, and addressed—"For my much honored and worthie frindes the Provest, Baylyes, and Counsell of Inverness," leads up more immediately to the greater hardships which the town was to sustain.

Much honored friends,—My servic remembrit. At speciall comand of my Lord Marqueis of Argyll, I am commandit to wryt to you to be pleased to delleyver to Drumohill, leutenant coronell to Buchan his regiment, the sume of tua thousand six hundredth and [sixty] six pund, threttin s. four pennis, and tak his receipt upon the sam, quhilk sall oblig me to sie you thankfully secured be the estat of this Kingdom for the same. I am confident ye will caus pay this thankfully,

in regard of the necessity, quhilk is now considerabill, if ye will way weill quhat other placis heir have suffred and don in advancing of money; and this much I must adde, it will be very hardly takin be my lord marquis and otheris of the estat, if this request be not obeyed, and may hapily turn to your prejudice quhen the comitti from the estates comis along, quhom ye may expect shortly at quhilk tym I hop I sall be better aquantit with your worships. And so till then and ever I rest.

Your worships affeconat servand,

J. DENHAM, Commissioner.

From the Burgh Records it appears that the above letter was presented to the Town Council on 3rd December 1644. The Council at first resolved that no money should be advanced, but on second thoughts "thought fit and expedient that not only the said sum of four thousand merks money craved by the Marquis of Argyle's letter . . . shall be presently stented upon the body of the town, but also since the town has several works to build, and that the garrison must be furnished by the town with coal and candle during their abode hereof, therefore they all in one voice hast statute and ordained that the sum of one other thousand merks money for upholding and building the town works and buildings of the town be presently stented with the former four for making up in all the sum of five thousand merks money for the uses and causes above written."

In "Culloden Papers" (VI.) is a letter, the date of which incidentally should be 14 June, and not 14 January 1646, to the Marquess of Argyll, "or in absence of his Lo. for the Richt Hon. the Lords and others of the Committee of Moneys," on behalf of Duncan Forbes of Culloden; and this letter is characteristic of what must have been the general state of the country surround-

ing Inverness in this year—"lands spoiled and waisted by the Rebels, his corne burnt." A few weeks later, 28 July, "the lordis and otheris of the committee of moneyes," by virtue of an Act of Parliament to this effect gave very full powers to a Commission for trying the losses of the Burgh of Inverness. The document is signed by the Earl of Cassilis, the Earl of Findlater, and others, and the Commission was to consist of "Brodie of that ilk, Hew Ross of Kilravock, Alexander Brodie of Lethane, David Ross of Holme, William McKintoche of Kelloquhie, Jon Ross of Braidlie, Mr James Campbell of Moy, William Dollas of Cantrie, James Fraser of Culdownthell, Thomas Schives of Muretoun, Thomas Fraser of Strowie, and Hew Fraser of Balladrum, or any thrie of thame to be ane quorum."

Then follow a series of documents illustrative of the miseries of Inverness. Many are addressed to John Forbes, younger of Culloden, by whom they have been suitably endorsed.

On 27 October 1646 the whole Council met, and forwarded to him a "memorandum for the dueis of exchacker," which were "for some yeires bygane." He as their Commissioner to the Parliament (as well as Provost) was requested to plead for a delay "untill the parliament have takin notice of the loisses of the said toune or the said toune have a lytle breathed themselves from thair sad sufferings."

The question of the garrison of Inverness was equally important, as the following letter, written by the officer in command some months after Montrose's abortive siege, clearly shows:—

For the right honorabill My Lord Chancellor of Scotland, theis.

Most honorabill,—The fidelitie of this poore toune quhairin we remaine hes so evidenced it self in our greatest straittis,

when compassed with bloodie adversaries, the victualles lent to us by them, when we could not for the tyme be furneished be the estaittis, and the good hopes we have that the now provest, commissioner for this parliament, shall in all thingis reasonable gratifie us, makes me humblie supplicat your lordship that ye would be pleasit both to respect the man him self and advance his reasonable supplicatioune anent the remedyeing and repairing the grievous loisses and expenses the toune for it self and all the honest men in it haiff suffered and bein put to, be thair engadgement for the caus of God. Only such I know he will plead for. Some thair ar quho haif proven desertares of us, and wer countenanceris and manteinaires of enimye, quhen we wer most threatined, Theis, that your lordship may tak notice of them, and, quhat justlie concernes us, may assist us against them, ar James Cuthbert of Drakies, and Jon Cuthbert, his brother, with his tuo sones. Theise once seamed to lean only to my Lord Marques of Argyll, bot now, as they turned thair backes on the caus and on us, so haif they joynd them selfis with his and our enimyes. Theis I wold intreat your lordship remembred according to thair courses. Yet for theis menes faultes againe I humblie desyre that the place may not be wronged, bot that the commissioner may be now countenanced. I cease to trouble your lordship, only wishing, as materis concerneing the garrisons necessities hes [been] presented, your lordship will assist for ane spedie dispatch. In all which repoiseing my self on your lordships good will, I rest and shall remaine,—Your lordships humble serveand,

COLINE CAMPBELL.

Inuernes, 2 November 1646,

Memorandum from the Officers of the
Town and Garrison.

Endorsed:—Insufficiency—William Robert-
son, 1646.

We, the officiares of the towne and
garisone of Inuernes undersubscryveand,
forsameikle as the lordes of the commit-
tie of moneys and proces at thair last
being at Aberdeine hes beine informed
annent the power and abilitie of Wil-
liame Robertsonsone Jonsone, ane of the
towne captanes of the said brughe [i.e.,
of Inverness], to lend and advance
moneyes to the publick, and according to
the informatioun gevin the saides
lordes, he haveing not compeired, wes
ordaineing to lend and advance four
hundreth merkes money. And we, being
most privie to the said William his
meanes and estait, doe declare and trew-
lie testifie unto your lordships that the
said William is bot of ane meane con-
ditioun and nawayes powerfull, all his
estait being skairce worth fyve hundreth
merkes, his credit being peyed. And if
sua be that the sentance alreddie gevin
against him for not compeirance be fol-
lowed furth, it will be his ruine, and will
be randered to that povertie that he will
not have to susteine himself or his fa-
milie. Nather can be usefull for our
assistance, as he hes beine in tymes by-
gone, quha caried himselff discretly and
discharged ane honest dewtie in his
chairge. This we testifie and declare
to be of treuth be thes presenttes, sub-
scrivit with our hand. At Inuernes the
fyft day of November 1646.

Coline Campbell, John Agnew,
Chearls Makie, J. Cam-
bell, J. Campbell, Patrik
Ramsay, J. Grahame,
A. Stewart, Phil. Leitch,
Androu Gyllen, A. Schaw.

On 11th November 1646 John Forbes was nominated one of the Committee to receive revise, and consider the bills and applications to be given into the then session of Parliament (Acts of the Parliament or Scotland), among which were plenty from his own district. The following is endorsed "22nd November 1646 lettre anent the toune's losses and sufferings, and desyring me to insinuat with those who bear rule."

For the Right Honorabill and our verie much respected loveing neighbour, Jon Forbes, Provost of Inverness. Theis.

Richt honorabill—Since your away goeing we have beine useing all meanes possible to ingather that fashious stent quhilk ye left with us, and the not collecting thair of till now hes maid that we could not wreit to yow sua soon as we wold. Alwayes now, sir, ye sall be pleased to receive the report of the toune's loisses dewlie done and subscriyvit be thrie severall quorums, except and onlie the Laird of Kilravoke his subscriptiones, quhilk culd not be obtained be reasone of his being in the south, and thairfoir ye must present the samen to him, and caus him subscriyve the verie last sheitt of all the report, quhilk is the onlie dyett quhilk he keiped; and if he be not in Edinburgh ye sall not fail to send the same to him quhairever he be. Ye sall lykwayes receive thrie severall discharges granted to George Barcklay upone thrie thousand merkes of the taxt and loanes quhilk ye sall mak use of, as ye think fitt.

[Here follows a passage which is almost undecipherable, and the letter continues:—]

We need not be fashious in puting yow in mind of that great trust is now on

you, and of that dewtie ye ow to this poore toune for many respectes, be reasone that we ar confident that thair is non that will studdie to do more for the subsistance of the samen than ye will doe. And thairfoir we will leave to your selff the mannadgeing of theis thinges for the tyme. But one thing we can not forget to remember yow of, that we are undone except we be relieved of this miserable burdin of the garisone, quhilk is more heavie upone us then all the sorrow and miserie that hes soe fallin. Ane uther particular lykwayes we ar bold to put yow in mynd of and to rub your memorie with it, that ye dail powerfullie annent the ancient priviledges of the poore toune, that at this tyme nor heirafter (if possible) they suffer no prejudice, nor be infringed in the least circumstance. This and the necessitie of it we leave to your awin wyse and serious consideratioune, to act and agent. As for our meill, we culd not get in theis billates so soon as we wold have them; bot with the first occasioun we sall stryve to send thaim. On thing yet we offer to your consideratioun, that the haill magizine is exhausted, and thair is not aucht days provisione in all the garisone, which ye must represent to the Parliament; and if the garisone be not suplied presentlie they will be forced to fall on us, or make sum other onthriftie shift. Thus recommending yow and all your affaires to Gode's directioun.—We remaine, your loving freindes and neighboures,

Robert Bailye, baillie; Johne Pol-
sone, baillie; J. Dunbar, baillie;
D. Cuthbert, toune clarke.

Invernes, 22 November 1646.

Sir,—Ye know that in all our proceid-
inges we have remembred nothing
annent our expeditiounes to Aberdeen,

to Elgin and Craigeallachie, and other places, quhilk wes far out of our way, thairfoir now informe your selfl whow we sall give up the same, or give ther wilbe any reparatioun for expeditiounes of that kynd.

Sir,—Ye sall know that this day we are informed that Cantray is givin up be his owin minister, for the quhilk caus ye must use the greater dilligence in obtaining the loisses allowed befoir his name be brocht in questioune, be reasone that he is on of the subscriyvers of the loisses.

We desyre yow, sir, be pleased to send us opon the tounes chairges King Charles hail Actes of Parliament, becaus we ar almost ignorant of thaim all, and knowes not the good in thame that does concerne us.

If the excise hold we intreat you, inform your selfl annent the way of uplifting of it, als weill as ye can; and purches the perfyt order of it from Edinburgh or Dundie, with the printed table thereof.

Sir,—We have thocht fitt to send you the toune's commissione annent thair losses, to the effect ye may mak use thairof, in caice it be required, and if not send the same back with the report, quhen ye think fit.

Meanwhile, on 23rd November 1646 a report was drawn up concerning the garrison of Inverness, which, on 26th November, was read in Parliament and remitted to the Committee of Moneys to "find out some way for raising of moneys for provyding for the garrysone" of Inverness. The Committee "for the bussines of the garrison" had had with them the Earl of Sutherland, Sir Jas. Fraser (of Brea), then Governor, and the Provost of Inverness (John Forbes). They found:—

1. That Archibald Sydserrf from May to date had furnished from the south 3515 bolls of meal.

2. That 100 bolls was the allowance of 200 soldiers per month, at 2 pecks of meal to each man per week, at which rate there was sufficient to last till 1st January 1647.

3. It was alleged, however, by the Governor that there were 1100 men who received meal weekly, in which case it would not last much longer.

4. What was furnished to the garrison before May 1646 could not at the moment be ascertained, but 975 bolls had been sent from Dundee in January 1646.

5. Two ship loads of coal had been sent from St Andrews.

6. The Earl of Sutherland had furnished 1000 bolls of victual, for which a warrant had been given for payment of £7000 "besydes two dolors for ilk sojer of sex hundredth men and aught pundis for clothes and schoon to everie ane of them, and ane monthis means to the officers."

7. Archibald Sydserrf had paid since May last—(1) 8000 merks, (2) £5000 besides some small sums, to the officers, viz., to Captain Makfersone aucht hundreth merks, and to Captain Grey thrie hundreth merks, besydis the moneyis gevin to the lairdis of Innes and Brodie, and for [Sir] James Fraser."

8. There was likewise given by Sir James Fraser, as he affirmed, in money and kind, 18,000 merks Scots.

9. The Governor's audited account for necessaries to the garrison "with some gratuite granted to himself by and attour his pay" amounted to 23,000 merks.

10. A paragraph which is scored through narrates that there was owing to two burgesses of Edinburgh £600 scots by the officers of the garrison for wine taken out of a cellar in Inverness.

11. Out of the impost north of the Spey only about 10,000 merks had been received from Orkney and Caithness, and £5000 or £6000 out of the Sheriffdom of Inverness.

The Committee recommended that Sir James Fraser should advance 1000 bolls of meal and 1000 bolls bear for the present necessity, which he was willing to do, provided his credit could be supported by payment of the above 18,000 merks.

It also recommended to Parliament the payment of this sum together with £100 sterling more, and 2000 merks Scots for coal.

Lastly, the Committee recommended the payment of arrears due to the Governor and officers, "and hereafter to lay down a waye how they may be made and keepit in equal fitting with other officers of the Armie."

A letter of 24th November 1646, written by the Town Council of Inverness, has been quaintly endorsed by John Forbes, to whom it has evidently been passed—"Lettre to Jon Ramesay, agent to the Borrowes, pleading excuse for not paying the dewes of the missive, and laying the blame upon their zeall to the cause of God." Beyond the fact that the Council had been informed that Ramsay "dailles a lytle strictlie with our present Mrovost and Commissioner annent the dewes of the missive for the yeire 1645" the endorsement is entirely comprehensive. Two more letters followed, both addressed to John Forbes, far of Culloden.

The first is endorsed "Lettre compleaning on the garrisone for pressing the toune to give them victuall and other things," and is dated 30th November 1646:—

Richt Honorabill Sir,—We have received tua severall lettres from you, on of the 13th, and the other of the 18th, all

almost to ane purpois, chiefie regraiting the want of the report of the toune's loisses, with their billates of meill, as lykwayes challandgeing our slacknes by not sending theis instructiounes tymecouslie to you, to imbrace the opportunitie of tyme that now offereth. Trewlie, sir, we must confess that, albeit we have not beine so dilligent as it may [be] the caus requireth, yeit we did als much as we culd to send theis loisses tymelie, and the clerkes pairt wes done shortlie efter your away-going about the penult: of October, and, in regaird of distance of place from the severall commissioners thair dwellinges, the samen wes not obtained subscrivit quhill the sevint day; and, in regaird of the weather, wes not sent over till Saturday the fourteint. And as for the billates of meill, wee wer still waiting quhill the inhabitantes wold give thame in, being loth to send ane few number.

Alwayes, sir, befor now we hope the report is at you, and to the billates, sua many as we culd get in, receave thame from this bear. rar. Ye sall also receive, conforme to the desyne of your first lettre, heir with thir tua missives, one for purging the toune annent that base asper-tioune put on thame annent the combynatioun against the governer, quhilk ye sall make use of as ye think fit, and ane other to the agent of the borrowes, quhilk we expect may give him satisfactiounne, and, God willing, with the tyme will be als sufficient as payment.

Sir, ye may challandge us of slacknes and laick of dilligence, bot God knowes our turmoil and the daylie miseries we ar under. To mak this knowin, ye sall know that since your away comeing, in regaird of this weather, thair ar severall

pairtes of the dykes and fortificatiounes fallin, which we must put up to our great greif. And if this wer all, it wer nothing. Bot now, in regaird that the garisone magizine is now exhausted, anent victuall, it wes put to our doores to grant ten dayes maintenance, which for many reasones we did refuse; bot in end, throch threatineinges that als long as ther wes ane peck of victuall to be haid within toune, they wold not want, although it sould cost thame thair blood, for feare of danger and of the inconvenient that micht fall upone a refusall, we wer forced to condescend to give ane hundredth bolles victuall upon suirtie to be peyed furth of the first victuall that sall come to the garisone's use, and upon the officiares parroll not to be pressed heir-efter anent victuall. Bot, God knowes, quhen this is doune, quhat salbe our conditione thairefter, and that be reasone it is thair owin expressioun, that as long as otheris hes they can not want. This with the other intollerable burding is heavie upone the poore toune of Invernes, to be thus crosed by all the kingdome, which ye must represent in ane lyvelie way to the Parliament, or any other mercatorie quhairin ye think to be remedied; and with all ye may informe that the garisone hes not ane dayes victuall, except that which is now advanced be us, and, for any thinge we knowe, ar not licklie to be supplied in the cuntrey. And if ther be not ane spidie way of mantinance found out for the garisone, befor God we will be forced to leave and desert the toune, man, wyff, and barne, for, God knowes, quhen we have done all that we ar able, quether this sall be ane way of subsistence for such ane garisone. Thus re-

miting the premisees to your cair and dilligence.—We remaine your loveing nichboures

Robert Bailye, baillie; Johne Polson, baillie; Gilbert Robertson, baillie; J. Dunbar, baillie; D. Paterson, counsellor; James Cuthbert, counsellor; James Abrahame, counsellor;— Williame Neilson, counsellor; J. Robertson, counsellor; Alex. Grant, counsellor; T. Rose, counsellor; Al. Cuthbert, one of the consell.

November 30, 1646.

Sir,—It wer not amise that, if thair be any possibilitie, that ye suld purches ane warrand in the tounes favour, dischairgeing and inhibiting the garisone to press us with any thing except for such thinges as ar trewlie thair dew, and that we be only oblist to doe as the rest of the cuntrey. Ye sall know lykwayes that we ar in ane pitifull strait anment the work, speciallie anment the pullasades under the castell, they haveing all fallin to the ground, so that fyve hundreth merkes will not make up the samen againe, and we ar daylie threatined for the apposting therof.

Sir,—If the governor be turned back upone the toune, theis desyre you, sir, to reserve quha salbe bound for his quarters, be reasons that this landlord hes left the toune, and the toune ar not able to uphold such quarters as he will crave.

The second letter is endorsed "Lettre desyring me to procure orders from the Parliament to ease the Magistrates of quartering, and to gett them frie of the Magistracie."

Invernes, November 30, 1646.

Richt Honorabill Sir,—Wee haive thocht fitt to acquaint you of the great bissness wee have adoe concerning the trinsches of our towne, that are all fallin, with the guard houses, and that be resone of the great raines fallin this yeir. Wee have wreitine to you it is impossibill to this poor toune to subsist anie longer except ane speedie remead be had, and seing wee that are present magistrates are put at daylie be the garisone for advancing off victualles, and dois daylie threaten us that they will have moir advancement of victualles, and seing we have nothing for our office but miserie and sorrow and grieffe, that it wald please you that you wald speak the Marques of Argyll and some of the nobill men that are our favoureris that seing the magistrates hes nothing for ther office, and men preasses to eschew magistracie be all meanes possibill, be resson of the burdeine, that the magistrates themselves wald be frie of sojors to be quartered upon them, and seing James Cuthbert of Drakies, Castellhill, Jon Cuthbert, Mr Jon Rose of Puttindrich, and James Rose of Markinsche are of the number of our incorporation, sould carie ther burdeing accordeinglie, and altho we may doe this of our awin power, yet it is not so pleasant with this [word undeciphered] as you knowe. Thus houpeing you will be cairfull to doe as our trust is in you, and in so doeing wee sall be the moir cairfull and take the more paines in tymes to cum, God willing. To your answer and caire heirin wee committ you to God and rests.—Your verie loving and affectionat neighbours,

Robert Bailye, baillie; Johne Pol-
sone, baillie; J. Dunbar, baillie;
Gilbert Robertsons, baillie.

In the margin of the letter is also written:—

And caus the Marques of Argyll wreatt to the lieutenant collonell and the rest of the officeris, that the magistrates may be frie of quartering in tymes to cum.

LOSSES OF THE BURGHE OF INVERNESS DURING THE CAMPAIGN OF MONTROSE (1645-46.)

Mention has been made of the committee appointed earlier in the year to try the losses of the Burgh of Inverness and the names have been given. There are two manuscript rolls dealing with the subject. The original is defective, consisting now only of the first meeting of the committee and a portion of the third and last meeting. Fortunately the second manuscript (which is a contemporary copy of the original) is complete with the exception of a small part of the third meeting and the summary at the end. It has been measured and extends to 27 feet 2 inches: adding from the original roll the equivalent of the missing portion, the total length must have been about 28 ft. 5 in. of foolscap-sized sheets gummed one after the other to make the roll. As the writing and contractions even for the period economise space somewhat more than is usual and the margin is comparatively small, it has not been found possible to give more than the essential portions of the contents. It is also to be remarked that the copy, though contemporary and the work of one writer, contains extraordinary variations of spelling much of which has been modernised. The currency is of course Scots. It would appear from the Town Council's letter of 22nd November 1646 that the original was enclosed by them to John Forbes on that date. The copy alone shows that on 9th December 1646 the

report of the losses of the Provost, Bailies, Burgesses and Inhabitants of the Burgh of Inverness and the tenants and possessors of the lands, rowmes, and possessions within the bounds and territories thereof was produced before the Committee of Bills, Losses, and Ratification, and ordained by them to be registered.

The very end of the original roll has been badly torn at some remote period, but shows that this order for registration was signed in December by Andrew Agnew and Short (initial missing).

The first meeting of the Committee was held at Inverness 3rd September 1646, and the preamble recites again the names, which are exactly as before, with the additional information that Mr James Campbell was Commissary of Inverness. They or any three of them as a quorum were

to take and receive trial and probation of the Provost, Bailies, Burgesses, and Inhabitants of the burgh of Inverness, and the tenants and possessors of the lands, rowmes and possessions within the bounds of the territories thereof their great and grievous losses sustained by them by sea and burning of their houses insight plenishing and household gear within the same, the burning and away-taking of their corn, the spulying of their cattle and bestial and goods and wasting of their lands, occasioned partly by the cruelty and barbarity of the common enemy and present troubles of the kingdom, and partly occasioned and sustained by our own friends and by orders of the Governor and remanent officers of the town of Inverness and garrison thereof. All the houses, kilns, barns and other biggings within the works and fortifications about the said town with all the insight plenishing and other stuff within the same being all burnt consumed and destroyed by the said orders and that for more safe and sure preservation of the

said town and garrison from the invasion of the said enemy in the time of their siege they having assaulted that part of the said town "bewest the water of Nes" and a considerable body of theirs having encamped within a half mile of the town upon that hand. With power to the said commissioners or their quorum to choose a clerk and other officers and members of court needful and to take their oaths de fidele administratione and to direct their own precepts for citation of witnesses whose depositions should be admitted and to do everything for trial of the said Provost, Bailies, etc.

The quorum which first met consisted of Willham Dollas of Cantray, David Rose of Holme and John Rose of Braidley (the last being preses), whose signatures appear on the original document together with that of David Cuthbert, town clerk of Inverness, who was chosen as clerk to the commission and wrote the report. Alexander Greirson, one of the burgh officers, was appointed officer to the commission. The Provost, bailies, etc., were then called and asked if it was possible for them to prove the losses by witnesses "according to the rolls and inventories thereof given in by them," to which they answered that they could do so and would give their own oaths in addition to the proofs of the witnesses. In the further preliminaries, which are mainly repetition, mention is made of losses "by sea and by James Graham, Ludovic Lindsay, the Irish rebels with their associates and adherents the Clan Donald and others," and the damages were declared on oath where applicable by "divers masons, wrights and slators and other craftsmen who best knew the damage," and in other cases by the sworn testimony of servants and neighbours.

The first case dealt with was that of John Polson, burgess. He had burnt "within his town and lands of

Bucht," in the month of May last by the common enemy a stone barn with couples, cabers, bars, bands, locks, and other necessaries, estimated by the craftsmen and witnesses at £80. Burnt and consumed within the said barn of thrashen and unthrashen bear 28 bolls at £5 per boll, total £140; 2 bolls and 2 firlots which were to have been sown, at £5 per boll, total £12 10s. Another barn built of stone was also burnt at the same time estimated at £50, and within it of thrashen and unthrashen oats 18 bolls—in victual 12 bolls at £5 the boll, total £60. Burnt also a stone kiln with the kiln barns, couples, etc., estimated at £130; and within it 3 girnells and 2 great kists estimated at £50; another mutter girnell which lay in the milne of Bught worth £16; his part of the mutter which was within the same estimated at 8 bolls (£5 the boll), total £40. Burnt also "24 cuple laich biging," within the said town, with cabers, rails, doors, locks, and other necessaries belonging thereto, estimated at £6 each couple, total £144; burnt within the said bigging of sacks, canvasses, servants' clothes with 8 oaken joists, "being all estimat within the awaill" at £40. The said John Polson "upon his great aith solemnlie sworne," deponed that there was plundered and taken from the said lands by the enemy at the time of the siege 9 drawing oxen at £15 each, total £25 [*sic* in original], 4 milk cows at £14 each, total £56; 60 lambs at 13s 4d each, total £40; all his horse and plough graith, with other necessaries belonging to husbandry were plundered, estimate £24. These items were proved by John McRobie, miller at Kilvean; Donald McPhiper, tenant there; and George Dempster, indweller in Inverness; as also by the oath of John Polson himself.

The losses of John Polson by sea were dealt with separately. He deponed that he had shipped for him in the month of Octo-

ber 1644, at Inverness Harbour, in the ship of David Cairnes, shipper in Leith, 70 barrels of salmon, at £33 6s 8d each; 300 ells of plaiding at 13s 4d per ell; 10 "dai-ker" [half score] of hart hides at £25 per dai-ker. He deponed also that there was shipped for him in the said month in the ship of John Trotter, also of Leith, 18 barrels of salmon at £33 6s 8d per barrel; and that both ships and goods were upon 2nd February 1645, in their voyage to France, taken—that of David Cairnes by a Dunkirk man-of-war, and that of John Trotter by a King's man-of-war, so that he got nothing whatever back again. The shipping of the goods was proved by Thomas Guthrie, cooper in Inverness, and Alexander Marcus, packer there.

Then followed the losses of the said John Polson by the burning of the part of the town lying "bwest the water of Nies," by order of the Governor and officers of the garrison, and he deponed that by their orders for the better and more sure preservation of the town in the time of the siege he had burnt and consumed "bwest the water being ane suburb to the said town and without the walls and fortificationes," on 30th April 1646, "the enemy having assaulted that part of the town and thereafter encamped within ane half-mile thereof"—a kiln with roof, couples, cabers, rails, doors, bands, locks, and other necessaries, estimated at £200. He had also burnt within the kiln, between kiln floor, vats, and in making, 29 bolls victual at £5 per boll; also vats, timber, and sacks, worth £26 13s 4d. On the same side of the water likewise there was burnt "tua rood of borrow biged land," with houses, biggings, etc., estimated at £400; another house belonging to Annable Monro, his spouse, in liferent, estimated at £60; also another little kiln rented at £8 yearly, estimated at £60. Burnt also within a kiln belonging to Gilbert Robertson, burgess, on the west side of the water "of

wat and unwat victuall betwixt kill floore and coble," 35 bolls bear at £5 the boll; also burnt within the said kiln a standing bed and kist, 5 sacks with 3 dozen of fire boards, all estimated at £24. Item, thrown down and the timber burnt, and destroyed by the soldiers of the garrison a barn "lyeing neir the trenche dyke wher they keeped ane gūard," estimated at £60. Thereafter followed the losses of John Polson's tenants.

Donald Phiper, in Kilvean, deponed that the enemy took from him 2 work-horses, worth £23 6s 8d each; he himself being made prisoner, all his clothes were taken, to wit, a tartan plaid worth £10 6s 8d, his coat and shirt worth 40s, his sword worth £5, of ready money £13 6s 8d. These things were proved by Donald McRobie and John McRobie in Kilvean. Donald Phiper also declared that he lost of insight plenishing and household gear the worth of £17 13s 4d.

Donald McRobie, in Kilvean, deponed that the enemy took from him 2 bolls and 2 firlots of meal at £5 per boll; which was proved by James Thomson and John McRobie in Kilvean; of insight plenishing and household gear the worth of £24 6s 8d.

John McRobie, in Kilvean, deponed that the enemy took from him 4 bolls bear at £5 the boll—proved by Donald McRobie and Donald McPhiper. Of housenold gear the worth of £20 6s 8d.

Margaret nein Lanthrane, in Kilvean, declared that she had lost of household gear the worth of £8 18s.

John Cuthbert of Castlehill, burgess, deponed that the enemy, to wit, the Irish rebels, James Graham and Ludovic Lindsay, with their associates, did in April last [1646] burn his dwelling-house "in Stan-

dandstanes of tua hous hight with ruff
jeastes loftes dores lockes glasin windowes
caices hall buirdes furnes tresses standing
beds and other necessars belonging thair-
to," estimated by the craftsmen at £345 6s
8d: he had also burnt his "hail laich
biging barnes byres stables tennentes and
cottar houses of his said lands of Standand-
stanes and over Dreacky," estimated by the
craftsmen at £264 6s 8d: also thrown down
by order of the governor of the garrison "4
cuple of biging lyand without the walls of
the toune neir thairto," estimated at £24.
The enemy plundered 40 sheep at 26s 8d
each. "Item, his labouring of his tua
pleughes of Standandstanes waisted and
cast los be the enimie for this crop 1646 the
enimie being in the countrey and about the
toune of Invernes from the first of Decem-
ber to the nynt of May last wherein be wold
have sawin thriescoire bolls aittes the en-
cress wherof estimat according to the rait
of former yeires to the 3 curne extends 9
score bolls aittes deduce the saids thriescoir
bolls seid becaus not sawin remaines sex-
scoir ilk 5 firlothes to ane boll victuall Inde
4 scoir 10 bolls at £4 3s 4d ilk boll." Also
16 bolls bear estimated to the "4 curne"
at £4 3s 4d per boll. His labouring of over
Drakies was also wasted, wherein he would
have sown 30 bolls oats, estimated to the
"3 curne" at £4 3s 4d per boll. All this
was proved by Walter Ros, mason; John
Grigor, wright; Angus Miller, Alexander
Miller, his brother, etc.

John Cuthbert of Castlehill also de-
poned concerning George Gowane, his ten-
ant of Over Drakies, because the said
George "for the present and this long tyme
by gane is sick and not in his ryght wittes,"
from whom the enemy took 3 work-horses
at an average price of £22 each; 13 draw-
ing oxen, at an average of £10; 18 bolls
oats; 4 bolls bear; 24 young sheep at 24s
each. His labouring was also wasted, 30
bolls oats estimated to the "3 curne" and
8 bolls bear to the "4 curne."

Alexander Ros in Drakies deponed that the enemy took from him 11 drawing oxen, average price £15 13s 4d; 2 young cows, averaging £12; a young quyak [cow of 2 years] at £9; out of his barn 30 bolls oats at 10 pecks meal each boll; 13 bolls bear; and his labouring was wasted—20 bolls oats, the increase estimated to 60 bolls, and 4 bolls bear estimated to the “4 curne.” The said Alexander had of ready money, household gear, and other “gangand gear” the loss of £78 6s 8d.

Donald McFerquhar in Drakies deponed that the enemy took from him an ox worth £15 13s 4d, and that his labouring was waste, wherein he would have sown 6 bolls oats, estimated to the “3 curne,” and 2 bolls bear estimated to the “4 curne;” proved by the said Alexander Ros in Drakies and John Ros his son there.

Andrew Mackmyar and Findley McClay in Drakies deponed that the enemy took from them 23 sheep, averaging 26s 8d.

Malcolm McClay in Drakies deponed that the enemy took from him a horse worth £10 with a young quyak [or queack] worth £8.

William Macknoyar (sic) in Drakies deponed that the enemy took from him a horse worth £13 13s 4d.

Gilbert Cuthbert, tenant in “Standand-staines,” deponed as to his labouring wasted for crop 1646 wherein he would have sown 30 bolls oats, estimated to the “3 curne” and 4 bolls bear estimated to the “4 curne.”

James Rose of Merkinch, burgess, deponed that the enemy burnt within the town and lands of Merkinch on 9 May last [March in copy] a new stone house “of

tua hous height being all biged with staine and lyme being fourscoir foot in length and sklaited and weill plenished within, weill ruiffed jeasted lofted and glasined with glass and weir having ten standand beddes within the samen duble pannelled with boords furmes, etc.," estimated by the craftsmen at £2666 13s 4d. In addition to the beds and other plenishing of the house he had also burnt therein 3 girnells estimated at £23 6s 8d. The enemy also burnt a thatched barn estimated at £100 and within it 2 dozen birch rails at £4 the dozen, 8 new couple tries worth £5 6s 8d, and a fir joist 24 foot long worth 40s. Item within Findley Fraser's house which was burnt by order of the governor 16 bolls dry pease at £5 the boll. Item within the kiln of Thomas Maccomas vic William, which was likewise burnt by the enemy's order, 4 bolls bear at £5 the boll. James Rose also deponed as to the following taken by the enemy or by "our awin forces" from his house of Merkinch before it was burnt, 20 bolls hard cake meal at £5 the boll, 59 bolls bear at £5 the boll; from his barn "of dicht and windowed [winnowed] beare" 89 bolls at £5 the boll. The enemy also with their horses consumed and ate up at the time of the siege two stacks of bear estimated to have contained 60 bolls at £5 the boll. "Item ther was eaten and destroyit to him be Genll Major Mideltounes horses that morning after the seig was raisit 30 bolls victnall with the fodder" at £5 the boll. The enemy also took 60 sheep and 60 lambs, average price of sheep and lamb 26s 8d; his best horse of six years old worth £66 13s 4d and they plundered from the shore of Merkinch his 4 oared boat estimated at £66 13s 4d. The soldiers of the garrison pulled down and destroyed a stone house "wherin they keepit gaird at their first entrie to the towne," estimated at £333 6s 8d. These things were proved by George Dunbar, master mason, John

Fraser, elder and younger, masons, John Gregor and John Shand, wrights, Alexander Cruickshank, slater, etc.

The losses of the tenants of James Rose of Merkinch were as follows:—John Mack-Paul "bow" in Merkinch had stolen by the enemy a seven year old horse worth £13 6s 8d; 2 bolls and 2 firlots of oatmeal at £5 the boll: of household gear he lost the worth of £95 3s 4d.

Alexander Cruickshank, slater in Merkinch deponed that he lost in working and household gear the worth of £43 6s 8d. John Rob McAllister reoch in Merkinch deponed that the enemy took 5 sheep and 5 lambs, averaging 40s sheep and lamb.

John McAllister vic eane in Merkinch deponed that the enemy took a cow worth £16, a two-year-old stirk worth £6 13s 4d; a kist worth £4.

William Tulloch, burgess, deponed that by the orders of the governor and officers of the garrison for the better preservation from the invasion of the enemy, there was burnt belonging to him on the last day of April in the time of the siege bewest the water a stone kiln of seven standing couples in length worth £300. Burnt within the kiln 10 bolls pease. Burnt also a barn of 3 couples length with 2 stone gavels worth £20, and within it 22 bolls bear. Also his dwelling-house and kitchens of 6 couples length was burnt at the same time with 4 standing beds, an almerie, and three kists, estimated at £160. The enemy also plundered 50 bolls victual, and from the Mill of Bught they took belonging to him 6 bolls oats. The officers of the garrison before the battle of Auldearn took a young grey horse worth £40, a brown horse worth £33 6s 8d, a "basan" [bawsand] horse worth £33 6s 8d, another "basan" horse worth £9 13s 4d. There were other losses of household gear worth £33.

This concluded the first meeting of the commissioners, who found all the above sufficiently proved, and that the persons named had always been honest and irreprovable in their carriage towards the estates and the public cause ever from the beginning, and that they had proved themselves truly loyal and answered the public service and dues at all occasions according to their power, and that they were never known to have "meddling dailling or intercommuning with any malignant." The document as above stated is there signed by William Dollas of Cantray, David Rose of Holme, and John Rose [of Bradley.]

So far as Cantray was concerned, the Town Council in their letter of 22nd November 1646 (already given) warned John Forbes to use the greater diligence before his name was brought into question, he having been given up by his own minister.

The second meeting of the commissioners was held 8th September 1646 at Muirton, and the quorum consisted of Thomas Fraser of Struy, Hugh Fraser of Belladrum, and Thomas Scheviz of Muirton.

William Baillie, elder, burgess and inhabitant of Inverness, had burnt belonging to him upon the west side of the water his foir [oven] and bakehouses, the house being of two storeys, and having six standing beds with hangings round about, with a cupboard, almeries, girnalls, kists, etc., worth £1000; also there was burnt a kiln, with the kiln-barns and a byre and stable, estimated at £666 13s 4d: and within the said kiln there was burnt 20 bolls dry malt with 20 bolls bear upon the floor in the making; and within his barns 30 bolls oats and 24 bolls bear with the fodder; and within his lofts 30 bolls bear, 10 bolls pease; and within a girnall 14 bolls oatmeal. At the time of the siege the enemy took 11 drawing oxen at £13 6s 8d each, 3 cows with

calves at £16 each; an old nag worth £13 6s 8d. Of household plenishing, "which were tedious to sett downe in writ," the worth of £300.

William Baillie, younger, burgess, deponed as to his losses by sea that there was shipped at Inverness harbour in the month of October 1644, in the two ships already mentioned, 24 barrels of salmon, 1500 ells of "spranged" [striped] plaiding, 300 hart hides, 6 barrels of Irish tallow at £53 6s 8d per barrel; his own sea-kist, with all his clothes; a pair of Scots pistols with his sword worth £133 6s 8d in all; ready money £100. The two ships were taken on 2nd February 1645 (being under convoy of a Parliament ship) in the manner before stated: and of the goods he got nothing back. Proved by Thomas Guthrie, cooper, and William Guthrie, his son, and others.

John Baillie, burgess, lawful son to the said William Baillie, elder, had burnt in a biln belonging to James Forbes, burgess, bewest the water, by order of the governor, 24 bolls dry malt and 48 bolls bear. Also plundered by the enemy at the time of the siege in May last from the mill of Kilvean, 9 bolls malt and 3 sacks.

Margaret nein Bean relict of umquhile John Mathewson, burgess, deponed that by order of the Governor and officers of the garrison, there were burnt for the better and more sure preservation of the garrison in time of the siege "tua fair ludginges standing upone the west end of the bridge of Invernes being thrie hous hight ane of the saides tua ludginges being of thack and uther of spume all reed fir (sic) being weil ruiffed jeasted and lofted with dores bands lcks caices and other necessars belonging thairto," estimated at £4000. She had burnt at the same time "ane ruid of borrow biged land with all the houses and

timber upone the samyn the said ruid being weill biged of tua hous hight," estimated at £800; also her kiln with the barns estimated at £333 6s 8d; another rood with couples, rails, etc., at £233 6s 8d; "sevin couple and tua evin gabells of laich biging" worth £66 13s 4d; a barn "with tua taill forkes with railles caberes etc.," worth £66 13s 4d. In addition she had burnt of plenshing "fourteine standing beds thrie hall buirdes with thair tresses and furmes five cheires ane langsadle thrie almeries four taffiles five iron pottes thrie brasin pannes four speittes tua guse pannes sevin brasin chandleres aucht furnished bedds with codes codwair sheites plaides blancattes coveringes fedder beds and bousters thrie tartan plaids tua dussene and ten peuter plaittes ane quart stoup 3 pynte stoupes with ane chappin stoup four stand of naprie ane gold ring with ane turgie stane with sevin kistes tua girnolls thrie brewing fattes 5 stands with the said Margaret her haill clothes and abuilziementes," the whole estimated at £333 6s 8d. Burnt at the same time within her barns 36 bolls bear; and within her kiln and kiln barns 12 bolls bear: of ready malt within the house in which she dwelt 6 bolls with 4 bolls of meal: in her house at the bridge end 8 bolls ary bear: in the barns 20 bolls oats. There were also taken from her at the time of the siege 6 work horses worth in all £106 13s 4d; a red ox worth £10 13s 4d.

Findlay Fraser, burgess, deponed that he had burnt bewest the water by the governor's orders a lodging of stone "of thrie hous hight weill ruiffed jeasted and lofted," estimated at £1333 6s 8d; and within it stuff to the worth of £108 6s 8d; of buildings the worth of £184 6s 8d, and his kiln was also burnt containing 10 bolls bear; his staing coble was also lost worth £13 6s 8d, and the enemy plundered from him at the time of the siege an ox worth £10.

James Fraser, burgess, had burnt bewest the water by order of the governor a stone house having 6 standing beds, a langsadle, 2 cupboards, etc., estimated at £1010; a kiln worth £333 6s 8d, and within it 80 bolls bear, 30 bolls oats. He also lost 2 barrels of salt salmon, 6 salting vats, and the worth of £23 6s 8d of timber, and other losses amounting to £80 and £40. He also had of loss by "Generall Major Hurries trouperes befor the battell of Alderne" 6 bolls victuall with fodder; plundered by the enemy in the siege a mare worth £40, and 2 drawing oxen worth together £33 6s 8d.

William Neilson, burgess, deponed that he had burnt bewest the water at the time of the siege his dwelling-house of stone and lime, having 6 standing beds, 2 great girells, and 3 vats worth in all £666 13s 4d. Also there was burnt a rood of "borrow biged land" bewest the water with all the buildings, etc., worth £433 6s 8d. Within his dwelling-house he had also burnt and destroyed 40 load of bark, 60 load of peat, an iron crook, 2 goose pans, a pair raxes, 3 chests, 3 chairs, his table, 3 pair white plaids, 4 bolls and 2 firloths of meal, 4 pair sheets with towels and "servets," a web of "elne breid lining pertaining his wyff," an almerie, and an English cloth cloak, all worth £253 6s 8d.

James Forbes, burgess, had burnt bewest the water by the governor's orders a stone kiln worth £400.

James Cuthbert Laurenceson deponed that he had burnt bewest the water a stone kiln worth £333 6s 8d, and within it 25 bolls bear. The enemy plundered from him two horses both together worth £33 6s 8d; a mare with her foal worth £20. He had destroyed within the town by order of the garrison a barn with oaken couples worth

£100. His labouring of an "aughtain part of borrow land being castin waist for this crop, 1646, wherein he would have sown 5 bolls beir," estimated to the "4 curne." He also deponed that he lost by sea in 1644 in David Cairnes' ship 12 barrels of salmon.

Donald McEan duy, cordiner, had burnt bewest the water "fyve cupell of leach with railles caberes dores, lockes and other necessars belonging therto," estimated at £86 13s 4d; plundered by the enemy 13 tanned hides at £4 each, and there were taken also 12 hides at £3 each. Of household gear he lost the worth of £42.

John McFinley can alias Fraser, burgess, deponed that "his roode of borrow bigged land with the hail houses and bigings built thereon" bewest the water were all burnt, estimated at £200. There was also burnt belonging to him in the kiln of James Archbald bewest the water 5 bolls and 2 firlots bear. Of household gear he lost the worth of £160.

Thomas Tailzor, indweller bewest the water, deponed that his dwelling-house containing 4 couples was burnt, estimated at £50. He also lost household gear worth £60 [?£20.]

John Dow McAllester, burgess, deponed that he had burnt bewest the said water "two ruid of land with one uther house at the bak theroff," estimated at £263 6s 8d. Of household gear he lost £100 worth.

Alexander McJames vic William, indweller, had burnt within the house of John Dow McAllester the worth of £26 13s 4d.

William McGillimichell, indweller bewest the water, declared that he had burnt there "twentie four cupell of laich biging with railles caberes dores locks, and other necessars belonging therto," estimated at £333

6s 8d. Plundered by the enemy from the mill of Kilvean 2 bolls meal. Of household gear he lost £100 worth.

William Munro, indweller bewest the water, had burnt his dwelling-house worth £200, and household gear worth £66 13s 4d.

Thomas McComas vic William, maltman and indweller bewest the water, had burnt a kiln with the barns estimated at £133 6s 8d, and in the said kiln there was burnt 11 bolls victuall, and of household gear was burnt the worth of £33 6s 8d.

Margaret nein Findley vic William, relict of umquhile Alexander McGillicspie, weaver, deponed that she had burnt bewest the water her dwelling-house estimated at £133 6s 8d, and household gear worth £40.

Alexander Fraser, indweller bewest the water, deponed that the enemy took away from his kiln and barns at the time of the siege 80 bolls bear, 2 cows worth £13 6s 8d each; 2 stirks worth £4 each, and household gear worth £66 13s 4d.

John Peerson, cordiner, dwelling bewest the water, deponed that the enemy took at the time of the siege from the mill of Kilvean 12 bolls dry oats and 5 sacks; also he lost a milk cow worth £12, a work horse worth £13 6s 8d, and 35 hides at £3 each; 14 ("taken out of his bark fattes") at £4 each; and of household gear the worth of £66 13s 4d.

James Miller in Kilvean deponed that the enemy took from him at the time of the siege 30 young sheep, 2 two-year-old stirks, 4 bolls meal, 6 firlots bear, and of household gear the worth of £66 13s 4d.

Margaret Sutherland, relict of umquhile Findley Gordoun, burgess, had burnt bewest the water her dwelling house estimated at £333 6s 8d and household gear to the worth of £66 13s 4d.

Alexander Fraser McWarren, burgess, deponed that his house bewest the water was "all plunderit and abused be the enemie the tyme of the seig they having planted one of ther cannones within the same" and the loss was estimated at £133 6s 8d: of household gear the worth of £62 6s 4d.

James Archbald, maltman and indweller bewest the water, deponed that he had burnt within the kiln of Findley Fraser 12 bolls bear and 8 bolls malt, and that he lost of household gear the worth of £27 6s 8d.

Alexander Cuthbert, merchant burgess, deponed as to his losses by sea, that in October 1644 he had shipped at Inverness, David Cairnes, skipper, 36 barrels of salmon. The ship was taken as above narrated and he got nothing back.

Margrat Sinclair relict of umquhile George Abrahame, being examined as to the losses sustained by her said husband in the ship of David Cairnes, deponed as to 44 barrels of salmon.

This ended the second meeting of the commissioners, who certified as before, and the copy shows that the original was duly signed by Thomas Fraser of Struy, James Fraser of Belladrum, and Thomas Scheviz of Muirtoun, preses, as well as by David Cuthbert, their clerk.

The third and last meeting of the commissioners was held at Inverness on 16 and 17 October 1646, the quorum consisting of Hugh Rose of Kilravock, preses, David Rose of Holme and William Dollas of Cantray.

The part of the original which remains gives their signatures at the end of the proceedings, so that John Forbes must have obtained that of Kilravock after the document was sent to him (see letter of 22 November 1646 above.)

Following on the recitation of the committee's authority the first sufferer was:—

William Paterson of Inches, burgess, who had burnt by the Irish rebels, James Graham and Ludovic Lindsay and their associates and adherents on the lands of Inches at the time of the siege, "ten cupell of laich biging with railles caberes dores and other necessars belonging tharto, ilk cupell estimat and comprysed to 4 lib . . . ane barn of four cupell of lenth with twa taill forks with railles caberes dores locks and uther things perteing therto" estimated at £26 13s 4d. "Item the sd enemie pulled downe and burnt in thair leagur 13 cupell of biging in lenth with railles caberes and dores, ilk cupell estimat and comprysed to 40s. Item the sd enemie pulled down and carried to thair leagur off the lands of Wester Inches nyn cupell of biging with railles caberes and dores, ilk cupell estimat and comprysed to 40s. Item two uther cupell of biging better builded both estimat to the loss of 13 lib 6s 8d." He had plundered and taken away by the enemy in the siege and before it as follows:—"The men of Bado-noche tooke frae him in the moneth of Nor. 1645 8 drawing oxin price of the peice 16 lib . . . three sufficient work horses pryce of the peice 50 lb. . . . his awin sword estimat to 10 lib . . . ane tartan plaid pryce viii lib . . . ane quhyt plaid pryce 4 lib . . . plundered frae him be the sd enemie the tyme of the seig furth of his sds lands 6 bolles bear . . . thair was plunderit and destroyit to him be the sd enemie and thair horsemen the siege and befor within his sds lands two staks of great aittes standing in his corn yaird bothe being estimat and comprysed to 100 bolles . . . twentie fyve bolles aittes within the barnes . . . his two pleughes labouring of Wester Inches being cast waist for the crop 1646 through the

occasione of the sdemie wherin he wold have sawin 80 bolls aits the encrease wherof estimat to the 3 curne . . . 20 bolles bier the encrease wherof . . . is estimat to the 4 curne . . . 4 bolles peise the encrease . . . is estimat to the 4 curne . . .” Proved by Mr Walter Ros, burgess, and Thomas Roy in Inches.

Master Walter Ros, burgess. Burnt by the enemy in May last on his lands of Macharies “24 cupell of laich biging with railles etc.” The labouring of his lands wasted for crop 1646 in which he would have sown 60 bolls oats, estimated to the “3 curne,” 20 bolls bear estimated to the “4 curne.”

Gilbert Robertson, burgess, bewest the water had burnt by order of the governor a stone kiln estimated at £533 6s 8d and “ten cupell leach biging lying neir the sd kill with railles etc.,” estimated at £133 6s 8d. Also there was thrown down by order of the governor in April last all his houses, barns and other buildings in the Carse “least the samyn should be prejudicial to the garison and ane shelter to the enemie,” estimated at £333 6s 8d. In regard to his losses by sea he had shipped at Inverness harbour in John Trotter’s ship in October 1644, 48 barrels of salmon, two packs of striped plaiding containing 1000 ells at 13s 4d per ell, a puncheon of butter containing 32 stone at £3 6s 8d per stone, 50 hart hides at 40s each. The ship was taken as before narrated and nothing received back.

David Robertson, burgess, had burnt by order of the governor bewest the water 2 dwelling houses, estimated at £266 13s 4d, “the maist part of two aiker feild land out and destroyed to him and maid altogether unprofitable to his use through the works and fortificationes about the towne” esti-

mated at £200. There was also burnt in a kiln belonging to James Cuthbert bewest the water 13 bolls malt.

George Dunbar, burgess, deponed that the enemy took from him from about Inverness before the siege 30 old sheep at 40s each, 2 young oxen worth £20 the two, and "his labouring of certain borrow ackers castin waist be the occasion of the enemie" where-in he would have sown 5 bolls bear, estimated to the "4 curne." "Item the sd Georg declarit that wher he has the just half of his two aiker field land besyde the foole poole cuted and randered unprofitable [through] the works and fortifications about the towne," his loss was £200. A barn lying near the works within the town was also destroyed by the soldiers of the garrison worth £53 6s 8d.

John Robertson Laurenceson, burgess, deponed that "in the tyme of the seig be order of the governor and officiares of the garisone his yard dyks being built with stein and lyme were ane great pairt theroff raised doune and sloped," the rebuilding of which was estimated at £90. "Item all the steines of the sds dyks be the sds orders for makeing work for defence" estimated at £100.

Robert Ros, burgess, deponed that the enemy plundered from the lands of Merkinch at th time of the siege 10 milk ewes at 40s each and from about the town and garrison 8 ewes, 3 oxen and a quyak of two years old.

John McGilliwy (sic), burgess, deponed that "Genll Major Ballies souldiours plunderit frae him furth of his house two new tartane plaids both estimat to 16 lib. Item ane quhyt plaid pryce 4 lib. Item ane brasin chandler pryce 40s Item takin frae him be the officiares of the garison to carie bagag to Auldearne ane work horse pryce 23lib 6s 8d. . . , "

John Fraser, burgess, had burnt in Alexander Fraser's kiln bewest the water 12 bolls bear. "Item the said John deponed that our awin friends befor the battell of Auldairne tooke frae him three work horses" worth together £63 13s 4d. "Item declared that Genll Major Hurries men tuik fra him of insight and plenishing furth of his house the samyn being in Invernes" the worth of £37 13s 4d

Thomas Cuthbert, cordiner, burgess, had two dwelling houses without the works cast down by order of the governor for the better safety of the garrison, worth £266 13s 4d.

Thomas Fraser Jamesson, burgess, had burnt in the kiln of James Archbald, maltman, bewest the water, the said kiln being burnt by order of the governor, 6 bolls malt and 11 sacks. There was also plundered by the enemy 12 hides which wer in the vats of John Polson, cordiner, bewest the water.

Margaret Sinclare reliot of umquhile George Abrame, burgess, deponed that "Jon Muncreiff major to Collonell Campbells regiment in the month of December 1644, tuike from her for the garisones use nyn dossene of spar ruiff at 8lib the dossen . . . taken from her be the governor of the town 3 dailles at 10s the peice . . . takin [by] Daniell Campbell for the use forsd 60 dailles at 10s the peice . . . taken from the sd umquhile Georg 60 french sheittes quhilk were never randered bake at 6s 8d the peice . . . ten aiker of her conjunct fie lands cast waist for this crop 1646 quilk was possess be Gilbert Cuthbert quilk payed 16 bolls ferm, pryce of the boll for the sd crop 4lib 13s 4d . . ."

John Campbell, chapman in Inverness deponed that "being travelling in the hie-

lands the enimie brunt to him in Abertarff within ane barn ther of bark and steines" the worth of 66 lib 13s 4d. "Item the sd enimie tooke from him at that tyme being in Nor 1644 to his certain knowledge of knyves silks ribanes the sd ware being rait-ed within the awaill" the worth of 40 lib. "Item taken from him ane boll salt pryce 6 lib 13s 4d Item thrie stein of tallou at 53s 4d the stein. . . . quilks were all provin be the parties awin aith in respect that being in the hielands he could get non to this dyet to prove with him."

Angus Polson, burgess, deponed that he had taken from him before the siege a cow with calf price £16. "Item taken frae him be Genll Major Huries orders imediat-ly efter the battell of Auldearn two worke horses quilk was never delyverd bake pryce of both 53 lib 13s 4d. Item takin from him be the sd Genll Majors horsemen 7 pair of sprainged plaids pryce of ilk plaid 4 lib. . . . takin out of his barnes be Hurries trouperes of thrassin and unthras-sin corne estimat to 8 bolles victuall . . ."

Beano McConill cheill, burgess, deponed that he had a barn destroyed, and the tim-ber was burnt and taken away by the sol-diers of the garrison, "the said barne being at first maid ane guard house." Loss esti-mated at £133 6s 8d. By the garrison's order he also had taken 2 work horses worth £53 6s 8d the two.

Alexander Anderson had burnt in Wm. Tulloch's kiln bewest the water at the time of the siege 10 bolles victuall with 4 sacks.

Marjorie Ros, relict of unquhile James Robertson, burgess, deponed that "the offi-ciares and trouperes of Laweris troupe tooke frae her at severall expeditiones at severall tymes four good work horses pryce of the peice" £53 6s 8d.

Robert Munro, burgess, had burnt in William Tulloch's kiln bewest the water 15 bolls bear and plundered by the enemy from the mill of Bught at the time of the siege 3 bolls and 2 firlots malt and 2 new sacks. "Item Genll Major Hurries horsmen eate and destroyed to him in his corn yaird after the battell of Auldearne thrie bollis victuall."

Donald Tailzor, elder, merchant burgess, lost in David Cairnes' ship 13 barrels of salmon, 15 barrels of Irish tallow, 800 ells plaiding, 22 hart hides. The said Donald as executor and intromitter of the goods and gear of the late Findley Tailzor, burgess, deponed as to his brother's losses in the said ship—27½ barrels of salmon, 4 barrels of tallow, 1100 ells striped plaiding, and 40 hart hides. Also his said brother lost in John Trotter's ship 17 barrels of salmon, 100 ells plaiding, 6 hart hides.

William Stevin, burgess, had destroyed by the soldiers of the garrison a barn lying near the works worth £60.

Marjorie Cockburne, relict of umquhile Robert Abraham, burgess, had burnt bewest the water 13 bolls bear and malt which were in Findley Fraser's kiln. The enemy took at the time of the siege bewest the water 2 work horses price of both £26 13s 4d. "Item takin frae her be our awin forces before the battell of Auldearne two uther work horses, pryce of both 40 lib. Item 4 aiker of borrow land waisted to hir this crop 1646," in which she would have sown 4 bolls bear, increase estimated to the "4 curne," 1 boll pease estimated to the "4 curne."

Robert Baillie, burgess, deponed that the enemy "tuik frae him off the lands of littell Struy being thair at grassing 5 ky pryce of

the peice 12 lib," a mare worth £18 6s 8d, and a work horse at £13 6s 8d. "Item takin out of the said toune be the said enemie 60 sheep. . . . takin from him be Genll Major Baillies men ane uther work horse pryce 16 lib."

David McConchie, burgess, deponed that "his labouring of his lands of Claypottis is waist for this crop 1640," wherein he would have sown 5 bolls bear. The enemy took from the said land "ane pair iron harrows pryce 6 lib," and he lost of plenishing the worth of £16.

Findley Duff, burgess, deponed that the enemy took from him before the seige 2 work horses, the larach [site] of a barn was cut and made unprofitable by the works about the town, estimated at £20. His labouring for crop 1646 was wasted, wherein he would have sown 24 bolls oats and 10 bolls bear.

Alexander Cockburne, indweller, deponed that "our awine men in Genll Major Middeltounes armie tuke frae him after the seig of Invernes was raised ane brown horse pryce £32 6s 8d. Item taken away from him be our awin forces befor the battell of Auldearne other two work horses both estimat to £40." His labouring of 2½ acre of borrow land wasted wherein he would have sown 2 bolls bear, increase estimated to the "4 curne;" "cut and maid unusefull to him be the works and fortifications about the towne the half of two roode field land," estimated at £50.

Elspe Mill, indweller, had burnt in the kiln of James Cuthbert Laurenceson, bewest the water, 4 bolls and 2 firlots malt.

Walter Pos, mason in Inverness, dwelling bewest the water, lost of household plenishing through the enemy the worth of £50.

John Sinclair, burgess, deponed that "Cenll Major Hurries men befoir the battell of Auldearne they being quartered within the towne two nightes destroyed and burnt to him the timber of ane laich hous and two stables," estimated at £66 13s 4d. "Item Captain Doune burnt and destroyed to him be the souldieres of the garrisone ane foir barne of aiken cupelles," estimated at £80. Of household gear he lost the worth of £8.

John Shand, wright, had burnt bewest the water, of household gear with "all his work luimes" the worth of £133 6s 8d.

William Stevenson, burgess, had two barns above the mill both thrown down & made unprofitable by the works & fortifications, worth £133 6s 8d.

Alexander Barbor, burgess, had a barn cast down & destroyed near the works by the soldiers of the garrison, worth £66 13s 4d. He deponed that "he lost in Wm. Thirsley, skipper, in [blank] his bark in the moneth of Apryll last 92 elnes plaiding at 13s 4d ilk elne . . . qlk bark and goods was takin be that friggat that came to Invernes to James Grahame with cannon and ammunitione."

Donald Fouller, merchant burgess, lost in the ship of John Trotter 44 barrels of salmon, 4 barrels of Irish tallow, 200 elnes of plaiding, 75 hart hides and "ane thousand pund hart hornes at 12d a pund."

Jaspart Corbat had burnt bewest the water the worth of £29 of household gear.

Agnes Corbat, indweller, had the loss of £44 13s 4d of household gear bewest the water.

James Robertson, younger, burgess, deponed that "the half of his auchtent part of land is cut throw and rendered unprofitable to him throche the works and forti-

fications about the town & garrison"—estimated at £266 13s 4d. "Item cut and maid unprofitable to him be the said works the half of two rood of feild land lyand bewest the foole poole"—estimated at £50.

Alexander Cumming, burgess, deponed that he had burnt by the soldiers of the garrison "3 fair barnes above the said towne ilk ane of them containing four cupelles and two taill forks," estimated at £333 6s 8d. "The said Alexander Cumming as tutor and administrator to James Cumming his oy" declared that there was destroyed by the said soldiers "two barnes above the towne ilk ane of them containing four cupelles and two taill forks," estimated at £333 6s 8d.

Alexander Hendrie, indweller, had burnt bewest the water in the kiln of Findley Fraser 7 bolls malt and 2 sacks. His dwelling house also was pulled down by order of the governor being without the works, estimated at £233 6s 8d.

John Forbes, merchant burgess, deponed that in April last he lost in ready money in the ship of William Thisley (sic), £110 which he had directed for payment of a debt, the ship being taken by the said frigate that came to James Granam with ammunition.

James Cumming, burgess, deponed that "Major Moncreiff ane of the majores of the garison of Invernes tooke fra him befoir the battell of Auldarne for bagage two work horses" each worth £23.

James Macpherson beanson, indweller, deponed that he had burnt in the kiln of James Cuthbert Laurenceson bewest the water 17 bolls beare.

Thomas Waus, burgess, deponed that "Genll Middeltounes horse eatted and destroyed to him in his barne yairds upon the

9 of May last of unthrassin beare" 8 bolls.
"Item the said Thomas was forcit to receive ane horse of his awin qlk was takin be some of our awin forces be payment of aucht punds money. Item the said Thomas has fyve acres of borrow feld land waist" wherein he would have sown 2 bolls beare, the increase estimated to the "4 curne."

John Morrison, tailor in Inverness, had burnt in the kiln of Findley Fraser bewest the water 6 bolls & firlots beare.

William Paterson, younger, "in name and behalff of Wm Paterson elder his father be reason of the sd William Paterson elder his infirmitie and great sicknes being still bedfast this yeire by past" deponed that "the kinges mille of Invernes wherof ane fourt part was properlie belonging to his sd father wes burnt and destroyed in Apryll last be the enemye befor the seig the hail quhilles steines and remanent milne graith being all broken and takin away," estimated at £66 13s 4d. He also lost through the burning of the mill "the sameyn being made unprofitable be the said enemye for the space of 10 weeks at leist his part of the profit of the sd milne wold extend to 10 bolls victuall." The enemy also plundered from him 2 work horses, worth together £26 13s 4d, 70 head of sheep, averaging 26s 8d; & a stone barn estimated at £66 13s 4d was destroyed by order of the garrison. "Item two other laich houses within his awin close destroyed and pulled downe be the sds sojors both estimat" at £46 13s 4d. "Item the labouring of 7 acker of the carse waist for this year 1646" wherin he would have sown 7 bolls beare, the increase estimated to the "4 curne," & 1 boll pease at the same estimate.

John Forbes "provest of the sd burghe for his awin particullar entrest being in-

terrogat and examined anent his sea loisses did depon and declare that in the moneth of May 1645 yeiris being coming from [?] France in the ship of William Davie skiper in Leith the said ship was takin in hir voyage homward be ane kinges man of ware and that he loissed therby 200 rolles tobacco weighing 10,000 lib weight at 20 lib the hundred inde £2000 he loissed of readie money within the sd ship 333 lib 6s 8d. Mair sex [?] Cistoll hattes at 30 lib the peice. . . . his trunks with his hail clothes and lininges all being estimated at 300 lib qlk was sufficientlie provin by the said John Forbes his awin aith of veritie quha was solemnlie sworne theranent and that becaus ther was non in the north quha could prove the samyn wth him." He also gave his oath that he got nothing back.

John Stewart, merchant burgess, deponed that there was shipped for him at Inverness harbour in the ship of the said David Cairnes on 21 October 1644, 35 barrels of salmon, 5 barrels of Irish tallow, 16 hart hides. "Item his sea kist with his clothes and lininges" estimated at £100

Donald Finlayson, burgess, had shipped in the same ship 27½ barrels of salmon, 228 ells of plaiding, 36 hart hides, & 2 barrels of Irish tallow.

Alexander Abram, burgess, deponed that there was "burnt to him the rood of borrow biged land be west the said water of Nes qlk payed to him yeirlie 53 lib 6s 8d. Item the enemie plundered fra him furth of Urqrt being ther at grasing 6 milk ky pryce of the peice 13 lib 6s 8d. . . . Item his laboreing of the gallow muire waiste qrin he wold have sawin 4 bolles beare" estimated to the "4 curne."

"Summa of the burgesses & inhabitants of Invernes and territorie therof thair

hail loisses above-writtin in particular qlks they have in Invernes and sustained be sea & land occasioned be the said comoneemie, our owin forces & freindes and the troubles of the kingedome as is particularlie set doune in ilk particular persones inventar thereof the totall thereof extends to" £65,887 11s 8d.

Follows the account of the losses of the town itself as given up by the magistrates.

John Forbes present provest of the brughe of Invernes Robert Baillie Johne Polson Gilbert Robertson and Alexander Dunbar baillies of the samen having compeired befor the quorum of the Commissioneres abovenamed for thame-selves and in behalfe of thair said toune for giveing up the great and grivous loisses thair of susteined by it dureing the tyme of the troubles, they being interrogat and examined be the saids commissioneres upone the rolles gevin in to them the saids magistrates according to the best knoweledge and informatione received be thame thairanent did depone and declair as follows: Imprimis they did depone and declair that according to thair awin certane knoweledge and particular tryall takin received be thame of the inhabitants of the said toune and territorie therof in face of court they being all sworne solemnelie to that effect (be caus thair wes no billattes received) Thair was quartered on thame upone frie quarteres the horse and foot following at the particular tymes efter spect viz Ane hundreth horse of Sr Fredricke Hammiltounes regiment of horse the said partie being under command of Sir Patrick McGie [in copy Mackyie] being upone frie quarteres upone the saids inhabitantes man and horse fra the 22 day of August 1644 to the tuantie sevint thereof being four dayes ilk trouper at 18s per diem,

Item fourtie horse belonging to Rootmaister [blank] Durhame of Ommachies troupe being quartered within the said toune fra the last of August anno forsaid to the tent of September being ten dayes ilk trouper at 18s per diem.

Item fyftie horse of the Marqueis of Argylls troupe under command of Lewtennent Archibald Campbell were quartered upone the said toune and territorie fra the first of November 1644 to the tent therof being nyne dayes ilk trouper at 18s per diem.

Item Collonell Campbells troupe consisting of fyftie horse under command of Lewtennent James Ramsay were quartered within the said toune the men upon frie quarteres for the space of 88 dayes ilk man at 9s per diem.

Item thair wes quartered within the said toune befoir and efter the battell of Alderne four troupes of Genall Major Hurries horse consisting of tua hundreth horse for nyne dayes ilk trouper at 18s per diem.

Item thair wes quartered within the said toune for ane strenthning of the garisone befoir the samen was beseidged be the enimie sextenne horse with thair ryders of the name of Fraser fra the 29 of Appryle to the 9 of May being sevine dayes ilk man for meat onlie to himself at 9s per diem.

Item thair was quartered within the said toune upon frie quarteres aucht scoir men of the name of Fraser that cam in for strenthning the garisone befoir the seig ilk man at 8s per diem for the space of 12 dayes.

Item thair was left in the said toune efter the seidge was raised thrie scoir of horse belongeing to Genll Major Middle-

tounes army under command of Captaine Cragingilt being quartered thair upone frie quarters fra the fourteine day of May last to the 22 day of June thairefter ilk trouper at 19s per diem for his intertainment.

Summa of the quarteringes of the horse and foot abovewritten extendes to viiiM viiiC iiiXX xix lib viiis [£8899 8s.]

Item the saides Magistrates did depone and declare that by the occasione of the passadges and slopes maid throche the dykes of the yairds belonging to the inhabitantes of the said towne partlie for access to the works and fortificationes round about the towne and partlie by the insolencie of the souldieres of the garisone, thair haill yairdes ar castin ley and randered unprofitable thir tua cropes and yeires bygane to witt 1645 and 1646 instant not so much as scaircly ane yaird labored in all the towne, the loss and prejudice susteined thaurby be the inhabitants of the said brughe as the samen was estimat and comprysed to for the saids tua cropes be the estimatione of honest and famous witnesses underwritten extendes to ixM iiC iiiXX xixlib [£9279] conforme to the particular upgiveing of everie particular rood qlks was sufficientlie verified and provin be Robert Ros burges of the said brut Wm. Ros burges ther Jon Stewart burges ther Wm. Tulloch Thomas Waus James Cuthbert elder Andro Mcbeane and Findley Duff burgess of the said brut quha were sworne and examined therin did depone and declair thair-annent.

Extending the loisses sustained be the inhabitantes of the said brut throche the waisting of the saides landes to the sowme of ixM iiC iiiXX xix lib [£9279].

The saides Magistrates being interrogat and examined be the saids commissioners anent thair uther sufferinges underwritten did depone and declaire in behalff of the said towne that whow for the better fortifieing and manteing of the said towne and garrisones from the invasions of the commone enimie quha still aimed at the gaining therof Thes upon thair awin chairges and expences did build and mak up the severall workes following viz. Thrie staine portes the expences thair of as the samen hes beine estimat and comprysed be the measones underwritten extends to the sowme of iM [£1000] lib. Item thrie timber portes within the said staine portes with draw bridges iron chaines bands lockes dores and slottes with uther necessars belonging thairto the expences thair of as the samen was estimat be the craftsmen undernamed extends to iiiC libs [£300]. Item the said towne caused build ten severall gaird houses for the use of the soldiers upon dewtie the expences thair of as the samen was estimat be the said craftsmen extends to viC libs [£600]. Item the said towne builded and put up upone thair chairges ten severall breaches in the worke and fortifications about the towne qlk fell in tyme of the spring and winter last qlk aucht to be due be the heretors of the cuntrey, the expences waired upone each breatche being estimate be the said craftsmen to 20 lib Inde ii C lib [£200]. Item the saids magistrates gives up quhair the said towne upon thair proper chairges and expences caused pillasad with timber iron and uther ingynges all the breas and strait passages about the towne wher stane nor earth culd stand with ane great bounds upone the water syde and common vennalls passing to the said water the expences thair of as the samen hes beine estimat & comprysed be the crafts-

men after spect extends to viC iiiXX vi
libs xiiis 4d [£666 13s 4d]. Item the
sai des magistrates gives up that whow
in the tyme of the hard winter last and
befoir the brut was straitly beseidged
they built up upone their chaarges
with earth spares dailles and uther
necessars sevin batteries for cannon, the
expenses waired thairon as the samen was
estimat and comprysed be the saids crafts-
men extends to the sowme of viC iiiXX
vi libs xiiis 4d [£666 13s 4d.]

Item the saids Magistrates gives up
that whow for the building and puting
up of the works about the toune thair
haill linckes greines and common pas-
tures with thair chappell yairds qlk was
the onlie pasture which served the com-
montie of the said toune wes all cut and
tired the prejudice and skaith susteined
thairby as the samen was estimat & com-
prysed extends to iM iiiC xxxiii libs vis
8d [£1333 6s 8d]

Item the saids Magistrates gives up
that whow in the tyme of strait and
necessetie of fyre and for makeing of
chaiftes to morneing starres [shafts to
the iron spiked bludgeons used against
besiegers] thair was cut within the kirke
& chappell yairds fyftie great aische tries
ilk trie estimat & comprysed be the saids
craftsmen to liiis 4d Inde iC xxxiii lib vis
8d [£133 6s 8d].

Item the saids Magistrates gives up
that whow thair was fyftie aucht couple
of aike of the Gray Frieres Kirk & chap-
pell yaird takin doune be order of the
governor and officials of the garisone the
timber being tackin away and sold and
brunt be the souldiers ilk couple estimat
be the saids craftsmen to XX libs. Inde
iM iC iiiXX lib [£1160]

Item the said Magistrates gives up that qr by makeing of thair tolbuith the maine gaird the said hous is altogether defaced and abused all the barres buncares saillering and windows of the utter house being cut doune brunt and destroyed and the jeastes lockes buncartes and saillereing of the inner hous called the Cunsell Hous being lykewayes cut doune and destroyed so that nothing remains except the ruiff and beare walls, the loss and prejudice thairof as the samen wes comprysed be the saids craftsmen extends to viC iiiXX vi libs xiiis 4d [£666 13s 4d]

Item the saids Magistrates gives up that whow at the tyme of strait and necessitie the timber of thair Ile wes cut to be fyre wood. The skaithe susteined thairby is estimat and comprysed be the saids craftsmen to viC iiiXX vi libs xiiis 4d [£666 13s 4d]

Item the saides Magistrates declared that whow the toune caused make for the use of the garisone vC morneing starres. The workmanship timber and irone therof is comprysed and estimat be the saids craftsmen to vC libs [£500]

Item the saids Magistrates gives up that whow in the tyme of the seidge ane third part of thair bridge was burnt be the enimie ane ither pairt therof being cut be order of the governor for the better saiftie and preservationne of the garisone. The loss and prejudice susteined be both is estimat and comprysed to the sowme of viC iiiXX vi libs 13s 4d [£666 13s 4d]

Qlks particular loisses above wreit as the samen ar givin up be the saids Magistrates in maner above writtin was sufficientlie veriefied and provin be the

measones wrichtes & craftsmen underwrittin viz George Dunbar mr meason and burges of the said brut Walter Ros meason thair Jon Shand wricht ther Jon Grigor wricht ther Alexr Cockburne wricht ther Alexr McClachar and Walter Thayne workmen ther quha wes suorne and examined thairin and did depon and declair thairannt Lykeas thairefter the said Magistrates gave thair awin aithes suppliment of the said probatione Extending the saids commone loisses abovewrittin sustained be the said toune in communi to the sowme of viiiM vO iiiXX lib. ixs vid[£8560 9s 6d—but the total would appear to be £8560 exactly. In order, however, to get the grand total as given at the end this figure should be £8560 8s 8d.]

And sicklyke the saides Magistrates being interrogat and examined annent the particulares underwrittin did depone and declaire that whow the toune in supplieing the comissers desire did furnishe colls for the committie [of the shires] gairds fra the first of November 1644 to the first of Febr thairefter and candles to the saids gairds thir tua monethes bypast the expenses thair of as the samen was given up be the tounes thesaurars extends to iM lib [£1000]

Item the saids Magistrates gives up and declaires whow that continewellie since the incomeing of the garisone soldiers thair toune they have beine at all occasionnes employed be the governor of the garisone and lykewayes be the committie of the schyres to send postes and lettres to severall corneres of the cuntrey for such occasionnes as seemed good to thame and was found conduceable for the good cause wherannt they wes not deficient, the accompt therof gevin up be the tounes thesaurares extends to iiiC xxxiii lib vis viiid [£333 6s 8d]

Extending the said tua last articles to the sowme of iM iiiC xxxiii libs vis viiid [£1333 6s 8d].

Summa of the towne of Invernes thair loisses in communi as the samen was given up be the saides magistrates extends to the sowme of xxviiiM iiiXX xii libs iiis iiiid [£28,072 3s 4d].

Summa of the hail loisses gven up be the towne of Invernes & inhabitantes of the same and territorio thair of sustained be thame in forme and maner as is contened and sett downe in this present report extends to the sowme of iiiXX xiiiM ixO lixlibs xvs [£93,959 15s].

Follows the certificate and signatures of the quorum.

1647.

The year 1647 opened without anything of importance having been done to relieve the sufferings of Inverness; indeed, the town was asked to pay more, mention being made of "the extraordinair burding whilk was last layed on us at Peirth by augmenting the taxt-roll on a fyft pairt more." This is stated in a letter (undated), signed by J. Forbes as Provost and the Town Council, covering a supplication of January 1647 to the Convention of Burghs. In this last document reference was made to the fact of "how lytill satisfiounne we have resavit aither towards the repairinge of our losses or rembourment of the great sowmes of money and other necessars (far beyond our strenth) lent to the garrisonne," as also to "the burneing of a large third part of the towne, the burneing and wasteing of our hail borrow landes and downe throweing of our cruives and water warkes unto the destructiounne of our fishings." They also complained of the decay of their trade "by restrent of

the hielanders, quhich is incurable dureing the aboad of the garrison amonge us, and yit found so expedient. . . . for the better setling the peace of that pairt of the kingdome, as thei can not be removed yet, thoch the towne sould perishe." This reference to trade with the Highlanders is interesting, and the letters which follow show how severely the town was hit by the behaviour of the garrison, which caused the "Highlanders"—that is the inhabitants of the remoter inland districts—to resort to other places to buy and sell. The supplication further estimates the losses of Inverness at a sum exceeding six score thousand pounds scots, and their disbursements at 22,000 pounds scots. Relief was earnestly sought "without quich favor, ere long we are confident you shall have no town their to tax." The document is endorsed (12 January 1647) to the effect that the Burghs concurred with the commissioner of Inverness (John Forbes) "for obteneing from the estaittes of parliament what ease lawfullie can be granted," and referred the supplication to the general convention to be held in July. In the meanwhile the agent was not to press for arrears.

A letter of 14th January to John Forbes, signed by three of the bailies, is sufficiently explained by the endorsement "letter asserting their constant adherence to the good cause and giving me encouragement to doe them all the good I can."

The next letter is more interesting. It is dated 9th February 1647, and endorsed "Lettre desiring me to complean to the Estates upon the abuses of the garrison, bot refusing to send me a releiff."

Concerning the garrison:—

You sall knowe that our towne is in as evill ane caice as quhen the enemie lay

about the towne. The leuetennent collonell hes caused beat ane bank, discharging all Lochabber men, Mackdonald his men, Glengarrie his men, Mackloy [Macleod] his men, and the Capitane of Clanranald his men, to cum to Inuernes, and hes takin sewarills of them baith within the towne and without the towne, and hes takin goodes, to wit, acquawyttie, horses and money from them, and all they have. We can not tell by quha order this is done, but ther is no man darre cum to trade with us at all, and efter they had bought wares within the towne, such as pottes and pannes, all was taken away from them, and lykwayes they have takin ane Thomas Monro, burges of our towne, his sone at Bewlie, and hes takin all he had, acquawyttie, horses and money and all he had, being ane chapman, notwithstanding he had Sir James Fraser his passe. You sall be pleased to regrait the samen to the estaites, that the same may be speedilie remeaded; utherwayes wee can not have no being. Sir, you sall regrait also concerning the sojourns, quha hes takin the whole trade away from our townis men, and sayes they are as free to trade in the towne as Prowest and baillies are. Ther is no sort of handling within the towne but they trade therwith. Wee desyre you to regrate this to the estaites; give this be not helped the poore peopill of the towne can not subsist; and give, in caice that ye can not get this helped, let them be subject to us as challengers in the towne, and purchase ane warrand for that effect to be sent to the lovetennent collonell; notwithstanding. Sir James Fraser hes undergone tuo thousand bolles off victuall for the garisone, they are not lyik to get ane thousand bolles theroff, and be all appeirance they

will be scant schortlie, and wee heare they will put at us as they haive done befoir. We desyre that this may be prewented speedilie. Wee houpe, Sir, yow haive gottin some order off Chan-norie, quha hes the greatest trade in the north. Give this be not helped our towne can not stand. We doubt not but you will be cairfull heiroff.

The only other part of the letter, which is of interest, concerns the excise:—

Wee heare be report that the excise is to be uplifted againe; theirfoir seing wee are fardest interest, wee desyre you that you wald preass for the excise of all the borrowes within the schyre, with anie uther benefite, you can have.

Actually a letter had been despatched from Edinburgh, dated 31st January 1647, to the Committee of War for the Sheriffdom of Inverness, stating that John Forbes had been granted a tack of the excise of the Sheriffdoms of Inverness and Cromarty, and requesting that assistance be given to him.

At the end of February 1647 "the Committee (including Brodie of Brodie) appoynted for hearing and resaving the towne of Invernes accompts and debursements" met and found there was owing to the town, sufficiently vouched for, the sum of £12,846 scots, besides their losses and quarterings. They had now a new governor, Colonel Robert Home, to whom was granted a warrant to collect the rents "of all such persones within the schirrefdom of Invernes as are in actual rebellious," because "thair rents ar uplifted be thameselfes or others to thair behoves to the great prejudice of the publick."

The following letter, recommending Colonel Home, is of interest only as having

been written by Lieutenant-General David Leslie, the victor of Philiphaugh, afterwards Lord Newark:—

For My Much respectit frend The Provost of Invernes with the Bailzies and Comoun Councell of the samen These.

Sir,—The Comittee of estates having apointed Colonell Home by ther Act to continow Governor of your Toun I sall not neid to use many words in desyring yow to give obedience therunto and that ye sould be in what ye can his friend and to correspond as becometh the governor of ane toun and the man having your place. Which ye will efter sight heirof communicat to your fellow citizens and in doing heirof ye sall oblige me to remaine as I am.—Your loving friend and servant,

David Leslie.

Dumblane, 20 of May 1647.

Remember my love to your father mother and waiff.

Whatever may have been the merits of the governor, Inverness continued in a sad state, as witness the following letter of 5th July 1647:—

Richt honorabill Sir,—We received your last lettre of dait the 21 December last, quhairin we perceave that at that tyme ye haid not much to wreit concerneing the townes affaires, but such as ye wreit befoir with Jon Skinnar. We are still longeing for good newes from yow annent quhat we may expect for our bygane advancementes and loisses, not doubting your cair bot ye ar als vigilant in pressing that as any can be. And now quhat to aduerteis yow of we know not quhair to begin, for our daylie cresses ar sua many, which we susteine throche this overburdining garisone, that almost annent sufferinges wee ar turned sensles, which hath moved many

almost to be in despair, and now reddie to leave the towne, and that sua much the rather as all tred and handleing heir is utterlie undone and decayed. Sua that this towne is randered to no better caise, than ane Clachane towne, all the strangers and nichbores about us now haveing thair resort to Channorie, Ding-uall and uther places neir us, quha now injoyes the haill tred which we [were] wont to have. Quhairfoir we earnestlie intreat yow, als oftin as ye can find opportunities, to represent our stait and conditioune to the estaites, and that with all the power ye can pleade, for ane removall of the garisone, quhairwith we are so heavielie straited. And if this be denied, we all will be constrained to leave this place and mak shift for ane uther, quhair we may live. And albeit thair former discours be grivous to us, and nawayes pleasant to yow, yit, to agravat our miserie the more, we ar informed that our minister, Mr Jon Anand, is licklie to be transplanted from us, which makes us to bethinke that we ar licklie, if God prevent us not, to be ruined. Thairfoir we desyre you earnestlie that if thair be any things of this kynd moved thair, that in our names ye oppose the samen with all the pith and moyan yow can; for if any place in the Kingdome stand in neid of ane good and able man, thair is no place that stands more in neid of him than this poore towne, for many reasons which ar weill knowin to your self. We ar confident that we neid not spend much tyme with yow for stoping of this motion, be reasone that we ar all sua neirlie intrested in it, therfoir remites the cair of the busines to your owin consideratione, and we ar certainelie assured that Mr Jon will not doe us that mischeiff. We are certaine that ye can not bot shortlie com skarce of money

which can not be sent, albeit we had aneughe of it, be reasone of the Gordons thair lait insurrectiounes, quha ar now in the feildes, als numerous as at first. Alway, Sir, we know that ye esteime us good debtores, and will not want moneys upone your owin credit. Thus assuring our selves that ye will not onlie prove cairfull in the premisses, bot also in all other thinges formarlie recommended to yow, wischeing ane happie succes to all your indevoures. We remaine, your loveing friendes and nichboures,

Johne Polsons, baillie; A. Dunbar, baillie; Gilbert Robertson, baillie; R. Patersone, cunseller; James Dunbar, cunseller; R. Rose, cunsaller; Alexr. Grant, cunseller; Jo. Robertsons, counseller; Al. Cuthbert, conseller.

Invernes, 5 July 1647.

Iff ye think that thair is few subscriptiones at the suplicatione sent to yow last ye may put to als many names as yow please.

The above is addressed:—For the Richt Honorabill Jon Forbes fiar of Cullodin, Provest of Invernes, Thees.

It is endorsed:—5 July 1647. Lettre complaining of their miserable conditounes, be reasone of the garisone, and shewing they ar readdie to leive the towne, because turned to a Clachan, and complaining that Chanonrie and Dinguall injoyes the haill tred; thairfoir to plead for removall of the garisone, and for money to tak it upon my own crydit, for they can send none for fear of the Gordons.

It is to be observed that the endorsement makes no reference to the prospective loss of the Reverend John Annand,

minister of the first charge of Inverness. It may be noted that his wife and the mother of John Forbes were both of the family of Forbes of Corsindae. Mr Annand, however, was not transplanted, whether owing to the protest of the Council or not we have no means of knowing, and he remained the much esteemed minister of Inverness for many years longer.

One more letter of this year may be given. It has no date, but is addressed "To his sone Jhone Forbes," and endorsed "Cullodin to his sone, 1647." A postscript, which seems to refer to some law suit, has been omitted. It ends with a request for "tua pair of specktaklis."

Sone,—I resavit your letter, hes red and considerit the same, and, seing it apeirs thair salbe no repairing of loisses to mane quhat sall I aither think or wreit; bot as I haiff sufferit with honest men in ane guid caus, so I am content to remain ane loisser with honest men, till we all supplicat him for quhom we haive sufferit, quha is abill and at his appoyntit tym will mak up all our loisses. So, seing ye can do no guid by your stay thair, haist yow hame.—I rest your father,

D. Forbes.

1648.

The Parliament met at Edinburgh on 2nd March 1648, and John Forbes again represented the Burgh of Inverness; though the Council had received (by 3rd April) "several letters from you pressing a relief." There is little else in this one, which is endorsed, "Lettre complimenting me to continew ther commissioner, and not to wearye, with many untreattys not to tak it in ill part, etc."

A more inspiring epistle was received from the Reverend John Annand, dated 11th April 1648.

Much honored,—I receawit yours and thanks you heartlie for your cair. I honored and loved you befor, bot now much moir, finding ye have stood be the cawse in extremitie. It is my joy, and this towne may acknowledg it if thei be happie, bot quahatever men doe I am confident God will reward yow. Sir, goe on as it becomes a good covenanter, and God will reward yow; fear not, for the work is lead on be a mightie hand, and sall be perfyted against all human power and policie. For my part ye sall have the continewall prayers of a puir Minister, evin of one quho in experience knowes the way to happines is to be frie and faithfull. Sir, blessed be God, yowers ar weill. A shyp from France with salt and ten tun of wyne yesternight arryved, and your wyfe cairfull how to have thinges saiflie receawit.

I have sent this other letter to Mr Andrew Kar, with a paper inclosed, showing some difficulties anent the settling of the Irish charge. Since your waygoing the session and I ar setled anent the nomination of the men ar listed, Mr George Grey, Mr Lawghlan Grant, and Mr David Macphersone, and the nomination of the man layed on me; bot the difficultie is heir that no man will enter until he be secured, that after my death or transplantation he be one of the ministers equall in charge, English and Irish, and stipend; the way of entrie is to be advysed with the commission of the Kirk, as ye may perceave be the paper, sent herwith to be delyvered to Mr Andrew Kar, for that effect, quhich I intreat, Sir, ye wil present and obtaine the answer. Bot first advyse with the Moderator, Mr Robert Dowglase, my worthie friend at quhois handes excuse me that I wreitt not to him, as knowing he is takin up with

weightie affaires. The paper advysedlie read will more informe yow then I can be letter. Sir, I hope ye will think on this. Remember, I pray yow, my deirest respectes to the prowest of Elgin. He is werie deir to me for his manifesting his loyaltie at such a tyme. The Lord strenthen all yow to waitt for the happie ewent. Suirлие the Lordis comeing sall and will confound adversaries. Sir, the Lord be with you. Yours, in all due respect,

J. Annand.

Invernes, April 11, 1648.

On 27th April the Town Council again wrote, and the endorsement reads—"Lettre in answer to a lettre of myne, desyring a relieff, where in they cap up my many good services, bot find me no relieff, with somewhat anent the excyse." As a matter of fact, the Council did write that day to Alexander Dunbar, merchant burgess of Inverness (suggested by Forbes himself) asking him to relieve the provost "for a certane space." His name does not, however, appear in the official return, Forbes being shown as member for Inverness in the parliament, the first session of which sat at Edinburgh 2nd March to 10th June 1648. It seems, however, from a note addressed to him from Edinburgh 16th May and by the following dated 8th June, that he had by that time returned to the north.

Much honoured,—By my last I directed to you such printed papers as war come furth at that tyme, quhilks I delyvered to Alexander Leslie, and quhilks I am confident ar come to your hands. Since then leveyes ar goeing bussily on heir without interruption, and I beleve once the nixt weik sall have ordors to march towards the borders. Your garisone of Invernes is ordaned this day to remove, and I beleiv order sall be sent very schortly with the laird of Innes for that end.

The Parliament is to ryse upone Saterdag, and on Monday I expect James taks jorney. The Earle of Murray is named governour, and Home under him, of your toun, and is to put in 200 men of his regiment in place of the garisone. Thair is a new declaratioun comeing forth be the Parliament. It was given yesternicht to the Commissioun of the Kirk to be advysed with be thame. And they ar to returne answer therto against the morrow. So soon as it is approvin and printed I sall send you some coppies thair of, and the Kirk's sense of it. We have no newes this weik from England, in regard the packett is not come hither, only it is reported in generall that the King's busines sall be wrought before we goe in, and so have littell to doe. These parties both in the south and north for the King prevaill dailie, and sundrie schips of the navy have declared thameselves for him. I sall wrytt to yow at more lenth by the nixt. This is all for the present can be sayed be.—Your servand

Ja. Dunlope.

Edinburgh, 8 June 1648.

This (1648) was the year of the "Engagement" by which Charles I. was to receive help from Scotland by an invasion of England in return for establishing Presbyterianism in England for three years. War was in the air, and it is of some interest to recall the names of "ane committie of warre of the schyir of Invernes hauldin at the Muir of Urray within the said schyir upon the 11th day of July 1648." They were—"Sir Thomas Urquhart of Cromertie, Mr Allexander Mackenzie of Culcowie, Rorie Mackenzie of Reidcastell, John Munro of Lemlair, Hew Fraser of Foyir, Neill Munro of Findone, John Fraser of Clinvakie [Clunvackie], Robert Innes of Roskeine, Hector Douglas of Balconie, John Cuthbert of Castel-

hill, Robert Gray of Arkboll [Arboll], and Duncan Bayne of Kilmuir."

The subject of the meeting was a petition from Bailie Alexander Dunbar, as representing the Provost, Bailies, and Council of Inverness, to reduce the number of men of their quota, to which the Committee listened with sympathy, and gave orders that "the aucht man allanerlie" should be required.

The last document of interest in 1648 is dated from Edinburgh 4th November, and is an order signed by J. Denham to John Forbes to pay to

"Captain Dugall McFarsone for the garrisone of Ruthven three hundreth sixtix pounds threttin shillings four penis for the intertinment of himself as captan at £66 13s 4d per mensem, and £18 for a sergeant, with £12 for a corporall and thretti common soldiers at 6s per diem . . . his monthly pay is to begine upon the first of November instant, and so furder monthly ilk first day of each month till furder order."

Dougal Macpherson is of some interest because "he was probably the only Macpherson of any note who had acted against the King." He held Ruthven for the Covenanters. (See "The Mackintoshes and Olan Chattan," 263 note).

The following somewhat obscure letter concerning him belongs to the previous year (1647). It is undoubtedly from Mackenzie of Pluscardine, presumably Thomas, though the initial is unreadable. Ewen Macpherson of Cluny had married a daughter of Duncan Forbes, first of Culloden.

For my honorable and most affectionat freind Johne Forbes of Cullodinthes.

Honorabill and most affectionat friend, my best respects intow your self and bedfellowe. By thes I dow give you thankes

for delivering my letter to Dugall Mcphersonne. It semis by this returne of your brother in law, Ewein Mcphersonne off Clunie is the only man who detens my goods from me, and so desyred me to wreitt to him, quhilk I have doune, together with my adwyce to him as a freind. Quhilk letter be pleased to receive herin inclosed. And herafter let me earnestly intreat you tow dispatche to him. Pardone me for puting yow to this peins. I perceive that Dugall's only aime is to ingage Ewein in his interest, quhilk I wishe Ewein to adwert tow, lest he find prejudice. I besecho yow to heastin the letter to him, in doing wheroff yow will oblidge him who is in the old maner.

Your most affectionat frend to serve yow,

— McKenzie of Pluscarden.

Edinburgh 6 August 1647.

As tuching the bergan I beleiv my brother will be at the meeting. If anie shall be cum ther yow shall receiv content.

PLUSCARDINE'S RISING, FEBRUARY
TO MAY 1649.

Immediately after the execution of Charles I. (30th January 1649), Charles II. was proclaimed King, with the qualification that before he was admitted to the exercise of the royal power he should undertake to observe the National Covenant and the Solemn League and Covenant. Inverness was not slow in showing, in a letter to the Estates dated 9th February, its "real affectiounes and obliged dewtie to the present high Court of Parliament" ("Culloden Papers," VII.), at the same time declaring "we cannot but signifie to

your Ll that we heire as the kingdome is intendit to be invadit be forraineirs. So this poor towne is speciallie aimed at," and expressing a desire for "coall, victuall, and other furniture," without which "it will be impossible to mainteine the place against any enemie." The covering letter to John Forbes, still their Provost and member, deals more intimately with these matters.

Endorsed:—10 Feb. 1649 Lettre accompanying the towne lottre to the Estattes.

For the Richt honorabill The Provest of Inverness, presentlie at Edinburgh Thees.

Richt honorabill

We receavit youris from Jon Skinnar and hes considerit the samen at lenth. Efter consideratioune and advyse taikin with Master Jon Annand we have drawin up this uther lottre to the Parliament with sum instructiounes thairwith to be representit by yow, which will informe yow particularlie of all we have to say for the tyme, and it is so weil knawin to yow, our present wants and conditione we ar in, that we neid not trouble yow much heir with repetitiounes. So at this tyme it is our earnest desyre that the lottre and the instructiounes be secounded by yow and ane answer returned. And with all thats now sint ye know the souldiers ar to be enterit in towne, and will be in befor this com to your handes. That ye pres Sir James with the randering oath of that wret ly's so long over our heades. For we will not ly longer under the danger quhat ever come or goe. And if it be not returned we will protest to be frie of the danger for our awin excusatioune. And as for putting more men heir, it is trew, we will not say bot ther is neid of mo men and better, bot God knowes whow

inable we ar to doe therin that dewtie
will be requierit of us, which we leave to
your awin self to consider, as knowing
your interest to be als great als ouris.
For if thair be not fyre and wictualles
tymeouslie provyeit, and meanes grantit
for strenthning the tounne it is a foillie
to thinke we ar able to doe much good,
let men project quhat they pleis. Thus
refering the premisses to your serious
cair, waiting your answer and advyse we
remaine

Your loving nichbores

Robert Bailye, baillie

R. Rose, baillie.

J. Dunbar, baillie.

Al. Cuthbert, baillie.

Invernes 10 Febr. 1649

A very illegible postscript seems to be as follows:—

Sir, ye know that befoir ye went from
this that we wer chairgit be Allexander
Barbor and Mr Robert Ferqr. to take
[Lachlan Mackintosh of] borlum with
captioun for 1m merks. George Gra-
hame for v hundred merks and hes givin
executiounes againes us. Quhairfoir, Sir,
we think it necissar to preveine our
skaith that the chairg be suspendit for
sio reasones as ye sall informe, and let
your lettres be raisit upone the tounnes
chairges, sinc ye ar hauldin out of the
chairge, we ar confident ye will be suirtie
for us.

Sir, Caus the post delyver this uther
lettre to Jon Nicoll my maister.

D. Cuthbert.

NOTE BY EVAN M. BARRON.

The foregoing letters are valuable, as
they show that as early as 9th February
1649 there were apprehensions of trouble
in the North, a fact which has not hitherto
been realised. On 23rd January 1649 the

famous "Act of Classes" had been passed by the Scottish Parliament, and this it was which occasioned the unrest which excited the fears of the bailies of Inverness. (See letter from Pluscardine and his associates in "General Assembly Commission Records," published by the Scottish History Society, Vol. II., 249.) These fears were very speedily justified, for on 22nd February 1649 Inverness was attacked and captured, and the garrison expelled by a force led by Seaforth's brother, Mackenzie of Pluscardine, who was assisted by Sir Thomas Urquhart of Cromarty, Hugh Fraser of Belladrum, John Cuthbert of Castlehill, Mackenzie of Davochmaluag, Mackenzie of Gairloch, Mackenzie of Redcastle, John Munro of Lemlair, Fraser of Craighouse, and Mackenzie of Suddie. Inverness remained in the hands of the insurgents for about a month, but the rising did not make much headway. Inverness, however, suffered heavily. The insurgents decided that it was expedient for their own safety that the fortifications of the town should be destroyed and levelled with the ground, and they compelled the inhabitants of the town and surrounding district to carry out the work of demolition. They also endeavoured to collect the Customs and Excise of the six northern counties, and ordained that the tenants of Sir James Fraser of Brea, in the parishes of Cromarty and Cullicudden should put "in a posture of defence" the house of Sir Thomas Urquhart of Cromarty. News of the rising reached Edinburgh by 28th February and on 2nd March Pluscardine and his associates were proclaimed rebels and traitors as "wicked and malignant persons intending so far as in them lies, for their own base ends, to lay the foundation of a new bloody and unnatural war within the bowels of this their native country." Steps were taken at the same time to suppress the rising, General

David Leslie being sent north for the purpose. On his approach the rebels abandoned Inverness and retired into the mountains of Ross. Leslie advanced as far as Fortrose, garrisoned the Castle of Chanonry, and made terms with most of the rebels, Pluscardine and the Mackenzies alone standing out.

Early in April, while still at Fortrose, Leslie heard that General Middleton and Lord Ogilvy were raising the men of Athole. He immediately hurried south, leaving a garrison in the Castle of Chanonry, and leaving also a small force in Moray, under Colonel Gilbert Ker and Lieut.-Colonels Robert Hackett and Archibald Strachan, to deal with Pluscardine should he take the field again. His precautions proved necessary. As soon as his back was turned Pluscardine attacked and captured Chanonry, and on Sunday, 22nd April, again seized Inverness, which, apparently, was at the moment ungarrisoned, probably owing to the destruction of its fortifications. Pluscardine had been joined by his nephew, Lord Reay, with 300 men, these and the Mackenzies forming the bulk of his force, which amounted to over 1200. He was also joined some time after the capture of Inverness by Middleton and Lord Ogilvy, who had been surprised by Leslie and had fled north.

The Wardlaw MS., describing the capture of Inverness, says the rebels, coming some by Kessock and some by Beaully, "crossed the bridge of Inverness upon the Lords day in time of divine service and allarmed the people of Inverness, impeding God's worship in that town for instead of bells to ring in to service I saw and heard no other than the noise of pipes, drums, pots pans, kettles, and spits in the streets, to provide them victuals in every house and in their quarters. The rude rascality would eat no meat at their tables untill

the landlord laid down a shilling Scots argid cagging, chewing money, which every soldier got, so insolent they were. And here, indeed, they failed of their conduct by a rupture among themselves. Some were for giving the ordering of the battallions to Collonell Hugh Fraser [of Belladrum], and the whole command of the forces to him as an expert soldier; others give it to the Lord Ray and Captain Thomas Mackenzie off Pluscaden, and this carried it by the major vote. Monday, about 10 of the clock, they marcht from Inverness, well appointed and furnished with ammunition, money, all manner of arms, provision in abundance, nothing wanting that might incourage men in a good cause."

The rising was shortlived, however. Leaving Inverness on 23rd April, Pluscardine marched towards Badenoch where, having been joined by Lord Lewis Gordon, who by the execution of his father was now Marquis of Huntly, he attacked and captured Ruthven Castle. Leslie was advancing to meet him, however, so he turned down Speyside and encamped at Balveny Castle. Meantime Ker, Hackett, and Strachan, whom Leslie had left in Moray, had arrived in Inverness, and on the night of Sunday 6th May, learned of the encampment at Balveny. They had no news of Leslie, but, to quote from their subsequent letter to the Commission of the General Assembly, as "the enemy was making himself strong in many severall quarters in the countrie," they "conceived it better to suppress nor to be suppressed," and straightway set out on a forced march in the hope of surprising the rebels. They were entirely successful. "We were not above six score fighting horsemen and twelve musketeers. We had some more but they were wearied." And no wonder, for they had ridden from Inverness so rapidly that they reached Balveny early

in the morning of Tuesday 8th May, "and there the Lord delivered them into our hands."

The Wardlaw MS. throws some light on what happened. "Whilst unawarse, about morning light, Collonell Ker and Collonell Strachan, with but two troops of horse, surprised this great number, attackt them in their camp, trod them underfoot, without any manly resistance; 400 are killed upon the spot, 1000 made captives, all disgraced, the Lord Ray and 20 officers making no escape, no resistance, are taken prisoners, sent to the Castle of the Bogg. The crowd of captives, like coves in a fold, are kept in a little bottom, and a guard about them; hard fate and misluck it may be called, a disastrous defeat, the ground being so advantagious for hedges and ditches that one hundred might defie five, yet in a trice basely baffled and taken almost sleeping." The losses of the rebels were not, however, quite so heavy as the Wardlaw MS. states. "We have at this time about 800 prisoners," wrote Ker and his colleagues on the day following their victory, "betwixt 3 or 4 score killed, and two or three hundred fled. My Lord Rae and all the officers are, according to the capitulation, prisoners; the rest are to be conveyed to their countrey, after we receive order from the publick." As to the victors, a later entry in the Assembly Commission Records notes that the victory had been won "without so much as one being killed on our side."

How the prisoners, other than the officers, were "conveyed to their country" is graphically described in the Wardlaw MS. "Next there are 20 horse and 3 companies of foot ordered to convoy this captive army back over Spey and through Murray to Inverness, wher I saw them pass through, and these men, who in their former march would hardly eat their meat without money, are now begging, and like dogs lap the

water which was brought them in tubs and other vessels in the open streets. Thence conducted over the bridge of Ness, and dismissed every man armless and harmless to his own home. This is matter of fact which I saw and heard."

The Wardlaw MS. adds: "This wofull defeat and disappointment in the North dispirited all others in the South and West who owned the King's quarrell." The Commission of the General Assembly certainly regarded it as a great deliverance from "the enemies of the peace of this land," and ordained "a solemne day of thanksgiving, upon the 25th of this instant, for so great a mercie." A further sidelight is supplied by the Wardlaw MS. which says, "the shame and disaster of this defeat at Balveny filled most men's mouths with scorn, so that songs and satyres were vented up and down the country upon that expedition. Mr Gilbert Martiall at Crombdale, a merry droll, made an invective on it (nameing it the Bourd of Baveny)—

And heard ye the Bourd of Baveny—
The route of Mackay and Mackenye

and such like stuff." In passing, two points in connection with the letter of Ker and his colleagues may be noted, its ringing opening words, "Right Reverend—The Lord has layd His enemies and Scotland's in the dust," and the fact that it was written on the 9th of May and delivered in Edinburgh late on the night of the 11th.

Curiously enough none of our modern Scottish historians take any notice of this rising. Andrew Lang, W. L. Mathieson, and Hill Burton, all ignore it, and Hume Brown only refers to it in the most cursory manner while dealing with Montrose's last campaign in the succeeding year. Yet it had important consequences, both at the time and later, and among other things led

to the execution of the Marquis of Huntly. As Andrew Lang, W. L. Mathieson, and others pass severe strictures on the covenanters for Huntly's execution, professing to find no reason save bloodthirstiness for it, their neglect of the rising is extraordinary, especially when it is borne in mind that Fraser-Tytler in his "History of Scotland," pointed out the connection between the two, and that both Parliament and the Commission of the Assembly regarded the rising as a grave menace to the existing order of things, as is evidenced both by the documents already quoted and by the fact that they despatched David Leslie himself to deal with it. But, as I have had frequent occasion to point out elsewhere, the long obsession of Scottish historians that Highland history had little or nothing to do with Scottish history, has given rise to errors innumerable, and, as a consequence, to countless misconceptions regarding the history of Scotland.

After Montrose left Scotland in September 1646, Huntly carried on a sporadic war in his own district, and was eventually captured, after an armed resistance, in December 1647. From then till March 1649 he was held captive in Edinburgh. On 28th February 1649 the Commission of the Assembly, sitting in Edinburgh, received news of Pluscardine's rising, and straightway appointed a Committee to take such steps as might be necessary in connection with it. On the following day, 1st March, the Commission wrote to Pluscardine and his associates remonstrating with them, and pointing out the danger of their ways, and on 2nd March Parliament took steps to deal with the rising, and proclaimed as traitors its leaders and all who took part in it. On the same day Parliament sent a deputation to the Commission of the Assembly to request "that the Commission would show what in their judg-

ment the Parliament ought to do with the Marquis of Huntly," and the Commission returned answer "that it is clear from the Word of God that murderers should die without partiality . . . and whether the sometime Marquis of Huntly be guilty of murder it is competent to the Parliament to consider." On 16th March Parliament condemned him to death, and on the 22nd he was executed. Thus it is clear that Pluscardine's rising determined Huntly's fate. Whether, in the circumstances, the execution was justifiable, it is not within the province of this note to deal.

E. M. B.

1649-1650.

The second session of the existing parliament had sat from January to March 1649, when John Forbes represented Inverness. In the third session which opened in May and closed in August, his father, Duncan Forbes of Culloden, took his place and in July obtained an order that his lands should be "free of outreik of horse and foot in all subsequent levies" in consideration of his losses (Acts of the Parliament of Scotland); and certainly some recognition was due on this account, let alone the enormous amount of public business undertaken by the family.

John Forbes had been appointed one of the committee of war for the Sheriffdom of Inverness in February 1649, and at the close of the year he received the following order:—

Wharas I, Hew Kennedy ordeined by the Comittie of Estate to muster the whole forces of foote and hors within the Kingdome, and am warranted to apoynt any for whom I will be answerable to muster the regiments of foote and troupes of hors in my absence, I doe by theis presents give full power to John Forbes apearant of Culloden, proveist of Inver-

nesse to muster all the troupes of hors and companeys of foote within the Scherriffdoms of Inverness and Rosse, Elgin, Foresse and Nairne, quho are quarterd their presentlie or to be quarterd during my Commission, that they give obedience to the said John Forbes so oft as he shall desir the troupes or companeys of foote to give him a muster, and that this they doe as they will be answerable. In witnes quhairof, I have writin and subscribed these presents at the Burgh of Elgin the twentie fyft day of December the yeir of God, 1 M VI and fourti and nyn yeirs. (1649).

Hew Kennedy.

A memorandum dated next day is in the following terms:—

A Remembrance for Jhon Forbes pro-veist of Invernesse.

1. According to your Acts of Parliament and Committee of Estates ye ar at the mustering of each troupe or company of foote cause the officer then present with the troupe or company subscribe the declaratioune conteaned on the other syd at the end of his muster roll and if any refuses to doe it, discharge the collector of the shire to pay officer, troupe or company, and the refusor is to be answerable to the ordris of Parliament and Committee of Estates.

2. No officer hes bein upon the unlawfull ingadegement is to be admitted upon a troupe or company.

3. Nor no sojour but those that les givin satisfactiounes to the kirck of [two words illegible] they most show their testificat.

Taik notice of the goodness of the hors and a sufficient rider and that they be weil armid.

Hew Kennedy.

Elgin, 26 of December 1649,

[Declaration.]

I doe declare upon my conscience and honour that this is the just and trew muster roll of my troupe and that they ar all of myn own without the mixture of any others to doe the publick service. This I certifie be my subscription at the day of

Meanwhile throughout the summer of 1649 Montrose had been preparing for an invasion of Scotland with the object of placing Charles II on the throne as an uncovenanted king. In August or September the Earl of Kinnoul landed in Orkney with the advance guard of the expedition, but Montrose himself did not follow till March 1650. In November 1649 a letter from Mr John Annand, the Minister of Inverness, to John Forbes, throws some interesting light on the situation in Orkney and the Northern Counties.

Much honored—I received yours and thanke you for it, for the condition of affaires heir blessed be our Lord we are in peace, the generall Lieutenant is in Rosse. No stirres heir befor nor for the present. As for that of Orkney I think be some letteres wreitten to Mr Andrew Kerr and Patrike Dickson, I think ye know it befor this tyme. The condicione of that countrie is the samin. There is no new forces come to them for anie thing I can learne, bot they give it out that there ar some thousandes comeing. Thoes come in ar drieling the countrie people, and it is said they purpose to raise a bodie more or less of them. Quedder this be or to quhat place they may intend to come to is uncertain, bot that wicked man Captain Hall is thair, and I heir hes some more shipps and barkes, some say fyve or six takin treacherouslie be him. I think it must be to gaird them on land, or to transport them, or both. This is all I know of Ork-

ney. For our Malignants heir they are still the samin, and I am suir God will haive [sic] about with them; they wald be glaid to sie forrainers or false contrie-men raise new tumults, and upon som advantage wald contribut their strenth to putt all on fyre; bot quhat els may fall out the estates in my judgment wald not suffer thees in Orkney to rest in peace, lest they be a senair and be-gineres of new truble. Misregaird of such beginninges hes provein woefull to this land. For my self I can not bot be persuadit God sall suffer thees spuirned wicked men once yet to ryse that in thair full ruine he may triumph gloriouslie, for he getts not the glorie is due to him performed. Certanlie God sall vindicat his glorie and in his owein wey perfyt this worke. I rolle [sic] my self upon him, and hopes to sie better tymes. It grieves me to sie Malignantes south and north, makeing up false fyres of newes and warmeing them self in thair imaginations. I pittie thair follie, bot mor that good men, quho have sein so moch of Godes power sould be dishartned for worldie changes, thocht they war true, bot quhen they ar bot made up, as often they ar, we sould the lesse regard them. No newes can be wreittin, bot is mistakin be manie, and somtymes Maliciouslie, somtymes out of simplicitie, bot quhen wicked men, feeding them self with fancies, have a littall sported [sic] shame, makes them hange downe thair heades, at last no more for the present. Bot all yours ar weill, blessed be God. Sir James [Fraser] was this day buried honorable. The L. generall was there. The Lord blesse and prosper you, and I rest, Sir, Yours ever,

J. Annand.

Invernes the 9th of November 1649.

Strathnaver is garrisoned be the Earle of Sutherland.

Sir, shew Alexander Lestlie that Dunzean [Alexander Baillie] your brother in law querrelles me daylie anent that supplicatione givein in to the Parliament for his part of the suspendit maintenance, as if haid failed throch me. I intreat you both to doe quhat ye can; comend me to him and to Johne Dunbar; and, Sir, I intreat send me word if the commission for plantation of kirkes be sitting, and how long they sitt.

Addressed:—For his much honored and worthilie respected Johne Forbes of Culloddin, Provost of Invernes.

No letters unfortunately are extant concerning the last campaign of Montrose. He crossed from Orkney to the mainland in April 1650, and on the 27th of that month was utterly routed at Carbisdale by Col. Strachan. A few days later he was captured by Macleod of Assynt, and on 7th May the author of the Wardlaw MS. saw him at Lovat, and apparently accompanied the prisoner and his escort to Inverness. Outside Inverness they were met by a "crowd from the town," which included the Rev. John Annand, with whom, says the Wardlaw MS., "the Marquis was well acquaint." The same authority's description of Montrose's appearance and behaviour is well known, so one short quotation will suffice. At the town cross "a table covered, the magistrates treated him with wines, which he would not taste till allayed with water . . . The provost, Duncan Forbes, taking leave of him at the town's end, said, My Lord, I am sorry for your circumstance. He replied, I am sorry for being the object of your pitty." And so the great Marquess passed southward to his doom at Edinburgh, where he was executed on 21st May 1650.

John Forbes was in Edinburgh in the summer of 1650 when the fifth session of the parliament was sitting, and continued to hear from Inverness, whose misfortunes must by then have reached almost a culminating point. The following letter is dated 25th May, 1650, and endorsed "dischargeing me to medle with the excyse, and iff I did to tak it to my self and my own hand."

For the richt honorabill Jon Forbes
Provost of Invernes Thees

Richt honorabill

We thocht fit to let you know since your departure that Holburnes regiment and Lawers, with uther tua companies, in thair back coming quartered with us for tua mailles, and wes foreit befor thair removall to advance thame tuantie ane bolles maill, quhilk cost us no small deficultie befor it wes gotin; and all that we have obteneal for both theis is the generall majors resset, quhilk with the resset obteneal at thair goeing forward to Cathnes, ye sall be pleased to receive, and crave payment or allowance for the samen to the towne, for the generall major hes assured us upone his honor that all will be ather satisfied or allowed. The resset of the tua bolles maill and the aile givin the prissoners ye have it your self, and the resset wes gettin for Lawers regiment in thair goeing to Cathnes (thair number being sex hundredreth) Mr. Jon Annand got it and ne forgot (albeit socht) to give it us befor his away goeing. If he hes brocht it South, get it from him; if not, the nixt remedie is that a new resset be gottin for that number from Lawers, and make your best us[e] of all.

Sir, ye know befor your departour from us we had sum discours annent the excyse, bot nothing concludit quhill

your nixt advertisement. Sir, we find the scaircitie of victuall heir and in the whole country about to be sua great that thair is nothing expected (saveing Godes mercie) bot a heavie famine, for at this tyme the scaircitie is such that ye will not get a boll of meill or beare to buy for gold or money; and the lytle beare is gottin with great moyan is at tuantie merkes, and er long will be deirer; bot that which is for [illegible], it will not be haid at all, sua that all brewing of drink is almost gevin up alreddie, which makes us conceave that the mater of the excyse for this halff yeire intocom will die of it self, which we desyre yow to take to your consideratioune as a thing as weill known to your selff as to us. And if ye will dail more for the excyse we desyre that, in Godes name, ye make use of it as ye think best, for in any termes we will not medle further in it, nather will we be comptable to any for the samen. Thairfoir, Sir, appoynt your awin collectors tymeouslie for it, for we will not compt for it bot to the last of this moneth of May.

Sir, we thocht fit to remember yow annent that depending actioure betwixt us and Channorie, for their insolencies ar so hie that they begin to brag now more nor ever they did. Thairfoir we desyre that if thair can be any possibilitie that meanes may be usit whow thair bragis may be allayed, the doeing of this and of the maner whow to goe about it we refer to your awin consideratioune.

We thocht to have sent yow [?] Lamp-
nines money, bot the troupis sudden
march southward, and that we wer forcit
to pay thrie moneth at one, we ar con-
strained sore against our will to super-
ceid the sending of theis moneyis to the

nixt occasiune quhilk salbe within
aucht dayes at furthest.

Sir, at that tyme that Collonell
Mountgomries troupe went throw, they
tuik tua of Wattie Thaynes horses with
thame, and the poore man followit them
the lenth of Elgin, and when he socht
his horses, they offerrit him pistoles and
swordes to do him violence, so that the
poore man wes forcit to returne but
[without] his horsse, quhilk hes ruined
him for ever. It is our earnest desyre
that if ye can have any reasone, that ye
will speake the lieutenant of the troupe
anent the poore mans horsse, for resti-
tutioun of them or thair pryce, quhilk
will be tuantie dollours, for the lieuten-
ant can not deny bot he saw the poore
man asking his horsse, bot he wold give
him no justice. Theis and all other
materes we spake of at your departour
we remit to your cair, and restis your
affectionat freindes

Johne Polson

Al: Outhbert, Baillie.

J. Dunbar.

Invernes, 25 May 1650 yeiris.

Sir, we humbly intreat yow to remem-
ber the povertie of this place anent the
maintenance and loane, for the burdin
heir is sua great, that we ar all reddie to
skatter throw the world quhair we may
best.

There is a further endorsement on the
above letter:—

Compt of the £240 resaved fro Hebburne	
Item tua pund we payed	2
Item licht money	10
Item gevin the clerk	—
Generall Major Holbornes accompt	

Another letter from the same hands was written to John Forbes in June, and has been endorsed:—

“14 June 1650 Lettre desyring to tak the excise. . . .” The remainder of the endorsement is now obliterated, and it may be remarked that in general all the letters of this period have required most careful reading to make sense out of many passages now very much faded.

Invernes the 14th of June 1650.

Right honorabill Sir

We haive ressaved yours from Finlay Merobert, schaweing us first that you are not in houpe to get anie thing for our meall and quartering from Houburne or Laweris. Wee think it werie strange that we suld not get payment or allocatiōne in our maintenance as utheris have gottin. David Leslie, the lowetennent-generall, did pay the meall he gott in Sutherland out of his awin purse. These peopill promised werie faire, quhen they war getting the meall, altho they doe not pay us. As to ane commissioner to the burrowes and [?] Lamsynes money, and Adam Keltie, wee sall, God willing, be cairfull theroff at the tyme appointed, but the commissiōne will be blanck. It is onlie our desyre that your self be the man.

As concerning the excise we have not medled with the uplifting of it this moneth, in respect thaire is no good to be had of it; but wee desyre yow, Sir, to take it for the townes use give it can be had for ane hundreth pundes monethlie for ane yeir. Whidder it be takin from Maister Robert Farquhar or from the Committie of excise, and advertise us with the first occasion. We are werie sorrie that yow can get nothing done anent the towne; give wee pay the full maintenance this poore towne will be ruined utterlie.

Wee intreat that, quhosoever hes the excise, that you tak it for the towne use as cheape as yow can, in respect ther will be nothing gottin this thrie or foure monethes for it. As for to schawe yow anent the pitifull conditione of this plaice, wee neid not, but doubteth not but yow will do all for us yow are abill to doe, let God make the event as He pleaseth. To your answer wee rest

Your loveing friends
and neighbours

Al: Cuthbert.
Johne Polsons.
J. Dunbar.

Almost immediately after the above letter was penned Charles II. landed, and the following is of interest as having been written so soon after this momentous event. It is endorsed "shewing they could gett non to goe Commissioner to the borrowes and parliament, therfor requesting me to imbrace the commission." The date on the endorsement is "25 June 1647," but from the mention of the king's landing, and the references to matters mentioned in the two previous letters it is clear it should be 1650. No year is given on the letter itself.

For the Right honorabill
The provest of Invernes Thees

Richt Honorabill.

We have beine indevoiring our selves to the uttermost for the dispatche of ane commissioner to the borrowes and, God knowes, what shiftis we have maid for furnishing money. Efter that we did put our eyes to ane to goe in the imployment, the great rumours heir since the Kingis landing and the reportis we gatt that no meiting of the borrowes wold be at the tyme prefixt, moved him not

to goe, for all we could doe; which hath constrained us (albeit we know that ye ar too much burdined with our affairis) to send yow our commissioun blank for the meiting of the borrowes to insert your awip name therin, or your fathers, as ye thinke meit, and hes sent over to yow [?] Lau-chsines sex monethes pey extending to £338, with the dewes of the missive being £100 or therby, togidder with sevin angles to Adam Keltie, to releive our [illegible], and ane hundreth pundes to defray your chaarges to forder compt.

We ar affrayed that this employment will not seeme pleasant to yow, but we intreat yow to pardon our boldnes, and as ever ye will have us to continew your friendes and servandes, and dischaarge your selff now for us as at uther tymes; for if we be not assisted by yow at this tyme no questione bot we will be ruined for ever. And what is neccissar to be done for us befor the borrowes we know that ye ar not ignorant of it, the maine and speciall thing being the alteratioun of the text Roll, and craveing supplie to the bridge, Kirke and harboris.

Sir, ye know that ther is conscience and equitie for our diminutioun now since the schyre of Ross is taikin of, quhilk increesses [illegible] the handleng [prosperity] of Tayne and Dinguall; for in Dinguall the merchant that peyes most ther peyis bot thrie or four schillingis, who injoyis als much [illegible] as any amongst us.

Sir, thair is on thing remarkable annent the missive, to wit, that in the last missive we wer inrolled as the first towne that suld have supplie for our bridge Kirk and harbor. Bot in this we ar fullie left out, and neglected, quhairof we wounder much. Quhairfoir we desyre that ye examine what reasone the clarke haid to leave us out this yeire, and studdie to have us at leist yit againe re-

membrit in the nixt missive. Theis and what els ye conceave fit ether to be done for the weill of the poore towne we remeit to your judicious cair, wishing all hap-pines to your selff and a prosperous succes to your affairs we remaine

Your loveing nichbores

Robert Bailye, baillie.

Johne Polsone, baillie.

Al: Outhbert, Baillie.

J. Dunbar, baillie.

Invernes, 25 Junii.

Sir, if now sumthing be not done for us at the Parliament and borrowes, quhair-by they will pitie us, we ar affrayed this will be last that ever will be sent from this.

Sir, thaire is just sex hundreth pundes in the by-girdill, with ane paper quhairin is wreattin the species of the money particularlie sett downe. Sir, it is best give yow can get ane ease of the excise, that yow take it, altho thir two or thrie mone-this be not worth, yet the winter tyme may suplie the same give the towne take it not. Jon Polsone and I sall be port-maces therof give yow pleis or take it off your handes at ane easie raite as wee can agrie.

Across the back of both pages of the above letter is the following draft petition without date:—

Anent the borrowis.

Showeth

That the deplorable condition of our said bruch is such at this present being many wayes brocht wery low, as we ar not able any longer to subsist as one of the Royall borrowes, much less able to scott and lott with the rest of the Royal borrowes, in bering such an insupportable weicht as formerly we have, being

waichted with the burdene of the 40th part of the taxation of the haill kingdome, and [several words illegible] albeit it be weill knowin that maist part of the haill royall borrowes ar far beyond us in power, they [illegible] nocht and for the better illustration heiroff we sall not neid to represent unto your honour our burninges, wastinges, and grievous depredatiounes occasioned by the common enemy, as a thing weill knowin to all as a common calamity albeit non can paraleill ours, considering our strenth. Thus passing over the burning off our towne and bridge, with many other losses susteyned at that tyme, quhilk this papir war not able to contayne, and tedious for your honour to listen unto, we sall only show your honour that ther is added to our former misfortunes the loss of ane ship in January last cuming from Holand, with fyftie thousand markes and upwardes, quhilk hes ruined many honest merchands most part of the said loading being taken upon trust.

2. That all thir men, quha was maist able to bear any partable charge hes deserted us, vizt. William Nelsone and his bairns, Dunbar [illegible] Forbes, and have removed them selves, sume to the cuntrey and others to Dinguall, Cromarty, Chanonrie for the ease of their burdinges.

Quhairthrow ane handfull of poore miscreants ly punissed grievous under the said burden. 3, the shyre being deliverit, our nyehbour bruches, viz. Tahin & Dinguall, Chanonrie, the haill counsall of the heichlandes, they was the only key of our trade, quhairly we leived. 4. We have nather ship bark nor boat belonging to us, and albeit we hade ane vertuous inclination to dryve sum small Tred in other mens bottomes, the impossibility therof is knowin to all.

5. We ar at the expense presently off the building our new church for our heil-

and congregation, quhilk albeit ane good work, yit being so overpressed with thir burdens we ar necessitat to give over the same eftir it is half perfyted. In consideracion of all quhilk it is humblie craveit that your honours wald tak our said conditione to your serious consideratione, and to releive us of such an extraordinary burden, quhairby we may be free in sume cappacity of [illegible] and grant us sume supplie for the building of our said church and the repairing of our bridge and harbour, seing we have been alwayes reddy to contribute our meanes for the support off others, the same being formerly ane hed off the missive, however now the samyn is obliterated. Or otherwayes we declare plainly our impossibility of any longer subsist[ing] and assure your Honours, but [without] offence That is, wee will all off us desert the said bruch sua that heirafter, yow neid not aither expect a government in that place nor yet any commissioner for to be assisting in any public mater, quhairin we have not at any tyme been wanting to the utermost of our powers.

We crave also that your Honours might be pleised to appoynt your nixt generall meiting at our said bruch of Invernes, or sume other place heir abouts, to the effect our cause may be knawin unto all, and quhatever ease you shall happin at this tyme to show your suppliants, if our condition be not found to be such as now we declare it to be, lett the same be augmented thriefold upon us.



(4) INVERNESS AND THE
COMMONWEALTH.

In July 1650 orders were issued for purging the army, which did not, however prevent the complete defeat of General Leslie at Dunbar by Cromwell on 3rd September 1650. On New Year's day 1651 Charles II. was crowned at Scone and preparations were made to refit the troops.

John Forbes was then in the north and, as may be gathered from the following letter, still doing such business as was possible under the circumstances.

Addressed:—For his very much honoured friend

John Forbes of Culloden,
Provost of Invernes.

Honoured Sir

Your former kindnes, wherwith you have so much endeared me to you by the strictest bonds of duty and thankfulness, makes me a litle strain courtesy at this tyme and desyre a favor of you, if it may be done conveniently, which is that you wold be pleased to send me as many good otter skyns as will lyne a coatt to ride with above my dublet. I understand they can be had no where so weell as in those parts, and therefore, out of the confidence of your readines to obleige me I have almost against my will forced myself to so much impudency, as to give you occasion to censure my incivility. Which, indeed, I wold not have done, if I did not weell know your propension to all those wayes wherewith you delight to overcome your friends, of which number I shall desyre you to esteem Your most affectionat servant

A. Henderson.

Perth 15th January 1651.

In May 1651 John Forbes had come south "for attending us in our Army," but had the royal permission to return north particularly because he had been appointed one of the commissioners "for hastening up the maintainance and meale for our army from the forsaid shyre and burgh." ("Culloden Papers" IX.) On 15th May the Town Council minutes record—"That day the Provost presented in presence of the Convention above written the Kingis majesties letter, whereby he craves the advancement of two hundred pounds sterling from the town of Inverness."

Perhaps the following letter may have been connected with this request for an "advancement."

For the right honorable Johne Forbes
of Culloden, Provest of Invernes.

Right honorabill

I received your lettre four dayes agoe, bot the enimie being this tyme bygane lying advanced the lenth of Linlithgow, so as our forces ar hourlie expecting infalls upon thame (they being at Torwood not four myles distant from other) wee have sinc had no meittings of committee heir, bot such as war only for dispatch of publick orders and for provisions to the armie. The King and most part of the noblemen being still in the leaguers [camp], your bill sall be hard with the first convenience, and Sir Archibald [Primrose] hes promised it sall be hard with the first. What answer it receaves I sall direct to you with the first occasion, bot when or how soone I can not assure you. I could have wished the bearer would have stayed a day or tuo longer, bot he being so importunat and our dyetts so unconstant, I have thought good to dispatch him, and I sall be cairfull to gett your busenes wrought so soon as possiblie can

be, and sall neglect no occasion to gett your desyre effectuat, and sall from tyme to tyme acquaint you with what our provedours sall do heir in relation to publick busines. Thus I am, Sir, your humble servand

Ja: Dunlope.

Stirline. 5 July 1651.

NOTE BY EVAN M. BARRON.

Two months after the foregoing letter was written the battle of Worcester had been fought and lost (3rd Sept. 1651); and Scotland was prostrate at the feet of General Monck whom Cromwell had left in command of his forces in Scotland when he himself turned south in pursuit of the Kings's army. It is impossible to say whether a contingent from Inverness fought at Worcester, but on 26th February 1651 the Council appointed the four bailies "to proportion fifty men upon town and territory as being their proportion of the present levy for recruiting the army, to the effect the said numbers may be presently set afoot and put under the command of town officers and sent to the general rendezvous of the Kingdom." The bailies recommended James Forbes to command the contingent, and on 17th March the Council "nominate and made choice of the said James Forbes to be Captaine to lead and command the soldiers is appointed to be put furth in the service by the townes of Inverness, and admits him to all the benefit and privileges of a Captaine as freely as any other in the army." One of the provost's brothers was named James—"Captain James Forbes, who lived in Caithness"—and possibly it was he who obtained this command.

About the end of November 1651 Inverness was occupied by a regiment of Monck's army under the command of Col. Fitch. The place was then "not to be forti-

fiable without a great deal of charges, nor tenable without a greater number of men than the Towne can possibly provide accommodation for, for whereas a regiment was intended for it, there are now only 3 companies quartered there, and half of them want beds, and the rest of Col. Fitch's regiment quarter in great houses beyond the River Spey and Lake of Nesse." (News-Letter from Dundee dated 1st January 1652, and quoted in "Scotland and the Commonwealth," p. 28.) It was not, however, till about May 1652 that the fort at Inverness was begun, it was still unfinished in August 1655, and was probably not completed till the summer of 1657. The Wardlaw MS. states, on the authority of the commissary who advanced the money, that it cost £80,000. The garrison consisted of Col. Fitch's regiment and some cavalry, and it was commanded by Col. Fitch himself during the greater part of the occupation. Of its effect on Inverness the Wardlaw MS. says:—"They brought such store of all wares and conveniences to Inverness that English cloth was sold near as cheap here as in England; the pint of claret wine for a shilling; set up an apothecary shop with drugs. . . . They not only civilised but enriched this place." It should be mentioned that 30 foot were stationed in the Castle, where Lieut.-Col. Blunt, latterly second-in-command, had his headquarters and where he died, apparently in 1660. The English garrison, which usually numbered from 700 to 1000, remained in Inverness for two years after the Restoration, being withdrawn in April 1662, "to the great grief of all the English soldiery," says the Wardlaw MS. "Never people left a place with such reluctance. It was even sad to see and hear sighs and tears, pale faces and embraces, at their parting farewell from that town. And no wonder; they had peace and plenty for 10 years in it.

They made that place happy, and it made them so." The demolition of the fort, begun in the previous year by order of Parliament, was completed after the garrison left. Colonel Lilburne, whose name is sometimes associated with Inverness, was commander-in-chief in Scotland for a time, and his military duties occasionally took him to the town.

E. M. B.

1652-1654.

Early in 1652 the English Commissioners ordered the Scottish burghs and counties to send representatives to meet them at Dalkeith to arrange for a union between the two countries. John Forbes was sent by Inverness, from which he received the following communication:—

We, the magistrats and counsellours of the brughe of Invernes, tairking to consideratioun the sad and distressed conditione of the land we leive in, occasioned by theis unhappie differences and unchristiane misunderstandinges betwixt the Commonwealth of England and the inhabitantes of this land, which hath not onlie tended to the shedding of much christiane blood bot liklie to the totall ruine of this poor land, if not prevented by the Lord by a better understanding or of another. Thairfoir, in order of the removall of these unhappie differences and for the begetting of a richt understanding, we have and doe heirby commissionat, authorize and give full power in name of the whole inhabitantes of the said brughe, to Jon Forbes, lait provest of the samen brughe, to make adresses to the commissioneris of the parliament of England for the affairis of Scotland, and in our names to doe everie thing, als weill by makeing applicatiounes to, as receaveing commandis from the saidis commissioneris in order

to the satling and secureing the peace of Brittain and Irland, and of this our brughe. And in testimonie of our investing him with our full power, and the power of the whole brughe, and with the speaking of our myndes, and to doe everie thing that sall concerne this brughe, as he sall think fit, we doe subscrieve this our commissioun givin to him for that effect. Att Invernes this tuantie sext day of January 1652 yeiris

R. Rose, prowest of Invernes;
 Robert Bailye, baillie; J. Dunbar, baillie; Al. Cuthbert, baillie; Johne Stewart, baillie; James Cuthbert, counsellor; Johne Hepburne, counsellor; R. Monro, counsellor; Johne Polson, counsallar; Alexr. Grant, counsellor; D. Robertson, conseller; Gilbert Robertson, cunseller; William Baillie, counsellor.

This is not the only document. There are two more (identical in body and signature) endorsed—"26th Jan. 1652. Two commissions anent treating with the commissioners from England," and they differ from the one given only in so far as the powers granted to the commissioner are not so wide. The signatures are the same, and both end "but not to conclud or determine in any thing doubtful or seminglie prejudiciall to the future good of this nation and this burgh without we be first acquented and our special consent craved and obtained thairto." On the back of one is also written "By the commissioners of the parliament of the Commonwealth of England for ordering and managing affairs in Scotland Feb. 26th 1651[2]. Read and considered and found insufficient, wanting the power mencioned in the summons, nor being in pursuance thereof, whereupon the person

within named is dismissed. Signed by order of the commissioners Jo. Philpes, secretary." A further endorsement of these twin documents reads:—"Town of Invernes to Jon Forbes. To goe to Dalkeith to treat anent the union restaited by advyse of the said Jon Forbes and therupon ca. . . . [?cancelled], and David Fowler thereafter sent commissioner, who did tak the tender."

A fourth commission dated in February 1652 is endorsed:—"Commission for Jon Forbes. In February 1652, which John Forbes caused [word illegible] when the wholl land wer to tak the tender, which he shunned and David Fowler was sent in his vice, who took the said tender on behalf of the bruch." In this commission nothing appears to be wanting.

Be it kend till all men be thir present lettres, We the provest, baillies, consell, burgesses and communitie of the bruch of Invernes, takeing to consideratione the sad and distressed conditione of the land we leiv in, occasioned by theis unhappie differences and unchristian misunderstandings betwixt the Commonwealth of England and the inhabitantes of this land, which hath not onlie tended to the shedding of much christiane blood bot likly to the totall ruine of this poore land, if not prevented by the Lord, by a better understanding on of another. Thairfoir in order to the remowall of theis unhappie differences and for the begetting of a richt understanding, we have and doe herby commissionat, authorize and give full power, for our selves and in name of the whole inhabitantes of the said bruch to Johne Forbes, lait provest of the samen bruch, ane man of integritie and good affectioun to the weifair and peace of the tua nationes of England and Scotland, to make adresses to the commis-

sioneres of the parliament of England for ordering and manadging affairis in Scotland, who ar to meit at Dalkaith upon the tuantie sext day of February instant, and thair with the uther commissioneris of this natioune which sall happin to be at the said meiting, to trait, vote, and conclud upon all and quhatsumever materis and businesses sall happin to be handled and traited on in the forsaid meiting, in ordor to the satling and secureing the peace of theis natiounes and of this our bruch, with power to our said commissioner to doe all and quhatsumever thinges beseiming the office of a commissioner, als frielie in all respectes as if we and everie ane of us wer personallie present at the forsaid meiting, promitand heirby to stand firme and stable to all and whatsumever thing our said commissioner lafullie does at the said meiting, but [without] appellatioune reclamatioune or againe calling quhatsumevir. And in testimonie of our investing of him with our full power, and the power of the whole bruch, and with the speakeing of our myndes, and to doe everie thing as he sall think fit, we doe subscrivve this our commysсионe givin to him for that effect. Att Inverness the — day of February 1652 yeiris.

R. Rose, prowest of Invernes;
 Robert Bailye, baillie; Al. Cuthbert, baillie; J. Dunbar, baillie;
 Johne Stewart, baillie; Johne Polson, conslar; Robert Chapman, conslar; J. Barbour, ane of the consell; Alexr. Grant, counsellor; R. Monro, counsellor; W. Cuthbert, counsellor; Gilbert Robertsonsone, cunseller; A. Fraser, counsellor; D. Polson, conseller; Johne Hepburne, conseller; R. Paterson, conseller;

conseller; William Baillie, conseller; Johne McConchei, burges; Ja. Robertsons, burges; Jon. Mackbean, burges; A. Paterson, burges; Ro. Polson, burges; Robert Cumyus, burges; Keneth McPherson, burges; Thomas Waus, burges; [?] Cuthbert, Elder, burges; J. Kar, burges; J. Cowy, burges; Donald Schawe, burges; George Cuming, burges.

That this last commission was probably the final one appears from a letter of the Town Council, dated 19th February, stating that "we have maid all the haist we culd to send back this bearrar with a new commissioun subscrivit be all in the qualitie ye desyred. If it be not so formallie done as it sould, it is not our faultes, by reasone we have indevoired to doe the best according to our skill." The endorsement reads—"Lettre sent to Dalkeith, excusing them for not sending another commissioner for my relieff, and showing the hard shifts they have maid for getting 200 marks," which had been sent him.

The last letter in this connection, dated 2nd March, was "desyring me to plead downe 2 monethes maintenance ther exacted by Captain Dundass which I obtayned." He was collector of the cess and "after his comeinge from Cathnes and Orkney is still pressing us for the payment of the townes part therof for tua monthes, and does importune us so that he threttines us with quarteringes. Sir, ye know throche the expenses we have beine at, and the burdeine we susteine daylie by the garisone, whow impossible it is for us to give him obedience in this . . ."

In 1652 there were differences between the shires of Inverness and Ross regarding their assessment and valuation, and Colonel

Thomas Fitch, as governor of Inverness, ordered (through Captains Dundas and John Greene) "The old subscrivit valuation book with the whole minutes of the revaluation of the shyre of Inverness Ross considerit therein with the bookes of the comittie of warre, the hail minutes and papers containing the severall actes and passages of every comittie of warre since the year of God 1646" to be produced by Mr George Leslie, shériff clerk of Inverness. A receipt was given to him 31st March 1652 for a committee book from 1649 to 1651 "with nyn bunches of the minutes of the revaluation with the old subscribed valuation booke."

These seem to have been made use of, and information subsequently sent south to General Richard Deane, then commander-in-chief in Scotland, who issued orders for "redding of the differences," as the following minute shows:—

Endorsed:—(1) The Comittie's act anent the revaluatione &c.; (2) Valuations Inverneshyre in tyme of the Englishe.

Invernes 28 September 1652.

Conveened Robert Monro of Foulis, Kenneth McKenzie of Coule, Walter Innes of Inverbreky, Hector Douglas of Balcony, Hew Fraser of Belladrum, William McIntosh of Kellachie, Johne Forbes fiar of Cullodin and Thomas Schives of Muertoune and Lenlair.

By wertew of ane order from Major Generall Deanes, beinge lectit and chosen by Collonell Thomas Fitch, governor of Invernes, for redding of the differences betwixt the schyres of Invernes and Ross, anent ther assesment and revaluaciounes, who haveing perusedt and compared the bookes and scrolls of the revaluacioune, finds according to ther best knowledge and informacioune, to have benee justlie proportioned and equallie

and impartiallie layed on. Quhairfore ordaines that the clerk of the schyres doe presentlie extend a book of the particularr rentis according to the said revaluacioune, and also ordaines him to mak ane extract of the general bookes alreddy made up betwixt and the sext day of October nextocum. To the end the saides bookes may be subscriyved and sent south to the Major-Generall, that his approbacioune may be hade and obtained therunto, that the same may be a generall reule for proportioning the cess and to ther impositiones in all tyme cuming.

R. Monro of Foulis, J. Monro of Lema-
lair, Walter Innes of Inverbreky,
Wm. McIntoschie of Kellachie, J.
Forbes, Hr. Dowglas, Hew Fraser,
Thomas Schives.

During the latter half of 1652 the Royalists in Scotland had been endeavouring to effect a rising in favour of Charles II., but it was not until well on in 1653 that anything like an actual rising occurred. Its leader was the Earl of Glencairn, and by 1654 his following in the Highlands had become formidable enough to compel General Monck himself to proceed north to deal with it. Monck pursued the Royalists through Badenoch to Glenmoriston, which he reached on 24th June, proceeded thence by Glenquoich to Kintail and Lochalsh, and then by Glenstrathfarrar, Strathglass, and Glen-urquhart to Dunain, where he pitched his camp for a few days and himself resided in Inverness. Thence he marched to Dalnaspidal where at last he succeeded in coming up with the enemy under General Middleton on 19th July and totally defeated him. The Royalists never subsequently succeeded in getting together more than a few hundred men, though isolated parties kept the field in the Highlands till the spring of

1655. Thenceforward till the Restoration no serious revolt disturbed the peace of the country. The devastating effect of Glencairn's rising on the shires of Inverness and Ross is shown in the curious document which follows, endorsed—"Instructions for Lieutenant - Collonel Mitchell." Throughout his march Monck systematically destroyed every means of sustenance in the country, and the apparent reference in the document to this destruction seems to fix its date as the latter part of 1654 or the early part of 1655.

Instructiones, Shyre of Inverness,

For the much honoured Lieut Coll Wm. Mitchell, Our Commissioner for the Parliament of England.

1. First it is desyred you may be pleased to joyne with the remnant commissioners of Shyres and Broughs of this Nation in supplicating the Parliament for a Diminitione of the Sess generally of the wholl Nation, in regard of the universall povertie and misery of the Land occasioned through the Warres and troubles (now continued by the space of fyfteen yeires bygone) And also to joyne with them in every other thing, that may concerne the Publick good of this Nation.

2 Secondly it is desyred that you may be pleased (if possible) to endeavour the purchasing of ane exemptione of the Sess to the wholl Low-Lands and weel affected of the Shyre of Invernes, untill the nixt Parliament, at least, untill such tyme as the insurrectiones & rebelliones of the hyghlands therof be compesced, seeing through the frequent outbreaking of the Hilanders (who ar all for the most part of the said shyre) the poor Low Countrey therof (as you know) hes been & will be the Seat of the Warr, Wherthorow they suffer ane houndred fold

more prejudice than any benefite can
accesse to them by the favour de-
manded.

Moir reasons to perswad the granting
of the forsaid desyre.

(First), for that they have not been
moved to syd with those now in rebel-
lion (notwithstanding the many allure-
ments and threats used be the rebells
to that effect)

(2) For that they ar dayly sufferers
by the Hylanders in their goods &
moveables (pairtly by pettie thefts &
also by oppen Depredationes & her-
ships)

(3) The Destroying of ther Cornes &
Grasse universally by the English
forces during this last summer (as is
weell knowin to you, Sir) hes reduced
many honest men to extreme poverty.

(4) Albeit the Hylanders wer quieted
it may be conceavit such a numerous
garrisones (as that of Invernes) lying
in ther bosome (whose necessities of all
forses must be supplied by that part
of the Countrey), they cannot be in
quiet, and therfor reasone would that
som greater favour be shoven them
as to any other place who ly not under
the lyk pressoures.

3. (Thirdly) Wheras that pairt of the
Countrey called Ros (now designit the
Shyre of Ros) hes been from the begining
not only a pendicle but the werie marrow
and most substantial pairt of the said
Shyre of Invernes. Therfor you may
be pleased to labour the reuniting of
them unto us, againe, or at least the
remitting of the decisiones of the contra-
versie to the Judges at Edinbrugh.

Your Honour may be pleased to use the
subjoynt Reasones to persuad the grant-
ing of this Desyre.

(First) Ros ought to be continued in on shyre with us (as of old) becaus indeed it is the only body of the shyre of Invernes as it was established fra the begining.

(2) Becaus it is interjected betuixt us and the most pairt of the Hylands of our shyre.

(3) Because of its contiguity with us (the remotest pairt therof being within 24 myles of Invernes towne) whill as the greatest pairt of the shyre of Invernes (as it is now called) is distant som 50, som 90, som ane 100 myles from the said towne.

(4) Becaus as yet it is not cleirly devydit from us but only superficially appoynted (in the year 1649) tō be established in a shyre by itself.

4. Wheras Lochaber & boundes thereto adjacent is the only fontaine wherfra all the Prejudice and infestatione of the wholl natione (for the most part) & especially of the shyre of Invernes doeth flowe, And that Inverlochie in Lochaber (being a most commodious haven for shippes and a place abounding with many casualities as woodes, fishing and other commodities and the very center of all the Hylandes of Scotland) is a place many yeires agoe designit for a Brough & justice seat. Therfor it is humblie conceavit that the only way for civilizing thes places and curbing the insolency of the savage & lawles Hylanders & bringing them under obedience to the Law, is to erect a Brough at the said Place of Inverlochye And that all the boundes of Glengarrie, Glenelg, Suenard, Ardnamurchin, Moydart Knoydart, Rennoch, Glenco, and North West yles (all for the present within the shyre of Invernes, except Rennoch and Glenco), shall be erected in a shyre & astricted to answer at the said Brough of Inverlochye as the nixt and most commodious

seat of justice, and because it is probable that the said Towne of Inverlochty will not growe to any perfectione on a sudden, therfor it is thought fit (for the better bringing the Hylanders under obedience to the Lawes) that (according to the old practize) the wholl heritours, fewars, Rentellers (and others convent within the fornamed Hylandes) be obleedit to give their personnell presence in the towne of Invernes, at three head Courts in the year (under the payne of forfaltrie of ther estats) and do all other duties to the shyre of Invernes (as formerly) untill the Brough of Inverlochty be brought to a perfectione. This Sir we conceave to be most fitting & therfor humblie desyre ye be pleased to press it.

Nota The best Woodes in Scotland both of Oak and Firres ly within 7 myles of Inverlochty & are portable to the sam be water.

5. Wee desyre that if the former articles shall be granted (anent the disjoyning of Lochaber &c. from us, which in our humble opinion is a thing most just and reasonable, much conducing not only for the weell of this shyre but also for the publick weell of the wholl natione) that then & in that case, you may be pleased to plead that all the Lands betuixt Spey & Ness may be adjoyned to the Low Lands of the shyre of Invernes & Ros, and Invernes-towne, as the Cheeffe center to be head brugh of that shyre. And if Ros & Murray be refused to be joyned to us, ye shall presse that the shyres of Nairne and Cromarty (being but twa small inconsiderable things, the rent of both not exceeding tuo thousand pound sterling) may be joyned to the shyre of Invernes.

Reasons of this Desyre.

(First) as thes shyres ar now divydit, not on of them is able to outred & pay the charges of a Commissioner to

Parliament (Wee beseech your Honour not to stumble at this reason) And therfor &c.

(2) Becaus of the contiguitie, the remotest pairt of all Murray not being distant full 34 myles from the towne of Invernes, and as for Nairne & Cromarty the remotest of them is not 15 myles distant.

6. Seing the Lowlands of the shyre of Invernes, are continually infested and weel neer ruined be the frequent incursions & robberies of Lawles Hylanders, therfore it is humblie conceavit that the only way for guarding the honest and peacable people therof is to appoynt ane watch or guard for protecting the Countrey, to be maintained upon the publick accompt of the three nationes And to be under the Conduct of some honest qualified man, or men, who shall be able to discharge his or ther duty in the said imployment so as they may be answerable, both for themselves & the carriage of such as shall be under ther Command.

7. Wee desyre that for the better settlement of the peace of the country ther may be a garisone planted at the upper end of Lochnes (if it shall be thought expedient) And the governours therof and also of the garisone of Inverlochy may be of the English Nacione & not country-men, for fear of complyanca with the Countrey Robbers & broken men.

8. Notwithstanding of our former desyres anent the disjoyning of our Shyre from Lochaber and the other Hylands (as in the 4th Article) the reuniting of us to the Shyre of Ros, and the adjoyning of Murrayland to us (if the sam sall be granted), It is to be advertit and ye ar to tak cair that in all or any of thes alterationes respect may be haid to our trusty frend George Lesly Clerk by Commissione to the Shyres of Invernes & Ros (as they ar now established) that in the in-

terim he suffer no prejudice in his office of clerkship, but that he be continewed in the right therof, with power of deputatione & constitution of Sub-Clerks whose commissiones (Wee think fit) should alleanerly flow from him, as a man who can best decerne upon the spirits of such as ar most fitting for discharge of that duty in these barbarous & lawles places.

Sir the sadd & deplorable conditione of this poor ruined Shyre is so weell knownen to yourself, as (to that purpose) wee scarce needed to trouble you, with any informatione at all, yet conceaving it a poynt of duty to signify somewhat of our thoughts & desyres unto you, Wee have sent you this paper to be Lookt upon and to offer your thoughts therof to the Parliament in an more handsome & polished way than can be ather said or thought upon by

D. Baillie
James Fraser
Johne Mcleane
Alex. McLeane

Copies of numerous petitions relative to the assessments levied on Inverness-shire and Ross-shire during the Commonwealth are preserved. The following is an extract from one addressed to Colonel Robert Lilburne (perhaps in 1652), the remainder of which deals merely with an overassessment of £720 Scots:—

Secondlie The Condition of these Shyres is singularlie different from the condition of other Shyres, in regard of the remotnes of the Quarterings, for at present most part of the Corne and Straw which cometh to the two Troupes that ly at Invernes is carried Twentie myles, partlie upon Horseback, but the most pairt upon the backs of the poor people, wherof manie have two rivers interjected, which they must pass over, before they come to Invernes, And which carriage of Corne

and Straw with the furnisheing of Coall, Candle and Bedding, is morè expensive and troublesome to the Countrie then the payment of the Assesements.

Colonel Lilburne (who had succeeded General Deane as commander-in-chief in Scotland, December 1652) appointed a committee "to meet the Com[missioners] of the shires for proportioning the assess for Scotland." According to the copy of a document signed by him at Dalkeith, 23 July 1653, "the paper presented to me from the saides shires and signit by Sir James Lermont preses of the conventione is by me approvit and accepted as a rule for future assessments." A note in the margin reads "The cess of Inverness and Rosse without the Brughes is 3868 according to the Scots M[oney] viz. 90000" (sic). This was the proportion "for dividing of ninetie thousand pound Scots condescended into by the Commissioners of shires" (see "Scotland and the Commonwealth" page 170.) The day after Lilburne had signed the above, a petition was presented to him by Duncan Forbes of Culloden and his son, John Forbes, requesting him to prolong the period of abatement of half their monthly assessments which had been already allowed; and this was granted for the four months to come ("Culloden Papers" XII), the consideration being the losses sustained in the wars of Montrose.

Concerning coal and candle, there was a petition (1652) of the gentlemen of the shire of Inverness, humbly desiring that the Earl of Seaforth, Sir James Macdonald, Macleod, the Captain of Clanranald and the laird of Glenmoriston "ther lands may contribute to this present assessment of coall and candle proportionally." Among other things they had been informed that the "Gentlemen of Murray have gotten a continuation [postponement] of ther coall and candle until such tyme as they get a returne from the

Generall in answer to ane petitione of thers (craving the trupers allowance may be reduced to sex pence per week),” and they also asked for a delay. They had advanced peats for which they requested credit and also “that upon the removall of the trupers cair may be taken for restoring the bedding to the severall landlords, the country heir-tofore having suffered prejudice therby.” Another grievance (which appears in a petition to Colonel Thomas Morgan, commander-in-chief of the forces of the North), was “our often carriages and furnishing of baggage horses the provyding of the traine horses as well as the horses belonging to the officers of the garrisone, both summer and winter, as also the prejudice which the poor people sustained through the often awaytaking of ther horses upon the road by stragling and wearyed soldiers.”

These grievances are well illustrated by the following documents. Robert Blunt, who signs the first, was lieutenant-colonel at Inverness and second-in-command to Colonel Fitch:—

To the Gentlemen & Heritors of the Parishes of Invernesse, Dors, & Daviott, these

Whereas for the necessary defence of these parts, and to the end the Publique work here may be carried on, and that the corn and other grounds of private persons may not bee destroyed therby, the next summer, These are to Require you to sett out within your parishes such a quantity of grasse ground (which is to be preserved from ploughing) as will keep Ox, Horse all the next summer. And you are to take speciall care that all the same be appointed within two Myles of Invernesse, for the security of the horse in the night. And that the said grasse ground may not be to the prejudice of some few persons thereabout, You are to

acquaint all the Gentlemen and Heritors in the said precincts to carry an equal share with others either by exchanging or hireing the ground within the bounds aforesaid, for which reasonable satisfaction shall be made by us. You are also to appoint a meeting of all the Gentlemen and Heritors aforesaid on Munday next, to consult for the equal Distribution thereof, and give every Man his proportion and send an account of the Premises upon Thursday next, with a List of the Persons and Places appointed as aforesaid. And herof neither you nor they are to faile, as you tender the publike service,

Given under my hand att Invernes,
March the 5th 1652-3.

Rt Blunt

To Cullodin elder and younger
of Invernesse parish these.

Ye are upon sight hereof furthwith to send unto this garrison fortie horses with creeles and a sack for each horse for ye caryinge provisiones for the southern briggade wherof ye or not to faile as yow will answer the contrary at yor utmost perill,

Given under my hand at Invernesse ye
3 July.

Th. Fitch

Incidentally Colonel Thomas Fitch could write politely, at all events so far as Inverness was concerned. From the seal of the following letter he appears to have belonged to the Essex family of that name.

To the Right Worpp John Forbes Esqre Provost of Inverness to be Communicated to ye Bayliffes of ye said Burgh these.

Gentlemen—I have not bene unmindfull of you in those perticulars, you were pleased to instruct me with. for the good

of yor Borrough; And did procure a letter from Major Generall Deane to the Councell of State to get your Towne Custome free of all goods should be brought in their, by yor Merchants. This letter I presented to the Councell of State, and desierd my Lord Generall and other of my Acquaintance in the Councell to further it, wch accordingly they did, and it was referred unto the Comitty for Scotis and Irish afares to consider of, and they did conclude it was not in their Power to grant that privilege to your Towne, but that their must be an Act of Parliamt for it, which I still indeavored to get carryed on in the house, but the Metinges and Intended Desines of the Highlanders in yor parts, wth some Lowland Gentlemen Joininge with them to disturb the peace of yor Country hath bene the onely Meanes to hinder that good, I have Indeavored for your Towne, and that part of the Country; Yet Gentlemen be assured, soe long as I stay heare I shall use my utmost Indeavors for the good of yor Towne, from whom I have had soe Civill Respects; and I hope if I cannot Accomplish what you expect yet you will accept of the reall indeavours of, Gentlemen, Yor very humble servant

Tho. Fitch.

Orcharde Street in Westminster
ye 20th of Apprile.

1655-1658.

A letter of 10th January 1655, addressed to "The Right Honorable The Noblemen Gentlemen and Heretours of the Sheref dome of Inverness" narates that the commissioners of several shires (including Midlothian) had met on 3rd January, and had considered the grievances and now "ye will commissionat

some such of your shyre as ye will find sall be best able to give advyse and opinoun in prosecuting of petitioning for redres of the burdings and grivances lyand upoun the countrey."

A copy of a document signed by Lord Broghill, 11th October 1655, makes the suggestion that (instead of money being paid to collectors of the monthly assessments), "in any shire wher the gentlemen or others will tak caire (among themselves) of collecting and paying in the said assessments punctually to the said receiver generall, from time to time as the same shall become due, and shall by the last of November next give sufficient securitie to Mr George Hiltone, receiver generall of the said assessment, for doeing the same accordingly without any charge to the countrey, such shires shall be freed and exonerated of and from paying any collectors or other officers imployed for any longer time then untill the first of January next."

In "Culloden Papers" (XIII.) appears the answer, dated 21 December 1655, given to the petition "of John Forbes, for & in the name of the Gent., Heritors and Freeholders of the Lowlands of the Shire of Invernes, lying near to the Garrison of Invernes, desiring ease in their burdens." Concerning the "laying on of the assess," the document states, "there will be power given to comrs for revaluacions," and it may have been this clause which produced the following (draft), which is undated:—

Unto the Right Honorable the Lord President and remanent members of his Highnes Counsell for the government of Scotland.

The supplication of the gentlmen, heretours and frieholders of the Low Countrey of the shyre of Invernes.

Humbly sheweth

That we are informed certane heretours of the remotest highlands, as they have been very sollicitous with the Right Honorable Generall Monck, so they intend to petition your Honours for a commission for valeuing over againe this shyre, whereby to gett thair rents diminished, and the samen augmented on us, a company of poor distressed men, who pairtly thorow thair causeing, have already been brought so very low as, if any such desyre should be granted, after so much paines taken, four severall tymes already, for regulating therof, and giving every man satisfioun in a proportionable way, it wer not only a mean to undoe all the former labour, to the discontentment of all, which inevitably wold aryse from a new valuation, but if any of thair burden should bee cast up upon us, it wold bring all of us to utter ruine, our rents being rackt to the full, and thaires never known to us, bot as the same wer given up by themselves, thair neirest freinds and servants, at thair pleasours and direction.

And sicklyk the collector of our shyre leavyes monethly upon us the sowme of eighteen pounds sterling, which is allowed us for the mantinance of our watch against the incursions of the Hyelanders, yet he refuses to delyver us the said money without your Honours' orders to that effect.

Theerfor may it please your Honours as to the first, that no such desyre bee granted to them: bot if they should insist (notwithstanding it is most notorious they have no just ground of complaint) wee humbly desyre that wee may be first heard for our selves to object in thair contrar, and to that effect may have a lawfull citation be-

foir your Honours allenarlie. And
 that your Honours may be pleased to
 order the collector to pay in to us what
 hee wilbe found dewly resting upon
 the accompt forsaid, and as found
 We shall pray

Referring again to "Culloden Papers"
 (XIII.), the last paragraph suggests appli-
 cation in the matters of grass for the
 horses, etc., to the General. Another un-
 dated draft petition may have been the re-
 sult of this.

Unto the Right Honorabill Generall
 Monk, Chief Commander of all the
 forces in Scotland.

The Supplicatione of the Gentillmen,
 Heritours and Frieholders of sume
 few paroches near to the Garisone
 of Inverness.

Heavely compleanes and humblie shoves
 That our continued pressours lye so
 heavy upon us, beyond all the nychbour-
 ing shyres and paroches about us, as wee
 can keepe no longer silence, but must lay
 open our feares to your Honour as to the
 only physitian, who can best cure this
 our languishing disease.

And first wee compleane that ther is
 imposed upon us only, to be furnished
 in to the garisone yeirly, many thousand
 carte loades of peates, whills sume of us
 have not ourselves bot what wee buy
 with our money, and bringes the same a
 gryt way off from other paroches, not-
 withstanding that be monethly assess-
 ment and [illegible] from us a large pro-
 portione of money for coall and kindle is
 appoynted.

2. That in some places all inch grass,
 as for the maintenance of our horses and
 other bestiall, with a great deill mor nor
 is ordinarily made use of, is always ar-
 rested and sequestrated for the use of

the garisone and troupes, so that althoche the wark be increased upon our horses, yit ther entertaynment is diminished, and our rents therthrow very much lessened.

3. That we ar upone all occasiones the only people wha ar pressed with the furnishing of baggadgē horses for all maner of cariadges, as weell to Badyenoche as to other places.

4. That wee ar forced to furnishe coarne and stray for the remote and inaccessible Heichlands.

5. That such moneys as was abated to us towards the maintenānce of a watche, whill the Heichlanders war in rebellious, the same is now leavied by our collector, who refusses to redelyver the same. Howsoever we have mantayned a constant watche hithertill, and since the tyme it did cease, wee conceive it not reasone that the money abated for that end sould now be exacted upon us.

6. This besydes our coal and candle money, the furnishing of beding and all kynd of other necessaries to the garisone, with what burden did lye upon us the tyme your Honour was about the reducing of the Heichlanders (as yit not takin into consideration) with many other thinges which wee suffer, whills others about us injoy them selves without any such caire, truble or expensses. So as, without remeaddye bee provyded for the futour, our tennendrie, who threattin daylie to quyt us, will be put from laboring, our lands will be cast weast, and wee, your Honour's supplicants, therthrow rendered altogither unserviceable to the State, unusefull to our freinds, and unprofitable members in that pairt of the cuntrey wher wee leve.

Therefore may it please your Honour so to consider of our grivances, as wee

may be altogether freed off some, eased of other, and put in equal footing with our neighbouring shires for the rest.

We say freed from the fell or peates, which may be brocht upon the common accopt from the Forthe or from Newcastell.

Freed from arreasting our grass, bot rather to designe so much land for that purpose as shall be thocht most proper and commodious for grasing of such a number off horses as shall be found necessarie or requysat to be keiped upe heir, which horses may pay so much a peice, according to your Honour's order or ther custome; and if any superplus remanes for the compleating the dewtie of the said land, that the same may be cast upe upon the common accopt off all the shires by north Spey.

Freed from coarne and stray for the Heichlandars, they being in a capacitie to buy the same in the Lowlands, as others doe, at least that we be not funder burdened with this [illegible] nor our nychbours.

Freed from the watche money, the same being a part of the supraditionall thousand lib. sterling added to the old Scottes Mant[enance], and becaus other shires have had the lyk abatements, who never intertayned any watch therewith, and to order the collector to redelyver such of the said money as he hes leavyed since the watche was discharged, and to exeame [exempt] us *in tanto* of all monethlie assessments for the future.

Eased off the bagadge horses by causing all Morray, Nairne, Cromartie and Ross, be assisting by turnes to carry and transport baggadge *per vices* with us.

Eased off the excessive burden of coall and candell, the same amounting weil neir to the fyft part of the shires

monethlie assessment, and to be put in equall footeing with the rest of the shyres.

To grant us sune abatement off our monethlie assessments towards the reparation of our losses tyme that Major Generall Morgane quartered in our cuntrey, when the Heichlands were a reduceing, as hes been gevin to other shyres.

To [illegible] sune thing upon us by way of abatement in consideration of the bedding and the other necessaries furnished to the garisone, and to give order that the cuntrey gett receptes therupon, least peradventure, the garisone being changed, the interant may requyre the lyk furnishing.

Richt Honorabill

Resolved to have made applicatione to your Honour by our letter. Efter wee thocht agayne that sune more notice mycht happely be takin of a gentillman of our number, wher upon wee have made bold by this beirar, Johne Forbes of Cullothin, to present your Honour with a humble petitione from all of us and one our behalffe, representing the sadnes of our conditioune, remitting what wee have ther omitted to say forder and in that petition to be amplefied by him, whom wee hav particularlie instructed to that purpose, whois report your Honour may beleive as to us. So in hopes your Honour will returne us a favorable answer, wee take leave and rests

Richt Honorabill

Your Honours most humble servandes.

For Generall Monk.

On the same paper, immediately after the foregoing, the following draft letter and petition appear, possibly an alternative, or as the result of some communication from General Monck.

Inverness.

Richt Honorabill

Your Honours lettre off date from Edinburgh the — day of — we re-saved, touching the collection of the cess, wher a beginning of your Honour's caire of this land in generall is clerily held forthe (or which [?] states a beginning of your Honour's inclination to deall favourable with a poore dejected land, under the waight off many heavie pressours) off which favours, seing your Honour's intention we sould be partakers, can not bot witnes our respects by the returne off most humble and hartie thanks. Bot the conditione of this shyre being singulare, and doubting as yet your Honour may happellie not be so sufficiently informed as to our heichlands, remot and inaccessible places, as you may be happellie heirafter, wee have directed this gentillman, Jon Forbes of Cullothin, commissioner for us and in our name and behalffe, to informe your Honour particularlie of the conditione and qualitie of this shyre, to whois report your Honour may give cryedit in this, also in any thing als by us intrusted, being a man of knowne integretie to us, whom wee have also intrusted with some other particular instructiounes, whereunto we desyre in all humility your Honour may give notice, and returne a favorable answer to

Richt Honorabill,

Your Honour's humble servandes,

Therfor may it please your Honour to tak our condition into consideration, and begges with all humilitie your Honour may listyn the following overtures, or any better that your Honour shall please to propose.

1. For the fewell or fying to the garrison, we desyre humblie that the same may be from henceforthe brocht upone the commone accompt of the wholl nation, from hensforthe in coall, the whole moss neir unto the garrison being alreddie almost exhausted.

2. For the grasse, that so much land neer unto the garrison as may be thocht most commodious may be ather brocht upon common accompt of the nation or feared for that purpose.

3. For the bagadge horses that course may be takin howe the wholl shyres by north Spey may be equallie burdened therwith, or that such as leive at a distance and can not convenientlie furnishe horses may be appoynted to releive us off some other burdinges answerable to that waight, and that all [?] within [blank] myles to the garrison may be employed to furnishe horses by turnes.

4. That the Heichlands may be altogether takin off us, and we burdened bot meirle according to our particular rents, or that they may be ordered to furnishe their equall proportion of coarne and straw, by buying the same in the lowe cuntrey as others doe.

5. That befor any order be granted to the Heichlanders for a generall revaluation of the wholl shyre, those of the low cuntrey may be heard for their places, to object in their contrar why the same ought not to be granted, and to this effect may have a lawfull citation.

6. That our collector may be ordered to pay us bak our money, ther being no shyre in Scotland denyed the benefect.

7. That the coal and candle money may be altogether takin off, the lyk favour being showed to uther shyres, as we are informed.

8. And that your Honour may be pleased to put order for repayment to us off such

necessaries as have bene lately furnished by us to the garisone, with some allowance in consideration off our losses and sufferinges the tyme that Major Generall Morgane did lye in our cuntrey.

And as bound we shall pray.

These but [without] prejudice of any other meanes or measor your Honour shall think more feasible for redress and releife of the burdens and grivances aforesaid—as bound we sall pray—

It may be observed from the few documents which remain of this period that John Forbes was now identified with the shire rather than with the town of Inverness, perhaps to be accounted for by the death of his father in 1654, when he became laird of Culloden.

The last document dealing with public affaires at this period is endorsed "Coppie the estates to Dundass for coll: the cess." It is dated from Edinburgh 25th October [?] 1658, and addressed to "Captain Lawrence Dundas and Robert Monro of Fowles collectors of the shyres of Inverness and Ross and burghs therein, to be communicated to the gentilmen, heritours, inhabitantes of the saidis shyres, and burgesses and neighbours of the respective burghes therein." It authorizes an assessment monthly for two months, commencing 1st November, as follows:—

The shires of Inverness and			
Ross	...	...	£365 6 2
The Burgh of Inverness	...	...	37 10 0
Do., do., Tain...	...	...	7 10 0
Do., do., Dingwall	...	...	1 10 0

An allowance was made "to several places wasted and otherwise" and "towards keeping of watch against the Highlanders incursions" as follows:—

For the shyres of Invernes and Ros monthlie the soum of fourtie fyfe pundes six shilling two pence off which tuantie fyfe pund six shilling two pence is for the shyre of Inverness and twentie pundes for the shyre of Rosse, eighteen pundes monethlie (out of the said abatment) being to be allowed for keiping of guardes in those shyres respectivelie for their defence, and the rest of the said abatments in respect of waist landes."

The burgh of Inverness received an abatement monthly of £37 10s (so that it appears to have paid nothing actually) and Tain £2 monthly. Only 9d in the pound was allowed for collectors' fees, "and the counsell doe heirby further order that non sall be assessed as tennentes bot only for his personall estate, and that not to exceed a fiftye pairt, unles whair it is utherwayes agreid betwix the landlord and tenant."

The above figures correspond with those given in the "Assesse laid appon Scotland for the 4 monthes of July, August, September, October 1653." (See "Scotland and the Commonwealth," page 174).



(5) LETTERS FROM THE EARL OF
SUTHERLAND—1656-1658.

The following letters written by John, thirteenth Earl of Sutherland, chiefly concern salmon fishing, but also refer to John, second Lord Reay, at whose hands many of the Covenanters had suffered severely. John Forbes of Culloden had been on very friendly terms with Donald, first Lord Reay, one of whose letters, dated 24th May 1642, likewise deals with fishing matters, and ends "yor loveing friend." He was, therefore, perhaps, trusted by both sides in their disputes; though he does not appear to have gone to Sutherland, as expected, in 1658.

The fact that Lord Sutherland and Culloden did in these days actually trade in pickled salmon is no more remarkable than that Colonel Fitch may have started life as a tailor. The doctrine that service under the Government, more especially in the army, was the only course open to the aristocracy is of much later date. It has vanished now with other absurdities of an artificial but glorious era.

For my worthie and much respectit
freind Johne Forbes of Culloden,
leat provest of Inverness These.

Sir,

I did formerly wryt to your brother Duncane in your absence, to send barreles and packers both to Helmsdaill (which I here is done already) and also to Strathnaver; at least to send barreles for Strathnaver to Helmsdaill, that I may take course to send them over; and that yow send your coupers and factors ther in dewe tyme for packing off what fishes ar taken ther this yeir, which I desyre yourself nowe to be cairfull off. I hope my taking the benefit of the lawe (as yow have done) neids not be a grownd of anie quarrell or neglect of dewtie on

to ane other, which (on my pairt) I promise shall noways be, bot shall be als readie to take anie freindly course that may tend for both our good, as ever I was. I shall adde no more, bot expects your carefulness in sending barrels and packers for Strathnaver with all the diligence can be, as yow wishe me to witness that I am,

Sir, yowr werie reall freind to my power to dispossse off.

J. Southerland.

Inverness, the 4 of September 1656.

For my much honored friend Jhone Forbes of Culoden These.

Honored freind,

Perceaving by ane letter that I have had leatly from Jhone Crawford that you ar come home, and the Lord Reay having before your comming appoyntit a meitting with me and Arbell at Kinbraisse in the Hight of Strathulzie in Sutherland, I thocht it necessarie to acquaint yow thereof, and to intreat yow to use all dilligence to be ther against Tuysday at night, the 7 off this instant, and bring with yow all the papers that ather concerne the said Reay or me. And with all I trust yow will keip it secreit that we are to meitt, seing the Lord Reay is in a fear, which makes him he will not come lower downe. So expecting by this berar to heir whither yow can be with us day and place forsaid, or not, as yow wishe me to continewe,

Sir, your werie loving friend to my power to dispossse off

J. Southerland.

Dounrobin the 3 off Appryll 1657.

For my honored friend The Laird
of Culloden. These.

Sir,

This inclossit hath beine this longe
tyme lying by me, bot could not dis-
patch it untill we haid resolvit upon a
place of meitting, my self being unwill-
ing to goe in my old aidge to Strath-
naver, and the Lord Reay being far
more unwilling to meit anie wher els.
Yeit, considering what a prejudice it is
to both our families to have that on-
luckie bargane lying in suspense, men
being mortall, I have resolvit rather
to be at the trowble to goe to Strath-
naver. Our meitting place is upon In-
vernaver, the 6 off July. Iff yow will
rest your self heir the 3, being
satterday, yow shallbe werie hartely wel-
come, and we shall goe together
on Monday, the 5, to Kinbraisse
in the Hight of Strathulzie, and
from thence I trust at greyt ease we
may reach Invernaver. Which is all
at present I have to signifie unto you,
only that I trust you will bring all these
papis with you, that may conserne our
bargane, and may put a good under-
standing betwixt the Lord Reay and me
in our [illegible]. I only adde that I am,
Sir,

Your werie reall friend to serve you

J. Southerland.

Dounrobin the 25 of June 1658.

For my honored and much respectit
freind The Laird of Cullodine
These.

Honored friend,

Since the wryting off my last unto
you, which was this day 8 dayes, I have
beine in Strathnaver and returnit heir
saify (I blisse the Lord) on Satterday;

my wyff being tender. After I haid brotchit all our bussiness, and put them in a settling fraime, I left them to drawe up paparis, with a comissione to my sone to end according to our condescendance. Bot I think trewly, iff Sir George Monro haid not beine ther, we sould hardly have mett, for my Lord Reay was so preoccupied with cinistrous and jealous thoghts off us, by the instigation off men of no fortouns, whose lyff it is to fishe in drumly waters, that, as I say, Sir George haid anewch adoe to banishe these thoghts from them. Sandsyd, David Sinclaire, Duncane his brother, and Mr George Monro, sheriff clark of Caithness, wer also good instruments off our setling. Bot iff thes understanding gentlemen haid not bene ther, with Sir George Monro, I hink we haid left and desertit the bussines in worse tearmes then we found it. Howeveve, yew wer not without your owen sensur for your absence, as I did wryt unto yew. I told yew my Lord Reay wold tak it evell which was at first his maine reasone that he wold end nothing by reasone of the want of these paparis yew have off his. So I ansuerit he haid your letter, which was obligatorie anewch (for ane honest man) to delyver all the papers he haid to ather off us upon our severall ordours. So we did drawe up ane ordour from eatch of us to yew to delyver such papers as are mentioned in the ordours, or such others as may conserne anie off us, upon sight off the saids ordours, to anie we shall commissionat to that effect, which is all I have tyme to wryt conserning our meitting. Now, as conserning our fishing ther, I did mistake it exceedingly, for, befor my comming from that, ther was above ten lasts salted, and all ther lowmes [tubs] and your greyt barrells, which was left the last

yeir at [illegible] (which my sone intends to buy from you) only to attend the [?] Corff Bank in necessitie, or in such a take as this, untill he can furnishe him self with fats [vats]. Therfor yew wold send ther 12 or 14 lasts off tries, and 8 or 10 to this countrey, to Helmsdail and Brora, which in all wilbe 24 lasts, for it is better to have then to want; as also consarning salt, if yew can furnishe it to us at the rait I did wryt off, or halff a merke more, or ten merkes, I wold wishe yew to bring 80 or ane hundreth bolles, ther with the hempe and corck and picke [pitch] I did write off. And, as I did wryt formerly, I trust yew will not [illegible] us at [illegible] from imploying yew to be our merchant, bot let us have everie thing our waters shall requyre als cheape as anie other will afford it; seing yew have a necessitie off sending a wessell ther, yew may afford it als cheape as anie other, seing all will redound to your owen good at last. This my son did desyre me to signifie unto yew. And wherin anie off us can be useful unto yew, yew obeying this our reasonable desyre, yew may command us, and we shall not be wanting, and shall oblidge us also for thankfull satisfacione off anie thing yew send us, bot espetially yew shall have power to dispose off me as

Your werie reall freind to serve yew

J. Southerland.

Dounrobin, the 12 off July 1658.

I intreat yew send us no mor off the Berwick bind, bot send us the Invernes, Leith or Aberdeine gadge, and I trust yew shall have pleasant delyverie and good fishes.

My sone and his comer also intreatit me to desyre yew to send ane packer

quickly ther, els it wilbe to both our losses; for ther was not above 8 or 10 barrells off yours emptie, which I think shalbe quickly full.

With all the patience in the world some of the above letter remains undeciphered, but at all events there appears to have been good fishing.

The following document deals with payments and quantities between 1655 and 1660:—

An accompt of ye sumes of money payed be ye Earle of Sutherland to John Forbes of Cullodine at Whitsunday 1655 years:—

	Lib. s. d.
The princll sume is at Whitsunday 1655	14,666 13 4
The annual rent yrof till Lambes yrafter is 220 lbs. Inde at Lambes 1655	14,886 13 4
Wherof payed in salmond at the said Lambes 1445 lbs so rests then	13,441 13 4
The annual rent of ye said soume till Lambes 1656 being on year is 806: inde in all at Lambes for-said	14,247 13 4
Wherof payed in salmond at that Lambes 1510 lib which being deduct at ye terme above mentioned rests	12,737 13 4
The annual rent of ye said soume till Lambes yrafter 1657, 764, inde in all at Lambes 1657 forsd	13,501 13 4
Wherof payit in Salmond at ye said Lambes 1657, 3835 lbs which being deduct of ye said sume remains at Lambes forsaid	09,666 13 4
The annual rent of ye said sume till Lambes yrafter 1658 is 580 lib. Inde in all at ye said terme	10,246 13 4
Wherof payit at ye said Lambes 1658 in Salmond 3735 lib which being deduct remains at yat time	06,511 13 4
The annual rent wherof till Lambes 1659 is 390 lb 13 4 which being added to ye said prinpll summe make at ye said Lambes 1659	06,902 06 8

Wherof payit in salmond at ye said
 term of Lambes 1659, 4545 which
 being deducit of ye said soume
 remains 02,357 06 8
 The annual rent yrof till Lambes
 1660 is 141 8 4 which being added
 makes in all at ye said terme of
 Lambes 1660 02,498 15 0
 This besides 800 merks for a boat
 agreed upon to be payit in fish.
 Summa boat and all to be payit
 by fish at Lambes 1660 extends to 3,032 1 8
 Item in ye said time to witt after
 Lambes 1660 delivered to ye said
 John, his factor David Ruthwen
 out of ye corrhouses of Fare and
 Torisdailles 7 lasts and 5 barr.
 salmond and 2 barrels of grilseas
 at 20 lb for ye salmond barrals
 and 15 lib for grilseas extends to
 1810 lib.
 Item receivit by his tuw servants
 to witt David Ruthwen and
 Patrick Urquhart out of Helms-
 dailles since Lambes 1660 4 lasts
 of salmond at 20 lib per barrill
 extends to 0,960 0 0
 Item more in ye yeire 1660 given to
 William Duffs skipper acording
 to Collo dine his order at Brora
 14 barrills at 20 lib a barrall is... 0,280 0 0
 Summe of fishes receivit in ye yeir
 1660 extends to 3,050 0 0
 Nota that yeir 1656 yr is mis-
 compted ye summe of 10 libs Scots
 As also to remember the spoiled
 fishes for ye said yeir 1656.



(1) FRAGMENTS 1658—1665.

The following isolated letter is dated from "Sculdail" 9 August 1658.

For the richt honourabill and my much respectit freind Johnne Forbes of Cullodin Thees.

Honorable Sir,

My humble service rememberit to yow. I have thocht guid to schaw yow be thir lynes, that I am seik and diseassit, and may not cum the lenth of Invernes to the justice court thair, to persew Androw Caldell in Kennessarie for the murder of Hew Forbes, my umquhill father. Quhairfor, Sir, I intreat yow meist earnestlie to concur with the Laird of Mey, who is now shereff of our scheir of Caithnes, and call and persew the said Androw Caldell to the full, and gett the hail lawis of this natioun against him, for he thinkis to pas frie be the mantenance of Johnne Sinclair of [?] Tannache, our last shereff. And now since the said Andrew Caldell is chargit to underlie the law at Invernes, he is in dispair, threating and bosting to murder me and my brother, as he did with our father. Quhilk I hoip ye will caus the judgis to tak noteis therof, and to tak speidie course and prevent the evell he intendis to do us, for he is manttenit be his freinds and Johnne Sinclair of [?] Tannache, going armit with ane companie of fugitives throch the cuntrie. Thairfor, Sir, I hoip ye and the Laird of Mey will go on togidder to persew this action befor the honorabill judgis at Invernes. No moir bot restis and sall remaine

Your servand ever at command

William Forbes.

The friendship which existed so long between the great house of Argyll and the family of Culloden seems to have commenced with John Forbes. There is a letter to him dated at Inveraray 24th April 1658 from the Marquis of Argyll (executed in May 1661) which is of little importance in itself but shows a considerable degree of intimacy.

For Johne Forbes of Cullodine These.

Loveing Freynd

I had ane mynd to have spoken to you before ye left Edgr concerning the manageing of the lands of Cultaleoyd [Castle Leod] qlks I am now to entir to at this Witsunday and to have your advyce theranent. Alwayes haveing appoynted [? George Campbell of] Crunane to goe ther and receive the house and lands aff Sr. James McDonalds hands and to sie what conditione things ar in I wold earnestlie intreat you to be at the paines for me to goe with him ther and give him your best advyce and assistance in what shall be necessar to be done and lett me know your best advyce for manageing of my affaires ther wch shall be takine as ane new obligatione upon

Your loveing fryend

Argyll

It was, perhaps, this intercourse which made John Forbes himself suspect after the Restoration. At all events a few days before Argyll met his death the following letter was received:—

For the honorabill Johne Forbes of
Cullodin These.

Honorabill Sir

Being enformed that your name is into a roll of excepted persons from the act of indemnitie, I spake with my lord Register (who was said to have had that roll) and



JOHN FORBES, SECOND OF CULLODEN.

enquired whither it was so or not. Bot he assured me that he knew no such matter. However the thing being still asserted by others upon such grounds as deserve credite, we most conceave that the Register hath forgot it, and it were not amisse that ye should bestow one voyage more to this place to obviate the ill-will of some men who are *inimici diligentes*, which is all at present from

Sir,

Your affectionate freind and servant

A. Monro.

Edinburgh, May 15, 1661.

It was not till December 1665 that he took the oath of allegiance.

Endorsed:—Act for John Forbes of Cullodin.

Hallirud house the twenty-third day of Decem. 1665.

The whilk day in presence of the Lord Commissioner's grace and the Earl of Linlithgow compeared personally Jon Forbes of Cullodin and conform to his Majesties late proclamation remitting the second moyetie of the fines to such as have bein charged and both moyeties to such as have not bein charged or to whom his mayestic hath granted suspensions did take the oath of alledgeance and subscribe the declaration.

Ext. per me

Pet. Wedderburn.

It is probable that John Forbes took a less active part in public affairs at the Restoration and in the years immediately succeeding which may to a certain extent account for the few documents surviving at that period. Also, as suggested above, he

was now more concerned with the shire, which he afterwards represented in Parliament (from 1669 to 1674) with Lachlan Mackintosh of Mackintosh. Meanwhile he perhaps considered it wiser to live quietly, and it is curious to find among the collections a copy of a document dealing with loyalty in Town Councils. It is dated from Edinburgh 15 September 1660, signed "G. Cheyne," and endorsed "For the provest, baillies, and counsall of —," the name may be Lanark, but certainly not Inverness. The "commissioners of burrowes now convened" had received a letter from the Lord Chancellor, Glencairn, to the effect that at the next election of magistrates "such onlie may be maid choyse of as ar of knowen fidelitie and loyaltie towards his Majestie." It was therefore ordained that in the ensuing elections of magistrates "no persone or persons who contrived or suboryved the remonstrance or associatione or concurred in the prosecutione of any course for promoveing the ends therof or protestit against any publict judicatories ther determinations since the yeere 1650, or ar any wayes dissaffectyt to his Majestie's government, or endeavour by factione or seditiōne the disturbance of his Majestie's peace, or deserted any charge in his Majestie's armies without ane lawfull warrand, that non such be admitted to any place of magistracie, counsall, or office of deaconrie within burghe"

Whatever the real political opinions of John Forbes may have been, there are no other documents extant in the collections directly concerning him till 1666, except a license to eat flesh in Lent dated 1 March 1664 ("Culloden Papers" XV.) and another "to eat flesh in tyme of lent and upon the thrie weekly fish dayes mentioned in the late proclamatiōne," dated 26 January 1665.

(2) SOME LETTERS FROM FRANCE
1661-1664.

These letters, though of no historical importance, have presented a genealogical puzzle, as at first sight some would appear to have been written by John Forbes, uncle of John Forbes of Culloden, and brother to Duncan Forbes, first of Culloden. In his continuation of the "Genealogy of the Family of Forbes" (Inverness Journal Office 1819) Duncan Forbes of Culloden (son of John Forbes and grandson of Duncan Forbes, first of Culloden), writing under date 18th March 1702, gives "an account of John, the exempt, and black Patrick, younger bretheren of Duncan Forbes of Culloden, and sons to John of Badenley and Elizabeth Keith":—

"John, the 2nd, when he came to be about 18 or 20 years of age, raised his patrimony out of the Laird of Tolquhon's lands, which was no more than 2000 merks, and went to France with it, where he became a Captain and exempt in the Guards, then married a French woman, and had by her a son called Malcolme, who also became a pretty man; thereafter Captain John being deputy-governor of the castle of Dieppe, under the Marquis of Montilly, after the Marquis his death, Madame de Montilly married him, and within some time after married her own daughter to his sone, Malcolme, by whom he got a good portion, but got a far richer within some time, for her only sone, young Montilly, dying without succession, Malcolme, in right of his wife, fell into the estate of Montilly, which his grandchild does inherit with the title of Marquis: and some 30 years ago, he sent to Scotland for his coat-

armorial certificate, which was given him, utterly wrong, by the then Lord Lyon and his deputy and clerks."

The above has been quoted, not so much in connection with the letters to follow, but in the hope that some reader may be able to give information with regard to this French alliance, the accuracy of which, even if the names are misspelt can hardly be doubted. At the same time it is only by close attention to the letters themselves that it has been proved that the John Forbes in question must have been of the family of Corsendae. It is stated (page 14 of above quoted work) that

"James Forbes married — Mortimer, daughter to the Laird of Cragievar, who did bear to him Wm. Forbes of Corsendae. Of John Forbes, Mr James and Mr Alexr. wee know no succession in Scotland save Mr James hath two sons in France: she did also bear to him — Forbes, married to Gideon Keith; Janet Forbes, his eldest daughter, married on Duncan Forbes, Provost of Inverness; and Isobel Forbes married to Rot. Forbes of Milbuie; and Margaret Forbes married on Mr John Annand, minister of Inverness."

There can be no question that the writer of the following letter was maternal uncle to John Forbes of Culloden; and it is of interest to know that both the latter and his son Duncan Forbes received their final education in France.

For my weil beloved nepheu, the Laird of Culloden, Invernes.

My loving and deir Nepheu, I have long looked efter your neues, and had the intention to have wretin to yoo at lenthe, if Master Moore, quho lived heir sum tyme had don me the fayour to bid

me goodnicht befor his parting. I resaved be ane gentilwoman in your toun ane letter of your sum monethe ago, datted at Endbraeh [Edinburgh] in the monthe of February, and, as ye wrent, suld have cum to my hands sooner be ane gentilman quhom I never saw. I informed myself quhat way that letter cam to his hands. Scho told that ane gentilman called Sir George Muschet [of Burnbank] brocht it to hir from [illegible], quhair Mr Anmand [the writer's brother-in-law] ley, being in your toun, quhilk was send to him from Poitiers. Auays I learned be it your gryt seiknes and recovery again, quhilk did rejois me muche, and entraets yoo to have ane special caer of your self. Altho your mother lived ane raisonabl age and in good healthe, as your father did, and I do yit, God be praesed, in as good healthe, as ever did sey me, altho I have fourscoor and four yeirs, and my vyf and son also. I tak a gryt caer about my affaers as ever I did, and in the patience quhilk I have had this fyve yeirs bygon, being put from my hous be ane onlawful comprising, and culd not get ane listing of it, bot ane monthe ago, having lived always in this toun at gryt expenses, my vyf and son may go bak this monthe of Septemb, bot I belef I sal stay heir this nixt vinter, becaus my partey hes ottenit ane *regle cueille* quhilk in Scotland is called ane revision of the caus, quhilk does not heir hinder the execution of the Arest I have gottin, I hoop, quhair be the damages and interests and the expenses I wil be no lossor, bot of the tym I have spendit heir in this toun, quhilk wil not be alto-gidder lost. Ye wreit to me to send yoo my son, quhilk I wald have doon, if thir Frenche birds wer of as good natur as our Scotch breedings ar. I did never know ane Frenche man breid in Scotland, bot became debauched dronkards and

mony other Vyoos they conquer, their being far from confession, quhilk holds them at sum aw.

Ye wreit to me ye have ane son ye wold send to me in exchange. Deir nepheu, is it so that ye [? he] wald live with me. Gif I had bein sooner out of effaers, I was to entraet yoo to send me eny of your sons ye pleis to chuse quhilk is necessair for yoo and me bothe. I my self being ane old man, my son being only on, incace ony thing befall him or me, the fardest of all our kyn wald be our heir, and get what I have gottin and keiped withe gryt paen. My nepheu being besyd me puts al that out of question. Therefor delay not to send me on in al diligence, and lat me know quhairto he uil apply to be ane gentilman or Scottes. He sal stey withe me quhill he hes attained the langueche of the contrey, and then ve sal send him to Bourges or Poitiers, quhair he will be neir us, and heir oft of his neues. Sir Paol Menzies [of Kinmundie] three sons uor withe me money yeirs only for kyndnes caus for their father and mother uor tuo kind sools, and ye ar both good kynd and my nepheu, and yit ye mak scroupl of my love and affection, that ye wold quyt comons vithe me. I have bein constrained, not having ane penney quhair-upon to live in this toun, to contract debte withe Mr Muat, quho had ane gryt desyr to by my seit, and had advanced me neir fyf thousand livres, bot I was resolved not to sel (albe I was in necessity) becaus of your substitution to it, incace ony thing happin my son or myself. He is agreit withe me to pey himself, in taking up be Mr Alexander that rente in vertu of my pro[illegible] his profits in demenishing of the principal pro rata. So that soon or last yt uil remain ether for my son, or, falling him, to yoo and yours. I am pressed to end, becaus I

nother know this berar bot sins tuo hours,
quhairwith presently parting, dear
nepheu, excus my schortnes of letter,
bot not the love, quhilk is and sal be, as
long as ye lyf, of him quho is from his
wery hart, my dear nepheu, your most
loving and affectionat uncle,

J. Forbes.

Your lady and al my yonger litil
nepheus sal resaue heir the love, affec-
tion and service of my vyf and son, as
also myne.—J. F.

Paris, ye last of Aost 1661.

Between this date and the winter of
1662 it had evidently been arranged that
Culloden's eldest son, Duncan Forbes,
should visit his French relations. Writing
from Dieppe, 5th December 1662, to his
father he mentions that he has been "this
ten dayes expecting the answer of my let-
ters from my grand uncle," but that he was
setting out soon for Paris via Rouen.
From the old gentleman's next letter it ap-
pears that his grand nephew was profiting
by his visit.

For my very honorable and respected
good nepheu,

Jhon Forbes of Cullodin.

My deir and loving Nepheu,—Your son
and I both ar astonished to have hard no
neues from yoo sins his coming to this
toun, altho it is not necessair ye wreit
at al tymes heir except ye had the occa-
sion of ane baerer without expenses, in
respect he is with me, and of quhom I
sal have gryt ane caer as of my owin.
Yit I prey to consider the tendernes of
ane chyld [he was then aged 19] quho is
in ane perpertuel faer of your helthe and
his mother's both; for thinking on this
I divert him so muche as I can. This
long winter and cold withe the tempest

cam on after hes altered my healthe with the paens I take about my affaers. I am conselled to go to the contrey besyd my vyf, and leif in this toun my son under the conduct of ane sollicitor, quho understands the affaers uithe al ye instructions quhilk ar necessair, and quhairto I can nether ad or [?] empaer, wanting nothing bot ane jugement, quhairof I am put in hoop be mony freinds, quho promises much, bot hes not cum with speid as ve have expected, this mony yeirs. Your son is in ane perfait good healthe, and parts with me to-morrow, God willing, for the contrey, quhair my vyf vil have ane caer of him as of myself, for he vil be the grytest expectation ve have bothe being bothe now seirly tormented with the desires of the [illegible], of quhom their is smal hoop, if God vork not ane miracle, his vil be doon. Quhill your son was heir he hes not lost ane hours tym, and hes sein mor in the toun or Paris in threy monthes nor I have doon in fourtey yeir I have bein cuming and going heir. Their is in ane bourg not passing sax legs [leagues] from our dwelling ane academey of gentilmen's sons in the contrey, quho hes not the meins to spend in Paris, quhair, efter he hes learned the langage quhilk my son's maister will instruct him this sommer, I entend he sall go quhair we uil heir from him every day, and sey him every holy day almost. In the maen tyme he uil be accustomed to the aer of the contrey and the dyet, quhilk uil put us out of faer of extraordinarie seiknes, quhairto he is not lykly inclyned, being of ane good body and weil [illegible] and hes money better gyfts of mynd nor I can tel you uithout flattery. God ma~~k~~e him ane good man. I wrot to yoo befor, that I uil have ado of neu secours befor my affaers be endit. I know I have engaged you in ane burden with much, bot it de-

pendis upon yoo as it is consaved in our contract; that ye may frey your self send ane lital, so the laest payment be not les nor fyf hunder pound mor or les, quhilk uil depend on your commoditey. My necessitey makes me importun, and your goodnes gives me occasion to abus of your courtesy. Yet ye ar my sister son, quhom I may engage for my loving as it is the proverb; bot I can not do so with my lital nephew [grand-nephew] because he hes ane father and ane mother, quho is my niepce [by marriage], bot not my sister, being ane degry forder of. Your son wil wreit to yoo the rests of the particulars, quhairof I mak no mention; and remember, my deir Nepheu, to put me to my graef with honour, and it sal be to me ane gryt confort, that your son and myn clos my eys, and tel you sum day that in deing, I rememberd on yoo and your kyndnes, quhilk hes bein gryter towards me nor ever was ony nepheu towards ane unprofitable uncle, quho semes in ane other world, and of quhom ye can mak lytil use except it be to prey for yoo and yours, as your most obliget uncle.

J. Forbes.

Paris, the 24 Marche 1663.

The above was enclosed under cover from Duncan Forbes, whose letter of 25 March 1663 is full of anxiety at not hearing news from Scotland. His grand uncle's lawsuit seemed to be prospering, "his competitors being wearyrd by his dilligence and his judges by his importunity." Young Forbes proposed going to the country with him "and retour myself for a certain space to that litle bourge I spake of in my former letters, wher ther is a maner of ane academie and whither ther are some whom I know in Paris retired. They have ther pension for 9 or 10 crowns a moneth with all kynd of bodily exercises, musick and mathe-

maticks." Then follows a long apology for the amount of money he was spending including, "for a ryding cloak, 8 crowns; for breeches to ryde in, 4 livers I have payed 3 pistolls for 2 months fenceing and one moneths danceing. . . ."

The last letter from the grand uncle to his nephew in Scotland commences with technical details concerning his affairs and continues—"Nor desyr I quho hes money compts to render to God, to be charged with other men's geir, having ane maxime in our relligion Non tollitur peccatum, nisi restitatur ablatum. Ther for, my deir nepheu, have ane caer of my sool in the other worlde, as veil as ye have had of my body in this. . . . cuming to this toun I passed at Bourges and placed their my nephew." About Culloden's son he had no need to press him to study" sins he has bein with me, he gave him self to the history, quhilk he reids not bairly. . . . but ryys [examines] the moralitys and the harangs, quhilk ar necessar for the ornament of ane gentilman. . . . Ye have given him to understand that ye wrocht vonders your self quhen ye was heir, and spared as much upon your father's allowance as maed your equipage to retourn home. I know quhow ye lived, and quhat ye spendit and quhat my sister gave yoo without your father's knowledge." This is illuminating when one considers the portrait of John Forbes of Culloden painted in his old age; but may account for something in his character which appealed to friends other than strict covenanters.

The above letter is dated 19 October 1663, and before 10 February 1664 the old man was dead. On that date his wife, who signs herself 'Vostre tres humble servante Silvie [?] a Bebaston' wrote to Culloden a long letter in French. It was a begging letter " je croyois estre soulagie par l'assistance que m'en avoit donné en mourant Monsieur de Forbes, vostre uncle et mon mari, qui avoit tant de confiance en vostre

bon naturel qu'il a creu que pour l'amour de luy vous nous aideries, son fils et Moy," Their lawsuit, it would appear, was soon to be determined. Speaking of Culloden's son she adds "Je ne scay pas sy c'est vos commandemens ou nostre misere qui l'oblige a nous traitre avecq tant d'indifference, mons fils et moy, luy ayant escrit trois on quatre fois, sans quil aye daigne nous faire responce."

The point of view of Duncan Forbes is narrated in a long letter of 12 May 1664 in which he tells his father in regard to the process (quoting from a former letter) "all is lost and he ordained to pay 6000 li" and that it was the old man's death which ruined his affairs. "I shall obey your commands, Sir, in meddling no more that way." As to the widow and her son he had been much importuned by them "bot since I have acquainted you severall tymes that ther importunitie is turned to a great cauldnes, in so much that they doe neither write, nor answer any of my letters." He ends with an exceedingly long and reasoned argument why he should spend another year in France. Perhaps he too, was getting that knowledge of the world which made him a trusted friend in the years to come.



(3) MISCELLANEOUS DOCUMENTS—
1664-1686.

In the death register preserved for the parish of Alves occurs this entry:—

“6 April 1667 Sir Robert Innes of Moortown knight.

His lady departed this life 19 May 1664.”

Sir Robert Innes of Muirtown (parish of Kinloss) was the son of Sir John Innes of Crombie and nephew to Sir Robert Innes of Innes, first baronet. “In our own tymes,” wrote the Rev. Hugh Rose (“Family of Kilravock,” Spalding Club) “there lived Sir Robert Innes of that ilk, father to the present Laird of Innes; and Sir Robert Innes of Muirtown, who, for prudence and courage, might have been counsellors to, or commanders under, any prince.”

The estate of Muirtown was acquired afterwards by James Calder (son of Thomas Calder of Sheriffmill, near Elgin), who was created a baronet in 1686 and married Grisel, daughter of the laird of Innes, and niece to the lady of Muirtown. Sir Robert of Muirtown had also married an Innes, his first cousin, daughter to Sir Robert Innes of Innes, first baronet.

The following is the invitation to her funeral:—

To the Right Honorble
The Laird of Cullodin.

These.

Right Honorble

It hath pleased Almighty God to remove my wyfe, from this valey of miseries I hope unto that eternall lyfe of joy, her corps which as yet remaine heir with us are to be interred in the Laird of Innes Ile in the Kirke of Urquhart, therfor these are intreating you to doe me the favour and her that last and Christian dutie to come to St Giles Kirke in Elgin

the twentiefourth day of May instant being Tuesday by eleivin houres when her corps are to be lifted and from thence to convey them to the appointed buriall place, for doing wherof ye shall verie much oblidge.

Yr affect. and humble servant

Robert Innes

Mooretoun May 19 1664

NOTE BY E. M. BARRON.

The next document is connected with the dispute, famous in Inverness annals, between the Macdonalds of Glengarry and the town. In August 1665 an "unhappy tumult" occurred on the outskirts of the town, which resulted in several of the Macdonalds being killed and wounded. Glengarry demanded satisfaction on a gigantic scale, but ultimately the dispute was referred to the Privy Council, who ordered the town to pay £4800 Scots in name of damages, together with the fees due to the surgeon who attended the wounded Macdonalds. The town sent Commissioners to plead its cause before the Privy Council, and at a meeting of the Town Council held on 19th March 1666, they reported that "they were greatly prejudged hindered and crossed by supplications and cross petitions tendered to the Lords of Privie Council by some ill-affected and malicious neighbours viz. [the names appear in the document below] whereby they pretended and protested to be free of all personal and pecuniary fynes (gif any should be) to be imposed upon this burgh for that unhappy tumult risen in August last betwixt the McDonalds." The Town Council in consequence, on 24th September 1666, passed the resolution which the document records, and it apparently remained in force till 22nd October 1675, when it was abrogated by a resolution of the then Council.

E. M. B.

Endorsed:—24th September 1666
extract act of counsell.

Inverness the 24th September 1666 yeirs, In presence of Alexander Cuthbert, provest, John Hepburn, David Fouller, & Robert Barbour, baillies, John Stewart, Dean of Gild, William Robertson theasurer, John Cuthbert of Castlehill, Robert Rose late provest, John Cuthbert, Alexander Rose, Robert Chapman, Charles Mclean, James Stewart, George Cuming, Robert Bailzie, James Cuthbert, Laurenson, William Bailzie, elder, William Duff and John Cowie, Counsellors.

The quhilk day the magistrats & counsell being convened, for treating about the towns affairs, in special for choysing of ane new Counsell for this ensueing yeir, the Provost having interrogat and put to the voyce whither or not these persons or any ane of them who combyned together against the magistrats and counsell of this brugh, and protestit against them before the Lords of His Majesties Privie Counsell, should be empowered capable or trustit to be counsellors for this ensueing yeir (there names are: John Forbes of Cullodin, Duncane Forbes, his brother, Mr William Robertson of Inches, Thomas Watson, Alexander Forbes, Alexander Chisholme, and William Cuming) yea or not. It was caried by the negative voyce, that they ought not nor sould not be received as counsellors, nor yet put in any publick trust be them, while the magistrats and counsell were fully satisfied with their deportment and they themselves, viz the protestators convinced of their error & guilt Quhairon Act extractit.

J. Cuthbert clericus.

The following letter addressed to Culloden appears to have been written in 1667:—

Edinburgh 16 December.

Sir,

I resaved sum few lynes from yow, and a copy of discharge from Niddis to yow toucheing the Excyse of the moneth of Apryle 1650. Treuli ther was more reason I sould hav had my moneth, quho took all the burthen upon me, and went to Breda, quhair I had a large burthen. I will say no more. The act of estaits granted in my favour in the 1 of Marche 1650, to be ane incouragment to cawse Niddis and me advance that 2000 li. sterling. My ingadgement was a lytle diepper thereafter, and assigned to us the monthes excyse of marche and apryle 1650. Others that were in the publicq plaices deserted the charge as wyse men. Yet I have this incouragement in my last declyneing dayes, that the Lord honors me to be instrumentale to bring home our dread soueraigne to this his ancient kingdome, and quho soever was a withholder of that lytle meanes that was apothecate for that end, it argues ane evident demonstration of their disaffection of the King's safe returne to his Kingdome and loveing subjects. And yow sie to seale such ane act, quhen I was absent my self, nether was it in your pouer to do it, upon most sutilouse reasons, the shyres of Roxburgh, Beruik, Hadington, etc., quho lay nearest the English forces and borders, payed the same tuo monethes excyse in Apryle 1650, now 17 yeares bygane. And the shyres of Inuerness, Rose etc. upon quhom the English forces came not till November and December 1651. Jon Forbes of Culloden most have ane exoneration therof. One other in all Scotland I mett with, quho, pretending sum such

lyk groundles pretence, and quho have-
ing pouer with sum leading men, quho
were indifferent of the King's Majesties
return. Treulie, seeing we resaved these
tuo monethes excyse from the bordering
shyres near to the English, no reason
can we giv to keip it. Sir, I hop these
ar abundant to convince yow. And if
other shyres had done as yow did, and
hav withheld ther payment till now 17
yeres, the lyk would hav destroyed
many families, the maintenance of your
land in great thing, yow will not with-
hold it. I hav in a confused way thus
given sufficient reasons to convince,
meum et tuum makes all the differences
in this world. Yow will do well to pre-
vent forder hearing upon your gud
thoughts therof. I will wait till the 15
off July next. Yow was a wyse man,
and consulted with other wyse men, and
did not ingadge so unadvysedli. If yow
lagh at our follie, yet keap not bak your
lytle myte yow ow.

Your servand

J. Smyth.

The next two documents deal with Sab-
bath-breaking and other misdemeanours.

For his very honord good friend

John Forbes of Culloden This.

Verie honord Sir,

Ther were some women on yor grownd
of Cullodn delated to our Sessione for
scolding & playing on a Lords day, when
we quesnd them befor us they denied
all & we could mak nothing against them
seeing the delators were absent, Querefor
I am desired by the Sessione to speak to
you, that ye may try the bussieness & if
ye find them culpable that by yor en-
quiry ye causs them, & delators be befor
us to morrow & if ye find nothing that
they abide at home seeing this is a bussie
time being the Harvest. Sir I am loth

to trouble yor Ly. for soume meale if she
can spair some, bot no otherwise, ther
are fyve bolls adebted to mee if I wuld
get one or two bolls seeing my family
stands in need theroff I should seek no
more at this terme, This is all bot that I
begg for temporal Spiritual & Eternall
strenth to attend you & yors

Your well wishing friend & Servt.
whill I am

Alex Clerk.

Inverness 9 of Sept. 1667.

Sr, Excuse the scarcity of paper. [It
is actually 5 inches square.]

The names of those that hes been fyned
be the Magistrats of inuernes such as
blood werks, ryots and fornicatione &c.
[It is endorsed 1671.]

Inprimis. Robert Chapman for some
descourse quhich the said magistrats pre-
tendit and apprehendit he spok in thair
contrair was fyned in 20 libs. Scotis and
keeped in prison till he payed the samen.

Item. Thomas Grein, showmaker, for
strickeing of his wyff, as they alleadgit,
caused him pay 40 libs. Scotis, and was
keeped in prison till he payed it.

Item. One Donald Dow and a como-
rade of his, both of them servants in the
myln, strack at one ane other, for which
the forsaid magistrats made them pay
bewixt them both 20 merks.

Item. Thomas Tulloch, measone, for
giving a strock to his barrowman with
the [?trowel] he haid in his hand, was
caused and forced to pay 18 merks.

Item. William Chapman for shooting
of a pistolle unconcerndlie, the bullate
did peirce throw Baillzie Robertsons
servant's hipp for which the said magis-
trats made him pay fourscore ten merks
and attour his expenses for cureing of his
said hipp.

Item. Caused the forsaid William Chapman for falling in fornicatione (as being as they suppose themselves justices of peace) fyftie four merks; lykwayes the women with quhom the said William fell peyit them as justices of peace 15 merks.

Item. Robert Innes, sone to John Innes, glessenwreight, was forced to pay to the said magistrats as justices of peace (for his first fall) 20 libs. Scots, and the women with quhom he fell was forced to pay them 10 libs. Scots; lykwayes for his second fall he was made to pay to the said magistrats upon the accompt forsaid 30 libs. Scots; also his pairtie payit 10 libs. Scots for the second fault.

Item. John Murray, burgess, was made to pay 40 libs. for his fall, and his concubine 10 libs. Scots.

Item. George Andersone, servitor to Patrick Gordone, lidster, peyit them 10 libs. Scotis, and 10 libs. also his concubine peyit.

Item. David Cuthbert, sone to James Cuthbert, tounes clerk, peyit to the magistrats as justices of peace 20 libs. Scots for his fornicatione, and his concubine 10 libs. Scots. Lykwayes the said David peyit ane hundereth libs. Scotis, and that for beatineing and stricken William Patersone, burges, who was then captaine of the tounes guard, and upon some miscariadge he comanded him soberlie to prove ciwill, he being untoward made ane unhandsome assault as aforsaid, and withall did in a most barborous and in ane unhumane maner strick at John McClacher, the tounes officer, till the infusione of his blood &c.

Item. John McConchie younger peyit for his fornicatione to the magistrats 20 libs. and his partie 10 libs. Scots.

Item. — McConchie, sone to David McConchie, burges, peyit for his fornicatione betwixt himself and his concubine 20 libs. Scots.

Item. The deceist William McKillican, burges of Inuernes at the east port, for his falling in fornicatione 20 librs. and his concubine 20 librs.

Item. Donald Mc [illegible] beyond the bridge, burges, for his fornication payit them 20 librs. and 10 librs. his pairtie.

Item. Robert Wincester, burges, for his fornicatione 20 librs., and his concubine 10 librs.

Item. Donald McSligach, younger, tailzier, for his fall peyit 10 librs. and his concubine 10 librs.

Item. Robert Murray, sone to John Murray, burges, for his fornication peyit 10 librs.

Item. John Hay, cordinar, payit for his fall 10 librs. and his pairtie 10 librs. also.

Item. Donald Fouler younger, merchant, burges of Inuernes, for relapse payit 40 librs.

Item. Gregory Grant younger. [The remainder is torn.]

Writing as a partisan of the Frasers, and with not unusual inaccuracy, the author of the "Wardlaw Manuscript," relates how John Forbes, in repairing the house of Bunchrew, supplanted the Fraser Arms by his own. "Where Simon Loru Fraser of Lovat and Dame Jean Stewart were before, now John Forbes and Jean Dunbar!" The inference is scarcely fair to the house of Culloden, to whose descent from the Lords Forbes reference has already been made. Anna (not Jean) Dunbar was herself of sufficiently aristocratic lineage, being the daughter of Alexander Dunbar of Grange by his first wife, Jean, daughter of Sir John Campbell of Calder, and it was from the Calder family that the Frasers acquired Ferintosh, only about 1617. It may have been true that the sale of that property and Bunchrew to John Forbes

was deeply regretted by the Frasers, but several of them took peculiar means of showing their resentment.

In 1678 appear letters of horning at the instance of Duncan Forbes [younger] or Culloden against John and Hugh Frasers, sons to William Fraser of Easter Leadclune, William McWilliam vic Hutcheon, son to William McHutcheon younger, Hutcheon McAlaster vic Ean Roy younger and Angus ? Gruder in Bochrubin. One can hardly fail to guess at the nature of their offence, which may possibly be associated with this quotation from the "Wardlaw Manuscript."

Alexander Mackwilliam, a Fraser, captain off our Watch, with his brother, John Fraser, and halfe a score desperat young men, came disguised to Bunchrive in a morning and brake down all the glass windowes of the house, brake the millstones to bits, levelling all to the ground as if there had been no house there. This atrocious riott galls Culloden to the heart. The shirref of Inverness, or the Lord Lovat's balife, were judges competent for such villaines: there he could expect no favour nor justice. My advice to him, being at my owne house, was freely to pass it over unconcernedly, for if he should persue it legally he could have no reparation of these meanes, not being solvendo, nor off their persones, being desperat and could soon turn out-lawes and doe him and his lands considerable mischeefe (for Highland fewds never dies); and moreover it were no small difficulty (if possible at all) to instruct the deed or fix upon the actors. Upon mature thoughts he quit gave it over, and settes a tack of his maines in Bunchrive to Alexander Chisholm, Shirreff Deput off Inverness, who now lives in that town, and laboures the land.

So bad had things become by 1681 that the following petition was drafted.

Endorsed: 1681 Petition to the Duke of York for a watch.

Unto his Royall Highnes the Duke of Albanie & York &c, And to the Right Honourable the Lords and others of His Majesties Secret Council. The Petition of the gentlemen heritors & freeholders of the Lowlands of the Shyre of Inverness & others near & about the Burgh therof for themselves ther men tenants & servants.

Humble Complains & Showes

That wheras those dyvers years bygone your Petitioners have suffered many greivous depreddations & harshippes through the incursions of Robbers, Sorneres, Thieves & Broken men of the Heilands of the said Shyre, and other Lawles men ther associats, who come down in Bands & parties, Rob, Steall, and drives away ther Cattle, Brakes open their Doors in the night tyme, & Diggs through their Houses, plunders and away takes the haill moveables, Insight plenisheing, goods & geirs & oft tymes assasinatts severall poore people in their Bedds. To the heigh Contempt of authority & Rouine of your Petitioners without remeadie be provyded. And notwithstanding the Lords of His Majesties Privie Council hes thir years bygone made many laudable Lawes & Actts for suppressing the lyke insolencies in tyme comeing and hes bestowed liberallie upon persons of quality and pouer for repressing the lyke inhumanity yet your Royall Heighnes Petitioners have suffered more these four or fyve years Bygone, nor they have done those many years before without any redress or reparation. As may be made appeare by a List of the Goods stollen, heirwith to be presented.

May it therefore please your Royall Heighnes & the Lords of His Majesties Privie Councell to take the condition of this poor country to your consideratione & provyde such meanes as may preserve your Petitioners from utter rouine, either by establishing of watches or planting of Garisons in Lochaber or in such other places of the Heilands as your Heighness & the Councill shall judge most convenient or take any other way that shall be thought more expedient for your Petitioners Security. And as bound they shall pray.

Of a series of documents dealing with a particular instance of this kind, endorsed "Letters, etc., concerning Thomas How," only one appears to remain. It is a protection, dated 16th February 1682, by John Forbes of Culloden to John McGillendericke. The document recites that in September 1679 certain goods and cattle were stolen belonging to Culloden, who had been certainly informed that McGillendericke, who resided in Lochaber, could give information as to where the goods went, and who had taken them. He was therefore granted this pass to come and go till 31st March next to come.

Mention has been made of Anna Dunbar, wife of John Forbes of Culloden, and the following effusion from the Reverend William Ross, minister of Edderton has a curious reference to her at the close.

These for his honoured and much respected The Laird of Culloden, elder.

Edderton, June 20, 1676.

Worthie and wealbeloved

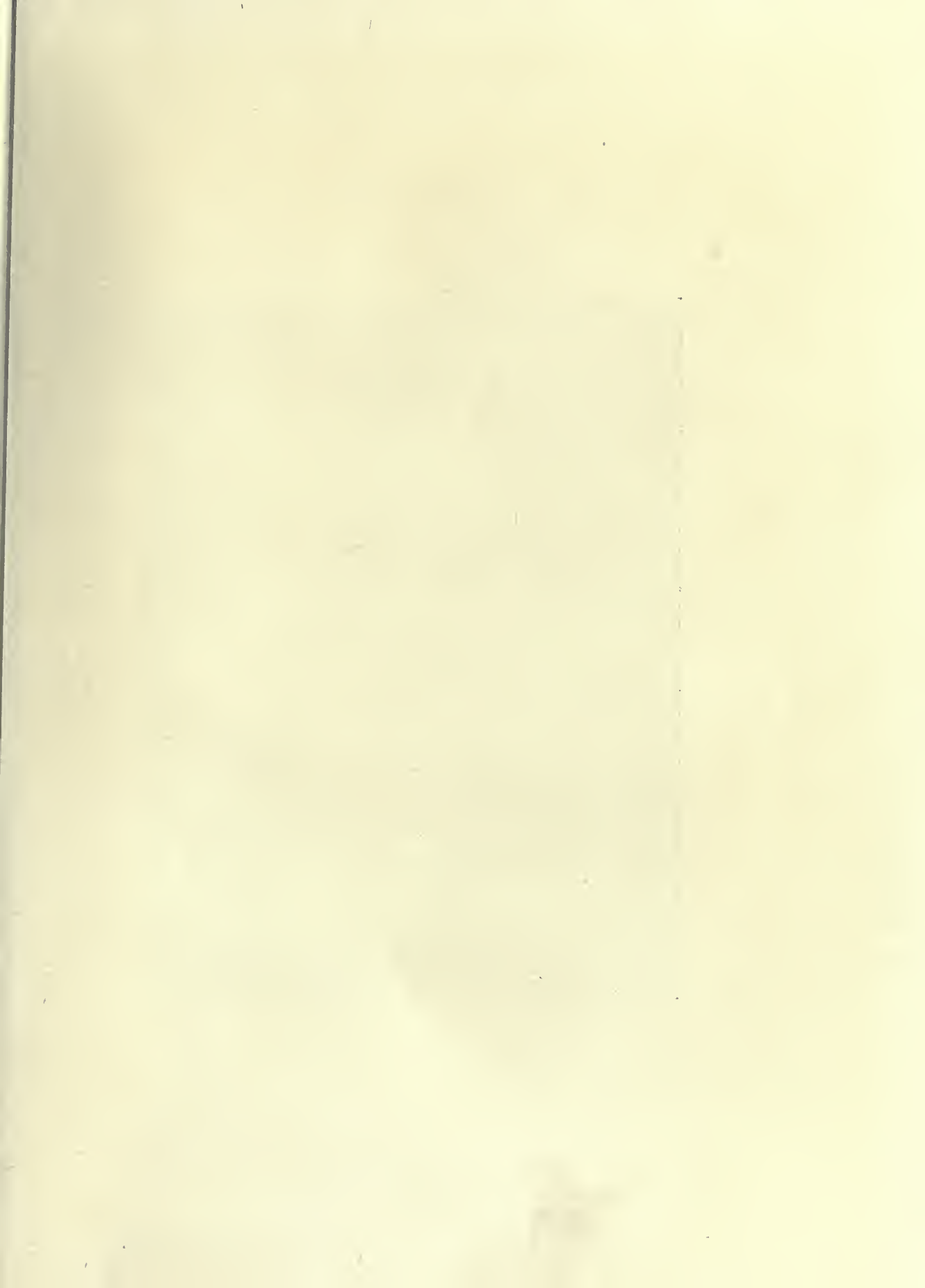
I am glad that you have in this season escaped the necessarie evill of legall contestes, and that ye ar out off that pensive and expensive laborynth of so uncertaine event, quhairby ye ar at lazure

to goe about your policie and frugalitie at hom, as also about your mor serious and necessarie spirituall exercises. Whin and wher I mett with you last, the exercise we wer about, the interreing of a young sprightly person, quhairby her self and others wer surprized, brought my thoughtes to the consideratione of our own hazard, consideringe the nature of our clay houses to be bot pitcheres (Eccles: 12: 6). And houeuer ther be differences amongst pitcheres, and that that which is mad off tough and stiff clay, and weall baked in the oven is the firmest and will byd most and heaviest knockes, or that pitcher which is more cairfully kepted and less stressed may be longer exstant, yet nether the fynenes of the clay, the skillfulnes of the bakeing, nor the carfullnes off the keepeing, can alter the natur of the pitcher or metamorphose it to a marble urne or pott of lasting metall, bot still reteanes its essentiall fragilitie, and therfor is ever lyable to the fatall knock that dissolves it. It is heigh tyme for me, being now 49 yeares, wheroff most iff not all wer spent sinfully and improfitably, and haveing by manie yeares past the meridiame of a manes ordinarie course in our tymes, it is, I say, heigh tyme for us to be diligent in redeemeing the tyme, because the dayes ar evill. May the Lord mack us wisse to prepare and provyde for that which is imposible to avoide, to witt, seeknes and deathe, who have us still in chase, and may verie shortly overtak us. When we ar patientes, we ar lyk the bees in winter, no fleeing abroad to find freshe flowers, either they most starve or live upon that stock off honey, which they have provyded in the summer season. May the Lord preserve us from the dreadfull error of the foolish virgines, to have our oyle to buy, when we should have it to burne. Old age is a seeknes

off it self, the batteries of death haveing chattered our walles, and reduced us to be a tottering fence, and to the necessitie off parley, and whene we ar layed low upon our seek bedes, and upon our backes, fighteing with all the weakneses and infirmities off nature, it wilbe no small work in that conditione to apply, mak use off and feed upone the experiences, victories over tentationes, the intimationes off pardone and actes of mortificatione and sweet accesses to ane Communion with God, actes of faith and repentance &c. that wee have atteened to in formere tymes, that is, I say, no small work for us in that conditione, tho' the enemie did not rease manie spirituall stormes in the verie mouth of the harbour, as it is usuall with him to doe to all except such as hav no bandes in ther death, whose feigned peac endes in a reall and endless warr. Bot haveing drawn out these emptie lynes too great a lenth, I only begg your pardon, that I could not wait on you at your house conform to my promise and resolutione, being hindered by the seekenes off my spouse and childrene. Only I desire to knowe what the Lord hath don in order to the calmeing off your domestick stormes, and what success my last letter had with your spouse, and whither I may have anie incorradgement to continue that or anie mor personall correspondence with her. So remembering my respects to her, Jeane, and the rest off the sweet and hopfull familie that the Lord hath given you, and recommending you and them to the Lordes rich greace and tendere caire, I am,

Your affectionat f[reind] and obleidged
servant,

Will: Ross.





ANNA DUNBAR, WIFE OF JOHN FORBES, SECOND OF CULLODEN.

Anna Dunbar was, according to family tradition, of a somewhat masterful temper. The very curious document which follows is the declaration of her own son.

I Jonathan Forbes Doctor of Medicin, Forasmuch as Anna Dunbar Spous to John Forbes of Culloden has now for upwards of these last Ten Years bygone Laboured under a Melancholie Distemper & indisposition of Body of which Distemper to my Certain Knowledge She is not as yet fully Free, and that now being required to goe either on horse back or on foot to Inverness to attend the Shirriffs Court, She utterly declynes the samen, as a thing that will indanger her health, and I being Certain that her apprehension proceeds from her Distemper afforesaid, and that the pressing her to do anything against her inclination will never prevail with any in her Condition, do therfor by these presents upon my Soul & Conscience declair it to be most Dangering both for fear of her health & driveing her to extravagancies, to presse her either to goe or ryde at this tyme, As witness these presents wryttin & Subst with my hand at Cullodin the Sixt 7br 1684 befor these witnesses James Baillie nottery Publict & Walter Neilsone wrytter in Edr.

Jon. Forbes

W. Neilsone witness

J. Baillie witness

Some light is thrown on the above by the following copy of an "Act in favors of The Lady Culloden elder."

Edinburgh 6th Febry. 1685.

The Lords Commissioners of his Maties Privie Counsell and Justiciary Having Considered The Process for Conventicles Separation and Church Disorders Pre-

ferred at the instance of the Pror. Fiscall of the Shyre of Inverness against John Forbes of Cullodine and his Lady with a remitt from the Lords of his Maties Privie Councell to them wherby they recommendit to the saids Lords to call for the said Proces and Discuss the same with the Defenss testimonies and depositions of Ministers And others anent Lady Culloden elder her infirmities They upon good grounds and Considerations discharge all Diligence and executione against the Lady Cullodin elder or her husband upon the Proces against her And also Discharges all inferior Judges and Magistrats to Call Conveen or Persew the said Lady Cullodin for any Church Disorders and Irregularities. Rules She be Specially Dilated by the Bishop and Ministers. Extractit by

J. Anderson Clk Com.

The following letter, written from Carolina, 26th March 1684, is addressed —“For the much honoured Cullodin, younger,” that is Duncan Forbes, afterwards third laird of Culloden, who under date 18th March 1702 gave an account of his own family (“Genealogy of the Family of Forbes,” Inverness “Journal” Office, 1819). Therein he distinctly states of his brothers, that Alexander went to New England and again, “Alexander unmarried as yet, for aught known.” Alexander, however, does not appear to have gone to America till after 8th March 1687, when J[ohn] Forbes writing in French to his father, the second laird, from Rouen, states that he had taken “deux cents livres d’un Ecosais qui estoit icy, a qui j’ay donné ma lettre de change sur mon frère Alexander.” That descendants of some member of the Culloden family are now in America has always been believed.

Sir,

It might bee supposed that in fyve or six moneths tyme, which are past since I wrott my last, and being in thir pairts of the world quhair now I ame, ther might bee at presentt subject enough to make a long letter, wer the pen in any other's hand then myne, whom you know was never so happie as to be any thing either off cossmographer or rhetorician. Therfor will forbear, least at oncē I both betray my owne ignorance, and misinforme my freind. The only intent then of this lyne is to wish yourself, bed-fellow and all other freinds, all health and happiness, and to let you know that almost I ame a planter. But the unhealthfulness of the cuntry does not only put me to [illegible]and, but also those who have lived here from the very first settlement of the place, yet come what wills, I doe not repent the enterpryse. Our freind Mr Malloch hath settled a plantation. I pray God send him better luck then he deserves, yet I thank God I have no reason to complaine, he and I being fairly ended quia non aliter potuit. I would have sent you three or four baggs of ceddar, which I bought for the purpose, had Mr Malloch been als good as his word, for notwithstanding off his promise and the obligations he owed me, yet he was so honest as to refuse me that kyndness, although I offered him what fraught he pleased; but had he done otherways, it wer a fey toaken, which I wish not, therfor I forgive him. The gentlemen of the cuntry have been very civell, which I shall attribute rather to your goodness than any desert in me. Yet, if I turne planter, I hope to quitt kyndness with them. For want of greater matters, know that your man Jammie Campbell is very well, and overseer of one of the best plantations in the

cuntrie. Ther are some others of those came over with me servants in the same plantation. They and all of them that came with me are well, and wish me and myne so, for I have dealt kyndly by them, all of which they are sensibil. This is farr, although no great ways. I can hardly say anything of my own resolutions, being as yet irresolute what course to take. But my trust is in God, who I hope will direct me aright, to whom I shall never seass praying for your well-faire as beeing still

Sir, your most affectionat brother and humble servant quhills

[?] A. Forbes.

My service to your bedfellow, and to both my sisters and ther husbands, and all the rest of our relations in cumulo.

The following items are taken from a family "accomt begun December 13th, 1686":—

	£	s.	d.
For ane emulsion & bottell	-	1	2 0
Honey, half a muchkin & pott	-	8	0
Ane cordiall julop & bottell	-	1	14 0
Ane plaister for the stomach	-	16	0
Dried hearbs to your father's use		5	0
[John Forbes, elder of Culloden]			
Mastick & incense, each ane unce		10	0
Best oyle of maces 2 drams	-	14	0
Licorice four unces	-	5	0
Cinnamon water 4 unces & thamarinds 3 unces	-	1	0 0
For ane oyntment to your sone			
Johne & pott	-	18	0
Confert oranges 3 pound ten unce to the funeralls	-	5	9 0
[The old Laird of Culloden]			
Sugar Candy ane pound	-	1	0 0

Electuar: lenitivy and tua thamarinds	- - - -	10	0
For the two cear clothes and other necessars to the Lairds Corps	- - - -	60	0 0
Aq[ua] regina hungaria 2 unces and glasse	- - - -	14	0
Ane bottell blacke beer to your daughter	- - - -	12	0
For plaisters & oylls to your arme	- - - -		[illegible]



(4) THE INVERNESS STENT ROLL OF OCTOBER 1671.

The stent roll of the burgh and territorie of Invernes, imposed be the stenters under subscriyvand, conforme to the act of councell of date the 16 day of Octr. 1671 yeares, and that for paying of two moneths sess dew be act of parliament which ar the two last moneths of the fyve appoynted to be payed to beare the charges of the commissioners that went to London anent the Union, to be presentlie levied and collected be James McIntoshe who is appoynted collector therof; the saids two monethes stent extending in toto to the soume of four hundereth fourtie four pounds twelve shillings scots, for collecting grof the said James McIntoshe is to be payed according to his deserving and that conforme to the said act of councell.

BRIDGE STREET.

Lib.	Worth.	His calling	...	James Bannerman	...	00	08	0
"	"	"	...	Patrick Gordon	...	02	13	4
"	"	"	...	Alexr. Keilsone	...	01	06	8
"	[P] 1000	"	...	Johne Polsone Johnstone	...	01	06	8
"	500	"	...	William Macbean, yor.	...	00	16	0
"	500	"	...	Angus Polsone	...	00	10	0
"	His calling	"	...	Symon Fraser	...	01	00	0
"	5000	"	...	Alexr. Patersone	...	03	00	0
"	600	"	...	William Thomsonsone	...	01	12	0
"	His calling	"	...	George Waus	...	00	08	0
"	Her "	"	...	James Cook	...	01	16	0
"	His "	"	...	Donald Watsons's relict	...	00	16	0
"	600	"	...	Thomas Monro Skinner	...	00	06	0
"	13,000	"	...	John Lagan	...	00	06	0
"	2000	"	...	James Dunbar yor.	...	01	04	0
"	1000	"	...	Johne Cuthbert, late baillie	...	09	06	8
"	14,000	"	...	Alexr. Chisholme	...	02	13	4
"	1000	"	...	Johne McIntoshe, merchand	...	02	13	4
"	14,000	"	...	John Hepburne, baillie	...	09	06	8
"	1000	"	...	James Maclean	...	02	00	0
"	His calling	"	...	Robert Paul	...	01	12	0
"	300	"	...	Wm. Ross McJohnesone	...	01	04	0
"	His calling	"	...	Robert Ross, merchand	...	01	06	8
"	2000	"	...	Gregorie Grant	...	01	00	0
"	1000	"	...	Alexr. Stewart	...	02	08	0
"	1400	"	...	Wm. Mackenzie	...	02	08	0
"	1000	"	...	Johne Stewart	...	03	12	0
"	6000	"	...	David Foulter	...	06	13	4
"	4000	"	...	John Polsone Robertsonsone	...	02	08	0

BEWEST THE WATER.

"	14,000	"	...	Finlay Fraser, baillie	...	07	00	0
"	His calling	"	...	Johne Bishope	...	00	06	0
"	"	"	...	Alex. Monro, couper	...	00	06	0
"	"	"	...	Thomas Taylor, shoemaker	...	00	06	0
"	Nothing	"	...	Donald McAndrew alias Fraser	...	00	12	0
"	1400	"	...	Donald McEandwi	...	02	08	0
"	3000	"	...	Hugh Fraser's wyf's lyfrent	...	04	00	0

Lib.	Worth.									
		...	...	...	...	...	Alexr. Hendrie, weaver	...	...	00 16 0
		...	...	...	...	...	Donald Hendrie, weaver	...	...	01 04 0
		...	...	...	...	...	Finlay Hendrie	...	...	00 06 0
		...	...	...	...	...	David Sutherland	...	...	00 06 0
		...	...	...	...	...	John Chisolme	...	...	00 06 0
		...	...	...	...	...	Andrew McKilican	...	...	01 00 0
	His calling	...	...	...	...	...	Donald McKilican	...	...	01 00 0
	360	...	...	...	...	...	George Hepburne	...	...	01 04 0
	His calling	...	...	...	...	...	George Goodbrand	...	...	00 08 0
		...	...	...	...	...	Hugh Angnason	...	...	00 12 0
		...	...	...	...	...	Wm. McKenzie alias Buy, joyner..	...	...	00 06 0
		...	...	...	...	...	Donald Roy, joyner	...	...	00 04 0
	1400	...	...	...	...	...	Charles Maclean	...	...	02 13 4
	28,000	...	...	...	...	...	Alexr. Cuthbert, provest	...	...	06 13 4
	8000	...	...	...	...	...	James Cuthbert, late Baillie	...	...	06 06 0
		...	...	...	...	...	Hugh Monro, joyner	...	...	00 06 0
	[P] 340	...	...	...	...	...	Walter Rosse, for Jean Lindsay..	...	...	00 13 4
	3400	...	...	...	...	...	James Cuthbert, Drakies	...	...	01 06 8
	800	...	...	...	...	...	Andrew Jackson	...	...	01 06 8
	200	...	...	...	...	...	James Holmes	...	...	00 16 0
		...	...	...	...	...	Walter Rosse, apothecarie's relict	...	...	00 06 0
	His calling	...	...	...	...	...	Donald Maclean	...	...	01 16 0
	1000	...	...	...	...	...	John Cowie's aires to be payed be the possessors	...	...	00 18 0
	His calling	...	...	...	...	...	Wm. Corbat, cowper	...	...	00 12 0
	200	...	...	...	...	...	Walter Ross, labourer	...	...	01 12 0
	1400	...	...	...	...	...	John Robertsons's relict for her rent	...	...	02 00 0
	His calling	...	...	...	...	...	George Smith, carpenter	...	...	00 06 0
		...	...	...	...	...	Donald Clerk, creamer [pedlar]	...	...	00 06 0
	His trade	...	...	...	...	...	Donald Young, shoemaker	...	...	00 04 0
		...	...	...	...	...	John Taylor, weaver	...	...	00 06 0
	His calling	...	...	...	...	...	Donald Fraser, smith	...	...	00 12 0
	400	...	...	...	...	...	Wm. Paterson	...	...	01 04 0
	1200	...	...	...	...	...	Thomas Dunbar	...	...	02 08 0
	His calling	...	...	...	...	...	John Fraser, brewer	...	...	00 16 0
	1400	...	...	...	...	...	John Barbour	...	...	01 16 0
	600	...	...	...	...	...	James Dunbar Newtonsone	...	...	01 16 0

CASTELL STREET.

	5000	...	...	...	...	...	Robert Chapman	...	...	06 00 0
	300	...	...	...	...	...	William Chapman	...	...	00 08 0
	3000	...	...	...	...	...	John Grant, merchand's, rent	...	...	02 08 0
	340	...	...	...	...	...	James Cuthbert, creamer	...	...	00[P]10 0
	3000	...	...	...	...	...	James McIntoshe	...	...	05 00 0
	640	...	...	...	...	...	Jean Cuthbert	...	...	00 12 0
	8000	...	...	...	...	...	Wm. Duffe	...	...	05 00 0
	1000	...	...	...	...	...	Thomas [P] McNuyer	...	...	03 00 0
	His calling	...	...	...	...	...	James Fraser, shoemaker	...	...	01 04 0
	"	...	...	...	...	...	Wm. Fraser, shoemaker	...	...	00 12 0
	"	...	...	...	...	...	John Dick, shoemaker	...	...	00 08 0
	500	...	...	...	...	...	Alexr. Cuming's rent	...	...	01 04 0
	1000	...	...	...	...	...	James Gordon, measson	...	...	03 06 8
	1300	...	...	...	...	...	John Sinclair	...	...	02 08 0
		...	...	...	...	...	James Duffe	...	...	00 08 0
		...	...	...	...	...	Angus McPherson	...	...	00 08 0
	2000	...	...	...	...	...	David Scott	...	...	03 06 0
	5000	...	...	...	...	...	James Robertsons	...	...	06 06 0
	1300	...	...	...	...	...	Alexr. Macbean	...	...	01 16 0
	His calling	...	...	...	...	...	John Fraser, shoemaker	...	...	00 10 0
		...	...	...	...	...	Andrew McKilican	...	...	00 08 0

Lib.									
Worth	_____	...	...	...	...	...	Donald Clerk, post	...	00 16 0
"	_____	...	...	...	...	...	John McConchie via Andrew	...	00 06 0
"	_____	...	...	...	...	...	Wm. Steiven	...	00 04 0
"	_____	...	...	...	...	...	James Fraser, cordiner	...	00 06 0
"	_____	...	...	...	...	...	Wm. McWirrich	...	00 08 0
"	_____	...	...	...	...	...	Alexr. Patersone of Inches rent...	01 16 0	
"	_____	...	...	...	...	...	John McWirrich	...	00 08 0
"	_____	...	...	...	...	...	Donald Outhbert, cordiner	...	00 08 0
"	2000	...	...	...	...	...	Donald Foulter yor	...	02 08 0
"	_____	...	...	...	...	...	Thomas Watsone	...	04 13 4
"	_____	...	...	...	...	...	Wm. Urquhart's reliot for her land	00 08 0	
"	_____	...	...	...	...	...	Margaret Mcpersone	...	00 08 0
"	_____	...	...	...	...	...	Donald Guthrie	...	00 06 0
"	_____	...	...	...	...	...	Donald Fraser, maltman	...	00 08 0
"	3000	...	...	...	...	...	Robert Thomsone	...	03 12 0
"	His calling	...	...	...	...	...	Frederick Fraser	...	00 12 0
"	_____	...	...	...	...	...	George Hyetone [?Hutoune]	...	00 12 0
"	2000	...	...	...	...	...	David Outhbert's land	...	02 13 4
"	1000	...	...	...	...	...	Alex. Forbes	...	02 08 0
"	500	...	...	...	...	...	James Hepburne's rood	...	00 08 0
"	_____	...	...	...	...	...	Donald Finlaysone, creamer	...	00 06 0
"	1500	...	...	...	...	...	Archibald Neilsone	...	00 12 0
"	1400	...	...	...	...	...	Johne Taylor	...	02 08 0
"	1000	...	...	...	...	...	John Neilsone	...	00 12 0
"	_____	...	...	...	...	...	Thomas Tulloch, meassone	...	00 08 0
"	_____	...	...	...	...	...	Walter Hossack, taylor	...	00 06 0
"	His calling	...	...	...	...	...	Donald Sligo, younger ther	...	00 08 0

ADDITIONS.

"	_____	...	...	...	...	...	David Shearer	...	00 06 0
"	_____	...	...	...	...	...	Robert Morrey	...	00 06 0
"	_____	...	...	...	...	...	Donald Forbes	...	00 06 0
"	_____	...	...	...	...	...	Jaspard Outhbert	...	00 12 0
"	_____	...	...	...	...	...	James McKillican	...	00 06 0

TERBITORIE.

Castlehill	...	...	...	...	...	09 06 8
Mr Wm. Robertsons	...	...	...	...	...	09 06 8
Easter Drakies	...	...	...	...	...	08 00 0
John Outhbert, minor, of Drakies	...	...	...	...	...	02 08 0
John Polsons of Merkinsne	...	...	...	...	...	10 13 4
Alexr. Cruickshank	...	...	...	...	...	00 12 0
The King's Milne	...	...	...	...	...	18 00 0

The thrie quarters of the water of Ness, somtyme belonging to Duncane Forbes to be payed be the possessors 02 08 0
 The total of the above items in stent extends to four hundredth furtle four pounds twelve shill. 444 12 0

This stent is ended the mynteech day of October 1671, and subscribed be the under-named stenters conforme to act of councell. *Sic subscribitur.*

Wm. Duffo, Ro. Barbor, James Stewart. W. M. B. (*sic*), J. McLeane. Will. Baillie, Geo. Cuming, And. Shaw, Alex. Clunes. Registered and extracted be me. *Sic subscribitur* Ja: Cuthbert, cla.



INVERNESS AT THE END OF THE 17TH CENTURY.

(from Slezer's "Theatrum Scotiae.")

This stent roll appears to have formed part of the evidence produced by the Town of Inverness against Forbes of Culloden, Robertson of Inches, and others, about the year 1674. The case is noted in "Some doubts and Questions in the Law, especially of Scotland. As also some Decisions of the Lords of Council and Session, collected and observed by Sir John Nisbet of Dirlinton"—Edinburgh 1698.

This case having been agitated, not without some heat, amongst the Lords themselves; I thought fit to give an account thereof, at greater length than I have used in other cases and decisions.

The Town of Inverness having charged the said Robertson of Inches, and Culloden and other feuars, who hold the Forrest of Drakies and other lands and milns and fishings of the said Burgh; for payment of their proportions of a stent imposed upon them, for the use of the Town and they having suspended, upon that reason, that the said stent was unequal as to their proportions, and that the Town had not an arbitrary power to impose stents upon their neighbours and feuare, unless there were an unavoidable, at least a pressing necessity and occasion relateing to the good and interest of the Burgh; and in that case, the neighbours and feuars were to be lyable only in *subsidiu*m; in so far as the patrimony of the Town and Common Good should be short, and not to extend to defray the same.

It is not proposed to go further into the history of the case, concerning which many original papers are in existence, but the following is given, partly because it is illustrative of and epitomises much of the evidence produced by Culloden and Inches, and partly because a few lines were quoted from it in the first article "Concerning the Affair of Clan Chattan."

In the actione pursued be the towne of Invernes against the Fewers anent the arbitrarie maner of stenting there is suspensioe raised be the Fewers upon these heads. 1. That by a decreet of the Lords anno 1664 ther was a methode prescryved wherby the Magistrats ar limited in the imposing of stents that they shall be obleidged in the first place to give warning to the inhabitants by touck of drum or otherways to compeire and heare the reasones for imposing the stent explained to them and to make apeare before the imposing of any such stent that the common good is exhausted and expended upon the necessarie affaires of the Brugh with severall other qualificaciones as at more lenth is contained in the said decreet, and in caice of not observance the inhabitants to protest for remoad of law etc. 2. That they hold ther lands few for the payment of a certaine few duty (tantum pro omni alio onere) upon both which ther is ane act of litiscontestatione, and as to the first reasone of suspensioe anent the methode and maner of stenting the same being referred to probatione hinc inde it is hoped the fewers have proven sufficiently the towne's contraventione of the said decreet as ther depositiones in process will sufficiently evince. And as to the second reasone of suspensioe to witt the clause of the fewers reddendo (pro omni alio onere) after litigious debate the Magistrats offered to prove imemoriall possessione of stenting which the Lords have sustained to be proven be witnesses or otherways and the Fewers to prove interruptione, which now is the thing that comes in the first place under the Lords consideratione. And it is to be supposed that withoute all doubt the towne have proven ther imemoriall possessione by a companie of false surborned witnesses inhabitants of the said burgh. And for

adminiculating of the said witnesses ther depositiones the Magistrats produces severall extracts of Councill acts under ther present clks hand, but does not produce ther principall books conforme to ane act and ordnance of the Lords dated [blank]. And so the acts produced ar not to be regarded being but the assertione of ther own clk. But esto that the acts produced were the reall extracts of ther severall Councell books which they ar obleidged to produce as said is, yet these samen acts being compaired with the witnesses depositiones and such other documents as we have to produce imply a manifest contradicitione, for the witnesses as wee conceive have deponed positively that ther were sowmes of money stented and leavyed as weell upon the towne as the Fewers for building of a bridge repairing of kirks and steeples and for Duncane Forbes his expense to London anent the actione ther depending betwixt the towne and the Earll of Morrey. But by the acts produced it appears they took effect. Primo, By ane act anno 1624 for imposing the sowme of 1000 libs for buying of timber from Glenmoristone for building the sd bridge the same never tooke effect for it ordained the thing only to be done, but wee find no stent roll nor any executione following therupon but by the contrarie it is very weell knowen that the towne having failed in ther designe they wore forced to imploie the assistance of all the noblemen, gentlemen and others of ther own shyre and others adjacent who did voluntarily contribute large sowmes of money to that purpose which was accordingly leavyed and a book mad wherin they enacted themselves for payment of ther respective proportiones which is notour to all men and the said book yet extant either in the possessione of the Magis-

trats of Invernes or in the hands of James Cuthbert of Drakies, and besyds all this for clearing that ther was no such thing as stent in those dayes the payment of the master wright and workmen's wages for building of the sd bridgo was taken up by a voluntarie contributione as the particular receipt of every man's offere herewith to be produced will testifie. The nixt act prodced was in the year 1626 alleadged made for imposng Duncan Forbes his expenses to London. It is to be noted that albeit the sd act appoynts a stent of 1000 libs to be imposed primo quoque tempore that nothing did followe upon the same, for the sd Duncan Forbes was forced to pursue the particular persones granters of his commissione and did recover decret against them before the Lords of Councell and Sessione nather was their any stenters apoynted by the sd act for portioning of the samen mor nor by the former.

Nota that it may appeare the better ther was nothing lyke stenting in those dayes in the nixt yeare yrafter 1627 the Magistrates of Invernes were forced to send to the Exchequer for a rule and methode how to stent the K's taxatione. And it is lykeweyes evident that there was nothing lyke stenting in those dayes in the defence of the actione contra the E. of Morrey every individuall persone within burgh did grant a voluntarie contributione for defence of the same as by ane subscribed roll under the tonnes clerk's hand to be produced will be sure testimonie and severall misives.

The nixt act produced of date the first of Janrie 1628 for the sowme of ten thousand libs. for making ane agriement with the Earle of Morrey wherof two pairts was offered willingly by the persons which came in will and the third pairt which is fyve thousand merks was to be stented and leavyed by the incorporatione & in-

habitants of the burgh alenarly, but it is very weel knowen to the provest of Invernes himselfe and to the wholl countrey that the said agreement never took effect and nothing followed upon the sd. act for ther mosses were to be comprehended in the sd. bargane as well as other controversies but upon the towns resisting they not only left ther mosses to this day but also the Earle of Morrey exacted of thrie particular persones of the sd. toune the said sowme of ten thousand pounds besyds great sowmes of money off other particular persones to the defence of which persones the toune never contributed a farding.

It. ane Act of the 26 Janrie 1629 appoynting the sowme of fourteen hundreth pounds money to be stented upon the inhabitants alenarly according to their quality and estates as other taxatiounes wont to be stented. Nota.—That the said act relates to ane other act to be made by the Magistrats of stenting of the sd. sowme which act we find not so that it appears clearly that ther hes followed no executione therupon more nor upon the rest and esto it had been leavyed as it was not the fewers ar nothing concerned it being appoynted only to be stented upon the inhabitants, which imports alenarly the burgesses and it appears the rather because it is for payment of tounes particular debt.

It. ane act of the 4 May 1630 whereby they would seeme to insinuate the imposing of a stent but does not condescend upon the sowme, yet it would seeme to relate to the former act made in the 26 yeare of God for payment of Duncan Forbes his expenses which maks it clearly appear that ther was no such thing as a stent in the 26 yeare of God, nather can this present act imply a stent, the sowme not being agreed upon, and it appears clearly that at this tyme Duncan

Forbes had not received his [?] decret for they appoynt the sowme of three hundredth merks to be leavyed in caice of his refusall of the [?] offere.

It. ane act made the 18 of Apryle 1637 for repairing the prick of the steeple with ashler worke and that the sd. stent was neither imposed nor collected appeares by the steeple itself which [was] never repaired lyk as the act implied that it was, but a deed to be done as weell as the rest, and albeit the fewers had contributed to the building of a church or steeple which will occurre but once in many ages, it will not imply nor infer ane arbitrary power for stenting upon every occasione.

Act last of March 1642 anent the imposing of a stent of fyve hundredth merks to John Cuthbert of Castlehill as a pairt of the pryce of the Minister's Glib. Nota that notwithstanding the making of this act in order to a stent as the wholl forementioned acts ar conceived yet no executione followes upon the same till November thereafter that ther was a new act made for leavying of the samen which is not to be found following upon the rest of the forementioned acts which maks it clearly appeare that before this stent ther was never any leavyed upon the sd. burgh notwithstanding all the acts made to that effect.

It. It is lykwayes to be observed that the people did repyne against the payment thereof by cursing the stent master and by ane act in the yeare 1644 they ar bound up in all tyme coming from reclaiming under pecuniall failzies.

It. To notice how the depositiones of the witnesses and the acts produced does quadrat, the one asserting positively the payment of the money which the acts of Councill does not beare, which is an apparent presumption that the witnesses deponing ar persones suggested and cor-

rupted to that effect having deponed upon payment of stents to be imposed whills the acts beares no warrand for uplifting the same. It. To be observed that albeit all these stents to which the forementioned acts relates to had been leavyed as they were not, yet they being only for building of Bridges, Churches and Steeples and such other public uses as will not occure once in a hundred years, shall that allow the Magistrats of Invernes ane arbitrarie power of stenting at ther pleasour and in such ane exorbitant maner as they have done these 10 or 12 yeares bygone (viz.) in upwards of 200 monethes cess to the ruine of many a poore familie.

To call for the principall councill books of the sd dayes.

To reflect upon the witnesses ther ages and how gross they ar in witnessing things of this nature, some of them being but sex yeares at that tyme as appears by the sessione books.

It. To mind Culloden and Inches ther suspensiones in the 63 and 64 yeares of God.

It. To mind the result of the sd actiones anent the [illegible] and molestatione which were the speciall grounds and causes of the stents suspended.

So far as the witnesses were concerned, it would appear that several were unable to go to Edinburgh or would not, if it could be avoided.

Certificate (copy) dated at Elgin 20th May 1673 by Murdo, Bishop of Moray, "and members of the Church Session of Elgin" that "Mr John Rosse of Pettendrech . . . having desyred of us our testimonie of his age and inabilite to travell . . . wee doe therefor testife and declare that the said Maister John Rosse is a man past seventie years of age and through infirmitie of toue unable to travell such a journey aither on horse or foot without danger of his life."

Besides the Bishop the other signatories are Ro: Innes, John Ogilvie, Ro: Donaldson, bailies of Elgin, David Stewart, late bailie there, & James Winchester, an elder.

Certificate (copy) dated 28th May 1673, at the Kirk Session of Inverness, by the Ministers and elders of Inverness, that 'Robert Rose lait provost of the sd burgh of the age of three score sex years or thereby fallen within thir three years in great sickness and disease, and frequently troubled with the stan and gravell, John Innes glassinwryght of the aige of three score eight years or thereby, affected and troubled with the goutt thir severall years bygone, John Murray frequently troubled with the goutt and now bedfast of the samen of the age of foure score years or thereby infirme and sicklie thir diverse yeiros by gone, Hew Angussone ane old decrepit man consumat with age and sea voyeadges, William Baylzie elder ane old infirme man troubled frequently with the goutt, William Munro alias Skinner, decrepit with old age and servile imployment, William Mcleane ane old decrepit man, Alexander Cruickshank, slaiter ane old infirme man, Donald Young taylzeor ane old infirme and weack man, James Cuthbert elder ane old infirme man constantly troubled with the sciatica, William Ross Mr Johne [blank] infirme old men, Johne McIntosh Johneson ane old infirme weack man and James Merchand ane old infirme weack man'' were not able to travel to Edinburgh.

Certificate (original) dated at Inverness 17th June 1673, by Alexander Clerk and James Sutherland, ministers at Inverness, that "Thomas Sheveze of Murton elder & John Polsone of Merkinsh are come to such old age & personall infirmities accompanying ther age that they are not able this long time ago to come to this place to waite Sabbathlie upon the publick ordeanances, as also we declare that Alexander Dunbare late provest of Invernes cannot ryde the

length of Elgine from this place without great payne and hasard for severall dayes. with an intollerable paine of the sciatick yt doeth frequentlie unable and weaken his body to venter any jurney and especiallie so far as Edr & finalie we signife that John Innes glasier is also an old infirme man troubled frequentlie with the gowt (& at the writing hereof).

Certificate (copy) dated at Inverness and Borlum 21 June 1673 by William Mackintosh of Borlum, Donald Mackintosh of Kyllachie, Alexander Mackintosh of Connage and Charles Mclean, burgess of Inverness, to the effect that "Thomas Scheiviz elder of Mourtowne, Johne Pollsone of Marckinch, David Baylzio of Davochfoure, Mr Duncan McCulloch lait minister at Urquhart & Johne Innes glasier burges of Invernes. . . . are old and infirme persones not able to travell."

Witnessed by Thomas Forbes, messenger, William Baillie, younger burgess of Inverness, William Cumming, sheriff clerk depute of Inverness, John Macpherson of Invershie, and Mr Patrick Grant, servitor to the said William Mackintosh of Borlum.

Certificate (copy) by Alexander, Earl of Moray, dated at Darnaway 24th June 1673, that Alexander Mackintosh of Connage, Alexander Chisholm, and Thomas Watson, cited as witnesses, were persons in public trust, "the two former our deutes in the affaires of the shyre of Invernes, and Thomas Watsone is collector of his Maj: supplie within the said shyre and presently employed in leavyng therof," and so could not go to Edinburgh without prejudice to the said shire. Witnessed by Mr Berold Innes & John Ross.

Certificate (original) dated at Inverness and Connage 25 June 1673 by the following Justices of the Peace for the shire of Inverness:—Hugh Fraser of Bella-

drum, Donald Mackintosh of Kyllachy, Alexander Mackintosh of Connage, William Mackintosh of Borlum and Charles McLean merchant burges of Inverness—to the effect that Thomas Schewiz elder of Muirton, John Polson of Merkinch, David Baillie of Dochfour, Alexander Dunbar, late provost of Inverness, Mr Duncan McCulloch late minister at Urquhart and John Innes, glazier burges of Inverness, “are old infirme persones not able to travell without prejudico to ther health.” Witnessed by William Cumming sheriff clerk depute of Inverness, Thomas Watson, collector of cess there, Alexander Forbes merchant there and William Baillie writer of the document.

The next and last document to be given in connection with this lawsuit may be of some interest to genealogists. The original has no stops.

Endorsed:—A nott of the Magistrats of Invernes the relatione to one another 1673.

Alex. Cuthbert provest his blood relationes. First Baillie Hepburne was married wt his sister daughter and the said provest his first wyff was the forsaid Baillie Hepburnes brothers naturall daughter. Baillie Fraser is married wt his sisters oy. Baillie Ross is Baillie Fraser's brother. Robert Barbur Dean of Gild, a Cuthbert is his mother. James Steuart the townes thesaurer is his brother oy and is also married wt his sister daughter. Alexr. Dunbar late provest is married wt his brother daughter. John Cuthbert late baillie is his sisters son. James Cuthbert late baillie is his brother son. James Cuthbert sometime of Drakies is his cousine. Wm. Baillie late thesaurer was married wt his brothers daughter. Hugh Robertsone apothecarie is married wt his sister oy.

Androu Shaw is his sister oy. Wm. Duff is married wt his wiffs sister. Alexr Fraser is his father-in-law. Wm. Mcbean and the sd provest are cousine germanes. Soe that ther is none of all the sds tuentie ane counsellors bot he has a near relatione to except Provest Ross and David Fouller late baillie; and one James Cuthbert is the tounes clerk. And out of these he will choyse nine stenters most related to himselfe as sd is who will be directit be him to doe as he thinks fitt and soe forth in other affaires that occurres. All qch we assert to be of veritie by these, subd wt our hands att Invernes the fourt of Janr 1673 Befor thir witness William Rose wrytter herof and John Forbes servitor to Culloddin younger. Sic subr R. Rose. Wm. Robertstone. Alexr. Patersone. Jo. Cuthbert. Wm. Rose witness. J. Forbes witness.



(5) THE EVE OF THE REVOLUTION—
1685-1688.

The accession of James II. (6th February 1685) brought Argyll over to Scotland (a copy of his declaration is in "Culloden Papers" XVII). Among the first to oppose him was John, Lord Strathnaver, (fifteenth Earl of Sutherland), and the following document is signed by him:—

Endorsed:—To Duncan Forbes younger
of Culloden.

Whereas Duncan Forbes younger of Cullodin hes attended us at this place in obedience to the command issued out for all heritors to attend the Kings Host and that he is knowin to be un-servicable by reason of his being lame of ane arme and other indispositions of body. Therfor we do heirby dispense with his further attendance allowing him to returne home and in place of his personall Service Wee have accepted of James Rose son to James Rose of Leonack whom the said Duncan hes furnished with his best horse and armes and provideids with a baggadge horse and a footman together with what readie provision he had for his owin use and tuentie days pay for a horsman in redie money to attend his Majesties Service and wee heirby dischaarge all persons from molesting the said Duncan in his returne by reason of this our pass given and subscryved at Kilchuymen [now Fort-Augustus] the 12 day of June 1685

Strathnaver

Another letter, written by Culloden, three years later, and dated from Bunchrew, 15th October 1688, just three weeks before William of Orange landed in England on 5th November 1688, refers to a very different situation. It is addressed,

“For the much honoured Alexander Fraser of Kinneries,” whose own order follows after.

Much honoured

I received yours, and am inclined rather to answer the desire of it than the desire of severall others that are com to my hand to the same purpose. Wherfor, Sir, upon sight heirof, send me a sight of the counsel’s letter to my Lord Lovat, and I will return it instantly, that I may know how to dispose of my self. Before your letter and the Master of Tarbit’s came to hand yesterday, I was charged by the print proclamation to joyn with the division betwixt Spey and Ness, to which I think I will be lyable, and therefore am sending two horsemen just now to Brechin to wait upon my Lord Duffos. As for myself, you know the condition I am in, unable to wait upon any body, because I cannot stir out at doors. Wherfor I pray you be pleased to make my appologie with the Master. Dispatch the boy in heast, and I remain,

Sir, your affectionate friend

and servant,

D. Forbes

Beauly 15 October 1688

Wheras Alexr Fraser of Kineries is ordered be the Lord Lovat to levy two hunder foot for his majesties service and that therby he cannot wait at the rendezvouze ordered be the Councill at Brechin on the twenty fourt instant of the respective heritors under our comand Wee doe therfor grant him a forloafe till the third day of novr nixt when he is peremptorily to attend his colloures, Given under [my] hand day and place as above

Jo. Tarbatt

The only other documents prior to the Revolution refer to the Reverend Angus Macbean, who was called to the first charge at Inverness in 1683. Some years later, on account of his zeal against Episcopacy, he was imprisoned by order of the Privy Council, and died soon after the abdication of James VII.

The first document is badly mutilated, but appears to be a petition to the Lord High Chancellor from several heritors and burgesses within Inverness on behalf of the minister. The part which is legible is as follows:—

Yet wee are informed from Edinburgh that some malevolent persones about our selves have made misrepresentationes of our deparments and the deportment of our said minister to some of the members of Privie Counsell, wherthrow ther are citationes directed against our said minister, and that the missinformationes aforesaid are lyke to wey so much with the Lords of Counsell that they may depryve us of our said minister, unles application be made to ther lordships upon his and our behalves, Therfor these are earnestly desyreing you to represent. 1mo That our said minister hes never failled one day in his heartie prayers for the Kinges Majestie since ever wee heard him preach. 2do That nather he nor wee, nor any in our behalves, did ever sollicite any to com and frequent our way of worship, and, if any insinuat the contrar, wee desyre that they may be put to probacione. 3tio Represent that wee can not want our own minister, because wee can not have an other in his place, who speakes the Irish language, and that the greatest pairt of our congregacione understand noe Scotese. 4to Represent that since the Kinges Majestie hes given a freedome of profession and exercise of worship to

all his subjects within the Kingdome, It is hoped that the Lords of Counsell will not deprive us of the towne and parish of Invernes from the benefit of that quhilk his Majesties bountie hes made common to all Scotese men without exceptione etc. And this our commission with the contents of the samen wee desyre ye be carefull of, and doe subscribe the samen with our hands at Invernes the [blank] day of Jan 16 [88].

Geo. Cuthbert of Castlehill; Ro. Neilson, merchant in Invernes; D. Cuthbert, sheriff depute of Nairn; G. Duncan, merchant in Invernes; J. Monro, writer in Invernes; J. Thomsone, merchant in Invernes; . . . Keith, burges of Invernes; Jo. Tayler, merchant in Invernes; Jo. Lockhart, burges in Invernes; Rod. Square, merchant in Invernes; J. McBean, in Drakies; Will. McBeane, burges of Invernes; Alexr. Sadge, burges; Wm. Cuthbert, merchant in Invernes; John Watson, burges of Invernes; James Keilloch, burges in Invernes; Wm. Neilson, merchant in Invernes; James Porteous, burges in Inverness; I.P.; Wm. Fraser, burges in Inverness; Donald Mackbeane, burges of Invernes; Mallcom Scott; Mr Georg Mair; D. Dunbar, burges; Jo. Fraser, merchant; W. Thomsone, merchant in Invernes; Alexr. Brodie, burges in Invernes; Wm. Henderson; Jo. Cuthbert, burges of Invernes; D.M.; A.S.; John Clark; Jon. Stuart, merchant in Invernes.

The following documents are endorsed—
“examinatione of and order anent Mr
Angus McBean minister 1687,” and
“Coppie order anent Mr Angus McBean
1688” :—

Edinburgh, 29 November 1687.

In presence of the Lords Archbishops
of St Andrews and Glasgow and
the Lord Viscount Tarbatt.

Mr Angus McBean, being called and
examined, sayes he prayed for the King
at the sermon he preached last Sabath
at a meeting-house in this city. Being
asked whether or not he thinks it lafull
to ryse in armes against the King upon
the pretence of religione, or any uther
pretence whatsomever, answers he is not
weell understood in that mater and
will not be positive; refuses to call those
who rose in armes at Bothwelbridge re-
bells, or those who killed the Archbishop
of St Andrews murderers; but sayes he
did not lyke ther way.

The Lords of the Counsell ordaines the
said Mr Angus McBean to be putt under
catione to appear before the commity
when called, under the penalty of ane
thousand merks.

Sic subscribitur

Arch. St. And.

Edinburgh, the third day of Feb. 1688.

The Lords of His Majesties Privy
Councill, being informed that Mr Angus
McBean by his seditious preachings
greatly debauches the people of the
shire of Invernes and disturbs the peace
of that country, doe herby ordaine him
to appear befor the Councill against the
—day of—, and his cautioner to be
cited to produce him against that
day, under the penaltie contained
in his bond, and in the mean time

discharges him, the said Mr Angus McBean to preach or exerce any pairt of the ministeriall function in any pairt of this Kingdome as he will be answerable, and requires the shireff of the shire of Invernes, and magistrats of the burgh of Invernes, and all other shireffs and magistrats within this Kingdome, to apprehend and secure his person in the nearest prison, in caice he be found contravening these presents, either by preaching or exercising any pairt of the ministeriall function, and to report ane account of their dilligence forthwith to the clerk of councill as they will be answerable.

Extracted forth of the records of his Majesties privy councill by me, Sir William Paterson, Knight, clerk of his Majesties most honourable privy councill.

Sic subscribitur Will. Paterson,
Cler. Sec. con.







DUNCAN FORBES, THIRD OF CULLODEN.

III. From 1689 to 1704

These years embrace the period of action of Duncan Forbes, third of Culloden, father of the Lord President Duncan Forbes. He was member of parliament for Inverness-shire from 1689 till 1702, and for Nairnshire from 1702 till his death, 20th June 1704. Something of his activities and sympathies may be gathered from "Culloden Papers" XX., CCCLXVI., and CCCLXVII., in addition to the other correspondence. He was in London in the autumn of 1690 ("Culloden Papers" XVIII.) and had audiences of the King who perhaps regarded him as one of the few men on whose honesty he could absolutely rely. That honesty was not left unrewarded, and the valuable privilege in connection with Ferintosh was one of its results. That estate had been almost ruined. An anonymous writer in a letter dated from Edinburgh 9th October 1690 tells Forbes about his 'poor tennents in Ferrintoish who, notwithstanding they were quite ruined by the comon enemie and hade nothing left them to holde in their lives bot a litle corne from some seede they hade borrowed and cast into the ground, yet they were quartered upon by such a number of our owin horse as might eat them up in a very litle time. The major-generall would doe nothing for ther relief upon a very precise and neidles scruple, bot the Council hath recommended to him to care for them.'

Much of the correspondence of this period has been lost or destroyed, and any arrangement presents difficulties.

(1.) THREE LETTERS OF 1689-1690.

The two following letters contain some of the most famous names in this period of Scottish history, James (Seton), fourth Earl of Dunfermline; George (Gordon),

first Duke of Gordon; General Hugh Mackay of Scourie; and the writers themselves, John (Graham), Viscount of Dundee and Alexander Macdonell of Glengarry. The second letter, which happily has been endorsed, is of great interest. Both were written a few weeks before the Battle of Killiecrankie, which was fought on 27th July 1689.

For the Laird of Culduthle

[Malcolm Fraser.]

Genroy Jun 11.

Sir,

I fynd that the Earle of Dumfermling has warand which I have seen for making up of all the Duk Gordons rents and things belonging to him for the use of the kings servants and I see he has ordered you as the Dukes chamberlain in these pairts to send up to the head of Loch Ness ane hundred bolles of meale. I thought fit to signify to you that I second my lords order and seing it is so necessary for our troops I have ordered to secur som house of yours till obedience be given to E. Dumfermlings order, if the meale be not at the Loch head with in four and twenty hours after E. Dumfermlings orders is delyvered at your house the house will be fallen on, this is from Sir

your humble servant

Dundie.

Endorsed:—"Lettr Glengery to McKy."

Sir,

The trouble of this line with the enclosed I hope you shall excuse since it proceeds from the deu respect I beare you wherby to informe you of our good master his resolutione to gratife his friends and punish his enimies amongst whom I am heartlie sorie you shuld be the first of that most loyall familie you are descended who in the worst of tyms did

signalize ther valor courage conduct to the ruine of ther interest in the Prince his service when ther was noe soe great hopes all things ther cuming to the right channell, and I doe presume to putt you in mind of the glorius actione (worthie of being eternized) of major generall Monk what he did in behalfe of King Charles the Second of blessed memorie in his assistance to him to gaine his just right soe that ther is nothing wanting in you to doe the same in more signael maner but your will and pleasure which I pray God almightie you may overcome and doe these great things which your reall friends would wish and in more especial manner

Sr

your most oblidge and humble servant
Alexr McDonell

June 12 1689.

The third letter is from Sir Thomas Livingstone, second baronet, afterwards Viscount Teviot, who was appointed commander-in-chief in Scotland (in succession to General Mackay) in 1690. It is not dated nor is it clear to whom it was written, though most probably to Culloden, whose brother appears to be mentioned. The writing and spelling leave much to be desired, but Livingstone had been born and bred in Holland.

Edinburgh, 19 November.

Sir,

I received the favour of two of yours, the one dated the 10th the other the 13th, at one tyme. As for the first, what ever desyngne sutch as are not my freends may have against me, I defey theer malice, and schal make no other guard against them, as to walck upon a straight road.

The nieu comand thats laid upon me was a surprys to me, to see one order to command ael his majesty's forsis without a

commission of a bigger character, it is so as I have never seen on exampel of it befoor, for if ever thoos colonels that are oulder in commission as I ame could think the[y] war woronged, far moor reason have the neu to thinck so, that a yonger Colonel without a commission is ordered to comand them, Ael that knows of this heer wonders at it, and the bett[er Pmajority] of ael sutch as I comand now, wil afterwards fael [fall] to comand me again, wherfor I writ to the major general, to my lord secrittary and to my Lord Portland, and desyred that this comand may be laid upon some other, for to make me the only drudg of the whool is hard. I ame tyeth to the toune of Edinburgh, kept from my one bussines, and forsed to lay out my one monny, if I wil see things go rigt. I doe imagin as for the [?] tour of fatigue, I have had a large chair of it in the noorth, witch heath litel contribut to my helth, and before I have recovered it, to put me to so troubelsome a bussines whitout eather pay or prospect of advancement, wherfor I schal desyer ael sutch as wil any ways interest themselvs in my affaire, to stryf to get me freed from this troubel or a commission for a bigger character.

As for my martch into Lochaber, its as onpossible for me as to eat my one fingers, but that business may be done without my martching thether; ael the lenth I ame comt is to watch one [?]tour in my chanel. I schal not be eabel this winter to make any journie, so that if you fynd occasion to speeck to my Lord Portlant, that I may have leef, when our nixt summer's campaen is over.

It was not altogether for the great want that the garison of Enderlochy did mutinie, but a mutinous humour in Grant's souldiers, who have often tymes plaid the lycke trick befoor, and weer never[?]crust into it.

Theer is nothing of what was intrustet to your brother but is wel argued at Enderlochy, and I have never seen but he went about that bussines with ael the cear and diligenge imaginable, spending his one money without the least alouans, ether from garison or government, and with mutch adoe I have got him two or thrie montchs of his one pay to go about the King's bussines.

As to the garison of Enderlochy, my opinion is that not one Hygländer, nether officer or souldier schould be into it, for I ame asured, comand theer who wil, he schal never be at ease if he heath any hylanders in his garison, having found by experiens that theer is to great a sympathy betwixt thoos creatures.

It schould be hard, to my opinion, the King schould keep so many forsis and be obliged to [?]bey his subjects nou rebels to theer duty, espescially when nothing is moor certain then that,—flater them as much you wil, the least prospect or incouragement the[y] schal get from the contrair party, but the[y] wil laf at you and cut your throat with your one knyf. If no incouragement from abroad coms to them, the[y] wil be hunt lyck setting dogs, and if that schould come your money would be il bestowed. The forsis heer as are opou the Scots establiment are in a very bad condition, and if theer be not a suddain cours taken, the[y] wil not singnifye much the nixt summer for the King's service. I give you harty thancks for ael the pains taken in my regard, and remain your humble servand,

T. Livingstone.

I ame told that Colonel [? Hgo] Ramsay this day is gone for London. [Perhaps Colonel the Hon. George Ramsay of the Dalhousie family.]

2. LETTERS FROM COLONEL SIR JOHN
HILL & LIEUTENANT-COLONEL
JOHN FORBES—1690-1695.

Colonel Hill, Governor of Fort-William, appears to have been a great friend of the Culloden family. It was first suggested in C. Dalton's "English Army Lists and Commission Registers" that he may have commanded at Inverlochy under Cromwell, by which means the acquaintance was made; that he did command there in 1659 appears from C. H. Firth's "Scotland and the Protectorate." At all events he was in correspondence with John Forbes of Culloden in 1676 ("Culloden Papers," XVI.), when he was quartered in Ireland. He left Belfast early in 1690, and took command as first governor of Fort William, and was appointed Colonel 2nd September 1690 of a regiment which was disbanded 18th February 1693. In 1692 the tragedy of Glencoe took place, for which he was tried by Court-Martial and acquitted.

John Forbes, who was so much with him, was a younger brother of Duncan Forbes of Culloden. In 1689 he was a captain in Grant's Regiment, and had the command at Ruthven Castle with one company, which had to capitulate to Dundee. In 1690 he was promoted Major; on 12th February 1698 was appointed Second Lieutenant-Colonel to the garrison of Fort-William, and in 1700 was serving as lieutenant-colonel with Brigadier Maitland's regiment at Inverness. This was the K.O.S.B. or 25th regiment of Fusiliers of which James Maitland got the command in 1694. Forbes appears to have been serving in Lord Strathnaver's regiment in 1703. He afterwards acquired the property of Pitnacrieff in Fife, though at one time (letter of 5th March 1699) he had thought of other places, regretting he could not have bought Connage:



COLONEL JOHN FORBES OF PITNACRIEFF, SON OF JOHN FORBES,
SECOND OF CULLODEN.

The first letter from Colonel Hill of this period, given in the "Culloden Papers," is dated 24th November 1690 (XIX.). There is, however, another letter (XXXIV.), the date of which is 2nd November 1690 (not 1698), which is written by him (not by John Forbes), probably to "my Lord Commissioner" (the Earl of Melville), and not to Culloden. It is therefore reprinted together with a covering letter which appears to belong to it as follows:—

For Capt. John Forbes,
at Mr David Forbes his house
Advocate,
In Edinbrughe.

Fort-William the 6 Nov. 1690.

Dear Capt

By the inclosed to my Lord Commissioner you will see how affairs stand. Let my Lord Raith see it, and my Lord Tarbat (if in toune) ere you seal and send it away. Write the requisite upon all these accots to your brother, and plead my excuse at his hands, and let me know where he lodgeth in London. I am sorry your men grow worse and worse, and 3 of your owne are run away. Consider my lettres, please to take short notes out of them for your memory, and improve them to the best; mynd the fire locks with the major generall and the cloathes and (because he is soe kind) make me as acceptable to him as you cann. I hope wee shall setle all things by Gods assistance in spite of opposition, I finde my methods carry, let who will say to the contrary. My service to your sister, Colloden and brother Mr David, when you see my Ld. Sutherland, my Lord Craford, my Lord Cardross or any of my friends, present them my humble service, but (as sure as the highland Lairds can speak any truth) they have been boyed up by some of the Councell, I hope the

country in short tyme will be soe well settled that a man may goe easily from one sea to another, only with a wooinge retinue. Because I send the lettres open, I need not write more to you, for they are instructive, and it would be too great fatigue to write all over againe, but be assured of this that I am

Dear Childe

Your most affectionate servant or not

Jo. Hill

Consider what I have written aboute, the makeing up the Regmt and the sending them hither without cloathes or pay and to be reformed here, which is hassardous for the reasons given, if they desert there, they may possibly be recruited, if here, not soe well (but after relieving the regt) they leave us destitute, I give too much trouble but cannot help it.

I am yrs

J. H.

The letter in Culloden Papers (XXXIV.) to which the foregoing appears to refer is as follows. It has been compared with the original, some errors in the printed copy corrected, and a postscript which belongs to it added.

Fort-William,
the 2d of November 1690

Right Honourable,

I have yours of the 21 of October, and humbly thanks your Excellencie for causing my desyres to be proposed to the King. But the other man you mentione will be noways agreeable to me by what I am informed of him; and I will know how to make the best choyse of officers well enough, if it com to ly att my Door. But I humbly pray your Excellencie's favor to have the major of my own choise, of which I writ in a former.

I am infinitely obliged to you for your great care of me, and kindness to me, in every thing, more particularly about the Armes, which were of absolute necessity. As for the reforming those Companies before they come here, I gave my reasons in my last by Capt. Forbes, and by another since, and shall not be so troublesome as to repeat. I have written the inclosed as my humble opinion, which is too large, but that a part of the discourse was necessary to usher in the particulars designed. Please to pardon errors and excuse frailties. I judge you most right as to the most feasible way of reducing these Countries, if it be approved; and then the fittest instruments may be pitched upon; but then things will be found much as I have stated them, upon the French assistance, or not. The month's pay that came up here for the Men was punctually payed out to them, and I believe it far spent; and these Comps newly come have nothing. There is not 2 pence now not amongst a dozen Subalternes. I was fain to lend them a little out of my own purse, to help Glencarne's Men from deserting; For I find no Soldiers that come here will undertake to live on Meall only, and they can have nothing else without money; and I have only 100 lbs. which the Commissars sent from Leith, the money for the Works being expended, and can go no further without more. If my Lord Argyle's expeditions were over, I would send for Orkney for that money; for I have no timber to go on with the Work; they sent Deals, but no Timber. I can now have both fir, and Oake, and Plank for Platforms and the Bridge, and have ordered it to be gotten, but have not Money to pay for it; otherways it will be cheaper than any they can send, besides saving the freight. We have made our Batteries as strong as

we can to the Sea, so that our greatest Gunes can be all planted ther. For Captan Ross, I lyke him well enough; but his Men ar nought, and not induceable as my former acquainted you. Weeme's Men will not stay. For yt of Ardkindloss and others I humbly referr to my last. I hop the tyme is drawing near yt money will be coming in; and without that, if these men come up, they will run all away. The Meall we hade is almost run out; I wish it last till the Ship come about from Glasgow. God forgive all that would oppose your just endeavours for the publick good. I know the Lord will have a care of them that trust in him, and of his own cause: it is well be governes the World. I humbly thank your Excellency for the freedome you'r pleased to use, and the trust you give me; it argues great favour and kyndnes, whereof I am truly sensible, and for which I ame thankfull; and can assure you, my heart is with you in every good thing, without Byess or Selfend. So God may have Glory, his Cause carried on, and the King's intrest served, I shall never allow any thing that may concern myself, but in all things follow his providence. It is well that God is the searcher of all hearts, and knowes who are upright; that's a good Man's Satisfactione, tho [men] censure him neversoo severly. I beseech your Excellency to believe that I am, with great sincerity,

Your most oblidge, most humble,
and most faithfull Servant,

Jo. Hill.

[P.S.] Hear was ane Major Macdonald ane old comrad of Major McKeyes, who married Sir Donald Macdonald's daughter, who I believe is a very honest gentleman is weary where he is, would fain be in our

King's service. If your excellency can have an opportunity to help him to employment, I believe he may do good service, for I have good reasons to believe him sincere. Here are three captains that I believe I cannot get better amongst them, Capt. Cuninghame, Aket [Aiket], Capt. Buntine and Capt. Mackenzie an old soldier all sober good men and that will keep their companies.

The following letter was written by Colonel Hill from Fort-William on 8th December 1690 to Culloden, whose brother conveyed it to Edinburgh, and wrote a hurried line on the last page:—

Dear and honored Sir,
I have yours of the 13th of November. The money your brother brought safe, and there was no provisions cast away, only my Lord Argyll sent one Captain Forbes of his regiment to press boats for his expedition into Mull. There was a boat in Kynntyre loaded with butter and cheese to be conveyed to Greenock, there to be shipped for this place, and the giddy-headed young man brought that boat about alsoe, and she was like to be cast away, lost some of her cheese, and spoiled most of the rest, but the butter is saved, and the young captain is since dead. There is a ship long since ready at Greenock with meal, malt, coals, etc., but not yet arrived here, and our store of meal very near out. They are providing more, but they are still too long about it. Your brother hath now brought up £1000 which (tho' not a full months pay) I have divided and stopped all the gaping mouths, and made them quiet. It was impossible for him to fetch that money from Orkney, for the order and precepts were not sent till 'twas too late, yet Captain [?] Porrenger refused to goe, and ever

since my Lord Argyll hath employed the Lamb aboute Mull; but as soon as the ship comes from Greenock with bisket to victuall her, I will send her for Orkney. If I had but meal, I should be quiet awhile with this money I have. Sir, I am infinitely obliged to your care of me; you have done not only a kindnes to the officers to be reformed, but a service to the King; it keeps them firmer to him, and stops the mouth of clamour; too many of them fall short in poynt of being souldiers, yet there is some briske men amongst them. I have sent a list of the fittest officers out of the three regiments to be captains, and have given them their due characters, amongst which you will see by the coppie what I have said of your brother, as how far I have followed your advice. If after all your brother cannot get in to be major, I have persuaded him to take the granadeer's company, and hee shall have liberty to goe whither hee pleases; but let him keepe yt as a frind; if better befall him, yt may be quit to an enemie. I have mynded my two usefull freinds, its necessary I should have some knowne people with me. I am sorry I can say nothing of Captain Dunbar, more than to put his name in the list, for hee hath an ill character amongst the officers, as noe souldier, a man that drinkes and is ill-humoured, and intangled with a wife. I heartily embrace the chirurgeon of Kenmure's regiment, who I hear is a prittie man at his owne practice. Pray, Sir, get him a commission. I have sent the commissioner a copy of the officers, but not with all the characters, and soe another to Mackay, that none may seeme neglected; but, by Sir Thomas Livingstone's advise, have sent that wherof you have a coppie to my Lord Portland, who is concerned on noe side, and *valeat quantum valere potest*. I assure you,

Sir, as things are here, the souldiers cannot live in this plaice at 6d per diem, haveing 2d per diem retained for cloathes. I writt you twice lately, my lettres being inclosed to your brother, who (unknowne to me) being upon his way hither, the letters missed him. It was to tell you that there is some resolution amongst some of the Highlanders to comply, mostly driven on by Lochiel and Coll of Keppoh [Keppoch], which last came to this place to speake with me aboute it, and says if hee cann be but maide to live, none shall be more faithfull to the King than hee will be. He speakes better then any Highlander I know, and is a prittie fellow, 'tis pittie but he were honest. Sir, I cast myself upon your kind care, and am glad I have so good a friend to the fore; and God reward you, Sir. All this while they give me nothing as pay, but I live upon my owne, for I have received nothing but for what I hold account; but I let it alone till the garrison is establisht. Hee that lives and lyes as I doe had need of some incouragement, but its necessary at present that I lye as ill as others. I writ by the same packets that missed your brother to Sir Patrick Hume, rendring thankes for his kindnes to me in the bussines of my Lord Portland.

I cannot get boards enough; was faine to put up all the last parcel in huts, to preserve the men from a monethes bad weather that wee had here. I am buying timber here, for they sent me none, there being none at Leith; so that within a moneth I shall be doeing againe. My recomendation of that man was a forced push (tho indeed he deserved well at my hands) and the Major-Generall was exceeding kind to me and meritted all I could doe, and I was in expectation by that to have furthered

your brother's affair, not thinking of that relation that now puts me in another way; but some commissions must needs be sent blank, for fear, if your brother fails of the major, lest he should be disappointed of the grana-deers too. I am with all thankful acknowledgements,

Your most obliged humble servant,

Jo. Hill.

My humble service to Sir Patrick Hume.

John Forbe's note on the last page of the foregoing is as follows:—

Sir,

I am little more than an hour here after my return from Loquhaber, and after one of the troublesomest journeys I ever had in my life. But I pay my pains with the satisfaction of serving my King and country for some use; and, did I expect any other reward (by appearance) I would find myself mistaken, for with difficulty could I get as much of my own (which I dearly enough earn,) as would defray the expenses I was at in bringing about the money for the use of that garrison; now Colonel Hill has sent me back to exped what was left undone, by my being too hastily commanded from this last, and to tell the verity, I have but sober encouragement either to spend my means or throw away my person at the rate that I have been doing heretofore, since I find at what small rate either of them are held at. Colonel Hill has once more solicited to have me by him, and, whoever opposes it, I will be bold to say that not I, but the service, suffers by it, for as long as I have a good and honest heart, and am able to draw my sword, I am sure I may pretend without arrogance to earn my bread in a place more desirable than Loquhaber. I wish I had my arriars.

Ther is ane other list of the officers' names sent the secretary. I know not quhether he be my friend or not, but to my waik [feeble] power I deserved no ill att his hands, nor att the Major-Generall's, who promised me fairly enugh. Colonel Hill hes wrott to Portland, and given him lykways a list of the officers, and hopes that his [lordship] will be mindfull off him. I begg it off you wryt me.

Adieu.

Edinburgh, the 13th December 1690.

Upon second considerations receive my Lord Portland's letter, quhich please delver and seall.

There is nothing in the collections from either correspondent till 9th October 1692 ("Culloden Papers," XXVII.). It is probable, however, that many other letters from Sir John Hill may be in existence. Among the State papers preserved in the Public Record Office is one from him dated from Fort-William 28th February 1692, an extract of which is as follows:—

The Capt. of Clanranald who is one of the prettiest handsome youths I have seen came in & brought all the chiefe of his friends & made his submission & took the oath with the greatest frankness imaginable as did alsoe all his friends; he is gone to his uncle the Laird of McLeod to setle his affaires & get up some money & then resolves to waite on the King & Queen, & if he overtake the King in London he will beg his favour that he may attend him into Flanders, if the King be gone ere he reach London, he resolves to follow him & to be wholly governed by the King's pleasure, only prays he may be soe disposed of as to better his education, it will be an act of great charity to breed him.

There is nothing now existing among the collections about Glencoe, but in a letter (Public Record Office) from Hill to Portland, he asked that greater discretion might be allowed him, and concerning the Glencoe men he wrote that some had escaped in the storm and would come in and submit to mercy—

and I humbly conceive (since ther are enough killed for an example & to vindicate publick justice) it were advisable soe to receive them.

In face of the orders that had been issued this pleading from Hill says much for his inclination to mercy.

Other parts of this letter refer to Sir Donald Macdonald, "a peaceable inclyned man," and to Appin, who, he wrote,

is a much changed man for the better, professes to every one he meets his sincerity in keeping his oath of allegiance. . . . the Laird is a pretty young man of about 21 yeares & hade taken the oath before the day, but that he was tyed to his bed by sickness at that tyme & was carryed in a boat to me to doe it sooner then hee was well able.

A letter from John Forbes dated at Edinburgh 11th January 1693 gives some account of the difficulties connected with the regiment as well as his own.

Sir,

I know not what to wryt to you concerning the busines off those recruits that's drawn out of our regiment, for wee have fulfilled all that was commanded us, and ther is nothing lyk that that was ordered lykly to be done by those wee have to doe with. For at first wee could gett none to reseave our men, and after the counsell had ordered them to be taken off our hands, then they would not pay them; and after they were ordered not

only to reseave, but pay them, now they make the last the greatest difficulty, which is they absolutely refuse to pay us the seavin dollar ordered by the King for each man; the want of which (you may easily judge) will be no small hindrance to ther Majesties service, and more particularly in the affair of Collonel Hill's regiment, which lyes not quartered in touns as other regiments does, but are posted in such places as cost the King and government trouble and expenses enough to gitt them, such as the garrissons of Fort William, Ruthven in Badenoch, Glengarry Castell, Dewart Castell, Island Donan, Carnebuly and Inverness, which posts cannot but be waikned by the considerable draught thatts drawn out of our regiment, and, for aught I see, must lye exposed a longer time than I expected to what accidents may fall out for want of beeing recruited in dew tyme. I shall not say wher the fault is, but I think the noise of invasions, with the disaffections amongst ourselves, should invytt our privie coursell to give ther possetive order, and lese [?] less time by representing itt to the King to know his pleasure. For doubtless his pleasure is to have his troups in good condition, recruited ready to oppose his enemies, which, God willing, shall bee, whither wee gitt the 7 dollars or not; for this day I have found creditt for £150 sterling, which I have given ten off our officers to doe ther best to make up our men. Something off this wald bee made knowen to the secretary, whom I spare troubling, judging he may bee taken up with greater matter, but this deserves consideration.

You will have a letter from my collonel by this same post, to quhich I refer you as to other things. Hee hes gott ane order to dispose of the oyle, and I beleeve wold not take it ill if I wer ordered some

small thing out of that fond. For I find our treasury will have no consideration of me otherways, which trewly I think hard, considering that generally all have gott more or less for ther service, except myself, and if I said I deserved als well as others, I said no lye.

From a well payd regiment (as wee are calld) wee are lyk to be the worst payd in the service; for we hithertill not only furnish our companies with coals, firing, double chirurgeons, hospitall, the burdin of recruiting seavin hundred men in two years tyme, that is to say, 370 dead and now this 326 drawn out for Flanders, but now the Lords of Threasury will have us buy blanketts for the garrison, for the precept wee had for them on Sir Peter Murray being given by the last Lords of Threasury, thir Lords will neither renew the precept nor order it to be paid, because, as they say, the King hes ordered all the precepts that wer drawn and not paid prior to ther tyme, should ly over; but I beleeve his Majestie never meant that such a necessary ane as this should be neglected. And trewly if some order be not given in it this, with the other difficulties we labor under, will brake the regiment. But no other regiment, except ours, are lyable to these difficulties I beg that my Lord Secritary should be made understand this. If I have said anything wrong of the Lords of Counsell on the other syd, dash it out. This I have scribbled in heast, and hopes you'll forgive the trouble from

Your

J. F.

I wrott a lyne to Lt. Coll. Hamilton but generall.

The remainder of the correspondence of Colonel John Forbes refers to other matters, but there is one more unpublished letter from Colonel Hill, full of gratitude to Culloden.

Fort Wm the 9th of Sepr 1695.

Dear Sir,

I think myselfe too longe sylent to see good a freind and having so good an occation would not omitt it to let you know how sensible I am of your frendship, its not only like yor selfe, but like yor friendly father's sonn. Let the freindship never be colder on either side. I was put in some expectacion of seeing the secretary here, but it has failed me, wch I am sorry for; the justiciary of Inverness appoynted a Court here but none came but Coremoney, and to me they gaive noe advertisement but I am doing justice and ordering restitution myselfe (or I have done to Divers of late), and am taking up of theires as I can get them. Hamilton is in Holland & is printinge his owne vindication & thinkes to load me wth his owne crymes, but my Major writes he makes but a small figure there. I will rely upon yr favor in making my service acceptable to yr ladie and family both at Culloden and Inverness, and conclude wth this assurance that I must allwayes be

Dear Sir

Yor obliged and most faithful
& very humble servt

Jo. Hill.



(3) CULLODEN AND HIS SON, JOHN
FORBES, 1692—1693.

Like his father and grandfather (if less profitably) John Forbes, fourth laird of Culloden, better known as "Bumper John," spent some part of his early years abroad.

For John Forbes Sone
to Culloden at Utrecht.
London 26 Decr 1692.

Sone

Yours from Rotterdam I have received and shall pay yor bill punctually when it comes, I long to hear that you are in Doctr. Boyds Company, & I wuld be as content to hear that he was at the Hague this winter for such reasons as I formerly wrett to him, & you have in memorandum, I have nothing to ad but that you peruse that & doe as you are advysed in it. I am beholden to Mr Gordon, for his kyndness to you, which I also lett him know by a line from my self. Tell Docter Boyd that I hope things will goe weell. And this [illegible] dealing of the Ld Stair and his P: Councell agst Sr John Hall & the Magistracy of Edr will bring good things to maturity. When they become plainer I will tell him more of them, for the tyme present my service to him, & all with you especially my Lord Polwarts sones, & when you wreat to me be so discreet as to afford me a ground for saying that you mynd your frends heir even from the greatest to the lest. Though Monroe be a Taylor you need not obraid him with it upon the back of my letters. And in the mean tyme fail not on the receipt of this to enqyre for Comissar Monros sone at Leyden his name I think is John, he was sick of ane ague, & his Father hes hard nothing from him these 3 or 4 months. I say no more but reffers you to yor obedience & remains.

To John Forbes son to Culloden
To be left at the House of Mr James
Gordon merchant in Rotterdam.

London 10 Jany 1693.

Sone

I received yesterday two of yours at once & a bill with each of them, extending in all to about 38 lb sterline, which I payd. What you wreat to me of cloaths and books is needless, and I doe not requyre it. Yor expence is trusted to yrself, and if you have not the Judgement to live easie, its but to make the shorter stay abroad. Mynd you came to Edr but the latter end of June last, & consider what it hath stood you since, ther, heir, & in Holland, in six moneths tyme. As to your resolution of learning latin and french and buying books of great expence in order thereto, you may also spare that to me, for you may drink as much at a doun-sitting, without being very much debaucht as would compas all the necessary expence, such books requyres. If you make any profiency in this or any thing els, upon which you have yor Colledges, you are sure I will decerne it. So say what you will, but trifle not away yor tyme upon groundless pretences. Look upon the memorandum I gave you, & consider the reason why I bid you understand these Languages & follow your exercises, & then you may decerne what is properest for you to doe nor can I ad or alter from any thing I have already recommended to you. Doctor Boyds pupils are a great deal younger than you & have those years before them which you spent under pretence of the latin at Edr. Therefore the tyme you have would be imployd with a regard to yor age & nature. This I wreat not to bid you start suddenly from Utrecht if you be ther, (for yor letter laks in date) but to put you in mynd of yor own circumstances that you may act with

some proportion to them. You have made me no returne to my two former letters, which is ane error, I desyre not you bussie yorsel in wreating officious letters to me, but in making answer to what I wreat, you ought to be precise.

I rest yor loving father

D. Forbes.

London, last January 1693.

Sone,

I had a letter of yours upon Frydday last, most of which is but of small import and needs no answer. One thing in it alone is materiall, to witt, what I will allow you to spend, and how you shall dispose of yourself etc. For answer to that, I have not been in use to restrict your expence, and you must either be not very wyse, or else you must know how to judge of your own capacity now, your years being such as may teach any man of moderate understanding what he is fitt for. I will also ad this, that your memory must be bad, if you doe not remember that I have many tymes determined you in this point already. Not only so, but you have it in writing, which may be usefull to you, without makeing a superstitious torture of it every day (as you say you doe in your letter). But by reason of what you wreat, and what I see, Doctor Boyd savors something that way. I will recapitulate some things breefly to you, which leaves you perhaps in different circumstances from any other of your sort that are now with you. Remember ther was but one reason for your goeing abroad, to witt, to satisfy your own curiosity! Remember you neither designed law, nor physick, nor any profitable study! All these requyre pains and leasure, and goe best off with such as must comport with them for ther patrimony. Yet you know how willing I was to satisfy your youthfull appetite. Two things I

only recommended to you; one was (because you had shirked your scoolls at home) that you should endeavor to gett as much Latin, and (iff you could) French, as would lett you understand books, if ever your inclinations led you to use them. The nixt was that you should, by fenceing and dancing, acqyre the best habitt of body you could. In my oppinion, these things are very easily understood, and if you please prosecute them. I hope you think not that I can churle you any expeuce they require. If ther be any of these cannot be had ther to your satisfaction, you had best please your ey and come home, for the tymes allow not of travell into farr countreys, and your condition calls you to look after other matters now, then those that sute best with such as are 2 or 3 years younger. Treuly if ther be not anie occasion for your exercises ther, its schoolboy lyk for a man of your syse to take up all his tyme interpreting a lyne of ane author with help of grammer and dictionary, and may be doon as weall at home as in Holland. If this be all your employment, your expense cannot be great. Enquyre at your comerads, my Lord Polwarth sones, anent ther allowance, and you will find yourself one year in advance already. If you take nothing in hand but what they dee, I know no reason why you should buy it dearer than they. When I have said all, I bid you not start suddenly from the place you are at, because of honest Doctor Boyd's company. If you cannot gett handsome danceing, take any [illegible] of a fencemaster you can gett wher you are, and hold your self warme upon him for a whyle, which can doe no harme. And if it be so that the Hagge is not a proper place for both exercises, judge if this be any better. I know a wyse man might have these things better heir than anywhere except Paris; but he

had neid of some of Job's maners, to fear God and eschew evill; and you see by this what I would be at. Now lett me know if you differ from me, and why? If you differ not, my advyce is easily followed, and when you call for money, you know I never refused you, for I am

your loveing father.

I know no books you neid, but one Latin author and your dictionary. Your author must be history, and two you cannot read at a tyme. You will need with your French grammer ane author which would be a peice of some of the romances you have already read, it will goe best away with you; if you read and understand one volume, you may doe so with all study writ in that language. Buy one French book to read after you have doon with romances, viz., *La cognoissance des livres*, and tell me your thoughts of it at meeting. Yow have never lett me yett know if Commissioner Monro's son be dead or alyve, in which you are faulty. I goe from this home (God willing) the nixt week, so that what you wreat to me is only to be sent to Mr Gordon, and lett him send them alongst with Mourton's letters or to John Blaer, postmaster at Edinburgh.

Monsr Forbes chez le Boulangier vis
à vis les quatre Sceaux Bergstradt
Bruxells

Muretoun
Sepr 16 1693

Loveing Sone

I have received both your Letters from Bruxells one anent the feight and another in returne of what was formerly wretten by me. The first was very welcome because we had you wer kild, but yors came to my hand before the other news was told me. In yor second letter I quarrell nothing but one thing, and

that is you have good occasion of exercises at Bruxells wher you resolve to stay whill you hear from me, but are so silly as to say you will use non of them whill I bid you: so that if you follow that resolution you must be always idle or very ill imployd whill this come to hand. But I hope otherways of you, and particularly I expect you have applyd yorself to dance a saraband, as I advysed you to in a former letter long agoe; yor exercises and something of french language was all yor errand abroad, excepting yor curiosity. And that being satisfied to so great a degree as I am sure now it may be, after what you have seen, I desyre you may think of returning, & this without laying assyde the expectation of another ramble (if you love it) and that the world turne peaceable whilst you are free of a more Important Ingadgemt. For this reason I send you heir inclosed a letter of credit from Murtone upon Mr William Gordon factor in Camphier for any somme you please call for under a thousand guelders. If you will come away you may mount yorself with one sute of apparell at Bruxells and another at London & so come home, but if peradventer you have trifled away yor time (which I shall be sory for) & that you stay there two or three months longer to follow any bitt of exercises, ther is no neid of your takeing up great soummes, two or three hundred guelders at a tyme is enough. Whatever you take draw it upon me on a fortnights sight or therby. Yor money is always dear bought, for yor last was at 20 per cent, when the currant was but two, I hope this Mr Gordon will deall more desirably with you than others have doon. Wreat to Campheir how soon this comes to yor hand & send Muretouns letter within yor own, as also send me a lyne imediatly upon receipt of it, & let me know yor mynd fully (withall fail not to

lett me know if yor cousin Hugh Innes who is in Munroes Regimt be dead or alyve.) This as you bid I send by conveyance of Mr Lesly factor in Rotterdam, because I think it surer than to send streight to Bruxells. Now although you come home & though you have credit to the full yett you need take no more money than what will doe what you have adoe ther & bring you saif to London, & upon my knowing that you are ther, I shall also give you funder credit ther. I am glad to heir you weal spoken off, but you must be no more a soldier unles there be need for it at home, I beseech you mynd me & all the house to Major Bruce, I am sorry for poor Riddie, mynd me to Coll. Arnott, Captn Bruce, & the rest of the gentlemen of that Regiment if they be alyve & that you see them, to Warner if ther, also to Monro, & my Brother-in-law Foulls, be full in what you wreat, keep yorself from sin, from uncleanness, & from temptations of the company you are amongst, as you would wish for favor from the Lord God, or from me, who am still yor most affectionate father

D. Forbes.

Bruxells, October the 15/25, 1693.

Sir,

I received your letter, dated the 16th September, with Mourtoun's [Sir James Calder] inclosed. I am very glead to know that you ar (God be thanked) gott safely home, but before yours came to hand, know that I was necessitat to raise two hunder guilders more, for which I have drawn a bill on Mourtoune, payable to Mr Lesly, merchant in Roterdame, or order. You will certainly wonder what should make me raise more money, without your order and contrary to promise in my former letters. Therfor, know, that since my last to you it hes been the will of God to lay his hand severly on

me, for since the day I wrote my last to you I have been ever bedfast of ane ageue, a fever and a violent flux under which I have laboured till the 8/18th of this month, that I left my bed, and am (blessed be God) now recovering again. You may lykewise wonder why I lifted so much for that effect, but know that, before the consultation of doctors and the doctor that waited constantly upon me, together with the apothecars accounts were all payed, was not so much as on farthing of it left, but on the contrair am two pistolls more out of purse, so that the doctors in all have gott three and twenty pistolls off me. Thus, dear sir, you see that hitherto my money, and tyme which I only regret, is mispent, and so that I cannot as yett com home, without makeing myself a reproach to you, and all them I am come off; for should I come home now, the eyes of all would be upon me, as on a man had been abroad and improved himself; but when it would appear that, instead of improving myself, I had done nothing but mispent my tyme, I should certainly be hiss'd and laughed att by all, and give very good ground for the old proverb, Send a fooll to France, he'll come a fooll back again. Therfor, dear Sir, to shune this oprobrium, I begg and intreat you may allow me some tyme, which (God willing) I shall imploy soe, that I will in some measure answer the expectation of all, and yours in particular, which is the only thing on earth I desire most. As to my expenses, they have been great, but for my lyfe I could not help them, all things at this juncture being so extravagantly deer. But, least I have encroached too farr on your goodness, I beseech you bound my expenses to what you please, and, though it affourd me but bread and water, I shall be content. The reason I press this is because of the diffidence I have of my own man-

agement. I have lykways sent Mourtun's letter, inclosed within on of myne, to Mr Gordon in Campheer, from whom, if he will advance me, I most immediately have money, to the soume of three or four hunder guilders, for which I will draw bill on you, according to your drectione, for I am just now both destitute of money, clothes and linings, which I left at Neerhespen to augment the French bouty. Thus having given you account fully of what I intend to doe, I intreat you may not trouble nor were your self for what's allready done, but forget it if posible, and hop and expect the best for the tyme to come. In which, God willing, you shall not be deceived by

Dear Sir

your most affectionat and obedient
sone whilst

J. Forbes.

Our cousine Hewgh Innes is still alive, but in very bad circumstances, having nothing to live on but his soger's pay. He tells me also he hes not had on farthing from his father or friends since ever he came to this country. I am affraid also he will be now altogither neglected in that regiment by reason of Collonel Monro's death.



(4) SOME LOCAL EVENTS—1693-1697.

There is little to glean from such local documents as remain of this period to make any consecutive series. On 25th April 1693 Cuthbert of Castlehill wrote:—

For the Laird of Culloden to the care
of Mr David Forbes, advocat, Edin-
burgh Thes.

Much honoured and very dear Sir,

I am alwayes glade to hear of your weell being, and hoping you ar safly arrived at Edinburgh. I have sent you this lyne to truble you, from the confidence I have in you, if, as your circumstances and the statione you ar in capacitatys you for being instrumentall for doing good to the publicke, so also to favor freinds in such a juncture as this. Being informed that severall ar putting in at this tyme to be repared of ther losses in a parliamentary way, I hope you will not neglect to advertise me quhat course is best for me to followe, for my losses ar double and of ane other nature than many of my neighbors (yea all, excepting your selfe), for what I sustained from the Highland army weir first from Coll [Macdonell of Keppoch] who pillaged my house and tooke all plenishing and meall and the troopers my victuall out of my kilne and barnes, and at once tooke away of my owne and tenends 34 horses, and next Buchane [General Thomas Buchan] sent his order for 50^pwidders and 3 bolis meall to his army. Next our owne forces foraged upon my lands, quhich accompts lye befor the counsell. I wolde be advysed what hopes ar for recovery I judge that such as lost ther goods, and was plundered because of ther good will to the government, should be lookt on with ane other eye then others that war no freinds to the present interest. I crave your adyce

and concurrence, for certainly you might trust my willingnesse to serve you, if ther war pouer sufficient. Wating your answyre, I shall quet this subject. For our publicke circumstances I refer you to a publicke lettre sent you by some of our freinds, relating to our church and Mr Stuart [Rev William Stuart], quhich I pray you consider and acquaint us therof, and quhat is necessary to expend on it, we shall send it upon your answyre.

Its expedient you mynde that our cuntry is in ane ill taking; for you may remember that thives and robbers soe destroye our cuntry that we are forced to imploy rascalls, and pay them blacke meall, and yet ar not protected. If ther coulde be a watch legally settled, and upon such persons as wolde binde to restore quhat might be takine away, it war worthe the countreyes wunde about ther going willingly under a losse for that end. You may advyse with the Laird of Grant in this matter and with others concerned and if the parliament wolde provide a present remedie for preventing depredations, they have an excellent opportunity for civilising all the northern shires in the next generatione. You are informed of the tumult occasioned at Aberdeen by bothe colledges, and I thinke it war worthe the parliament's consideratione to take and transplant one of the colledges to Invernes, by quhich meens such as ar brede thives wolde then be at schools.

Have ther thoughts of this, and propose it as you see cause, but l persuade my selfe all the northe order to be on this matter (*sic*). Pardon my tediousnesse: your family is in good healthe, and I am, dear Sir,

Yours to love and serve you

Geo. Cuthbert.

Castelhill the 25th Aprile 1693.

I expect your advyce in all this by the first.

Colonel John Forbes had also something to say about plundering.

Invernes, the 5th July 1693.

Sir,

If the Laird off Grant [Ludovick Grant] be with you, I pray you acquaint him that to oblige both himself, [John Grant] his shireff deputt, and [John Grant of] Coremony, I gave the list of party to his said shireff deputt, to help to putt some legall dilligence in execution against a base pack, viz. Strowis [Thomas Fraser of Struy] folks, which accordingly was effectual, and after the goods were brought the lenth of Bewlie, all your old plunderers convocatt together and thought to have deforced the party, by attacquing and wounding a serjant and three souldiers very dangerously. But the souldiers, nothwithstanding of ther smaller number, being only 24 men and an enseigne against thryce that number, behaved so well that they killed three of them upon the spott, wounded six more, and kept the poynd till Coremony, out of either respect to my Lord Lovett or [illegible] delyvered them the goods with his owze hand. I have written to the commander in cheef, and acquainted him of all that hes past, and ame hopefull by your and Grant's procurement, some orders both off the counsell's and commander in cheeff's will be sent, that may impower me to chastise those theeving rouses to better manners. My Lord Lovett is hear with me, and he swears he knew nothing off the matter, and desyred that I might make a favorable representation of him to Sir Thomas [Livingstone], quhich accordingly I have done; but not so but if the matter need itt, his lordship's men will be found to be the persons who did the mischeeff. I shall not say any thing off Coremonie and his Urquhart men ther behavior till Grant

and I meet, and then I'me sure he will be as much displeas'd with them as I. Let me, if you pleas, hear from you. All your family are well and I ame Sir,
Your most affectionate brother and servant

J. Forbes

Another letter from Cuthbert is dated 15th July 1693 from Inverness.

For the Laird of Culloden att Edinburgh Thes

Much honoured and dear Sir,

I was surpris'd when I receaved your lett're mentioning that Mr William Grant had not sworne the alledgance, nor signed the assurance, all quhilk is not onely false; he dide it, and that cheerfully, and was persuaded of his duty in soe doing, and I may say I founde him als much resolved in that matter, as any ever toke it; and now I am confirm'd in my opinione as the adversaries to King and church have alwayes made lyes ther refuge, soe now they will not faile of ther former practise. I am glade you have procur'd Mr William what was truly his right, albeit I am yet to learne quhat satisfies that man's conscience for takeing wages when he did not earne them; but all his gange have brasen faces. Don't, Sir, thinke of suply to his place, and doe what is prestable for you, for nothing but authority and a legall ratificatione will doe his people's turne. Off all the curats in our comission non have taken it, save Mr Hector and Mr Thomas Hustone. I finde they ar in a confederacie, and I am tolde by some of them selves that they have sent to the King that they māy be allowed to take it in the sense of the church of Englande, quhich, they say, is that he is chosen and elected by the people, and in that sense they take de jure. But, in-

deed, the matter is ther ar many bade instruments, but a litle edge upon authority wolde make them all doe. Quhat makes them scruple this is nothing else but ther enmity against soe good and soe great a worke, and next that they fear after they have taken this, the assembly will finde them unqualified for the ministrie. The Lord direct you in all your wayes, and send your friends a blithe sight of you. Your family is in good health, I blesse God. My wyfe hes her service presented to you, and I am

Your affectionate frende and servant

Geo. Cuthbert.

The debtors for the stipend will neid horning and sever diligence, else they will not pay, being all [illegible.] You have the instructions for the stipend sent. Ther ar so many vacancies in Rosse and Murray, that we ar lyke to be turned desolat, soe that nothing wolde doe our turne nor then bringing ane honest man for a seson hither; all quhilk I refer to yourself to consider; aply to the synod ther to doe this and som suply by tours, for we canot expect suply from Rosse or Murray, they all being but 8 ministers, and have much worke at home. The patron hes not taken the aledgance nor assurance.

The following seems to hint at further trouble with the Frasers. It is addresseu to Culloden (who by this time must have returned to the north) and is dated from Bunchrew 23rd November 1693:—

Much honored

This night laite as I came home I received your honor's letter, being come from [Fraser of] Ballindown's wife's buriall, and this morning young [Cameron of] Erracht, being in the schools in this country, this morning depairted,

and is to be buried Saturday nixt at Kirkhill, where my Lord [presumably Lovat] and his friends resolve to be. However, I have wrytin to him and sent inclosed the lettre directed to me by ane express, that I may know his minu theranent, and give your honor ane accompt imediatly thereafter. I heir just now that ther is a child of Kinneries [Alexander Fraser] alsoe dead, quich might stope your meeting this wick, but I know Munday he will waite upon you according to your desyre heir. I have been speaking Alexander McWilliam, and called him befor my Lord, who bitterly acoasted him upon your accompt, who promised to refund the goods or pay the owners. Four men that were yesterday at Bewlley without my knowledge, as I am informed, made a foolish bargain with Glenivaccies [? Fraser of Clunvackie] sone, quich is all at this distance. With my humble duetie presented your honor and good lady, I am as becomes, much honored, your very humble servant to disspose of

A. Chisolme

A document endorsed "Extract Act of the commissioners of supplie of the shyre of Invernes discharging the giving of coal and candle to the garrison of Invergary" recalls earlier years. The meeting was held on 7th November 1695, there being present "the Honble Ludovic Grant of that ilk, Sir Hugh Campbell of Calder, James Grant of Gellovie, John Grant of Easter Elcheis, John Grant of Corimony, Mr William McIntosh of Aberarder, Mr David Polson of Kinmyleis, Robert Grant of Gartimore." The petition came from "the people of Stratherick, Abergartarff, Glenmoriston and Urquhart," who alleged that coal and candle had been given by them "for neir two years now by gone." The commissioners found the petition "to

be reasonable and just and the said exaction to be prohibite by law." No further supplies were to be given "without the Councils order be obtained by the said commanding officer for that effect."

Some difficulties were experienced at Inverness in regard to the appointment of ministers. A letter to Culloden, signed 13th January 1696 by the Provost, Hugh Robertson; Wm. Duff, J. Maclean and Hugh Duff, baillies; John Cuthbert; and William Duff, late provost, makes mention of "our former overtoures anent the calling of Master John Pasceley" [minister of Morton 1693]. It had been moved, however, that the matter be delayed in order to interpose with the assemblee for a person quallified in both languages. Wee need not tell you the circumstance of the pariochen or the vastness of the charge so far as concerns the Irish part thereof, quilk renders a minister so quallified indispensable. . . . we expect and intreat you doe all that is possible to influence the members of that reverend meeting to a compliyance with the so necessarie and just requests of the people The persones named be us to the comission wer Mr McLauron [Rev. John McLaurin, minister of Kilmodan 1689], Mr Duncanson [Rev. Robert Duncanson, minister of Campbelltown 1687], and Master John Munro [minister of Farr]. Either of these or any other so qualified ye think fitt for the place, ye may require, and wee are hopfull you will have due success in it.

There was a call, 4th August 1696, to the Reverend James Fraser of Brea (minister of Culross) as appears by a document addressed to Culloden (17th July 1699) by the magistrates, heritors and elders. The call was with "the speciall advice and consent of the presbitery of Murray, to whose bounds wee are for the tym adjoined;" and Duncan Forbes of Culloden was ap-

pointed "to prosecute our said call given to the said Mr James Fraser with all convenient deligence; that is to say that he without loseing of any tym make application in our name to the presbitery. . . . and thereafter that he apply to the commission of the generall assemblie, synode of Fyfe and presbitery of Dumfermling." The document bears 29 signitures, including Cuthbert of Castlehill, elder and younger; Cuthbert of Drakies; Polson of Kinmylies, and Robertson of Inches. The Reverend James Fraser, though he officated for some time at Inverness, eventually remained at Culross.

John Cuthbert of Drakies represented the burgh of Inverness in Parliament for many years. He appears to have been present in the Parliament of 1689, 1690 (first session), 1693 and 1695, and again in 1698, 1700 and 1701. He was not present in 1696, perhaps for the following reason:—

For the Laird of Culloden
for the present at Edinburgh

Much honored

I presume to give you the trouble of this lyne, to inform you that I am at present so thick of hearing, that therby I am unfitt to represent the town in parliament at this tym. And because of my indisposition I doubt not of your kindnes to the place and me in appologiseing for my absence, so that the place be not quarrelled for the same. The trewth of this is known to the magistrats and counsell; and if this, with your interposeing, doe not satisfie, on your advertisement (my health serving) tho' I could ryd no more bot six miles a day, I will come forward. I know that the magistrats have writin to you, to verifie the treuth of this.

I am, Much honored,
your very humble servant,
Jo. Cuthbert.

Invernes, 3 September 1696.

The following to Duncan Forbes is from his brother-in-law, Sir Robert Munro of Foulis, who had married in 1680 Jean, eldest daughter of John Forbes of Culloden:—

Foules Jan first 1697.

Sir

I doubt not but you have perused and Considered the Counsells proclamations anent raising the Militia particularly that clause mentioning the quota of horse to be outreaked by Seaforth and Lovetts divisione of the Shyre of Inverness which is to be commanded by the Laird of Balnagawne as Captane and the quota of horseman to be outreaked by Sutherland and Cathnes to be commanded by My Lord Rea wherein I find east ross not mentioned, so that I think we will not be liable to outbreak militia horse in east ross at this tyme but yet Balnagawn hath ordered his clerk to send out Intimations requiring the commissioners of Suplie and other heretors liable to outbreak Militia horse to meet at Tayne the seaventh instant in order to Delyver their horse to the officers according to the Counsells order, and supos east ross were really obliged at this tyme to outbreak Militia horsemen they ought to be under My Lord Rea and not Balnagawnes Comand. If you think it worth your whylo you may give me your opinion of this as also I entreat and expect you will be pleased to give me an account of the current newes with you when this comes to your hands and Lykways what was the grounds of this alarume or if you know of any certane grounds that ane Invasione should be feared and what is your opinion to me in that cause and if you think fitt I should mak any adress to the statesmen anent what I wrot to you in October last, My

humble servyce to your Ladie your Son
and all the familie I expect you will ex-
cuse this trouble it being given you by
Dear Brother

your affectionat Brother
and verio humble servant

R. Munro

Perhaps the most notable local event of this year (1697) was the affair of Simon Fraser (afterwards Lord Lovat), and the Dowager Lady Lovat (see "Culloden Papers" XXX., XXXI., XXXII.), when he was pleased to tell Forbes that "I am very hopful in my dear wife's constancy, if they do not put her to death." And this intercourse between Beaufort and Culloden caused considerable uneasiness among the latter's friends and relations, who were sometimes puzzled by his attitude. Colonel John Forbes, writing from London, took a very serious view of his elder brother's reputation in the matter.

The Laird of Culloden
to the care of Mr Forbes writer in
Edinburgh

Sir

It is informed here that [you] have been very unfrendly to my Lord Tullibarden's intrests, both [as] to your advyce and writings in the bussines of Beaufort, which, if trew, I most say his lordship is but very ill rewarded both for his friendship to you and his kyndness to me. His lordship was pleased to speak to me anent you, which trewly was very surprysing, considering the naturall aversion I beleaved you ever had to all deeds of oppression, and the paralell of this villanie and insolence hes not been read in history. I beg it of you, wryt his lordship, and let him know the whole matter off fact, and what your owne concerne therein hes been, which I ame hopefull will be

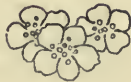
such as may make his lordship not repent,
but rather continew his frendship to you
and yours. This freedom you will please
pardon, seeing you know I ame, Sir,
your most affectionate brother
and servant,

J. Forbes.

Kinsington, the 4th December 1697.

I shall be impatient till I hear from you.

But the friendship to Simon Fraser was
continued in the next generation both by
John Forbes of Culloden and by his more
celebrated brother, the Lord President.



5. THE EARLS OF SEAFORTH—1695-1701

Kenneth fourth Earl of Seaforth, succeeded his father in 1678, and remained true to James VII., whom he followed to France and later served in Ireland and Scotland, subsequently surrendering to General Mackay. Thereafter he was imprisoned but seems to have escaped shortly before the following letter was written by his mother, the Dowager Lady Seaforth, daughter of Sir George Mackenzie of Tarbat, and sister of George, then Viscount of Tarbat, afterwards first Earl of Cromartie. It is endorsed "The old Countess Seafort 1695," and is addressed "For the much honoured the Leard of Culoden thes."

Worthie and much respected frend the noyes of my sone Seaforts reteiring [returning] is [word obliterated] or now heard by you, it was only want of health that has forsed him to this. I doe admire he has lived so long with being confynd now this fyv years. I hop ye will us[e] your endeavours with the Secreterar to be his frind so much as to procur his liberty to liv at hom on beall. For certainly this is all his desyn or desyre. So I expect to get a proof and test of your frindship at this tym for certainly if ye knew how tender he is ye wad think it war cruilty to hav keiped him so long confynd: now I hop justis and charity as weell as blood relation will be motivs to perswad you to be our frind now, Ye know non owned that caus that was mor or perhaps so innocent as he was, and yet non in Scotland so harshly dealth with. I never doubted of your frindship but this new proof will ad a further obligation on,
your reall affectionat frind and servant

Isobell Seafort

Fortros 29 Agust 95

My serves to your Lady I am sure she will be a good agent for my son, if my hart deceav me not, I wad serve her wilingly.

Culloden's answer has not been found, but three weeks later Lady Seaforth wrote as follows, presumably to him but there is no address:—

Much honoured and affectionat frend

I never in the least doubted your kyndnass to this family upon many acounts, I wish the secretar may answer your expectation in giving a favourable representation of my sone to the king, and if he doe I make no question but he will procure his liberty to liv at hom for what ever others may endeavour the secretar can oversway them and I earnestly desyre that from yourself or by any other that ye know has intrest with him ye wad perswad him to this, you may beleive mee

Your affectionat frend and servant

Isobell Seafort

20 Septr 95

To his wife she also wrote the same day:—

For my Lady Culloden Thes
dear madam

I was oblidgeed to you for your kynd simpathising letter. I wish the secretar may giv a favourabl representation of my sons circumstances to the king, for certinly war the king truly informed he wad easily allow him to liv at hom, for every body can not but think that my son has met with hard and unequal meassours to what others has, even thos that was actually in blood, and soom that was murderers, yet all hav freedoom, and allowance to liv at hom but he, and tho the publik had given him his Liberty he behooved to com quyetly a way, becaus

of privat trubills, so that nothing can be
a favour to him but a tolerence to liv at
hom, your husband may tak his own way
to caws inform the secretar of this, I am
as ever

your reall affectionat & humble servant
Isobell Seafort

20 septr 95

There is nothing more till the summer of
1696 when an arrangement was being made
for cautioners.

For the Leard of Culloden Thes

Much honoured frind

this at your writing south at this tym is
a new testimony of your kyndnes to us:
and when you and I meets I will con-
vinc you of the reasonabllness of my de-
syrs.

no doubt ye hear that my sone Seafort
is in tearms to surrender him self and on
beall to hav Liberty to liv at hom, which
I find he is resolved to doe. Thier is of
our own peopl that has allowed me to
writ south to put them in the bound to
be presented for his beall, Ridcastill,
Kilcowy, Belmaduthy, Mr Simon Mac-
kenzie of [illegible] with soom others,
but that which I esteim mor of then all
thir is my good frind Brody has allowed
me to name him for on, now if you will
be so kynd as to joyn with them for an-
other as I wad think it a very great ob-
ligation to this family, so my sone wad
no doubt hav still a gratfull remem-
beranc of it, my Lord had wont to say a
man had no thing but father and mother
kin to trust to and be kynd to, so he still
esteimed the forbuses the on half of him
[his wife was a daughter of tenth Lord
Forbes] and this wad be such a new ty
as wad not be easly forgot; I hav not
met with mor of our kinsmen as yet, but
thos above named, but I expect severall

others, but I know you being on will
make them much mor considerabl, I am
hasting south for I wad gladly hav this
finished I am

your reall affectionat frind and servant

Isobell Seafort

24 Jull 96

A few days later Seaforth wrote himself.

The Laird of Cu[loden] Thes.

Sir,

I understand by your letter from my
mother how much I am bound to your
kindness which I shall still indeavour to
meritt so I shall not miss to requett with
all the Service in my power and by Gods
grace you shall run no hazard for any
ingadgment you are pleasd to make on
my account being in honour, justice, and
gratitude tayd to you for I confess its
doubly oblidging to help on when ons
back (as the saying is) is at the waal, its
done like a good nighbour and a true
Forbes to a grandson of the family and
you may be sure meets with all the just
[?]requitment imaginable as I shoud soon
convince you wer it in my power by
actions to demonstrat as I now doe by
this letter how sincerely I am

Your affectionat Cousing and obliged
friend to serv you

Seafort

Agust 3 1696

Pray let this give my humble respects
to your good lady.

The next event recorded among the
papers is the release of the Earl by war-
rant dated at Kensington 1st March 1696/7,
the king being informed that he "did sur-
render himself prisoner to the Commander
of our Garrison at Inverness, and has
thrown himself on our Royall mercie." He
was to receive his liberty "upon his find-

ing Bail and Security to live peaceably under our Government and to compeare before you when called." The process of treason was to be dropped "untill our further plesur be known therein" ("Culloden Papers" XXIX.)

On 22nd November 1697 Seaforth wrote from Chanonrie to Culloden stating that he had heard from his agent in Edinburgh that orders had been issued for the registration of his bond and cautioners cited to produce his person on 4th January thereafter or else pay the penalty. He had written to the chancellor and advocate but had received no reply, and he now asked Culloden's advice, telling him "though I have not been out of my chamber since I saw you till yisternight that I came here yet rather than any of my baill should be troubled I woud be caried in a liter south if nothing will please but my undoeing." Lady Seaforth (his wife) had written to Brodie, but as yet no answer had come.

The Council did meet, as appears by an anonymous letter to Culloden of 6th January 1698, but which has been endorsed "Sr A. Monro [Sir Alexander Monro of Bearcrofts] anent Seaforth." It deals with other matters but has the following passage:—

Before this come to your hand ye will have accompt of what the council did with Seaforth and his cautioners. Your freind was willing to have pluckt you out of trouble if it hade bein possible. One said that all the rest were bound to relieve you and Brodie which was the answer I got from severals, who laught at your incumbrance in that mater, wherin ye ought not to have concerned yourself.

The "friend" was probably no other than the Lord High Chancellor himself (the Earl of Marchmont) to whom Brodie wrote a letter of thanks some days later.

For the Right Honourable
The Earle of Marchmount
Lord High Chancelor
of Scotland

My Lord

Thes ar to give your Lo my due acknowledgment and hartie thanks for your kindnes and zeal to have rescued, and releived Culloden and me out of danger by our engadgment for my Lord Seafort. It seems the Lords of Council look upon us either as not worthie of ther favour and justice, or desyring to treat us, as if we wer the most disaffected to the Government, bot as the proverb is they ar weil doing bairns who may not greit, or complain. And if ther Los of the Council have preceidit upon that supposition which we heard was confidentlie asserted that Culloden and I wer secured by the Mckenzie against all hazart, it is most groundles, for I declair to yor Lo upon my treuth, we neither have, or ever had anie other securitie or prospect bot our presumption of the favour and freindship of the Government.

My Lord thes testificats which wer last sent up by Ministers and Doctor Forbes [Culloden's brother] wer given by persons of truth and candour nor would my Lord Seaforts power or influence have moved them to attest an untreuth. And it could not have probablie bein doubted, nor had it bein anie inconvenienc to the Government, upon the consideration of Seaforts health, and the sereritie of this winter weather to have grantit to us continuation for his appeiranc and our presenting him, for a moneth or five weiks, the bond of cautionne being lying still over our heads in its full force and effect and now my Lord forgive me to say it that it tends nothing to the honour or interest of the Government that we should be exposed to be laughd

att, and flouted by the enemies and disaffected to it who bidd us now gather up our thanks and reward for all our loyaltie.

And now that Culloden has writt a long letter to your Lo. on this subject I shal forbear to insist further on it, having no doubt of your Lo good will, and endeavours to protect and releive us still, and I can onlie alwais have a due senc of the manie obligations I lye under to be, My Lord

Your Lo. most humble and affectionat
servant

J. Brodie.

Penick 18 Janry 1698

A letter signed by "Alex. Simson" of date, 16th Feb. 1698, relates what happened on Seaforth's eventual appearance before the Council. That it was written to Culloden appears from his wife's covering letter "to the care of Thomas Hossack, merchant in Inverness." "My dearest," she wrote, "This cam to my hand yister night let, and I have sent it as you desaird, nor had I opnid it, had it not ben so befor it cam to me. However I am well plesd you ar delaiverd from that trubill, and I think you will see a litell beter er you ingadg agen, my love."

Simson's letter relates "the maner of the councell's procedour againest the Earl of Seaforth, who compeared yesterday." "What formerly was asserted by the severall testificats of the earle's indispositione evidently appeared to them by occular inspectione of the earle himselfe, who was wraped up in two night gownes [dressing gowns] and ane cloak." It was moved that the cautioner's petition might be read which was "more strongly inforced by your brother [no doubt Sir David Forbes] *viva voce*—that of consequence. . . . you ought [to] be dischairged becaus the earle compeared." After a tedious debate it was



MARY INNES, WIFE OF DUNCAN FORBES, THIRD OF CULLODEN.



put to the vote "which was carried in the affirmative by the plurality of sex votes. By which you are once loused; become bound againe as you see it favor your interest. If your sex freinds of the matter of 36 in counsell wer absent, I believe your band would certainly meet with rigor." The earl then presented a petition craving protection from his creditors "which was laid asyde" and he was ordained "to renew his bail to compear befor them under the penaltie mentioned in your band, when called, or goe to prisone. He told them he had none of his friends here. Whereupon my Lord Forbes and Grant made offer of themselves to become bound for him, againest which offer" there were legal objections: but on being put to the vote it was carried by two voices.

There is nothing more from Simson and, indeed, no further document till 16th March 1698, when the Dowager Lady Seafort wrote a line asking Culloden to come over the next day "sinc your advys will much oblidg your afectionat frind Isobell Seafort."

There is a blank again till 13th August 1699, when the young countess (the Lady Frances Herbert, second daughter of William, first Marquess of Powis) wrote the following letter, which appears to refer to her son:—

For the Lerd of Colloden thes
Brane, the 13th of August 1699.

Sir,

Tho' I should have ben glad to have seene you heare if your convenience would have permitted it, wilest you were in the nort, yet I will not take it amis, hopping it is upon noe dislike you have to me, or the thought that you would not have ben as wellcom now as if my lord had ben at hom, that as inder [has hindered] it, which I can assure you of, for I shall ever have an [e]stime for one that as ben, and is I may say still, soe much my

lord's frend. Therfor I hope you will now bring him home, for I thinke he as ben long inof ther. I have troubled you with my leter, being you were soe kind as to desier it, which truly is an obligation lead on her that is,
 Sir, your most affectionat humbe servant
 Frances Seafort.

The death of the Earl of Seafort took place early in 1701, and the following letter was written by the old Countess in May of that year concerning this and her grandson, William, now fifth Earl of Seafort:—

for the much honoured
 The Leard of Culloden
 thes

Much honoured frind

I believe yee know that the Counsell denyd that my grandsons should stay with you, and to tell you the truth I rather hav him with you then with any els I know, having so good proof of your kyndness and frindship to my dearest sone that is gon, whos death is a very sad strok to me, If ye knew all my circumstances ye wad beleive this. he was the great joy of my lyf, and the suport of my age, Lord giv me resignation and submition to his holly will, for this is on of the heaviest trublls that ever I met with. I am fully perswaded the child will be better a great deal with you than hear. My John [John Mackenzie of Assynt] will be hear this week or I think rather the nixt, which tym I will desyr him to come speak to you. If at any tym your leasour wad allow you to come this lenth, if it war for ane hour or two, that I might hav your advyce as to my self, since ther is few on earth now that I can be free with, or doeth believe sinserly frindly, soom ha an by end and soom another, and I think

qwytely ye might tell me your thoughts
and I wad trust much to your opinion,
I am as ever your

reall affectionat frind and Servant

Isobell Seafort

Give my servise to your lady and
and mistres Isobell [Forbes, his
daughter, afterwards Mrs Fraser of
Achnagairn.]

19 may 1701

Things were still uncertain when the
boy's mother wrote (10th June 1701) from
Brahan that she had not had the answer
she expected "and ther for I have sent
him back to scoul to Mr Keneth where I
desier you will be please to be soe kind as
to let him stay till you hear from me." A
week later the old countess wrote:—

For the much honoured
The Leard of Culloden

These

Much honoured frind

Since I see no apearance when I may be
hom or bee in other circumstances hear,
I hav writ to my John and to my doch-
ter in law and to the chyld himself, that
it is fit you get the troubil of him for
a tym wher I perswad myself he will be
very weell and I must also intreat you
no to put your self to any trubil anent
him for he is weell conditioned, and very
easily pleased. So I beseich you do not
in the least make him a trubil to you
and I wish it may be gods will he live
to be a gratfull acknowledger of all your
favours: as I writ formerly to you that
ther war severall ingagements I was in
for my dear sone that is gon that would
be very trubilsoom to mee and my doch-
ter in law took not oours with them, yet
I think no clame is mor unreasonabil
then this that Prestonhall [Roderick
Mackenzie] persues me for, being
founded upon things that unnaterall

foolish Sandy forsed me to syne to him befor he wad giv up the mony he robed, of which the publik was to hav the most, and I not knowing how to get the publik satisfyed was content to doe anything. this old Belmaduthy, the Minister of Awch [Avoch] and Hewgh Bealyie can witnes, who writ and witnessed the same, pardon the trubil and believe me your

very affectionat frend and servant

Isobell Seafort

16 Jun 1701

Give my servis to your Lady

On 1st July 1701 the younger countess was in Edinburgh determined apparently to keep the boy under her own control, if possible. The Government "ar contented to have him stay at Fortrose till farder orders, ther for he will not trouble you this bout, tho I can assure you had he ben to goe to any from the plase were he is, I should have chose your house before any." On her way south she had stopped in Elgin, and a letter from Doctor Jonathan Forbes to his brother sums up the situation more clearly.

For The Laird of Colloden

These.

Elgin 15 July 1701

Sr

I was calld by my lady Marques Seafort the night she lodged in this place on her way to Edinbrugh, She was at pains to tell me that ther was a designe to take her sone the young Marques from her and lodge him with you, which she said troubled her extreamly, that she wuld not be allowed the charge of the educatione of her own chyld, and that she had wrytt you before she left Brahan, that you should not meaddle with the youth (without her own consent) on no accoumpt whatsoever, and

intreated me to tell you the same again; I said that I thought you would not be so officious as to take the charge of a person of Seaforts quality except all other freinds as weill as her Lap were content, for I beleived that you could propose no other advantage to yorself by it more then in shewing yor willingness to doe all the services lay in yor power, for the weel-being of that noble family. However, if I understand weill I think not fitt you meadle furdur in that affair except all concerned in the young nobleman were once agreed amongst themselves (as to that payment) and joyntly desyred you be at the trouble; in which caise I know ye wish so weill to the memorey of both his Father and Grandfather that you would goe far greater lenth (when oportunityes offered) to doe them service. In a word I fynd my Lady resolute that you doe not meaddle deryctly or inderyctly with her son except ye disableidge her exceedingly. All this I have wrytten at her desyre so only adds
I ame still Sr

Yor inteirly affectinat Brother
& most humble Servant

Jon. Forbes.

Writing to Culloden on 25th October 1701 the Lord Advocate prayed him to state "how it is with the E. of Seafort and how he is kept for the old Countess her coming north has I hear changed methodes." This correspondence ends with two letters from the younger Lady Seafort:—

For the Laird of Cullodine.

Erane, the 7 of Nober 1701

Sir

I doe not doubt but you will be as surprised at the recepet of my leter as I was to find that the children had come a way from your hous, and kind invita-

tion at such a time a night, but realy
tho I was the person to blame in odr-
ing they should come home, yet when I
did soe, I did hope it would have ben
in good time and not to hassard ther
helth, for I had much raader they had
staied with you, then to have don what
they did, but I hope you will excus it,
and assure your self were it not that I
had some thing to doe for my sone at
home, I should not have desierd the
children should have come frome your
house, were I know they would have
ben soe wellcom, but a nother time they
shall make amens, as well as my selfe,
which would be very glad of an ocation
to assure you by word of mouth, how
much I really am

Your most affectionat

frend and Servant

Frances Seafort

My servis to your lady.

Barwick the 31 of Deber 1701

Sir

Louking upon you as my nebuer and
kind frend I could not but give you an
account of my prosidin which perhapes
tho it may louke strang in the eye of
the World I hope it will not doe soe to
you, when I assure you that what I
have don is for the realle good of my
children, which I know is what you will
be plesed at, being one that wishes the
family soe well, and I hope that upon
that account my selfe, and that you will
be soe just to me as to believe, I am
with all sencerity

Sir

Your most affectionat frend

and servant

Frances Seafort

With your permission my servis to
lady.

What now happened is told in a letter from Sir Gilbert Eliot to the Earl of Cromartie, dated from Edinburgh 25th November 1703 (Sir William Fraser, "The Earls of Cromartie" 1. 205) ". . . . Much of the rest of the Councell's tym for this dyet was spent upon a process against the Countess of Seaforth for carying her son out of the kingdom to be popishly bred. She made a long defence herself from the barr, but chiefly insisted upon the indemnity; but at last the matter was remitted to a committy to find out expedients to constrain her to bring home her son, and to raise money for this effect."



6. MISCELLANEOUS—1699-1702.

The following extracts are from miscellaneous letters which have no particular sequence:—

From Lt.-Col. John Forbes at Edinburgh to his brother Culloden, dated 4 April 1699

The president and K. advocatt are calld in all heast to court and are gon this day, what the business is none knows as yet, only the arryval of our ships in America and our settling at Darian makes a great noise and many beleve it will mak yet more. . . . The gentlemen that are come back from America give a very good account of every thing and it wer a peety to lose it after haveing so fair a prospect. . . . I wish I wer any wher out of this damd toune, which stands by kneavery and lyes and oppression, but more of this at meeting. I showed the first pairt of yor letter to some great men who vallues it not a pin, if you wer all stolen and eatten provyding you pey yor cess and they have but the ruleing of the rest.

From Lt Col John Forbes to his brother Culloden, dated 24 April 1699.

Wee have no accompt as yet of the advocate and president. The Duke of Ormond hes layd down all his places, and itt's much talked here that Portland will be necessitat to leave the court, or tell what wer the privatt articles betwixt Buflers and him. Strathnaver's and Ferguson's regiments are aryved from Ireland. The first is to march to Inverness, so whether that may be the place's advantage or not, I know not, but I hope it. It may be the more the

merrier, but the fewer the better cheer. Our African company are very bussie and will have four more ships in a little tyme at our new settlement.

From John Forbes at Edinburgh to his cousin Culloden, dated 3 May 1699.

The Advocat and President wer befor the King last week, anent our American settlement, and the King has remitted them to be heard befor my Lord Portland who fully knowes his mynd in the matter. Ther is presently ane great mortality amongst the horses in England, and some English horse that have been brought into Scotland have poluted all the horse in this country, that their is hardly ten horse belonging to noblemen or others within this toun but are infected with ane rageing cold, wherof many dye.

The following characteristic letter addressed to "The Laird of Culloden" is from his son and heir, John Forbes, in regard to his intended marriage with Jean Gordon, daughter of Sir Robert Gordon of Gordonston, baronet, by his first wife Margaret, daughter of William, twelfth Lord Forbes.

Drany June the 6th. 1699

Sir

I came hier yesterday's afternoon and found my Lady dispatching ane express to know of my health, for she belived nothing but indisposition could have occasioned so long and unreasonable absence, and I was glead it passed for such; however after som litle furder discourse she told me what Sr Robert had resolved on att parting, which occasions my giving you this trouble, Tearms I find will not discord you and my Lady tells me he is very forward, to have the thing once over, and in order to that is postively determin'd to be home saterday come

eight dayes the 17th of this moneth, and resolves to mary the 22nd or 26th att farthest; Therfor Sir with submission to your will, I would be satisfied how soon this cam to hand you dispatched off ane express south for any necessarys I may stand in need off, the tyme being but short, all I propose if you please, is two sute of cloathes plain, the one of the stuffs they wore last sumer if they be still in fashion the other of cloath, with west and briches of some silk stuff, stockings conform to the cloathes, a nightgoun and things therto belonging, if ther be any, as for any tokens or toyes that ar useuall to be given a woman att such occasions as this, I'm altogether ignorant of what belong to them, but understands that som thing of that nature is expected, and would be content if any such thing be, it wer don to purpose (as Sir I told you before) or not at all: I begg pardon for this and would have forebore writing till my own return had not the tyme been so very short. Lett what ever express you send call at me in the by goeing, John Forbes is the man you'll employ for my Cloaths he haveing my measure, I ad no more but that I am Sir your most affectionat and obedient

son whilst

J. Forbes

From Lord Strathnaver at Dunrobin to Culloden, dated 18 April 1700:—

Your ail is not forgott, it must be putt aboard when it is new tunned, else you should have it er now. I'm only affraid that the smailest I drank ever with you be found stronger then it will prove. I intend God willing to the Highlands Monday next, and must attend the Parlt, lett me know when you intend south

From Sir Harry Innes of Innes at Edinburgh to his father-in-law, Culloden, dated 26 June 1701:—

I have had no return from Argyle, he is a duke and Queensberry K. of the Garter. They say they are agreed and Argyle is marrying his son [afterwards second Duke of Argyll] to ane English match with 50,000 pound [Mary, daughter of John Brown, afterwards Duncombe, receiver-general of the excise, by Ursula daughter of Anthony Duncombe of Drayton, Bucks.]

From the Earl of Marchmont at Holyrood House to Culloden 18th February 1702:—

. . . . When I was absent, which I hapned to be severall times by reason of the dying condition of my loveing daughter The Lady Polwarth [Elizabeth, daughter of Sir John Hume of Castle Hume in Ireland, his daughter-in-law] whom the Lord took upon the 11th of December which did put me and my familie in much disorder as you who know us so well will easilie imagine.



(7). CONCERNING ALASTAIR MOR AND
KINDRED MATTERS 1699-1702.

The following correspondence deals with an aspect of life in the Highlands which is to-day hardly realised. Petty thefts, horse-stealing and cattle-lifting were of no infrequent occurrence, and were dealt with between the respective lairds concerned. Depredations on a wider and more comprehensive scale sometimes made a greater commotion, as in the case of the celebrated Alastair Mor, whose apprehension, as pointed out by the editor of "Historical Papers" (Spalding Club), was looked upon as a "very special deliverance."

An instance of the more ordinary case is revealed in the letters of Sir Ewen Cameron of Lochiel and Duncan Forbes of Culloden.

For The Laird of Culodin Thes
Locharkag 3 juli 1699

Sir

I recaved yors contining sum reflections upon me for giving Donald McKay a pas to bege his bred Sir if he be a thife he is your owne countre man bred and borne and if he hes played the vilan it was among yor selves We have nothing to lay to his charg during his abod heir He denyes to be thife or receter [resetter] of yor horse I have sent him to the shiref and you said perhapes ye might let him goe that ye might have the beter ocasion to perseu me if I had sent him onlie to yor selfe bot I am out of yor reverance as to have a hand in anie such thing as ye lay to my charge and if ye wer as treu a freind as ye say ye wold not make a lukiing gles [looking glass] of my pas to others before ye advirtized me and if ye resolve as ye say to kipe my pas and my other leter ye may kipe this leter also and tho he had misheheaved with my pas I belive the pas beires [bears] that he

should live honestlie and asking nothing prejudisialle to the lieges Ye say also he did lurk about my house since he cam from [?] Moray bot to let you know yor bad information he was down in Ardnamurchis or Sunort with everie honest man along fortine myles from this till I sent for him and I think I am as honest in sending for him as ye wer in yor intended persut against him who was sine yor freind and resolved to continou Sr

Yor werie humbell servant

E. Cameron of Lochell

I was resolved to befreind yor man if I had not got Donald McKay upon yor first information bot now I belive non will say bot I discharged my dutie honestlie for all your reflections on me Sir if ye will be as trustie to me as yor father was I will be as great a servant to you since I have fletin with [scolded] you till I did werie not expeking such a leter from you

Endorsed "Copy answer anent John Dow's horse" and dated from Cull [oden] 3 August 1699

Sir

In your last letter (as you say yourself) you flet with me whill you was weiry: and by this I return you good for evill, for I send you back yor man Donald McCay unhandg; your letter and his stiff denyall at first provockt me to let him suffer, for he denyd still (untill he saw the witnesses ready to prove against him) that he stole my man's horse; but they and the man who caught the horse that was found with him being also present, he repented himself and made a clean breast. The extract of his judicial confession I send you here inclosed. Wherby you will find that he, and a kinsman of yours called Duncan Cameron have stolen my mans horse and made a marcat of him; and then Donald did

recept another stolen horse which was taken with him, so that I had difficulty to get him saved: But since you sent him down upon my letter, and that his wyffe as you wreit hes nurst some of yor children and serves yor Lady yett, I would not suffer him to be put to death. But have sent him back to yorsel; and in this I give a testimony that I keep the kyndnes my father had with you. And because you say that he is honest as long as he stops amongst you; its fitt you keep him; and give him no more passes to come heir, lest he show the Lochaber maners again, and gett himself indoitably hanged.

Ewen McCay tells me that your Lady desyred me to save Donald and if the Skaith were within ane hundred merks, she would pay it; whither this be true or not, I know not, but in the mean tyme you are my debtor, and though the man were hanged you cannot goe by it: for you are not only bound to present him, but also lyable in Law to pay the Skaith, since he was yours and had your pass. I shall also out of friendship to you make the claime as small as I can, and the way that Donald proposes to relieve you is by finding my mans horse in some responsall debtors hands, which cannot be done without Duncan Cameron, whom you must find out yourself, for he is not in this end of the countrey. Els the Laerd of Grant would find him out and hang him too. Now Sr although my mans loss and expenses be neerer three hundred merks then one, yet I will restrict him that he shall not goe beyond the hundred merks with you, and if either yor Duncan Cameron or his Brother Donald who lives in Strath Dallas put you upon the horse in responsall debtors hands, you may double yr money, and get thanks too, for you shall not want fair play from the Justiciary Court. I remember you chal-

lenge me for showing yor pass to every
 body, when you wrong me, for yor pass
 was in the Clerk of Courts hands and in
 the fiscalls before ever I saw it, and I
 have taken it up from them and have
 kept it ever since out of respect to you;
 you may be sure ther are some curious
 [eager] enough that I shall found a pro-
 cess upon it, but that I will do for no
 man unless you compell me to it. I send
 the bearer Andrew Bayn McThomas —
 express to delyver you this letter and gett
 the answer of it and I assure you of my
 freindship when yor good turne comes in
 my way provydding that you keep kynd-
 nes with

Sr Yr truely affectionat freind and
 humble servant

For The Laird of Culodine Thes
 Locharkag 8 of Agust 1699

Sir

I recaved yors with Donald Mckay con-
 fession ther inclosed and tho ye did shew
 mercie yet I think he should be hanged
 for using you and me as he did bot I know
 not what to say as to the affer for it was
 out of kindnes to you I sent him to you
 and if it is thought that I did mor than
 dutie when I sent him to you efter he did
 still yor horse and since that other felou
 who was his pertiner recives in those
 pertes among yor selves it will be hard for
 me to find him out I can do no beter
 with Donald Mckay then send him to yor
 selves againe till he find out his pertiner
 bot he shall not get my pase anie mor and
 I did onlie give him my pase formerlie
 onlie to goe to his netive countie to see if
 he could get anie honest way of living not
 thinking that I could be ansuerabill for
 his misbehavior as I doe as yet since I
 did present him to you to ansuer for
 his faltes for I have no kyndnes
 for anie that usis the us[e] he
 did make of my pas Alwyæ it is fite

that ye have pasience for a tyme to see if the other felou or his goods can be had or the recetor I believe ye thinks it not just I should sufer for ether of them if anie that is giltie can be fume out nether is it just that the ouner should want his oune and if the inosent will py for it the pryce of the horse is amufe[;] my wife denyes she said she wold give a hundr marks to seafe McKay from the galoues [;] at anie tyme ye write to me ye may give or send yor leter to Wilam Coming at Invernes who will find occasion to send it heir [;] ye sime [seem] to be ferer [fairer] at this tyme then at first and since I find you so I will remaine as of ould and when it fales out serve you as
Yor verio affectionat friend and servant

E. Cameron of Lochell

There is another letter of 18 October 1700 on a similar subject written from Bunchrew by Culloden's wife. In all her letters she signs herself by her maiden name, Mary Innes (daughter of Sir Robert Innes of Innes), and her opinions are sometimes expressed in no undecided fashion.

My dearest

we have been allarmid and ar still in a harie with thiving. Tyusday last about midnight on of yr men is ill wounded and his hous pilledged and we allarmid, upon which yr son persud; the goods was left but the man is thought will not live and this we owe to our garisons on the on hand, and our stets men on the other; for the only good thing we got from them is the Justiciari Courts I can say no mor but that I still am, my dearest,

Yr Ma. Innes.

Its a harvest day all the country is in the sam taking with us, I men as to constant beeing allarmid by willens and therfor look to it or thers no living.

A copy of a document endorsed "Scroll act anent two Independent Companies and some small garisons for rendering the peace of the Highlands more effectually 1700" will serve to illustrate what had been done. By the preamble it is shown that by an Act of 1693 "for the Justiciary of the Highlands," commissions fully empowered might be granted, excepting "the bounds lying within the heretable right of Justiciary generall pertaining to the Earle of Argile and other persones whose bounds were excepted." The commissioners and deputies of justiciary were appointed to the end that "the crymes of robbery and depredation might be the more effectually punished and restrained."

The two companies were to be "in place of a generall watch" and the act granted "full power and warrand to Captain William Grant lately of the Earle of Tullybardine's regiment and Captain Alexander Campbell of Fannabb each of them to levie a company" of 100 men. Captain Grant and

his successors in office were to serve within the district benorth Dee, and the other companie under the command of the said Captain Campbell and his successors in office within the countreys besouth the breas of Athole and Angus Like as his Majestie statutes and ordains that from henceforth the.....gari-sones.....be settled and that by detachments out of the regiment posted att Fort-william, viz. :—A garrison of 30 men in number att Ruthven in Badenoch, a garison of the like number att Abertarff or Gilliewhiman [Fort-Augustus], a garrison of 20 men att Invermorison and a garrison of 30 men at Erkles and that by detachment out of any other of the standing forces there be a garison of 30 men at Corgarth [Corgarff] in the height of Aberdeonshyre and sicklike such other gari-

sons in such places of Perthshyre as commissioners of Justiciary to be named by his Majestic shall think fitt.

Judging by the case of Alastair Mor or as he described himself in a petitione "Allexr Mckdonall alias Alaster Mor," the forces of law and order may certainly have contributed "their endeavours and assistance in suppressing of depredations and robberies," but some of the heritors of Aberdeenshire took measures to protect themselves ("Historical Papers" i. 21). Lord Forbes also met with difficulties even after Alastair had been captured.

This famous robber, as he was certainly regarded outside his own immediate neighbourhood, is stated in A. Mackenzie's "History of the Frasers" to have been of the Keppoch family but related to the Frasers of Stratherrick.

From a letter of the Lord Advocate to Culloden dated from Edinburgh 25 October 1701 it appears that "when Alester Moir was on his way from Fort-William my L. Forbes moved he might be sent north but the council did not incline it and therefor recommended it to his Lo. to send information and evidence against him betwixt and June which was not done." After this application was made to the "lords of justiciarie and charges me to bring him to a trial within 60 days with certification conforme to the act of parliament." Of this the Lord Advocate informed the Council and then wrote to Lord Forbes to send information and evidence before 1st November "but tho I sent this letter by an express and am sure it was delivered yet no answer." He had also recommended that if it were thought better to try Alastair in the north this might be represented to the Council in November, "but you may be sure that if this man be not tried betwixt and the 29 November (for then the sixtie days expire) the Ls. of justiciarie will set him at liberty

and I again intreat that my L. Forbes and Erodie and all concerned may know this."

The following are from copies of letters written by the Lord Advocate to Lord Forbes, 4 November 1701, and from Robert Forbes to Lord Forbes, 7 November 1701.

My Lord

I have yours of the 29th of October with another from the Commissioners of the Northern District, representing the case of Alaster Moir and craving that he may be sent North in order to his tryall. I could not read the letters at the Council board because of some hard expressions in them, as that the council did not design that justice should be done upon him, but I represented the case fully and withall that unless he were tryed before the 29 of November, I apprehended the Lords of Justiciary would be obleidged to set him at Liberty, And upon all the Council hath ordered him to be carried North by a partie of Dragoons and delivered to the Magistrates of Abd. that he may be kept in sure firmance untill tryed before the justiciary for the Northern district, And the Council did also order me to send this line to your Lo. by an express that no time might be lost. It was also noticed that an offer was made to send a double of the Process before the execution, but the Council in defference to the Commissioners of Justiciary would not insert this in the order, But it is expected that your Lo and the other Commissioners will give the poor man a fair tryall, and that for the satisfaction of all you will send a double of his process hither before execution. Your Lo. may be pleased to communicate this to the Commissioners of Justiciary for an answer to their letter.—I am,

My Lord

Your Lo most humble & obedient Servant
sic subsc. Ja. Stewart.

To My Lord Forbes.

Edr November 7, 1701.

My Lord

I had your Lo on Munday last and did immediately wait upon My Lo Advocate who was very friendly as was the Chancellour, the next day the Council sat when Alaster Moir was ordered to be transported to Abd by a troupe of Dragoons & tryed there, but your Lo will be carefull to have him tryed before the 29th instant for then his tyme runs out by the late Act of Parliament, So your Lo will be carefull of that since the Council hath been so friendly. If there can be anything else I can serve your Lo in ye may freely command me. I was obleidged to consult the Advocate which stood me three guineys & two dollars which your Lo will order in to Thomas Forbes; I give my humble duty to my Lady and am

My Lord

Your Lo most humble Servant
sic subse. Robt Forbes

Hast, hast, hast.

To My Lord Forbes.

A copy of the answer sent by Lora Forbes to the Lord Advocate dated from Aberdeen 12th November 1701 is preserved. He regretted "any hard expressions" and stated that "our court was up before your letter came" but that all were of opinion that "this famous robber Alaster Moir" was not included in the act. "Your Los. letter not being clear as to that point . . . we thought there was no necessity of a sooner tryall of him against which time all our probations would have been ready, till yesternight by a letter from Edr I find his tryall is desyred should be before the 29th of this moneth or else to have the benefite of the law." He wondered how it could be supposed proofs could come in in time from Lochaber and other distant parts; but he had ordered an indictment to be drawn up and "given him

this day by which he will have fitein clear dayes before the 29th instant. It is for a most inhumane and barbarous roberie of a mans house in the night time, wherein he with a strong partie tyed man, wife and child and left them so, having taken away all the household goods and plenishings to a considerable value. This was done within a mile of my gate to a tenant of a gentleman my neighbour as a preparatory to what I should meet with myself which I did afterwards." He begged the Lord Advocate to make it clear to the Council that there was more than this one crime "to prove enough as may perswade the councill to think it necessary that such a notorious robber should be cut off."

An original letter from Lord Forbes to Culloden dated from Aberdeen 4th December 1701 gives information of Alastair having been tried and convicted but that the court had been petitioned not to give sentence till the 16th December when he would be charged with thirteen more crimes "and most of them are such as I had information of from you and Brody." A list of the witnesses to be summoned was sent with a request that they should be at Aberdeen by 15th December. "So I shall say no more now only I entreat the witnesses be summoned in due forme. I doe resolve to write to all my freinds in Abd, Banff, Mearns, Murray, Ross and Inverness shires, who are upon the Commission to be at the court so I expect that you and all your friends will be makeing ready to meet me here on Monday come eight days, but I will expect you at Castle Forbes the Saturday before."

A postscript to this letter adds "Ther is necessity of the pairties persuers to witt Bane McBane of Tumattin, Mrs Sybella McKay daughter to the late Revd. John McBane in Inverness, William McIntosh of Borlim come up here against the 16th in-

stant, this will be troublesom to you but whatever expenses ye shall be at shall be refunded you at meeting. Brodie will send you a list of the crimes against Alaster Moir."

Meantime an address had been transmitted to the king as appears by a letter from the Earl of Hyndford, then secretary of state for Scotland, Lord Seafield being the other secretary.

Whitehall 30th Decr 1701

Sir

Having had opportunity of waiting on the King yesterday, I presented the address transmitted by you from the Commissioners of Justiciary within the Shires of Invernes and Nairn, which his Maty received very graciously and returns his thanks for the same. And has ordered this to be signified to you

By

Sir

Your most humble Servant

Hyndfoord

The Earll of Seafield was lykways present at the Delyverie of your adresse

[To] Culloden

Lord Seafield's letter is "Culloden Papers" XXXVIII., the king assuring them of his protection "and that nothing will render them more acceptable to him than that they fall upon effectuall methods for secureing the peace of the countrey, and extirpating thefts and robberies; and he was very well satisfied when I informed him that the commission and Highland companies had allready been of very great use for these ends."

Alastair was not, however, without friends. Writing on 8th January 1702 to Culloden, Brodie of Brodie tells him

Yor freind Drummuir [Alexander Duff] is att great pains and travel in a

sordid and base protection of an arch robber. I doubt much if he would be att so much pains in ane honest bussines, he may glorie in his shame. . . . I can writt no more, being trulie in disposed, and labouring under my Lord Forbes (I cannot call it his dessires) temper that I am wearie of the world.

Lord Seafield, writing as Secretary on the same day from Whitehall to Lord Forbes, stated:—

I acknowledge I was instrumental in causing apprehend him, upon the account of the injury he did to your Lo. tennent and that he had the repute of being a common robber. I was also concerned in causing transmitt him to the North, to be tried by the Commissioners of Justiciary, and if he hath got a fair and just tryall I have nothing to say to it, though I own I have been solicited by several of my friends that his punishment may be altered from death to banishment. I have returned them for answer that I do not at all interpose in the latter but leaves it interely to the Lords of the Privy Council who can better enquire into the proceedings of his tryall and I hear the Councill has had that affair already under their consideration and have appointed a committee for that effect.

Alastair's petition to the Privy council is to be found in "Historical Papers" (1.24), together with the answer which was communicated to the Magistrates of Aberdeen, 21st January 1702, to the effect that the sentence of death was not then to be put in execution. The petition of the commissioners of justiciary to the Privy Council to reconsider this decision is also printed; and on 26th January 1702 Lord Forbes wrote from Castle Forbes to the Chan-

cellour after the commutation of the sentence, as appears by a copy of his letter sent to Culloden.

We have seen, at least its known to all, your Lops committing of the process to be revised and their report, as also the Councils approving thereof and ordering the Magistrates of Abd to see the sentence put in execution the day appointed, and likewise we have seen to the great grief and sorrow and amazement of all honest men an order recalling or revoking that. . . . There was never any thing that was done in Council will more weaken the hands of those that are truly and sincerely affectionate to the Government and are in prosecution of justice, neither could there anything happen that could more encourage such barbarities or give the enemies of the Government more reason to insult over us. . . . it is humbly supposed that the commutation will reach no further than as to the crimes already proven against him and that justice will not be impeded, seeing the procurator fiscall and the other parties injured intend yet to insist against him, yea even to the proving of several murders; in order to which he hath got an indictment for two barbarous inhumane robberies against a court to be held at Abd the 5th of March. . . . one of the crimes for which he is now endyted is for a most barbarous inhumane robbery, butchery and hamesucken done to a man of myne at my gate, in robbing him, mortally wounding him in five places, in tying man, wife and child and carrying away his horses and all that he had in his house to a considerable value. He was in a very good temper when he was expecting death and confessed all that was proven against him, and much more, tho' now he denies; neither did he ever want a minister by him that understood his own language.

The document ends by a request for the Council to take to their consideration what was written "and ordain that famous man to be kept at Abd till his tryall."

On the same day he wrote also to the Secretary and to the Lord Advocate. The letter to the Lord Advocate is not extant, but the answer is in "Historical Papers" (1. 27) wherein it was thought that the Council would not do anything to hinder the new trial. If there was any scruple that the prisoner, having been already condemned, could not be retried, the Lord Advocate was of opinion that "it is not worth the noticing."

On 16th February 1702 Lord Forbes wrote to Culloden from Castle Forbes that he was much hurried in making preparations for the new trial "and must say that without you I had not been able to do anything in this affair."

On the same date the Earl of Kintore wrote to [William Duff of] Dipple and others of the justiciary as follows:—

[Copy]

For
The Laird of Dipple
Keith Hall 16 feb. 1702

Sir

There being a necessity of giving a new inditment against Alaster More upon very great and atrocious Crimes and thither was some stop made by the Counsell of his executione at the time appoynted by the last Justiciary Court, notwithstanding of a true and full probatione made out upon him of severall great robberies and depredationes, and that the King's Majestie hes been applyed to for a Remissione to him wich he hes refused with this answer that he had not pardoned robbery or thefts in England or in Holland and would not begin with Scotland so that a new tryall is both fitt and necessary upon new grounds, wich is hoped shall be made out against him as

fully as before. Therefore its earnestly entreated you will be pleased to come to Abd the fyfth day of March which is appointed for the day of his tryall which as it will be a grait act of Justice in you to contribute your endeavours in punishing a person of so great Infamy and wickedness so must it be a great satisfactione to the Countrey to finde how ready you ar to protect them from all sort of oppresseion and the doing of this will likwayes singularly oblidge, Sir,

your Humble Servant

Kintore

On 20th February Lord Forbes was again at Aberdeen when he informed Culloden that

If all had been ready as I designed those papers I sent you last might have done, that is the witnesses might have been charged to the fyfth of March but by reason the indytments could not be got ready you see I am obliged to make it to the sixt.

Most of the witnesses lay nearer to Culloden than to Aberdeen, and Lord Forbes had the design of "coming to the countrey to see if I can have any influence upon them when things are so fair," that is influence upon the more important witnesses.

I give you no more trouble but begs in the mean tyme that cost what it will you will cause be using these witnesses and using endeavours to get them up.

I send you three score and ten copies for witnesses and six warrands for officials which I hope may doe the business I send you the copy of the indytment which consists as you'll see of above 30 crimes taking those that are complex wherein there was injury done to several persons. . . . I send you likewise a copy of my Lord Kintore's cir-

cular letter to the justiciars, I shall bring those of the north along with me.

The difficulty of producing the witnesses is brought out in a letter from Alexander Grant (younger of Grant) to Culloden dated from Urquhart 24th February 1702.

The Major is gone your lenth
he has brought three others that are charged with him so ye may examine them on oath and carry them along as ye find they may be usefull but ye may easily imagine the loss that poor tennants are at in goeing fourscore ten miles from there own houses this tym of the year, therefor since there will be enough proven other ways i would not desire there stay, I hope they may be dispensed with by my Lord Forbes to whom I would have writen had I been shure of his being in Inverness.

In a letter dated from Castle Forbes 27th February 1702 Lord Forbes expressed to "The Lady Colloden" his great appreciation of her husband's services in the matter and asked her, if he had gone, to expedite the sending of the witnesses so as to be at Aberdeen the 5th of March.

There are no other documents on the subject among the collections, to show what finally happened. J. Hill Burton in his "Lives of Lord Lovat and Duncan Forbes" (note page 39) states of Alastair Mor, that he "appears to have been in the end banished to the plantations by his own desire."



(8). MISCELLANEOUS—1702-1704.

William III. died 8th March 1701/2 regretted by many in Scotland. "We ow much to his memory," wrote Lord Seafield to Culloden ("Culloden Papers" XXXIX.), and the following letter from Sir Harry Innes is full of appreciation of the late king.

To The Laird of Colloden Thes

Sir

This expresse was coming west with a letter to Drummoor about a busnesse, I thought to have employed you to have dealt with him in, but immediately after the letter was wrotte, Collin Innes came in from Edinburgh who left that place on Fryday afternoon, and brought me first the news of my Brother in law Mackerstons [Macdougall of Makerston in Roxburgh] death and one of his children, which is a loss to his family and the rest of the poor young children, but alas for the sad news and the losse to Christendom by the death of our great and good King who dyed sabbath was eight days most Christianly and perfectly having communicatt the night before and spoke to the last and with his own hands in the last minut shutt his pleasant piercing eyes. All good protestants have cause to mourn, but I cannott express what I ought nor need I to you. Princess An was proclaimed att London the same day and Fryday last att Edinburgh about five aclock. All the forces are called back and things you may be sure in great confusion. Some enimies erected a bonfire of joy on Arthur seatt. The Councill by the Advocats advice spared dispersing them with the Forces. The occasion of the Kings death was a fall from his horse at hunting, he broke his collar bone and fell in a feaver took both flem and

cou[g]h, both which together soon did his turn. But I say no more on this subject. Only the Lord prevent what the nations deserve, and what we are justly threatened with att the tyme.

My Grandmother [Jean, daughter of James, Lord Ross of Halkhead] is bedfast since Sunday, I fear of a feaver; she has great drought heatt and a pain in her head. This she desired to acquainte her daughter [Culloden's wife] of yesternight. I am nott well myselfe and no wonder but still

Your affectionatt and humble servant

Harrie Innes

Mar: 17, 1702.

Since writting I find my grandmother has rested well last night and is better of all she complained of and is risen out of her bed just now.

A letter from Lord Seafield is in support of Queen Anne.

To the Laird of Culloden

Whitehall Aprile 7th

1702

Sir

I wrote to you lately and I have now written to some others of our friends, I doe expect that you will use yor interest with such as you can have influence upon not to engage themselves in pairties, but that they come up to parliament with resolutions to act what is truely for the interest of the Countrey which I am sure is to support the Queen's government which under God will preserve to us our Religion laws and liberties. After her wee have no view or prospect of any thing but confusion but if wee live in peace and quiet for some time wee may by the Providence of God come to some further settlement, I shall mind Burdsyard's pretensions which I doe truely think are just, the only difficulty is that there are so many that are putting in

for places in those new Levies but this I assure you however it goe I shall doe my pairt, I intreat that you may be some dayes att Edinr. before the meeting of the Parliat. that Wee may speak fully together, & now shall only add I am Sr yor affectionat humble servt

Seafield.

"Burdseyards" was son-in-law to Duncan Forbes. The marriage is entered in the parish register of Forres, he Robert Urquhart of Burdsyards, younger, and she Marie Forbes, daughter of the laird of Culloden. Some letters from him will appear hereafter. At this date he was first lieutenant (commission dated 24th June 1701) in Colonel Archibald Row's Regiment (Royal Scots Fusiliers), and on 16th September 1703 had a company in the regiment of Lord Strathnaver, who succeeded as Earl of Sutherland, 4th March 1703.

A letter of 23rd September 1702 is from Lord Findlater (James, third Earl), father of the more famous first Earl of Seafield. It is apparently intended for Culloden who, having represented Inverness-shire in Parliament (and latterly with Grant of Grant) from 1689 till 1702 was standing again for that constituency. Lord Findlater had sent a letter for "my relation the Laird of Mackintosh. . . . in your favour which you may read and seale with some fancie and then deliver to him." Culloden, however, was not successful, but represented Nairnshire from 1702 till his death, Hugh Rose of Kilravock being the other member.

There is a blank in the correspondence till 1st March 1704, when the following unsigned and confidential communication appears without address or endorsement. The matters touched upon are well known, as also the part played by Simon Fraser of Beaufort in the plot, which ultimately became a matter of party politics rather than of value to the exiled court.

Edr. 1st March 1704

Mr Baillies [David Baillie] tryall befor the Councill on Thursday last was attended with the greatest croude of people that has been observed on any suche occasione partly out of curiostie to sie how Duke Hamiltoun who was adduced as witnes should be treated Bot Mr Baillie by the advyce of his lawiers prevented that by his owning the letters And as to Mr Baillies doom of infamy banishment and pillory It is thought it will be mitigat or the executione thereof delayed for some tyme which some people thinks may resolve into a remission or off takeing of the sentence as to the hardest points of it Because it was strongly pled for him that he ought not to have been tryed till the Lords Comptrs. were present, because their Lordships might possibly acknowledge the questiones put be them to Mr Baillie to have ben out of dewtie by simulating there being in the secreet that thereby he might be induced to make a plaine discovery as all magistrats and judges use to doe by way of expiscation in maters of hidden willainies and consequently if Mr Baillie should be found to have bot mistaken the Lords their designe his cryme was the less And albeit the above argument was fairly presst in order to a delay by M. D. F. yet both himself and others alwayes feared there wold be too much of ane affected mistake found on Mr Baillies parte Because of the flattnes of his letters which tho printed with Mr Baillies defences yet my master being alwayes against the printing of them as a step that might tend to farther publication and defamatione on all hands I cannot adventur to send you the said print. It is trew my master was taken up somewhat sharp by the Queens advocat for pleading that Baillies tryalls haveing some contingencie with the plot

should be superceeded till the parliament had all under their consideration rather then that matters should be brock in upon at a broad syd Bot he was allowed to plead out without interruption And no more happened.

And as to the plott itself the storie of it these three months by past hes changed many shapes and now at last and notwithstanding the Duke of Athols narrative thereof as to what consisted with his knowledge [William] Keith of Ludquhairne, [Colin Campbell of] Glenderule and Sir John Mclean [of Morvaren, fourth baronet] as they say have now made clean breasts tho with some prevarication on Keiths parte for whiche the Committie of the house of peers have declared him unworthie of the Queens favor tho he threw himselfe upon her mercy. And he with Mr [Robert] Ferguson and some others are committed close prisoners with denyall of paper pen or ink etc. And all the effects of their discovery for any thing that yet appears with us is that two gentlemen of the name of Murray Captaines one a brother of Abercairnies [John Murray] and the other brother to Stenhope [James Murray] are intercommoned and 500 lib. sterline of reward promised to any who shall sease them or either of them dead or alyve. Bot what there part in the plot is not known.

Mynd that what I wryt most be to your self alone other wayes will I never trouble you againe efter this fashioun

Another similar document but undated as well as unaddressed belongs to this period, and also concerns the plot.

Ther is nothing I am worse at then wryteing of Newes. However not only the report, bot some say pregnant documents found out alsweell here as at court, warrands people to say that a formed designe of ane insurrection in Scotland for joyning ane invasion from

France with the first opportunity of the season of the year is plainly found out.

Item, that albeit it is said the Highland Association latly subscrivit was in refferance to the standing by a successor seperat from that of England, yet it is now discovered to have had a tendancie towards the owning of a new soveraigne imediatly from France.

Item, tho [George] McK[enzie] and [Neil] McLeod, Lieutenant of the foot guards were very long a comeing to a confesion befor the committy, by reasone of McLeod's frequent faintings when sisted befor the Lords, yet ther confesiones were yesternight fully made and sent to court, upon which and in conjunction with what discoveries coincident with theirs have been alreedy made at court by Sir John McLean (with whom it is thought it will goe hard) Glenderule and others, wise people here perswad them selves there must be a sudden change of some court ministers, specially those accused be Queensberry, amongst whom are some of your friends on your north syde, alsweell as those by whom ye come in your highland way to this place.

Item, tho the Justice Clerke [Roderick Mackenzie of Prestonhall] owned a letter in figurs put into my Lord Advocates [Sir James Steuart] hands to be comunicat to the counsell, as if that way of wryting were the course of his correspondence with his brother now these many yeirs, yet his lordship's Key is said not to have oppened the meaning, besyd that David Lindsayes figured letters that were in hand the tyme of parliament, are said to be deciffered in England, and in every thing confirmeing the discovery that is now made.

Item, orders are issued for apprehending a multitude of people, some great, some small, in Scotland, and the mater seems to be so universal or generall, that it will be saiffer to let it fall then prosecute it.

Duncan Forbes of Culloden died in June 1704 and there is a letter from the Earl of Sutherland ("Culloden Papers" CCCLXVIII.) in which he states that his death was not only "a loss to his relations and friends, but to all honest men and his country at this juncture."

Another letter from the Earl has, however, been preserved which shows a very real intimacy with the new laird.

For The Laird of Colloden att Colloden
Dornoch 23d June 1704

I have just now received yours Dear Sir of the 22nd instant and am only sorie that you did not know me better then to imagine that I wanted a letter to write me to your father's interment, the obligation I lay under to him & respect I had for him, made me think it a duty I could not dispense with to show that last mark of my respect of seeing that Worthy Patriots corpes in the grave, if it please God I will be at Invernes Wedsendays night next, nothing rejoyces me more than to hear that Innes & you are chose for Murray & Nairn, I am just now waiting upon the corpes of a very honest woman to be buried, not having a mind to keep your servant I have written this confused scribble and am with a great deal of sincerity

Dear Cousin

Your Most affectionat humble servant

Sutherland

Lett this present my most humble & unfeigned respects to the best of women your Worthy Mother whom God console & your deserving Lady and the rest of my kind friends of your family, I am now remembering all your healths in a drink, Soe dear Johnie Adieu.

Excuse paper pen & ink and all other excuses this being written in a great hurrie

Corrections to the Original
"Culloden Papers"
(1626-1704).

(I. TO XXXIX. AND ADDENDA
CCCLXVI. TO CCCLXVIII.).

Every document found which was made use of in 1815 has been compared so far as possible with the printed volume. Slight variations of spelling have been ignored. The references are to the actual body of the document concerned, unless otherwise stated. All documents are holograph or autograph, except as marked.

I. [Copy.]

- Line 10 for "your subjects" read "your poore subjects"
- Line 11 for "ane civill kingdome" read "anie civill kingdome"
- Line 15 for "with unjust extremitie" read "the unjust extremitie"
- Line 15 for "as are members" read "as an member"

II.

Endorsed:—Ane Lre direct to the borue of Invernes by Pa. B. of Ross quho being at Court for the tyme as commissioner for the kirk of Scotland.

- Line 6 for "yourselves" read "you he hes"
- Line 8 for "Kinclewin" read "Kinclawin."
- Line 16 for "serviceable" read "stede-able"

III.

Endorsed:—To the bruch of Invernes ane lre directed to Sir Wm. Alexander of Menstrie Knyt secretarie to his Matie for the Kingdome of Scotland.

It is addressed to the bailies of Inverness and is dated from Whitehall 18 March 1626.

Line 6 for "the Prince" read "his Prince"

Line 8 for "instantly" read "justlie"

Line 14 for "the provest" read "yor provest"

Line 20 for "that subject" read "his part"

Line 24 for "Judge for your greevances" read "Judge or the Commissioners for the greevances"

IV.

Line 18 for "neglakt nothing quhilk you shall desyre" read "inlake [deficient of] nothing quilk shee shall desyre."

V.

This document has not been found.

VI.

Addressed to the "Lord Marquis of Argyle or in absence of his Lo: for the Richt Honoll, The Lords and uthers of the Committee of Moneys." The date is 14 June 1646.

Line 5 for "and has bene" read "and has shewne"

Line 12 for "Committees, and by" read "Committees hands for"

VII.

The covering letter which accompanied this is given in text (page 91).

Signatures:—For "Robert Cargie baillie" read "Robert Baillie, baillie."

For "M. Cuthbert 2 baillie" read "Al. Cuthbert, baillie."

For "J. J. Dunbar" read "J. Dunbar."

VIII. [Printed Copy.]

Last line but one there is a blank where the word "people" appears.

It was printed at Edinburgh "by Ewen Tailzior printer to the King's most excellent Majestie 1650."

IX.

This document has not been found.

X.

Heading:—For "Duncan" read "John."
Line 5 for "and about" read "going about"

XI.

Endorsed:—Protection Gen. Monk 1651.

XII.

Last line but one for "Ladie Arderleer" read "Ladie Arderseer"

XIII.

See page 134, etc.

XV.

Line 5 for "to him" read "be [by] him"

XVII. (Copy).

Heading:—for "and Lord Herell" read "and Lorne, hered[itary]"

Line 10 for "our undertaking" read "our present undertaking"

Line 12 for "the grant and personal" read "queat [quiet] and peceable"

XIX.

Line 19 for "it I am" read "it but I am"

XX.

There are two copies or parts of copies of this document which is endorsed:—Information to the K anent the peace of the coun-
trey 1691.

Page 16, eleven lines from the bottom of the page where the words "constant President" occur there has been written in the margin

Its trew that the mater of the constant pres. sticks with that people yet, but the parl. wes so weill [blank] with other things that past that the members were easily induced not to put this anent the constant p. to the vote until they should know that the K wes satisfied anent it.

Page 17, line 7 of second paragraph, for "Kilchume" read "Kilchurne"

Line 13 of fourth paragraph, for "com-
ander" read "comander-governor"

Page 18, line 6, for "buy armes" read "buy
30 or 40 thousand stand of armes that
if need require ther may be armes where-
with to arme such as out of affection
will ryse in the common defenco"

Line 7 for "as to the" read "and this
proposal in a part answers the"

XXI.

This is a copy.

XXII. to XXVI.

These 5 documents have not been found.

XXVII.

Line 6 for "Islandonaw" read "Island-
onan"

Line 8 for "send one, two, or 300" read
"send out 2 or 300"

Line 32 for "people" read "selfe"

XXVIII.

This document has not been found.

XXIX.

This is a copy.

XXX.

It is addressed to Culloden at Bunchrow.

XXXII. and XXXIII.

Not found.

XXXIV.

For this letter from Colonel Hill, dated 2nd November 1690, see page 212.

XXXV.

Not found.

XXXVI.

Addressed:—Lt. Collonell Forbes of Brigadier Maitland's Regiment now at Inverness.

Line 10 for "Clerks, were" read "Clerks houses"

Line 21 for "Pett Streets" read "Pett Steels"

XXXVII.

Endorsed:—Letter Argyll.

CCCLXVI.

Part of this document has not been found.

Page 320, line 5 for "interraign" read "interigue"

Page 324, line 16 for "instancies" read "irritancies"

Page 328, line 24 for "Matie, But" read "Matie, for"

Page 328, line 30 for "there, with him he" read "there with him. He"

CCCLXVII.

There are 4 copies of this document which differ very slightly from one another.

The first is endorsed:—Memorandum ament & against Tarbat 1701.

The second is endorsed:—Memorandum ament T. 1701.

The third is endorsed:—Memorandum ament Tarbat & the Crown Rents of Ross 1701.

The fourth is endorsed:—Memorandum ament T. & W. Steven 1702.

Page 334, line 26, for "knowes when" read "knowes where"

Page 334, lines 27 and 28, for "sterling out of" read (according to one copy) "sterling for life out of"

Page 334, line 28, for "received £24,000 Scots" read (according to one copy) "received preceding Martinmas 1700 £24,000 Scots"

Page 334, line 30, for "700 merks of money" read "1700 merks money yearly"

Page 334, line 36, for "7000l." read "7000l Scots"

Page 335, line 2, read "ten merks per boll (*communibus annis*) for he does no less for the rest of his estate; "inde"

Page 335, line 5, for "allover" read "attour." After the word "jurisdiction" substitute a comma for the full stop, and add "ane invidious advantage to one who sought no more of this Government but mercy." One copy ends at this point with the words, "whether the chaplainrie be distinct from any thing set down here or not I cannot tell"

Page 335, line 10, for "has done" read "had done"

Page 335, line 11, for "repute as he is" read "repute as Tarbat is"

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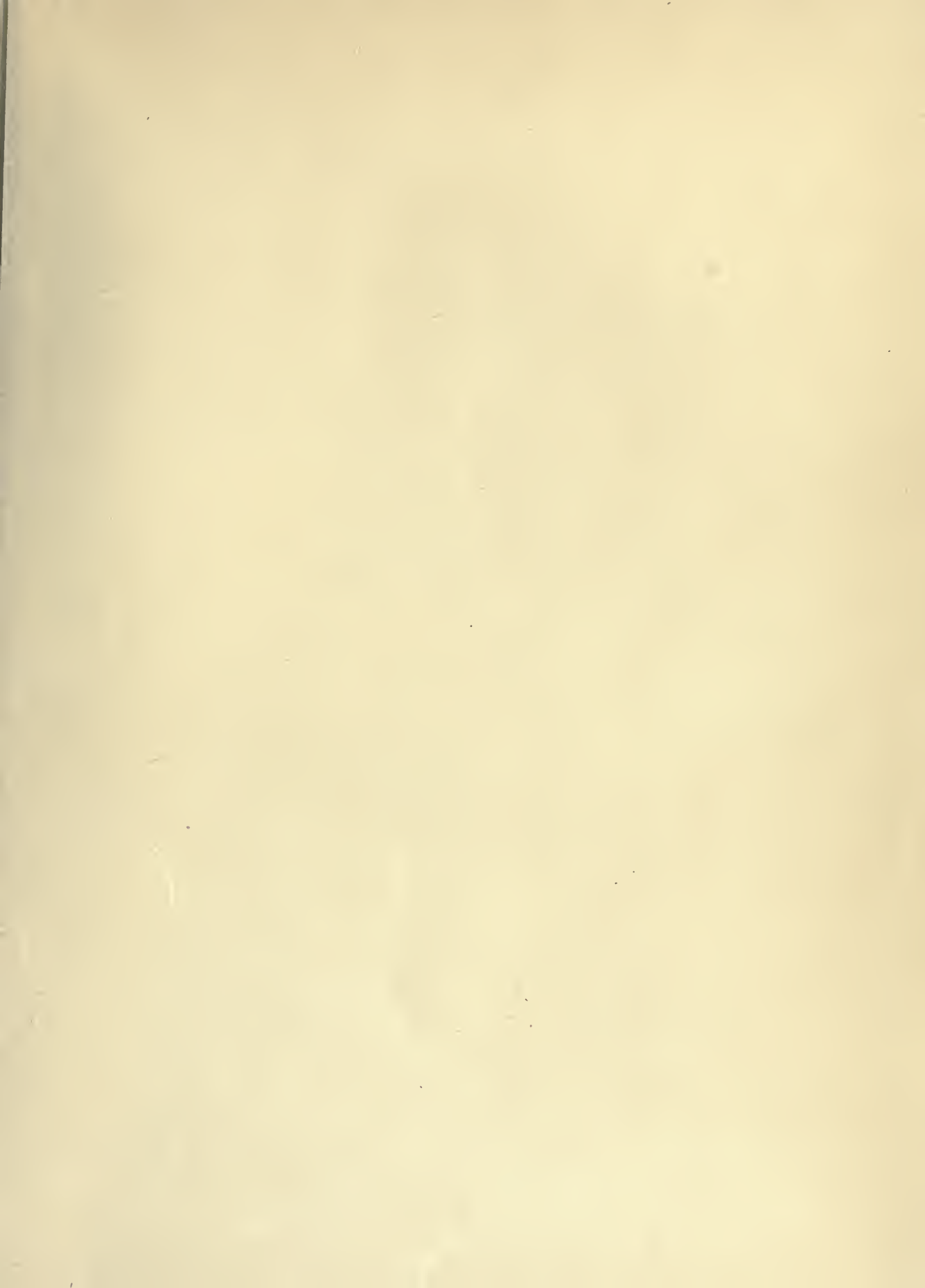
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