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HISTORICAL MANUSCRIPTS COMMISSION.

(FIFTEENTH REPORT, APPENDIX, PART VIII.)

THE
MANUSCRIPTS

OF HIS GRACE THE

DUKE OF BUCCLEUCH AND QUEENSBERRY, K.G., K.T.,

PRESERVED AT

DRUMLANRIG CASTLE.

Vol. [] - 2

Presented to both Houses of Parliament by Command of Her Majesty.

2 vol. in 1



162260.
27.8.21.

LONDON:

PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C., and
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HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.

1897.

[C.—8553.] Price 1s. 4d.

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THE MUNIMENTS OF HIS GRACE THE DUKE
OF BUCCLEUCH AND QUEENSBERRY, K.T.,
IN THE CHARTER ROOM OF DRUMLANRIG
CASTLE, IN THE COUNTY OF DUMFRIES.

Between the year 1388 when William Douglas was provided to the barony of Drumlanrig and the present year 1895 when his lineal heir and representative, on the female side, His Grace William-Henry Douglas-Scott, Duke of Buccleuch and Queensberry, possesses the barony, upwards of five hundred years have elapsed. During these five centuries Drumlanrig has been successively held by no less than eighteen generations in this line of descent. These have been so successful in their acquisition of other baronies and territories within the county, that a historian of the time of William, first Marquis and Duke of Queensberry notes that the landed estates which were erected into the Dukedom of his Grace were of prodigious extent. The peerages also which were created in favour of successive owners of the Drumlanrig estates were rapidly progressive from the humble baron to the higher titles in turn of Viscount of Drumlanrig, Earl of Queensberry, Marquis of Queensberry, and finally Duke of Queensberry.

In one instance, that of James, second Duke of Queensberry, commonly known as the Union Duke, from his zeal and ability in carrying through the Union between Scotland and England, for his services in this connection had another Dukedom, Marquisate, and Earldom added to the Dukedom and Marquisate of Queensberry which he inherited. He was created in 1708 a British peer by the title of Duke of Dover, Marquis of Beverley, and Earl of Rippon. His younger son, Charles, who succeeded him as third Duke of Queensberry, had also additional honours conferred upon him. He was in 1706 created Earl of Solway, Viscount of Tibberis, and Lord Douglas of Lockerbie, Dalveen, and Thornhill. His present representative, the seventh Duke of Queensberry, also inherits the Dukedom of Buccleuch.

With such a long line of ancestors and so many titles and territories to deal with, it would be out of place in a mere Report on historical documents which the Queensberry family have acquired from time to time, to enter into any minute biographical details of the successive heads or members of the Douglasses of Queensberry. Necessary explanations, however, will be given on particular historical points and also on documents of special historical interest which emerge in the course of the Report.

The Douglasses of Drumlanrig are a branch of the illustrious house of Douglas, Earls of Douglas. The barony of Drumlanrig before being acquired by William Douglas was an outlying territory of the still more ancient family of Mar, Earls of Mar. The extensive estates of the Earls of Mar lay chiefly in the Mar country and the Garioch, both in the county of Aberdeen. But the barony of Drumlanrig was also their

property. Thomas, Earl of Mar, the last of the male line of his family, was closely connected with William Douglas, the first Earl of Douglas. Thomas, Earl of Mar, had no children to succeed to his title and vast estates. William Douglas was married to Margaret of Mar, his only sister. On Mar's death, Douglas, his brother-in-law, succeeded by a special provision made by the former to the title of Mar. He also received with his wife the whole lands of the barony of Drumlanrig, and obtained a charter from King David the Second, confirming to him the barony of Drumlanrig. After the death of Thomas, Earl of Mar, the Earl of Douglas was designated William, Earl of Douglas and Mar, in numerous charters by the Crown to which he was a witness. William, first Earl of Douglas and Mar of the Douglas line, died in the year 1384, leaving Margaret of Mar, Countess of Douglas, his widow, and one son and one daughter. The son became James, Earl of Douglas and Mar in succession to his father, and in the lifetime of his mother. It was this James, Earl of Douglas and Mar, who was the hero of the famous battle of Otterburn or Chevy Chase in 1388. On his death at that battle he left two sons. He provided the barony of Drumlanrig to the elder son William, and the barony of Cavers in the county of Roxburgh to his second son, Archibald. The feudal writs by which the barony of Drumlanrig was acquired from the last Earl of Mar of the old line by William, Earl of Douglas, are still preserved in the charter room of Drumlanrig, and are here specially reported on as truly historical documents. They figured in the House of Lords as vital documents in the keenly contested claims to the title of the Earl of Mar made by Walter Coningsby, Earl of Kellie, as heir male of the Erskine family, and by Mr. Goodeve Erskine as heir of line. A leading member of the English Bar, Sir Roundell Palmer, afterwards the distinguished Lord Chancellor, Earl of Selborne, was counsel for Mr. Goodeve Erskine. In the printed case lodged by that gentleman, and bearing the name of Sir Roundell Palmer, it was stated without qualification that Margaret of Mar, the sister of the last Earl of Mar, was succeeded in the Mar title by her only son James as Earl of Mar. This alleged fact was at the foundation of the claim that the heiress of the Mar line inherited the Mar title and transmitted it to her son on her death.

The important documents here reported on establish the fact that instead of predeceasing her husband, William, first Earl of Douglas, she survived him and married as her second husband Sir John Swinton of Swinton, while her son having survived his father inherited the two titles of Douglas and Mar. These facts were clearly established when the Drumlanrig charters in question were produced in the House of Lords.

The earliest known mention of the barony of Drumlanrig is in the time of King David the Second in a charter granted by that Sovereign to William, Lord of Douglas, of the lands which belonged to James, Lord of Douglas, his uncle, and Archibald of Douglas, his father. This charter is dated 12 February 1354. Among the lands which it enumerates as transmitted to William, Lord of Douglas, from these two progenitors are the lands of the barony of Drumlanrig.* This was during the Mar proprietorship of the lands. The Mar Burn, Mar Park, and other similar local designations, are traces of this ownership which have come down to the present day.

There is not, however, so far as known, any trace of a Manor, Mansion-house, or Castle erected in the barony of Drumlanrig at so

* The Douglas Book, Vol. III., p. 360.

early a period as that now named. The earliest mention of the Castle of Drumlanrig is on 29 May 1429 in an Indenture made at Myddilham between William of Douglas, Lord of Drumlanrig, and William of Douglas, Lord of Leswalt. By the terms of this Indenture, which is printed in this Report (No. 5), the latter was to deliver to Douglas of Drumlanrig the Castle of Drumlanrig which he held from him for the period of ten years. But Douglas of Leswalt was to have free use of and entry into the Castle, with many or few, whatever time he desired; and Douglas of Drumlanrig had the same liberty accorded him with reference to the Castle of Lochinall (Lochnaw) belonging to Douglas of Leswalt. By this arrangement it is evident that Drumlanrig Castle had not for a number of years at least been used by Douglas of Drumlanrig as a residence. Perhaps it was too near to the fortified Castle of Tibbers, which was situated in the immediate neighbourhood in the Park of Drumlanrig and was one of the watch towers of the ancient family of Dunbar, Earls of March, Wardens of the Marches. Tibbers was at this time in the hands of the Maitland family as the representatives of the Dunbars, and it required protracted negotiation on the part of the Douglasses of Drumlanrig to acquire possession of it.

Sir William Douglas, first of Drumlanrig, inherited the martial spirit of his Douglas ancestors. His life was one of great activity from the time of his obtaining the barony of Drumlanrig in 1388 down to his death when fighting against the English in France in 1427. He signalised himself especially in 1411, in the taking, plundering, and burning of Roxburgh, then in the hands of the English. In 1412, he was appointed one of the Commissioners to treat for peace with the English, when a truce which was to last for six years was arranged. He was also one of the ambassadors commissioned by Albany, as Regent, to negotiate with King Henry the Fourth for the release of King James the First, at the time a prisoner in England. Between 1412 and 1416, he repeatedly proceeded to the Court of England on this business. He was held in much esteem by King James, and on one of those occasions he obtained from him a very remarkable charter confirming to him the lands of Drumlanrig, Hawick and Selkirk. The charter which is on vellum, and is dated at Croydon 30 November 1412, bears to be all written with the King's own proper hand.* George Crawford in his *Peerage of Scotland*, who gives the charter in full, says, it is "the very finest I ever saw."

In 1417, when the English party under the leadership of Sir John Oldcastle endeavoured to get the Scots to invade England during the absence of the King of England in France, it is alleged that William Douglas was approached on the subject at Pontefract, and promised a large amount of gold if he succeeded in bringing about the invasion. A raid, known as "The Foul Raid," was made into England, but it was abandoned before anything was accomplished.

In 1420, Sir William Douglas visited King James in France. But there is nothing to shew that he fought against the English at that time. He, however, seven years later, fell in fighting against them at the battle of Agincourt.

Sir William Douglas was succeeded in Drumlanrig in 1427 by his son, also William Douglas, and a man of arms. William Douglas of Drumlanrig was in the same year sent to England as one of the hostages

* A facsimile of the charter is given in "The Scotts of Buccleuch," and in "The Douglas Book."

for King James the First. He joined the Earls of Douglas and Ormond, and took part in 1448 in the sanguinary conflict with the English, near the river Sark in Annandale in which they defeated the English. He was succeeded at his death in 1458 by his son the third William Douglas of Drumlanrig, who was also a man of arms. He distinguished himself at the siege of Roxburgh in December 1460, when King James the Second was killed by the bursting of a cannon. He was also actively engaged in the relief of the French garrison at Alnwick in 1462, although the English army commanded by King Edward the Fourth in person was twice the number of the force under Angus. William Douglas died in 1464, and was succeeded by his son Sir William Douglas, the fourth of Drumlanrig, who was killed at the battle of Kirkconnel in Dumfriesshire in 1484 when fighting in the royal army repelling the invasion of Scotland by the Duke of Albany and the Earl of Douglas. His son and successor, James Douglas appears to have led a quieter life during his inheritance of Drumlanrig from 1484 to 1498. Sir William Douglas, his son, sixth of Drumlanrig was the first of the barons who made extensive additions to the landed possessions of the family. These include, among other lands, the baronies of Tibbers and Hawick acquired by him in 1509 and 1511 respectively. He also obtained in 1492, in the lifetime of his father, a crown charter of the barony and castle of Drumlanrig. The charter contained a clause reserving to James Douglas, his father, the frank tenement or liferent of the barony and castle. He fell at the battle of Flodden on 9 September 1513.

His son, Sir James Douglas, was the seventh baron of Drumlanrig. His long life of eighty years was an active and stirring one both in the public service, and in his private affairs. He was knighted in or about 1550 by the Duke of Chatelherault, as Regent of Scotland, who also in 1553 appointed him guardian of the West Marches, with powers of Justiciary and the use of the Castle of Lochmaben during his wardenship. He conducted the affairs of that important office for many years with great wisdom and discretion. He was one of the Barons who subscribed the Book of Discipline at the Convention of Estates in 1561. He was at the battle of Langside under the Regent Moray in 1568. He visited and had conference with John Knox when on his deathbed in 1572. He had a large family of sons and daughters. His eldest son William Douglas, who had the territorial title of "Hawick," predeceased his father in the year 1572, leaving a son, Sir James Douglas, the eighth baron of Drumlanrig, who succeeded his grandfather, Sir James Douglas in 1578.

In the year 1571, William of Hawick and his father, Sir James, had some controversy with the Laird of Wormeston, who, by the connivance of Lord Herries, captured old Sir James, then verging on eighty years of age, and his son William had a narrow escape of being captured also. Calderwood, the historian, in his history of the year 1571, has an account of the capture of Sir James Douglas on Saturday the 23rd of June. The historian says, "Old Dumlanrig was taken as he was riding home for some bussinesse betwixt him and the Lord Hereis, and others who were at varaince. The Lord Hereis appointed to meete him at the same place where the Laird of Wormeston lay waiting for him. Young Dumlanrig and Applegirth escaped narrowlie."* In a footnote it is added, "Old Dumlanrig not being certain whether his son had escaped or not sent to him the following singular epistle:—

* Calderwood's History of the Kirk of Scotland, Vol III., p. 105.

Sanquhar from William, first Earl of Dumfries. When King James the Sixth visited Scotland in 1617 he was entertained at the Mansion of Drumlanrig.

Sir William was in favour with King Charles the First as he had been with King James the Sixth. Ten years after his entertainment of King James the Sixth, King Charles the First, soon after his succession, raised Sir William Douglas to the peerage under the title of Viscount of Drumlanrig, Lord Douglas of Hawick and Tibberis, to him and his heirs male by patent dated at Whitehall, 1 April 1628. Among other peerages which King Charles the First created when he visited Scotland in 1633, he was pleased to advance the Viscount of Drumlanrig to be Earl of Queensberry, by patent dated at Seton, 13 June 1633. According to a practice at the time of taking the name of titles from mountains, the new title of Earl of Queensberry was taken from the high mountain of that name situated in the parish of Closeburn and county of Dumfries, and from its summit splendid views of Nithsdale and Annandale and surrounding districts are obtained. Situated in a chain of mountains, it has been called the "Queen Hill" of the district, although it is not quite so high as the neighbouring mountains of Hartfell, which was one of the titles of the first Johnstone Earl of Annandale.

The Earl died on 8th March 1640. He was succeeded by his eldest son James, second Earl of Queensberry, who added largely to the family estates by purchasing the lands of Kininmont, Locharwood, Cummertrees and many others, and the patronages of the parish churches of Morton, Kirkmichael, Kirkbride, Glencairn, Durrisdeer, Tynron, Garvald, Cummertrees, Ecclesfechan, Terregles, Lochrutton, Kirkbayne, Colvend and Carlaverock.

This second Earl of Queensberry was the father of William, the third Earl of Queensberry, who was created successively Marquis of Queensberry and Duke of Queensberry. He held very high offices under King Charles the Second and King James the Seventh, and his eldest son James, second Duke of Queensberry and first Duke of Dover was, as already stated, commonly known as the "Union" Duke. The succeeding Dukes of Queensberry down to the present Duke, who is also Duke of Buccleuch, are matter of history, and do not require to be particularly noticed in this first Report. The Muniments relating specially to the first Duke of Queensberry and his successors will require a Second Report.

HEAD FIRST.—ROYAL and other CHARTERS transferring the BARONY of DRUMLANRIG from the EARLS OF MAR to the EARLS OF DOUGLAS. 1357—1429.

1. CHARTER by David the Second, King of Scots, to William, lord of Douglas, knight, of all lands in which James, lord of Douglas, his uncle, and Archibald of Douglas, his father, died infest; and also the barony of Drumlangryg, according to the charter by Thomas, Earl of Mar, and Margaret, his spouse, to the said William. 13 November, [1357].

David, Dei gracia Rex Scottorum, omnibus probis hominibus tocius terre sue, clericis et laycis, salutem. Sciatis nos concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro, Willelmo, domino de Douglas, militi, omnes terras, redditus et possessiones vniuersas cum pertinenciis, per totum regnum nostrum, de quibus Jacobus, dominus de Douglas, auunculus suus, et Archibaldus de

Douglas, pater suus, milites, obierunt vestiti et saysiti vt de feodo, secundum tenorem cartarum eis inde confectarum: Tenendas et habendas eidem Willelmo domino de Douglas et heredibus suis, de nobis et heredibus nostris, in feodo et hereditate, per omnes rectas metas et diuisas suas, adeo libere et quiete, plenarie, integre et honorifice, cum omnibus libertatibus, commoditatibus, aysiamenis et iustis pertinenciis suis quibuscunque, sicut carte sine litere eisdem quondam Jacobo domino de Douglas, auunculo suo, et Archibaldo de Douglas, patri suo, plenius proportant et testantur. Confirmauimus eciam eidem Willelmo domino de Douglas per presentem cartam nostram omnes terras baronie de Drumlangryg cum pertinenciis, tenendas et habendas eidem Willelmo domino de Douglas, et heredibus suis, adeo libere, et quiete, plenarie, integre et honorifice, cum omnibus libertatibus, commoditatibus, aysiamenis et iustis pertinenciis suis, omnibus et singulis, sicut carta dilecti consanguinei nostri, Thome, comitis Marrie, eidem Willelmo domino de Douglas et Margarete, sponse sue, consanguine[e] nostre inde confecta, plenius proportat et testatur. In cuius rei testimonium presenti carte nostre sigillum nostrum precepinus apponi: Testibus, venerabilibus in Christo patribus, Willelmo, Willelmo et Patricio, ecclesiarum Dei gracia episcopis Sancti Andree, Glasguensis et Brechynensis, Roberto senescallo Scocie, comite de Stratherne, Patricio de Dunbarre comite Marchie et Moraue, consanguineo nostro, Willelmo de Leuyngstoun et Roberto de Irskyn, militibus, in consilio nostro ibidem tento, tercio decimo die Nouembris, anno regni nostri vicesimo octauo. [Seal wanting.]

Translation of the foregoing charter.

David by the grace of God King of Scots to all good men of his whole land, clergy and laity, greeting: Know ye that we have granted and by this our present charter confirmed to our beloved and faithful William, lord of Douglas, knight, all the lands, rents, and whole possessions, with the pertinents, throughout our whole kingdom, of which James, lord of Douglas, his uncle, and Archibald of Douglas, his father, knights, died vest and seized as of fee, according to the tenour of the charters thereupon made to them: to be held and had by the same William, lord of Douglas and his heirs of us and our heirs in fee and heritage, by all their right boundaries and divisions, as freely and quietly, fully, entirely and honourably, with all their liberties, commodities, easements and just pertinents whatsoever, as the charters or letters to the same deceased James, lord of Douglas, his uncle and Archibald of Douglas, his father, more fully bear and testify. We have also confirmed to the same William, lord of Douglas, by our present charter all the lands of the barony of Drumlangryg, with the pertinents, to be held and had by the same William, lord of Douglas, and his heirs as freely and quietly, fully, entirely and honourably, with all their liberties, commodities, easements and just pertinents, all and several, as the charter of our beloved cousin Thomas Earl of Mar made thereupon to the same William, lord of Douglas, and Margaret his spouse, our cousin, more fully purports and testifies: In witness of which thing we have commanded our seal to be put to our present charter before these witnesses, venerable fathers in Christ, William, William, and Patrick, by the grace of God bishops of the churches of St. Andrews, Glasgow and Brechin, Robert, Steward of Scotland, Earl of Stratherne, Patrick of Dunbarre, Earl of March and Moray, our cousin, William of Leuyngstoun and Robert of Irskyn, knights; in our council held in the same place on the thirteenth day of November, in the 28th year of our reign.

2. CHARTER by James, Earl of Douglas, to William of Douglas, his son, of the barony of Drumlangry, [1384-1388.]

Omnibus hanc cartam visuris vel audituris, Jacobus, comes de Douglas, dominus Vallis de Lydaff et baronie de Drumlanryg, salutem in Domino sempiternam. Noueritis nos dedisse, concessisse et hac presenti carta nostra confirmasse Willelmo de Douglas, filio nostro, pro homagio et seruiicio suo, omnes terras nostras tocius baronie nostre de Drumlangryg predictae, infra vicecomitatum de Drumpfres : Tenendas et habendas omnes dictas terras prefate baronie cum pertinentiis eidem Willelmo et heredibus suis de corpore suo legitime procreandis, quibus deficientibus Archebaldo de Douglas, filio nostro, et heredibus suis de corpore suo legitime procreandis, de nobis et heredibus nostris, in feodo et hereditate imperpetuum, per omnes rectas metas suas et diuisas, in boscis et planis, pratis, pascuis, et pasturis, in moris, marresiiis, viis et semitis, aquis et stagnis, venacionibus, aucupacionibus et piscacionibus, molendinis, multuris, curiis, escaetis et curiarum exitibus, cum bondis, bondagiis et natiuis, et liberetenentium seruiiciis, cum socco et sacca, tolle et theme, et infangandtheffe, et cum omnibus aliis libertatibus, commoditatibus, aysiamentis ad omnes dictas terras tocius baronie predictae pertinentibus seu quoquomodo pertinere valentibus in futurum, adeo libere et quiete, bene et in pace, sicut nos vel aliquis predecessorum nostrorum dictas terras cum pertinentiis aliquo tempore tenuimus vel tenuit, sine aliquo retinemento imperpetuum, regalitate eiusdem nobis et heredibus nostris reseruata. Volumus eciam quod in casu, quod absit, si prefati Willelmus vel Archibaldus absque heredibus de corporibus suis vt predictum est decedant, quod omnes dicte terre cum omnibus suis pertinentiis nobis et heredibus nostris reuertantur. Faciendo inde nobis et heredibus nostris predictus Willelmus et heredes sui predicti, quibus forte deficientibus, predictus Archebaldus et heredes sui prefati, seruiicium vnus militis in exercitu nostro, nomine albe firme tantum, pro omnibus aliis seruiiciis secularibus, exactionibus vel demandis que de dictis terris aliquid exigi poterit vel requiri. Nos vero Jacobus, comes predictus et heredes nostri, omnes dictas terras cum omnibus suis pertinentiis predicto Willelmo et heredibus suis predictis, quibus deficientibus eidem Archebaldo et suis heredibus prefatis, in omnibus prout suprascriptum, contra omnes homines et feminas warrantizabimus, acquietabimus et imperpetuum defendemus. In cuius rei testimonium huic carte nostre sigillum nostrum fecimus apponi ; hiis testibus, dominis Archebaldo de Douglas, domino Galwidie, Jacobo de Douglas, domino de Dalketh, Jacobo de Lyndessay, domino de Crawford, Willelmo de Lyndessay, Roberto Coluyle, Willelmo de Borthewyk, consanguineis nostris, militibus, Adam Forstere, Adam de Hopyringiff, Alano de Lawedre, et multis aliis.

[Seal attached in good preservation. Legend "Sigillum Jacobi comitis de Douglas."]

Translation of the foregoing charter.

To all who shall see or hear this charter, James Earl of Douglas, lord of Liddisdale and of the barony of Drumlanrig, greeting in the Lord everlasting : Know ye that we have given, granted, and, by this our present charter, have confirmed to William of Douglas, our son, for his homage and service all our lands of our whole barony of Drumlanrig foresaid, within the shire of Dumfries : To be held and had all the said lands of the foresaid barony with the pertinents by the same William and the heirs of his body lawfully to be procreated, whom failing, by Archibald of Douglas, our son, and his heirs to be lawfully procreated of his body,

of us and our heirs, in fee and heritage for ever, through all their just marches and divisions, in woods and plains, meadows, pastures, and pasturages, in moors, marshes, ways and paths, waters and pools, huntings, hawkings, and fishings, mills, multures, courts, escheats, and issues of courts, with bondpeople, bondages, and natives, and services of free tenants, with soc and sac, tolle and theme, and infangand thief, and with all other liberties, commodities, easements, belonging, or that may in any way hereafter belong to all the said lands of the whole barony foresaid, as freely and quietly, well, and in peace, as we or any of our predecessors at any time held the said lands with the pertinents, without any withholding forever; the regality thereof being reserved to us and our heirs: We will also, that in case, which God forbid, the foresaid William, or Archibald, die without heirs of their bodies, as aforesaid, that all the said lands, with all their pertinents revert to us and our heirs: Performing therefor to us and our heirs the foresaid William and his heirs foresaid, whom perchance failing, the foresaid Archibald and his heirs foresaid, the service of one knight in our army, in name of blench farm only, for all other secular services, exactions or demands, which from the said lands in any way might be demanded or required: And we, indeed, James Earl foresaid and our heirs shall warrant, acquit and defend for ever against all men and women, all the said lands with all their pertinents to the foresaid William and his heirs foresaid, whom failing, to the said Archibald and his heirs foresaid, in all things as above written. In witness whereof to this our charter we have caused our seal to be appended, these being witnesses, Sir Archibald of Douglas, Lord of Galloway, James of Douglas, lord of Dalkeith, James of Lindsay, lord of Crawford, William of Lyndesay, Robert Colville, William of Borthwick, our cousins, knights, Adam Forester, Adam of Hoppringle, Allan of Lauder, and many others.

3. BOND by John of Swyntoun, lord of Mar, and Margaret, his wife, Countess of Douglas and Mar, to William of Douglas, son of the late Sir James Earl of Douglas, 5 December 1389.

Omnibus hanc cartam visuris vel audituris, Johannes de Swyntoun, dominus de Marre, et Margareta, sponsa sua, comitissa de Douglas et de Marre, salutem in Domino sempiternam. Noueritis nos vnanimi consensu et assensu fideliter promississe Willelmo de Douglas, filio quondam domini Jacobi comitis de Douglas, domini vallis de Lydall, quod nunequam contra ipsum questionem aut calumpniam quouis modo mouebimus, nec aliquis [alius] nomine nostro mouebit, racione baronie de Drumlanrig, quandocunque ipsum contigerit possessionem eiusdem [obtinere, et quod] libere dicta baronia cum pertinenciis valeat gaudere, secundum quod continetur in carta predicti Jacobi comit[is de] Douglas, filii nostri, dicto Willelmo de Douglas, filio suo, super dicta baronia confecta. In cuius rei testimonium sigilla [nostra] presentibus opposuimus, quinto die Decembris, anno Domini millesimo ccc^{mo} octogesimo nono.

[One seal remaining, broken.]

An old copy of this charter also in the Drumlanrig charter chest has the following translation:—

“ Followes tha Engliche heiroff.

“ To all and sundrye quho sall sie and heir this present charter, Johne of Swyntoun, lord of Mar, and Margaret, his spous, countes of Douglas and Mar, helth in our Lord everlasting: Witt ye us of ane mynd, consent and assent, to hef faithfullie proumeist to Williame Douglas, sone to

vmquhile James Erle of Douglas, lord of Liddesdail, that we sall nevir in onywayes move any questioun or contraversie against him nor na uthers in our name sall move, concerning the baronie of Drumlangrig, quhensoevir it sall happin him to obtene possessioun thair of, and that he may be able to bruik or enjoy the said baronie with the pertinents frielie, conforme to ane conditioun in ane charter of the said James Erle of Douglas, our sone, of the foirsaid baronie, maid to the said William Douglas, his sone. In witness of the quhilk thing we hef putt our sealls to thir presents, the fyft day of December, the yeir of God I^m thrie hundreth fourscoir nyne yeirs."

4. CHARTER of CONFIRMATION by King James the First in favour of Sir William Douglas of Drumlangrig of the lands of Drumlangrig, Hawick and Selkirk. 30 November 1412.

"Jamis throu the grace of God Kyng of Scottis, till all that this lettre heris or seis, sendis gretynge: Wit ye that we haue grauntit, and be this presentis lettres grauntis a speciall confirmacioun in the mast forme (*sic*) til oure traiste and wele belofit cosyng, Schir William of Douglas of Drumlangrig, of all the landis that he is possessit and chartrit of, within the kyngdome of Scotlande; that is for to say, the landis of Drumlangrig, of Hawyke, and of Selkirke, the quhilkis chartris and poss[ess]iouns be this lettre we conferme, and wil for the mare sekernes this oure confirmacioun be formabilli efter the fourme of our chauncsellare, and the tenor of his chartris, selit with oure grete sele, in tyme to come. In witness of the whilkis, this presentis lettres we wrate with our propre hand vnde[r] the signet vsit in selyng of our lettres, as now at Croidoune, the last day of Nouember, the yere of our Lord I^{mo} cccc° xii°."

5. INDENTURE between William of Douglas, lord of Drumlanrig, and William of Douglas, lord of Leswalt, 29 May 1429.

This indentur made at Myddilham, the xxix day of Maie, the yher of our lorde M^{ccc}ccxx and ix yher, be twix nobill men, Wilham of Douglas, lord of Drumlanryg on the ta parte, and Wilham of Douglas, lord of Leswalt on the tothr part, contenis, propertis and beris wytnesse, that yt is accordit in furm and in effect as eftir folowys, that is for to say, that the saide Wilham of Douglas of Leswalt sall frely delyuer and gyf up the Castell of Drumlanryge, and all the landys wyth in the said baronry, owtane the saide landys, the qwilkys he has grantyd hym for the terym of x yhere wyth pertenance, all the scharteris, evidene and obligacyons and confirmacyons that he hass, had or fond in to the said house tyll the for said lorde of Drumlanryge, or tyll hys assygneis or speciale deputis qwa sumewer, that the said castell ys delyueryt to in gouernance: and the forsaide Wilham of Douglas of Drumlanryg of all accyons, qwilkis he hass or may haf to the for said Wilham of Douglas of Leswalt, be cause of the said Castell or of the landys or any other accyons qwatesumewer be twyx thaim, amouit or for to be amouit be any maner of way, fra the day of the makyn of thir presentis, qwites, and perpetually dischargys and qwiteclemis for ever. Itim yt is accordyt, that the said Wilham Douglas of Leswalt sall haf fre vsche and entre in to the said castell wyth mony or with fewe, qwat tym hym lykys, nedis or myst[er]yis, and agaynwarde the forsaide Wilham of Douglas of Drumlanryg sall haf fre vsche and entre wyth many or wyth fewe, qwat tym hym lykys, nedis, or mysterys, in to hys Castell Lochinaff [Lochnaw]: And at all thir condycyonis, in forme and in iffect, as ys be for wretyn, be trewly keptd, but any fraude or gyll or cauillacyon, baith the said partys ar bodely sworne and twichit the haly ewangill. In the wytnes

of the quhilk thyng I have put to my sell, at Middilham, the xxix day of Maie, the yher of our Lord M^lcccexx and ix yehr.

HEAD SECOND.—MISCELLANEOUS MUNIMENTS of the DOUGLASES of DRUMLANRIG regarding the acquisition of additional baronies and the holding of the office of Warden of the Marches by them. Also concerning their personal affairs, such as their marriage settlements, latter Wills and Testaments, and successions, from JAMES DOUGLAS of Drumlanrig, fifth Baron, in 1470, to Sir James Douglas, ninth Baron of Drumlanrig. Sir James obtained charters uniting the baronies of Drumlanrig and Tibbers into the Regality and Justiciary of Drumlanrig, and was the father of William, first Viscount of Drumlanrig, so created in 1628, and advanced in the peerage as Earl of Queensbury in 1633.

6. INDENTURE between William of Douglas of Drumlanrig and David Scot of the Bukcluche, whereby it is agreed that James of Douglas, son and apparent heir to William shall marry Ionet Scot, daughter of the said David, in all goodly haste; for which marriage the said David shall pay in "tocher" with his daughter to the said William, his heirs or assignees, the sum of 500 merks money of Scotland, 100 merks at the completing of the marriage, 50 merks at Martinmas next, and so forth, 50 merks at each successive term of Whitsunday and Martinmas, till the whole sum should be paid: Also the said William in all goodly haste after the completing of the marriage shall infest James, his son, and Jonet, his spouse, and their heirs in £20 worth of his lands, viz., the Est Manis of the Kirkton, in the barony of Hawic, the Cragcrochery and the Fyrdinfarn, in the Barony of Drumlanrig. Further, the said David shall make the lands of Quhitchestir to be holden of the said William and his heirs "in ward and relief, as sic like tennandis haldis of the said William wythtin the barony of Hawic," and if men of law found that David might hold the lands of William, without prejudice of his heritage, David should become tenant to him within forty days after the next justice-eyre to be held in Jedworde, and failing thereof by the said David's default, or his heirs', he or they shall pay to the said William and his heirs the sum of 400 merks Scots; and if men of law found that David or his heirs might not hold the lands of Quhitchester of the said William without prejudice of his heritage, the said David and his heirs shall pay to William or his heirs 200 merks at four usual terms. And the said William binds himself to infest James and Jonet in the £20 worth of land within forty days after the completing of the marriage. Both parties bind themselves by their bodily oaths and append seals interchangeably.—At Edinburgh, 5 November 1470. [Seal now worn off.]

7. INDENTURE between James Campbel of Wester Lowdon, and Elizabeth Crechtoun, spouse of the late William of Douglas of Drumlanerigh, by which it is agreed that John Campbel, son and apparent heir of the said James, shall marry Elizabeth of Douglas, daughter of the said late William of Douglas and Elizabeth Crichtoune, on the Tuesday xv days after Pasch next to come, and within 20 days thereafter the said James shall infest the said John Campbel and the said Elizabeth Dowglas, the survivors, and their heirs male of their bodies in the lands "that war giffyn vmquhil be Schir Johne Campbel to the said James, his sone," which shall be notably known to the said Elizabeth and in the same form. Also it is appointed, because the said James would not consent to make resignation "of the laif (rest) of the landis that he has," so

that John might be heritably infeft in the fee of the same, that the said James should not sell or wadset any lands or annual rents that Schir John died seized in as of fee, "less na it happin, as God forbeid it doe, that the said James be taken presonare in England," for his "redemyne," to sell or wadset any part of his lands upon which the said James should give his obligation to the said Elizabeth, her heirs and assignees, upon the sum of £3,000, £1,000 to the King in name of "peyne," £1,000 to the "Cathedral Kyrk" of Glasgow, for the breaking of the faith of body, and £1,000 to the party for damage and expenses. For all which Elizabeth of Crechtoun shall pay to the said James the sum of £600 Scots, 200 merks at the completing of the marriage, and by 40 merks at successive terms following, to be paid at the said James's manor place of Lowdoun within forty days after the terms. In security of which Elizabeth of Crechtoun shall cause James of Dowglas of Drumlanerik, her son, and William of Dowglas, his son and apparent heir, to infeft the said James Campbel, under reversion in 20 merks worth of land of old extent in the barony of Drumlanerik "and lyand on the water of Skar," which should give yearly 4 score merks of new extent, and cause them give their obligations for the payment above written, and in case of failure, Campbel to uptake the mails of the said lands, and not to be allowed in the said sum. The said James Campbel to deliver to James and William a reversion bearing that it should not be lawful to him to intromit with the lands, &c, unless in default of payment of the sum or part thereof, &c., also the said Elizabeth of Crechtoun shall sustain the said Elizabeth, her daughter, in meat and clothing "togidder with the racionabil repare of the said Johne Campbel and thre personis with hyme and four hors for the space of four yeiris next efftir the completyng of the said mariage" James Campbel and James Dowglas and his son are to enact themselves in the Official of Glasgow's Books. The party failing in any point shall pay £100 to the Archbishop of Glasgow for the "bigging" and repair of the Graye Freris of Are. The parties give their bodily oath to observe all the conditions. James Campbel and John his son are said to subscribe the writ, and for Elizabeth of Crechtoun, and at her command, "Archebald of Dowglas and Dene Johne Dowglas, his sonnys, has subseriuit this wryt with thar handis with the subscripcion of hir awin," before witnesses, Sr John of Cathkert of Kyllunchane, knight, Constantyn Dunlop of that ilk, Matthew Wallace of Crago, Petir Rankyne of the Scheld and others. But this deed has never been subscribed. James Campbel's seal is said to be impressed to the part of the indenture remaining with the said Elizabeth, and she affixed her seal to the part remaining with him. Dated at the burgh of Are, xxv February 1496-7. [Campbel's seal impressed, but nearly worn off.]

8. ASSIGNATION by Adam Kirkpatrik of Pennersax, appointing and solemnly ordaining William Douglas, lord of the fee of Drumlangrig, his procurator and assignee to a letter of reversion upon the 40s. land of old extent of Dalgarno, lying in the town and territory of Dalgarno, on the east side of the town, in the parish of Dalgarno, and sheriffdom of Drumfrece, and also to a reversion of the two merk land of Dalgarno of old extent lying above the forenamed three merks between the water and "le myre." The reversions were made to the said Adam by John Kirkpatrik, second son of the late Thomas Kirkpatrik of Closbern and were given under the seal of arms of said John. With power to the said William Douglas to redeem the lands. Seal appended at Dunsckay, 2^d January 1499 [1500]. Witnesses Patrik Kirkpatrik, the granters' brother german, James Lyndsay. [Seal attached.]

9. BOND by Adam Kirkpatrik of Pennyrsex by which he obliges himself, his heirs and assignees to William Dowgless of Drumlangrik, his heirs and assignees, stating that having sold the ten "merkis worth of my landis of the towne of Dalgernok, in the parish of the same and sheriffdom of Drumfrece," of which lands five merks lying together in the east end of the said lands are laid in 'wed' (pledge) on six score merks Scots to John Kirkpatrik of Alysland, on a reversion made to Adam thereupon, without any assedation after the outquitting of the five merks worth, and the other five merks worth are free without any alienation; for which ten merk land Adam had received from the said William a certain sum of money and 40*s.* worth of land of old extent called the Marouflat in the barony of Drumlangrik: Therefore he binds himself, his heirs and assignees, to William, his heirs and assignees, to warrant and keep the foresaid lands to the said William, his heirs and assignees, without any alienation, assedation or tacks made by him or any in his name, other than above written. If any of the lands were withheld from Douglas, &c. he should have ingress and regress to as much of Marouflat, &c. At Drumlangrik, 5 March 1499 [1500]. [Seal impressed, but now broken off.]

10. PROCURATORY OF RESIGNATION, directed to James most illustrious King of Scots, by his liegeman Adam Kirkpatrik of Pennersex, appointing his procurators, Andrew Wode, Robert Dowgles, Hugh Dowgles and others, to resign in his Majesty's hands his lands of Pennersex in the stewartry of Annandale and sheriffdom of Drumfrece, free tenants of the same and their services, with the advowson and gift of the kirk thereof, which the granter held of the King *in capite*; and by the present writ he resigns the same and quitclaims all right he had thereto in favour of an honourable man, William Dowgless of Drumlangrig, for fee and heritage for ever. Seal appended at Drumlangrik, 5 March 1499. [Seal attached but imperfect.]

11. ACQUITTANCE by William Maitlaud of Lethington, 25 April 1509.

Be it kend till all men be thir present letteris, me, Williame Mateland of Lethingtoun, till half tane and resaut fra the handis and deliuerance of Williame Dowglas of Drumlangrig, knycht, the sovme of thre hundredth merkis, gud and vsuall money of Scotland, in part of payment of ane mair sovme of vii^c merkis awing to me be the said William Dowglas for the alienatioun of the landis and barony of Tibris with thair pertinentis, liand withiu the schirefdome of Drumfreis, like as at mare lenth is specifit and contenit in the contract and appointment made betuix me and the said William Dowglas thairapone. Off the quhilk sovme of thre hundredth merkis of the money forsaid I had me wele content, fully assith and thankfully payit, and thairof quytelames and dischargis the said Williame Dowglas, his airis, executouris and assignais for me, myn airis, executouris and assignais, be the tennour of thir presentis for now and euirmare. In witness of the quhilk thing to thir present letteris I haif appendit my sele, at Edinburgh, the xxv day of Aprile; the yere of God ane thousand five hundredth and nyne yeris; befor thir witnes, Thomas Cranstoun, Williame Mateland, Duncan Hunter, Johne Fergusson, James Makmeth, and Robert Gordoune of the Glen with other diuers.

Wylzañ Matland
off Lathingtoui.

[Seal attached, on a shield a lion rampant: inscription indistinct but appears to read "S. Willelmi Matland."]

12. BOND by James Mateland of Achingaschill, for himself, and his heirs, to an honorable knight, Schir William Dowgless of Drumlangrig and his heirs, on the narrative that whereas the said William had made to him and his heirs a new infestment of the 18 merks worth of land of Achingascill and Achinbanze, and 8 merks worth of land in the town of the Tybbiris of old extent, in the barony of Tybberis and sheriffdom of Drumfress, "and als suld giff me ane confirmacioun" of all other lands he held of the baron of the Tybberis. "Yharefor I and my ayris sall stand leile and trew tennandis to the said Wilzeam and his ayris" in all points as the infestment bore; "and sall defend, supple and main-teine" him and his heirs in enjoying of the said barony of Tybberis at his utter "gudlye" power: Also he renounces for himself and his heirs all right or claim he or they had "to the twa akiris of land, the mote and castelsted of the Tybbiris, to be broukit and ioisit be the said Wilzeam and his ayris in tyme to cum," and to make a procuratory to resign the same in the King's hands for new infestment to the said William. If he or his heirs failed herein, he binds himself in the sum of £200 Scots to be paid to Sir William or his heirs; and he and his heirs would remain "affald tennandis to the said Wilzeam and his ayris for euyr." Seal affixed at Drumlangrig, 21 July 1510. Witnesses, William Mateland, John Mateland, Schir William Amuligan. Subscribed "Jamys Matlands w^t my hande." [Seal nearly gone.]

13. INVENTORY of the goods of the late William Douglas of Drumlanrig, knight, who died in Northumberland, in the field of war, 10 September 1513, made by Elizabeth Gordoun, his relict. At the time of his death he had xxxiiij^c old sheep at 3s. the piece; j^c hogs 22^d a piece, sum 34 score ii and 6 ii; old oxen and cows 20s. a piece . . . sum of animals xj score ii. In horses viii. In oats xxvij score x bolls, price of boll vj s. In barley x bolls, price of the boll xiiij s., sum of oats and barley l ii x s. In utencils and domicils lxxv ii xiiij s.

Sum of whole goods a thousand lx ii. Debts due to Lord Maxwell viij^c marks; to the Laird of Lochinver j^c marks to John Slowane xx ii; to the Laird of Wanfray xx s &c., sum xiiij^c vij lb xiiij s. vj d.

Confirmed by James Archbishop of Glasgow, who because the said William died intestate appointed Elizabeth Gordoun, his relict, to be executor dative. Dated at Edinburgh, 8 June 1515. [Seal had been once impressed but it is now obliterated.]

14. LETTERS of RESPITE by James the Fifth, King of Scots, by which he respites James Dowglas of Drumlangrig, James Gordoun of Lochinver, John Dowglas, brother of the said James Dowglas, Archibald Dowglas in Coschogill, Thomas Dowglas, Peter Dowglas, his brother, George Dowglas in Almernes, William Gordoun of Crauchlew, Roger Gordoune of Crowcharne, Roger Gordoune, brother to John Gordoune in the Park, David Gordoune, John Gordoune, "Robertis sone," Schir John Gordoune, chaplain, Blak James Gordoune, Mr. William Gordoune, James Gordoune his servant, David Crawford, brother to Bartilmo Crawford of the Kerse, Robert Makquhynze, his servant, Blak Alexander Fergusson, Quintine Schaw, William Reid, George Makculloch, apparent heir of Torhouse, William Burnet, John Lawsons, John Maitland, son and heir apparent to James Maitland of Auchingassill, Patrick Maitland, "his eme" (uncle), Roger Scot, Peter Broun, Richard Tweddale, Thomas Dowglas, Robert Broune, Dungall M^cDowell of Bernaucht, John Makdowell, his brother, John Tusky M^cDowell, John Mure, John Gordoune, William Gordoune and Andrew M^cQuhynze, for treasonable "reset, art, parte and assistance" given by them to "Alexander Forestare and vtheris his complices, theifis

and tratouris duelland apone the watter of Levine," in their treasonable deeds, and for the cruel slaughter of "vmquhile Thomas Makclellane of Bomby" committed by them upon forethought felony within the burgh of Edinburgh, and all other crimes committed by them till date hereof, "tresone in our persone anerlic exceptit." The respite to endure for 19 years after date. Also the King charges his officers to relax Dungall Makdowell, John Makdowell, his brother, and John Tusky Makdowell, from the process of the horn led against them for the said crime or any other, "and ressaue thame to our peax, and gif thame the wand thairof, for the said space of nyntene yeris." Given under the Privy Seal at Edinburgh, 25 August 1526. [Seal wanting.]

15. NOTARIAL INSTRUMENT narrating, that in presence of the notary and witnesses, a noble man James Douglas of Dumlanrig past to the personal presence of an honourable woman, Margaret Douglas his spouse, and there required her earnestly (instanter requisuit) to go with him to his place and dwelling of Dumlanrig, and adhere to him as spouse ought to spouse; and offered him as ready to receive her and treat her as spouse should spouse; who altogether refused to go with him or adhere to him for certain reasons as she asserted moving her mind for the time. Upon which Douglas craved instruments. Done in the dwelling house of Hugh Douglas, burgess of Edinburgh, at 3 afternoon, 20 December 1530, witnesses Alexander Drummond of Carnok, and others.

16. GIFT by King James the Fifth to James Douglas of Drumlangrig, of the "nonentres, males, fermes, profittis and dewiteis" of the lands and barony of Drumlangrig both property and tenantry, in the sheriffdom of Drumfries, of all terms and years the lands had been in the King's hands since the decease of the late William Dowglas of Drumlangrig "in the field of Flodoune," and all years to come, till the entry of the righteous heir, with the relief when it should happen; to be held by him and his heirs and assignees. Given under the Privy Seal, at Paris, 27 January 1536[-7]. [Seal wanting.]

[A similar grant is made by Queen Mary with consent of James Earl of Arran, &c., of the lands and barony of Drumlangrig, lands and barony of Tibberis, 10 merk land of Langercroft, 50 s., land of Windy Hillis, in the sheriffdom of Drumfries, £5 land of Barquhar, 1 merk land of Drummoir, in stewartry of Kirkcudbrycht, for all years since the decease of the late William Dowglas of Drumlangrig. Edinburgh, 17 March 1542.] [Half of seal remaining.]

17. LETTERS of GIFT by King James the Fifth to James Douglas of Drumlanrig of the nonentry of Drumlanrig. 4 February 1536-7.

REX.

Thesaurar and compositouris, We greit you weill. Forsameikle as we haue disponit and gevin to our lout familiar seruitour, James Douglas of Drumlanerk, the gift of the nonentres of all and hail his landis and barony of Drumlanerk wyth the pertinentis, as at mair lenth is contenit in our signatour of gift maid to him thairupoun, and hes composit and gottin gratitud fra him tharfor: Quharfor we charge you, incontinent, this our precept sene, ye subseriue the said signatour to the intent the said James may raise the said gift ondir our priue sele: and this on na wise ye leif ondone, keipand this our charge for your warrand. Subseriuit wyth our hand and onder our signet, at Chanstyllle, the fourt day of Februar, the yer of God I^m v^c and xxxvj yeris.

(Signed) James R.

18. AGREEMENT between James Douglas of Drumlanrig and Jonet Douglas, "his dochter naturale lauchfulle gottin of his body," and Archibald Douglas in Coschogill, and William Douglas, his son and apparent heir, by which it is concluded that the said William should complete matrimony "in face of halie kirk" with the said Jonet, as soon as dispensation of the degrees which they now stand into may be obtained. The said James to pay to the said Archibald the sum of 500 merks, money of Scotland, if the said James happened to get any heirs male of his body that should succeed to his lands and heritage, or made any others heirs to the same other than the foresaid Jonet Douglas and Margaret Douglas her sister; and binds himself, his heirs, &c., to the payment of the said sum. Parties bind themselves to fulfil the contract by oath, the evangels being touched. Signed and sealed at Edinburgh xi May 1538 before Thomas Mariorybankis, burgess of Edinburgh, George Douglas in Amernes, John Douglas in Mar, and Alexander Maknele, notary public. Subscribed "James Douglas of Drülangrik" His seal is also impressed but a good deal broken.

19. ASSIGNATION made by James Douglas of Drumlanrig, who had received from the King, to him, his heirs and assignees, a gift of the nonentries "malis, fermes," &c. of the lands and barony of Drumlangrig, both property and tenantry, in the sheriffdom of Dumfries, of all terms the same had been in the King's hands, as superior by reason of non-entry, "Sen the deces of vmquhile Williame Douglas of Drumlangrig, my fader, " in the feild of Flodoune," and of years and terms to come, till the entry of the righteous heir, with the relief thereof, when it should happen. He now makes James Makmath of Dalpeddir, and his heirs, his assignees to the nonentry, maills, &c. of the lands underwritten pertaining to the said James heritably and held of Douglas in chief, as baron of the said barony, viz., the 4 merk land of Dalpedder of old extent with the corn mill of the same, the 5 merk land of Auchinsow, the 6 merk land of Auchingreuth, the 5 merk land of Castelgilmuir of old extent, with the waulkmill, reserving to the granter the maills, profits and duties of the two merk and half merk land thereof, which Alexander Makmath now occupes, during the time of the nonentry thereof before the date of these presents; to be held by the said James Makmath and his heirs, the granter's assignees, the "nonentres" of the forenamed lands, &c. with the relief when it should happen, with obligation not to apprise the said two and one half merkland of Castelgilmuir for the nonentry, nor apprise any goods save those of Alexander Makmath. Dated at Edinburgh, 28 July 1538, witnesses, David Craufurd of Litolpark, Alexander Gourdon in Ardis, Roger Gourdon in Hardlawnd, John Douglas, Edward and Cuthbert Dounalstoun. Subscribed "James Douglas of Drumlangrik, wy^t my hand."

[Seal attached: shield bearing quarterly 1st and 4th three stars, two and one; 2^d and 3^d three stars on a chief and heart in base. Circumscription "S.I.D: DE DRVMLANRIG."

20. AGREEMENT between a noble man, James Douglas of Drumlanrig, and a noble lady Margaret Douglas, his spouse putative, narrating that whereas there was a cause of divorce moved by him against her before the officials of Louthain and St. Andrews "principale, in first and second instance," that in case they were divorced by law of "Haly Kirk," he simpliciter obliges him and his heirs, &c. his lands and goods, &c. hereby to the said Margaret, to refund and pay her yearly for life the sum of 130 merks Scots and find caution of burgesses of Edinburgh, on pain of horning, or else infest her in as much worth of land as would

yield the same yearly at her option ; because she discharges the said James of great sums promised by her friends and received by him in name of "tochir gude," and also because she renounces her right to the lands granted to her in conjunct fee, and to terce lands that might fall to her through his decease, notwithstanding any sentence of divorce that might be given in the contrary : Till the sentence should be given, 80 merks yearly, and all expenses of the plea are to be paid by Drumlanrig. Either party discharges other of all other contracts, &c. : All under the pains of 500 merks to be paid by the party breaking the contract to the party observing it. The Agreement to be registered in the Official's Books of Louthian and St. Andrews. At Edinburgh, 6 September 1539. Subscribed "James Dowglas of Drūlanrik w^t my hand," "M^garet " Douglas w^t my hand at ye pen."

21. LETTEES of DISPENSATION by Antonius, presbyter cardinal with the title of the four crowned saints, directed to the Archbishop of Glasgow, or his vicar or official, narrating that a petition had been presented to him by James Douglas of Drumlanrig, layman, and Christina Montgomery, woman, of the diocese of Glasgow, stating that they formerly, knowing that they stood within the simple third and quadruple fourth degrees of affinity contracted marriage ; but since they could not continue in such marriage, and grave scandals were likely to arise, the spouses had supplicated the Apostolic See for the benefit of absolution. Therefore by authority of the Pope, of whose penitentiary the granter was in charge and by express command of the Pope given *viva voce*, he charges the Archbishop's circumspection, to absolve them from their excesses and from the sentence of excommunication which they had incurred, and allow them to marry *de novo*, &c. Given at Rome, at St. Peters, under the seal of the penitentiary, viii Id. [6th] September, sixth year of Pope Paul the Third [c. 1540].

[Seal remaining, but broken, contained in leaden case—The Virgin and Child under a canopy.

22. ANOTHER WRIT the same to the same, and tied to the former by a cord, explains that the Letters of Dispensation were to be valid notwithstanding any difference or defect there might be in the statement of the degrees of affinity. Of the same date. [Seal wanting, only half of capsule remains.]

23. GIFT by Mary, Queen of Scots, with consent of James Earl of Arran, lord Hammiltoun, her tutor, protector and governor of her realm, taking into consideration the good true and thankful service done to her late father by James Douglas of Drumlanrig as well in parts of France as in the realm, and other reasons, granting to him, his heirs and assignees 600 sheep "being vpoune oure landis of Kirkhop," in the sheriffdom of Lanark which pertained to her late father, and now to her as his daughter and heir, to be held by him &c. and discharging the liegés to make any hindrance to him in possessing the same. Given under the Privy Seal at Edinburgh, 6th January 1542. It is endorsed as a gift of the goods of Kirkhope and Qubitecamp.

24. LETTERS of GIFT by Mary, Queen of Scots, with consent of James Earl of Arran, Lord Hamilton, Protector and Governor of her realm, to James Douglas of Drumlangrig, his heirs and assignees, of "the nonentres, malis, fermes, profitis and dewiteis" of the lands and barony of Drumlangrig, lands and barony of Tibberis, ten merk land of old extent of Langcroft, and 50 s. land of old extent of Windyhillis, in the sheriff-

dom of Drumfreis, the 5 pound land of old extent of Barquhar, and 1 merk land of old extent of Drummoir, in the stewardry of Kirkcud-brycht, with tenants, tenandries, and service of free tenants of the same, of all years and terms that they had been in the hands of her late father, or any other of the Queen's predecessors, as superiors, by reason of nonentry, since the decease of the late William Douglas of Drumlangrig, knight, or any other of his predecessors or successors, last immediate tenants thereof to the Queen or her late father; and of all years and terms to come till the entry of the righteous heir thereto, with the relief thereof when it should happen. To be held by him, his heirs and assignees, &c. With court, playnt, herezeld, &c. Given under the Privy Seal at Edinburgh, 11 July 1543. [Seal attached.]

25. INDENTURE between Archibald Earl of Angus, Lord Dowglas, &c., James Dowglas of Drumlangrig, and Margaret Dowglas, his daughter, on the one part, and John Jardane of Apilgyrth on the other part, by which it is agreed that John Jardane shall complete marriage with the said Margaret before Michaelmas next. He is also to resign in the Queen's hands, and her governor's, as much lands of his barony of Hartsyde as extends to a hundred merks of penny mail yearly, in the sheriffdom of Lanark, to be given to him and Margaret in conjoint fee, and the heirs of their bodies, whom failing the said John's nearest heirs whomsoever, to be held of the Queen and her successors. For which cause the said Earl and James Douglas shall pay to the fore-said John Jardane the sum of 1,200 merks Scots, James Dowglas 1,000 merks, and the Earl 200 both at terms specified in the deed. If any lawful cause of divorce should happen to be found, John Jardane binds himself to bring home from the court of Rome, upon his expenses, dispensations, one or more, dispensing with the degrees of consanguinity or affinity, &c., under the pain of 5,000 merks. The said James Douglas is to make the whole expenses on the infesting of the said Margaret in the lands. Parties are sworn to observe the indenture, which is to be inserted in the official of Lothian's Books, and parties acted to fulfil its provisions under pain of cursing. Interchangeably signed and sealed at Edinburgh, 4th August 1543, before George Dowglas, "Maister of Angus," John Tuedye of Drummalzear, Robert, "Maister of Maxwell," George Douglas of the Wattersyde, Thomas Marioribankis, burgess of Edinburgh and others. Subscribed, "Johne Jardane of Apylgytht." [Seal impressed, but worn off.]

26. PRECEPT by Mary, Queen of Scots, directed to John, Abbot of the Monastery of Paisley, Keeper of the Privy Seal, in which she narrates that, with consent of her cousin and tutor, James Earl of Arran, &c., protector and governor of her kingdom, she had given to her well beloved James Douglas of Drumlangrig, his heirs and assignees, all and whole the stead of the Castle (Castrum locum) alias Castell mote of Tibberis, with bounds and pertinents thereof, extending to two acres of land, in the sheriffdom of Drumfreis, which belonged before to John Maitland of Auchingassill and were resigned by him personally in the Governor's hands as in the Queen's at Linlithgow; to be held by the said James, his heirs and assignees, of the Queen and her successors, in fee and heritage, for rendering the services due and wont to the Queen and her predecessors before the resignation. The Queen therefore charges the keeper of her privy seal to direct a precept for making of a charter to the said James Douglas upon the premises under the Great Seal. Given under the Signet, at Linlithquhw, 12th July, third year of the Queen's reign [1544].

[Robert Mateland of Auchincassill, the King's well beloved esquire, receives from King James the Fourth a charter of "locum Castri et montem nuncupatum le Mote de Tibris," with bounds and pertinents extending to 2 acres, to him and his heirs, in feu farm and heritage, for payment of 40*d.* yearly, to the King and his successors. At Linlithqw, 10 August 1489. John Maitland of Auchingassill has a precept of the same Mote, 25 April 1540, (*sic*, but probably a mistake for 1541), and a Great Seal charter 25 April 1541.]

27. PROCESS of Apprizing led by James Lindesay, macer, sheriff of Drumfreis in that part, narrating a decret by the Lords of Her Majesty's Council, that the five merks worth of land of Ardoch and Knoktone, of old extent, and one merks worth of land of Humby, in the barony of Drumlangrig and sheriffdom of Drumfreis, were in our Sovereign Lady's and her predecessor's hands as superiors thereof, by reason of nonentry since the decease of the late William Douglas of Drumlangrig, knight, to the space of thirty years last bypast, in default of a lawfully entered tenant and the maills, &c., to pertain to our Sovereign lady and to James Douglas of Drumlangrig, her donator, by reason of a gift made to him, and in default of movable goods on the ground of the lands to distrain, ordained the lands to be apprized to the said James. The sheriff narrates his visit to the ground of the said lands, where "I culd nocht apprehend nor find na movable gudis to distrenze," and denounced the lands to be apprized on 23^d March instant in the Tolbooth of Drumfreis, and warned Robert Crichtone of Ardoch and Margaret Cathcart, his spouse, "pretendit heretabill possessouris of the saidis landis," and others having interest to be present, and made proclamation at the market cross of Drumfreis. On the 23^d March the sheriff fenced a court in the tolbooth and summoned parties, when none compearing, he caused an inquest to be chosen. These were, Thomas Kirkpatrick of Closburne, Roger Kirkpatrick of Ros, John Greirsoun of Lag, John Charteris of Windehillis, Thomas Fergusson of Cragdarroch, John Hunter, Roger Gordoune of Hardland, Gilbert Greir of Craig, Cuthbert Fergusson of Glencors, Roger Gordoune of Creichane, John Maitland of Auchingassill, Alexander MakGachane of Dalquhat, John Maxwell of Knowhill and others, who found that the lands extended yearly to £20 and in the whole space to 30 score pounds; after which the macer offered the lands to Robert Creichtoune and his spouse, by open proclamation at the Tolbooth window, or to any others, but could get no buyer, and thereupon apprized the lands to the said James Douglas in complete payment of the thirty score pounds. The assize apprized 20*s* of annual rent to the Macer for his fee, which he sold to the said James for the sum of 20*l.* Seals are said to be appended but are now wanting. No date c. 1544.

28. INSTRUMENT of SASINE in favour of James Douglas, son and heir of the late William Douglas of Drumlangrig, knight, in the lands and barony of Drumlangrig. The sasine proceeds on a precept from Chancery of Mary Queen of Scots directed to the sheriff and his bailies of Drumfreis, bearing that by an inquest made by her mandate and retoured to Chancery, it was found that the late William Douglas of Drumlangrig, knight, father of James Douglas, bearer hereof, died last vest and seized as of fee, at the faith and peace of the Queen's dearest father, in all and whole the lands of the barony of Drumlangrig, with waulk and corn mills thereof, tenants, tenantries, and services of free tenants thereof, that the said James Douglas is lawful and nearest heir to the said William in the said lands, is of lawful age; that the lands were held in chief of the Queen; charging the sheriff therefore to give sasine of the same, taking security for xv^m j^clxvj li xiiij s iijd of fermes of the

said lands, &c., being in the hands of the Queen and her father for the space of 32 years and 1 term last bypast, sasine not recovered; the fermes extending yearly to *iiij^{clxvi} fi xiiij s̄ iiij d̄* and for the double service of one knight by duplication of blench ferm due to the Queen, "Teste me ipsa." At Edinburgh, 13 February 3^d year of reign [1544-5.] Sasine was given by John Railtoun, burgess of Edinburgh, and sheriff depute of Dumfries of the foresaid lands with fortalice thereof &c., to the said James Douglas at his instance and request, who craved the present instrument from the notary. Done at the principal message of Drumlanrig, the 11th hour before noon, 26 February 1544-5. Witnesses, John Maitland of Auchingassill and others.

29. RECEIPT by Duncan Crychton to James Douglas of Drumlanrig for hership during the wars between Nithsdale and Annandale. 8 March 1544-5.

I, Donkane of Crychtoun, serwand to the lard of Kyrkmychell, grantis me to haue ressauid full contentation, asithment and payment, fra the honorable man, James Douglas of Drumlagrik, for all the skaytht and heyrship of gudis tane be the lard of Drumlagrigis serwandis of myne furtht of the Holhous, the time of the weris be tuix Niddisdaile and Annerdaile men; for the quhilk payment I grant me weile content and payt, and dischargis the said James Douglas, his serwandis, his airis, executouris and assignais, thairof for now and ewer, and sall warrand thame befor quhatsumewer iuge, sprituale or temporale, be this my writing subscriuit wytht my hand at the pen, at Drumlagrig, the viij day of Marche, in the yeir of God anno M. V^c and fourty fowr yeris, befor thyr witnes. [From a volume of Transcript Book of Sasines given and received by Sir James Douglas of Drumlanrig, 1544 and 1545.]

30. CONTRACT between James Douglas of Drumlanrig and Thomas Greir and John, his son, by which he having by gift of the Queen, with advice of the lord Governor, the nonentry, maills, fermes, &c. of the 10 merk land of Langcroft, in the sheriffdom of Drumfries, for all the terms they had been in her Grace's hands since the decease of the late William Douglas of Drumlanrig, his father, for certain sums of money and other profits and pleasures, done to him by the said Thomas and John, his son, makes them his assignees to the nonentry, &c. of the nether 5 merk land of Langcroft called Cluthfute, for the time past and till the entry of the righteous heir, with the relief thereof when it shall happen, and within twenty days shall give sasine thereof with his own hand or by his precept to the said Thomas in liferent and John heritably of the said nether 5 merk land of Langcroft called Cluthfute, according to a charter to be made thereon, conform to a charter made to John Douglas, his brother, of the said lands, by the said late William Douglas, his father, and both parties agree to use exact diligence to get John's charter "for knowing of the halding thairof." The contract to be "reformit" for the security and weal of Thomas and John at the sight of Mr. James McGill and Mr. Thomas Makealzeane, procurators for both parties. Dated at Linlithgw, 11 July 1545. [Notarial copy.]

31. NOTARIAL Instrument narrating that in presence of a notary and witnesses compear'd John Douglas, brother german of an honorable man, James Dowglas of Drumlanrig, and bound himself to his brother by oath as follows *in vulgari*: I oblis me to the forsaid James Dowglas, my brother, and [if] ever I happin fra this day forward to play at cartis, dyse, tabblis, or lay by hand at the said playis wytht any man,

that I sall renunce and ourgeif to the said James, my brother, all heretage, takkis, steddings, and vtheris possessiounis that I haif this day of the dait forsaid of the said James Dowglas, my brother, and of all vtheris personis, for to be brukit, iosit, sett, and disponit be him as he thinkis expedient, and that becaus the said James hes gewin and deliuerit to me the sowm of fourty and awcht pundis in numerat mony, gold and siluer, to abstene fra the said playis and laying by hand of the samyn." Upon all which the said James Dowglas craved instruments. Done in the hall of the chief messuage of Drumlanrig, 2 March 1545-6, before John Jardein of Apylgyrth, William Dowglas in Cawaris and others. In a like instrument William Dowglas in Coschogill binds himself to pay to Drumlanrig 40 crowns of the sun if he played at cards or dice. [From a volume of Transcript Book of Sasines given and received by Sir James Douglas of Drumlanrig 1544 and 1545.]

32. COMMISSION by Mary Queen of Scots, with consent of James Earl of Arran, Lord Hammiltoun, protector and governor of the kingdom, appointing James Douglas of Drumlanrig, her justiciary, to apprehend, in firmance, prison, and captivity keep, and execute justice according to the laws and custom of the kingdom on persons guilty of theft, &c., dwelling on his lands and baronies of Drumlanrig and Tibberis pertaining to him, whether property or tenandry, and for that effect to hold courts, appoint deputies, &c., the letters to last during the Queen's pleasure. The preamble states that the protector was certainly informed that various persons were living on these lands and baronies, who from the time of the decease of the Queen's father have committed and daily commit common theft, quietum furtum vulgo pykrie, reset and "convoying of theftis," and would not cease therefrom unless severe punishment should ensue, &c. Given under the testimony of the Great Seal (or quarter seal) 30 March 1546. [Fragment of seal attached.]

33. INVENTORY of the Testament and Latter Will of Sir James Douglas of Drumlanrig, Knight, made the 4th September 1550. First, he makes W[illiam] his son and apparent heir, and Dame Christiane Montgomery, "my spous," his executors and intrometers with goods and gear, utensil and domicile, sheep, nolt, horse, &c. Further he ordains the said Dame [Christian] to be tutrix testamentary to William, his son, so long as she remained a "widow and vndefoulit"; and in case not, John Maxwell of Terriglis, Knight, and Patrick Douglas, his son . . . tutors to his said son, John Maxwell to be oversman to the executors; and he ordains that his executors and tutors use the counsel of Mr. James M^cGill and Roger Gordoun of Trochquhan in all things concerning his latter will and helping of his son and apparent heir in his heritage, tacks and rooms; and because his heritage and tacks were plenished for great part with his own goods, it is his will that the whole goods and plenishing remain with the ground to the utility and profit of his son and apparent heir: and because a third part thereof will pertain to his "remanant bairns," and another third part to his wife, so much should be taken of the yearly profit of the lands and goods pertaining to his son as should pay the avail of the said two thirds. He discharges his son, Patrick, or any other of his sons to intromit with his lands or tacks, but his widow only, so long as she remained widow or undefiled in her widowhood. He ordains his executors to make yearly account of the profits of his lands to the said John Maxwell, Mr. James M^cGill and [Roger] Gordoun for his utility and behoof, the profit and excrecence of his said lands, &c., to be put in the hands of Mr. James M^cGill by the advice of friends to be forthcoming to his son. In legacies he

leaves to "Jonet Douglas, my bastard dochter, now being vnmareit" 500 merks; and to Alison Douglas and Agnes Douglas, also his bastard daughters, 300 merks each, not to be paid to them but at their marriage, and if any died unmarried her share to go to his son William. He leaves directions about paying his debts: debts due to him to be used for the profit of his lawful daughters. If it happened him to "inlaik be deceis," he wills that no teinds be taken from the inhabitants of Mortoun, the first year thereafter, and that his own tenants "fermoraris" of his barony of Drumlangrig accept of his mill in case of his decease, as said is, that they have the half of their "fermes" quit the said first year, no maill to be paid by his tenants, cottars, and labourers of his barony of Drumlanrig the first year. As to the persons having his goods in "Steilbow," he ordains his spouse "in cais I inlaik" to remit to every one of them a part of their "Steilbow males" "samekle as scho be hir discretioun can ondirstand me to have of their proffittis and gudis in tymes bigane mair nor I suld have had." "To Robert Douglas, son to Thomas Douglas in Durriseir, he leaves the tacks of the Kirk of Durriseir at his age of 17 years; and immediately after his decease the said Robert might intromit with the vicarage of Mortoun. The fruits of the provostry of Lynclowden, beyond the sustaining of the provost, to go to the profit of his son and heir. He leaves also a legacy to John Douglas, his bastard son, when he married, &c. Seal affixed at Edinburgh, 6 September 1550, witnesses, Sr John Tailceour, Maister James Mc'Gill, John Johnstoun &c.

Subscribed "James Douglas of
Drlanrik wy^t my hand."

[Seal impressed—Shield quarterly 1st and 4th 3 mullets on a chief and heart in base; 2d and 3d indistinct but seems 6 cross crosslets. Legend "S. Iacobi Douglas."]

34. LETTERS of REMISSION by Mary Queen of Scots, whereby of her special grace, with consent of James Duke of Chattellarault, Earl of Aran, Lord Hammiltoun, protector and governor of the kingdom, she remits to James Douglas of Drumlangrig, knight, all rancour and queenly suit &c. for his treasonable coming in company with the late John Earl of Levinax, with displayed banner, and prepared for war against the Queen's father at Linlithgow in the month of September 1526, when her father was present in proper person, to endure for the lifetime of the said James. The great seal is said to be affixed at Drumfres, 1 August 1551. [Seal now wanting.]

35. COMMISSION of Wardenry by Mary Queen of Scots whereby with advice, consent and authority of her cousin and tutor, James Duke of Chattalarault &c. protector and governor of her kingdom, for the good faithful and thankful service done to her and her tutor in her name by her well-beloved James Douglas of Drumlangrig, knight, and understanding that her poor lieges and inhabitants of the west wardenry of her kingdom were spoiled and plundered by thieves, robbers and other malefactors, and unless a remedy and severer punishment were provided for such offences, great inconvenience were like to arise thereupon: therefore for repression of such attempts and punishment of malefactors, she makes and appoints the foresaid James her warden of the West Wardenry and Marches of her kingdom towards England, viz., within the bounds of Annandale, Eskdale, Ewisdale, Nethisdale and Galloway (Galwidie) as well above as under the water of Cree; and also her justiciary within the bounds with all fees and duties belonging to the

office of wardenry, with power to hold courts of wardenry and justiciary, to appoint deputies; issues, and fines and escheats of the courts together with the goods and lands of those who were condemned (justificate) to uplift, one half for the Queen's use to exchequer and the other half to his own: to exercise all parts of the office as freely as Robert Lord Maxwell previously had done. The quarter seal is said to be affixed, at Edinburgh, 31 August 1553. [Seal wanting.]

36. LETTER by Marie, Queen Dowager of Scotland, promising to maintain Sir James Douglas of Drumlanrig in the Wardenry of the West Marches, 31 August 1553.

We, Mare, be the grace of God Quene Drowrear of Scotland, be the tenour heirof obliesses ws to our weilbeluffit James Douglas of Drumlanrik, knycht; forsameykle as he has at this tyme takin upon him the wardanrie of the west Marchis of Scotland for ordoring thairrof, the sammin being left be Johne Maxwell of Terreglis, knycht, becaws he mycht nocht ordour the sammin, he being ondir deidlie feid with the cwntré. Thairfor we sall fortefe, supple, mantein and defend the said James in vsing of the said office, and sall caws him at our wttir power to be obeyit thairintill, becaws he hes acceptit the said office at our desyre: Be this our writting, subseriuut with our hand and ondir our signet, at Edinburgh, the last day of August, in the yeir of God Im V^o fyfty thre yeiris.

Au enzant de mon conseille et plesir.*

Marie R.

37. COMMISSION by Mary Queer Scots, making her well-beloved James Douglas of Drumlanrig, knight, her warden of the West Marches of her realm towards England, and her justiciar within the bounds and giving him all fees thereto belonging: also giving him full power to appoint days of truce and warden courts of the said wardenry, begin, hold, and continue the same, cause restitution to be made of all goods taken by whatever lieges of her kingdom out of England, to receive restitution of the warden of the West Marches of England of all goods taken by the English out of her kingdom from Scotsmen, to hold courts of justiciary for execution of justice upon thieves, traitors, homicides, or other malefactors and breakers of the country and of peace, to call suits of court, fine absentees, punish transgressors, according to the quality of their offence; and all such to take and apprehend and pursue with fire and sword for their apprehension, and for taking of them and defence of the kingdom against them, to raise and assemble all and sundry the inhabitants of the said bounds, hold assizes, cause statutes for keeping the peace to be observed, make new ones, &c. Wherefore the Queen charges all her lieges or subjects within the wardenry to answer and obey the said James Dowglas in the said offices, and rise, concur, ride, fortify and assist him in the execution of the ordinances and statutes under all pain which they might incur against Her Majesty. The Letters to endure during the pleasure of her mother, Mary Queen Dowager, Regent of the Kingdom. The Great Seal is said to be appended at Edinburgh, 23 October 1555.

38. LETTERS of REGRESS by Francis and Mary, King and Queen of Scots, Dauphin and Dauphiness of Vienne, by which on the narrative, that whereas for the special love and favour which James Douglas of

* These seven words are holograph of the Queen.

Drumlangrig, knight, bore to his wellbeloved son and apparent heir, William Douglas, he bound himself and his heirs to infest the foresaid William, his heirs and assignees, in heritable fee of all and sundry the lands and barony of Drumlanrig in the sheriffdom of Dumfries, also of the said James' town and lands of the lands and barony of Tibberis with mills, 10 merk lands of old extent of the town of Dalgarnok, 50 s. land of old extent of Glencorce and Drumfadzeane, in the same sheriffdom; the lands and barony of Hawik, viz. in property the town of Hawik with mill, lands of Eist Manis, West Manis, Crunach and Kirkton Mannis, Flekkis, Carlinpile, &c., and in tenantry Howpaslet, Chesholme, Quhitechestir, Edgaristoun, &c., advocacy and donation of churches and chaplainries, in the sheriffdom of Roxburgh, with this provision in the before named James' obligation that the foresaid William should give to the said James and whatever other persons the said James should be pleased to nominate, a letter of reversion for redemption of the lands and baronies, in case it happened the foresaid William to decease without heirs male of his body, containing in it a certain sum of money: On strength of which letter the foresaid James had caused to be infested the said William, his son, and his heirs and assignees, in fee of the lands and baronies above specified: And for this cause the foresaid William has delivered to the said James and the heirs male of his body, whom failing to Robert Douglas, grandson (nepoti) of the late Archibald Douglas of Coschogill and the heirs male of his body, whom failing to Archibald Douglas, his brother german, and the heirs male of his body, whom failing to David Douglas in Pinzerie, and the heirs male of his body, whom failing, to James Douglas, son of Patrick Douglas in Mortoun, and the heirs male of his body, whom failing, to Triamor, alias Triamouth Douglas, also son of the said Patrick, whom failing, to Hugh Douglas of Dalvene, and heirs male of their bodies, whom failing to the nearest heirs whomsoever of the said James Douglas of Drumlangrig, knight, a letter of reversion for redemption from the said William's heirs and assignees whomsoever, failing lawful heirs male of his body, of the said lands and baronies, containing in it the sum of one hundred pounds: Therefore the King and Queen will and promise to the said James and other persons mentioned above and their heirs above written, that whenever and as soon as the foresaid sum should be paid over to the heirs and assignees of the said William, and the said reversion fulfilled and observed by James and the foresaid persons to the said William, &c., then, and in that case, the foresaid James and persons foresaid, and their heirs male foresaid, should have free and full regress and ingress again to the heritable property and possession of the lands and baronies before written, &c. Given under the Privy Seal, 18 September 1559. Bears to be given by signature subscribed by the hand of the Queen's dearest mother, Marie Queen Dowager and Regent of the kingdom. Seal attached circumscribed SIGILLVM SECRETVM FRANCISCI [ET MARIE] DEI GRA. R. R. SCOTORVM D.D. VIENNEN. On left of shield F with crown above, on right M with crown above. On shield the Dauphins arms (indistinct) impaled with Lion rampant of Scotland.

39. PROCURATORY of RESIGNATION by Adam Scot, son and heir apparent of Robert Scot of Bonytoun, appointing James McMath of Dalpedder, and others his procurators to resign his 40s. worth of land of old extent of Crare and Ardoche, in the barony of Drumlangrig and sheriffdom of Drumfreis, in the hands of James Douglas of Drumlangrig, knight, his lord superior of the same, *ad perpetuam remanentiam*. Seal appended at Edinburgh, 4 January 1561-2. Witnesses—

Symon Scot of Wynterburgh, James Johnnestoun of Myddilkyl, Andrew Armestrang, burgess of Edinburgh, James Johnnestoun of Kellobank, and Michael Marioribankis, notary; signed by Adam Scot, "w^t my hand at the pen led be me, Michael Marioribankis, noter, at his command, becaus he culd not writ him self." Seal attached. An Instrument of resignation states that the lands were resigned on 14 February 1561-2.]

40. CONTRACT of MARRIAGE betwixt Walter Ker of Cessfurd, knight, and William Ker, his eldest son in life, on one part, and James Douglas of Drumlangrig, knight, for himself and taking the burden on him for Jonet Dowglas, his daughter, on the other part, by which William agrees to marry the said Jonet before the 10th day of May next "or soner as salbe thocht expedient be the saidis Walter and James." Before which the said William binds himself to cause himself to be served heir to the late Andrew Ker of Cavertoun, knight, his brother, in all his lands, and get himself seized therein; and thereafter, with advice of his father, shall infest the said Jonet "in hir wedowheid," in liferent, in the lands of Cavertoun, with mains, fishings and mills, in the sheriffdom of Roxburgh. Walter Ker agrees to hold the said William and Jonet in his household and family so long as they please to remain, and shall cause them enjoy the lands of Clarelaw to their support and entertainment during his life, or, if Clarelaw were taken from them by law, to lands of the same value. If it pleased not the said William and Jonet to remain in household with the said Walter "bot draw them to thair avin hous," he shall enter them to the 40 merk land of Cesfurde with the tower and fortalice thereof, with mills and mains of the same plenished as they were "with seid, oxin, and other plenishing necessar," and to the teind sheaves thereof, he paying to the Abbot of Jedburgh the maills used and wont, together with the mill of the lordship of Prymeside, to be enjoyed by them during the said Walter's lifetime. If William deceased before his father, the latter binds himself, and William binds his heirs to pay the said Jonet in the burgh of Edinburgh the sum of 300 merks yearly for her liferent of Cavertoun, which she is bound to set to Walter or his son's heirs for the said sum yearly. For security of the payment sufficient burgess men of Edinburgh were to be acted in the Books of Council. For all which causes the said James shall pay to the said Walter the sum of 3000 merks Scots at the terms specified. The Contract to be registered in the Books of Council. Dated at Edinburgh, 2 March 1563-4. Witnesses names not inserted. Not signed. [Draft or copy.]

41. LETTERS of REMISSION by Henry and Mary, King and Queen of Scots, by which of their special grace they remit to their beloved James Douglas of Drumlangrig, knight, and William Douglas of Hawik, knight, his son and apparent heir, and their "parentes," friends, men, tenants and servitors, and whatever others had been in their company, all rancour of mind, royal suit or action competent to them, for their treasonable reset, supply and intercommuning with James, Earl of Murray, Andrew, Earl of Rothes, and others their rebels, being at their horn, in the months of August and seventh of September last and October instant, provided they made satisfaction to parties complaining; and take them under their firm peace, &c. To endure during the life of each of them. The great seal attached. At Edinburgh, 28 October 1564. [Seal remaining—broken.]

42. REMISSION by Henry and Mary, King and Queen of Scots, by which of special grace they remit to their beloved William Dowglas of

Hawik, knight, Master John Dowglas, Hector Dowglas, John Dowglas in Carranhill, John Dowglas in Halskar, David Dowglas in Drumcork, William Dowglas in Know, John Dowglas called of Stable (vocat. a stabulo), and John Reid, rancour of mind, royal suit and action, for art and part in the slaughter of the late Hugh Dowglas of Dalvene, committed in the month of August last, provided they satisfied persons complaining, &c. to endure for the lives of parties. Great Seal attached. At Edinburgh, 7 October 1565. [Seal remaining—broken.]

43. DISPENSATION by John, Archbishop of St Andrews, primate of the whole kingdom of Scotland, legatus natus, abbot of the monastery of Paisley of Glasgow diocese, and legate of the holy Apostolic see, with the power of a legate *a latere*, directed to Roger Greirson of Lag, layman of the said diocese, and Helen Douglas, daughter of James Douglas of Drumlanrig, knight, a woman of Glasgow diocese, stating their petition to be joined in wedlock, but because they were in the third and fourth, and fourth and fourth grades of consanguinity they could not accomplish their desire, and had humbly supplicated the archbishop for a remedy, who accordingly allows them to contract marriage in face of church, &c. Given under the archbishop's seal at the town of Edinburgh, 3^o Kal. Martii (28 February) 1566. Signed by A. Forrest, secre^{us}, M. E. Cok abbre^{tor}.

[Seal remaining, but much broken.]

An indorsation bears that on 21 April 1566 before a notary and witnesses Roger Greirson of Lag, and Helen Dowglas, before solemnization of marriage and at the time of their marriage, delivered to the notary the letters of dispensation to be read, which he did, and the parties protested that there was no impediment to their marriage, &c. Done in the chamber of James Dowglas of Drumlangrik, knight, the 9th hour before noon, and at the time of the solemnization of the marriage. Certified by John Tailzeour, notary.

44. LETTERS of REVERSION, whereby James Douglas, son, and also heir of the late William Douglas of Hawik, knight, with consent of David Douglas of Baitfurde, Master Robert Douglas, provost of Linclwden, and Master John Douglas, his curators, on the narration that his "gudschir" (grandfather), James Douglas of Drumlanrig, knight, conform to contract dated 23 March 1572, had infested him in the lands of Knok, Auchinskeoch, Mekillholme, Cumrew, &c., in all a £48 land of old extent in the barony of Kirkmichall, Carrutheris, Downandbie and Kirktilcloische, in the stewartry of Ananderdale; the said James' half part of Mouswall, &c., Logane tenement, &c., Dronok, &c. and many other lands. Nevertheless James Douglas engages, on payment to him, within the parish church of Drumfreis, of the sum of £100 Scots by his grandfather, to quitclaim and overgive to him all the lands above enumerated; and binds himself that neither he nor his heirs should absent them from receiving the said sum on premonition of 40 days. Signed and sealed at Drumlanrig, 24 March, 1572-3. Witnesses, John Tailzeour, parson of Cummertreis, and others. Signed "James Douglas of Drumlanrig, younger, wy^t my hand," "Robert Douglas, prouest of Linclouden," "Mr. Johne Douglas." Seals attached—Drumlanrig's "S. Iacobi Dowglas De Drūlangrik."

45. LETTERS of ASSIGNATION by Sir James Dowglas of Drumlanrig, Knight, on the preamble that he was bound by an obligation to have infested the late Sir William Dowglas of Hawik, knight, his son and apparent heir, in the fee of all his lands and baronies of Drumlanrig,

Tibbirris, town of Dalgarnok, Glencroce and Drumfailzeane, Hawik, both property and tenantry, &c. to be held of the Queen and her successors, with reservation of liferent, to him and the heirs male of his body, and others of his surname he pleased to name and terce; conform to which obligation he obtained infeftment and sasine. Which obligation provided for letters of reversion, containing the sum of £100. Dated 26 February 1546-7. This reversion was not delivered by Sir William; but James Dowglas, son and apparent heir of Sir William, with advice of Mr. Robert Dowglas, provost of Linclowden, and Mr. John Dowglas, his curators, had now returned the reversion. Therefore Sir James, for the special love and favour he bore to his "speciall freind and cousing," Robert Dowglas of Coschogill, makes him and the heirs of his body, whom failing James Dowglas, son and heir of the late David Dowglas of Baitfurde and heirs male of his body, whom failing James Dowglas, son to Patrik Dowglas in Mortoun and the heirs male of his body, his assignees to the foresaid reversion, &c., failing of the said James and heirs male of his body when the lands could be redeemed. Also conform to agreement between the said Sir James Dowglas and James Dowglas, son of Sir William, with consent of his curators 23 March 1572-3, he infefts the said James in the lands of Knok, Auchinskeoch, Mekill Holme, Cumrew, Dalfebill, &c., in the barony of Kirkmichell, and many other lands as fully enumerated in the deed with various holdings, the said James and his curators being bound to give him letters of reversion for redemption of these lands from his heirs female whomsoever, failing heirs male of his body, containing the sum of £100 Scots. Therefore Sir James appoints Robert Dowglas of Coschogill and the heirs male of his body, whom failing James Dowglas, son to the late David Dowglas of Baitfurd, and heirs male of his body, whom failing James Dowglas son to Patrik Dowglas in Mortoun and the heirs male of his body, his cessioners and assignees to the said letters of reversion given to him by the said James and to all other reversions contained in any of the infeftments made by Sir James to him for redemption of the lands from his heirs female whomsoever &c. A further clause bears that if his "nevoy" (grandson), James Douglas, should decease without heirs male of his body and Robert Dowglas of Coschogill should succeed, &c. it should not be lawful for him or others mentioned to sell the lands, or any part of them, &c. Dated at Edinburgh, 11 March 1574. Witnesses, S^r John Bellenden of Auchnoule, knight, Justice Clerk, M^r James Makgill of Rankeloure Nethir, Clerk of Register, John Tailzeoure, parson of Cummertreis, and John Johnestoun, notary. Signed "James Dowglas of Drülangrik, Kny^t, wy^t my hand." Seal attached. On shield 1st and 4th a bend between six cross crosslets, 2^d and 3^d a heart crowned. Inscription "S. Jacobi Dowglas."

[There is another deed of the same date and to the same purpose except in wanting the last clause about sale of the lands.]

46. ADDITION to the WILL of Sir James Douglas of Drumlangrig, Knight, made at Drumlanrig, 18 August 1578. "Freindis, I do yow to vnderstand as I have bene cairfull and travellit all my dayis for the weil of you and this my hous, the quhilk in respect of my age and waiknes and dibilitie of my bodie is schortlie to pas thairfra at Goddis plesour; quhairfoir it is my will that my hous be vsit, to the glorie of God and to the conforte of all you freindis cumit thairrof and allyate thairwith, and to that effect ernistlie desyris that all occasionis that may moue variance betuix my oy and yow to be aduodit and cuttit away, sua that he may interteny yow as his freindis, and ye to mantene and do for

him in all his honorabill and ressonabill caussis." He proceeds to state that there is a head he fears more than all the rest may make variance, which was that his oy [grandson] was young, and, as the writer believed, bore great affection to his mother, "quhilk I disallow nocht him to do all thingis to hir that is ressonable," but not to give her entry and the rule of the house after his decease, nor to remain therein. "And that be ressoun, I vndirstand hir to be ane proude and wilfull woman," and would use every means to have the handling of his oy and his living and would try to sunder his oy from his friends to have the profit of his living and "to revenge hir wickit nature aganis the freindis of the hous," &c. And he commands his oy not to receive her in household with him, and desires the friends never to consent thereto; and if his son were wilful, and wished to admit his mother as a ruler of his house, "I will and ordanis that my sone, the provest of Linclouden, and the rest of my freindis, refuse the samin, and nocht to permit him to follow his awin will aganis his weill and this my ordinance."—Dated at Drumlangrig, 18 August 1578. Witnesses, Roger Greirsoun of Lag, Alexander Stewart of Garoleis, younger, Alexander Jardene of Apilgyrth and Sr John Tailzeour. Signed "Drülangrik," "Roger Greirsoun of Lag wy^t my hand," "Alexander Stewart," "James Douglas of Drumlangrig, younger, obliassis me to afferme the samin, as is abone written."

47. AUGMENTATION by Sir James Douglas of Drumlanrig to his Will. 27 August 1578.

At Drumlangrik, the xxvij day of August, the yeir of God ane thowsand fyve hundereth thre score aughtene yeiris, I, James Douglas of Drumlangrik, knycht, eikis and augmentis to my lettir will and testamentis and last eikis thairof, this my ordinance. That aucht thowsand merkis and twenty nyne score of crownis of the sone now being in my charter hows within the bowell thairof, that my sone, Master Robert Dowglas, provest of Lynclouden, haif the keeping thairof, and to remane within the said bowell, and to haif the keyis of the bowell: And Master Johnne Dowglas, my brothir sone, to haif the keyis of the vtir duris of the charter hows and irne yet thairof: and the said sowme to be disponit according to my lettir will and ordinance: and the said Master Robert, my sone, to hawe in keeping siclyke of all sowmes of monye or guddes that shall happin to fall to my fyve ovis, dochteris to my vmquhill sone, Williame Dowglas of Hawik, knycht, to be disponit to thame be the awyce of the said Master Johnne and freyndis. In wites of the quhilk, I, the said Schir James, hes subscriuit this my ordinance and eik to my lettir will, day, yeir, and place abone writtin befor thir wites, Schir Johnne Tailzeour, Johnne Ireland, officiar, and for affirmyng of the sammin, James Dowglas of Drumlangrik, younger, my oy, hes subscriuit the sammin.

Drumlangrik
James Douglas of
Drumlangrik, younger.

48. The WILL of Sir James Douglas of Drumlanrig as contained in his "testament testamentar and inuentar" of his goods and gear, at his decease on the 27th day of December 1578, given up by James Douglas of Drumlanrig, his "oy."

At Drumlangrig, the ellewint day of September, the yeir of God ane thowsand fyve hundreth threscoir aughtene yeiris; the quhilk day ane rycht honorabill Sr James Douglas of Drumlangrig, knycht, made his latter will as efter follows, viz. I mak and constitut James

Douglas, my oy, lauchtfull sonne and air of wmqhile Williame Douglas of Hawik, knyght, my werey lauchtfull vndoutit and irreuocabill cessioner and assignay in and to my hail cornes, cattell, scheipe, hors, nolt, gold, siluer weschell, plennessing and vthairis guidis quhatsumeuer pertaining to me; also his debts, with a provision that Mr. Robert Douglas, provost of Lincluden, and failing of him by decease, Mr. John Douglas of Craiginkunne, Sir James's brother's son, should pay certain legacies out of his silver and gold and debts owing to him. If his son died without heirs male of his body, Robert and John were to intromit with the goods &c. "to the support of sa mony of the said James my ois sisterris and dochterris as beis vnmartyit, and put to proffeitt and vthairis my pure kin and freindis." He ordains his "oy" to raise summons for choosing curators and to choose John Gordoun of Lochinvar, knight, Robert Douglas of Coshogill, Mr. Robert Douglas and Mr. John Douglas to be his curators, or any two of them, Mr. Robert Douglas being one, and ordains the said Robert and John "to keip hald and gouerne my said ois hous during his minoritie," the excess of his living to be spent on upholding his places and houses in "thak, glas and vthairis necessairis." He requests Lochinvar to befriend his grandson and gives many legacies to his grand-daughters and others. The testament is confirmed at Edinburgh, 20 November 1581.

49. The Testament dative and Inuentar of the guidis, geir, sovmes of [money] and dettis pertaining to wmqhile ane honorabill lady, Dame Cristiane [Mont]gumrie, Lady Drumlangrig, sumtyme spous to ane rycht honorabill [man Sr] James Douglas of Drumlangrig, knyght, the tyme of hir deceis, quha [deceissit] vpon the nynt day of August the yeir of God ane thowsand fywe hun[dreth] threscoir fyftene yeiris, faythfully maid and gewin vp be James Do[uglas] now of Drumlangrik, thair oy, executour dative surrogat to the said . . . Dame Cristiane Montgumrie, his guddame, in place of the procurator f[iscall] be decreitt of the commissaris of Edinburgh, without preiudice of all vthairis haiffand entres, as the samen decreitt of the daitt the fyft day of August, the yeir of God J^m v^c fourscoir ane yeiris, at lenth proportis. Her goods include horses, oxen and sheep upon the Mains of Drumlangrig, the Ross, amounting to £8,262 13s. 4d. &c. and a few half fermes due by tenants. No will. Testament confirmed at Edinburgh, 20 November 1581.

50. EXTRACT CONTRACT of MARRIAGE between John Lord Flemyng and Esmé Duke of Lennox, Lord Darnelie, &c., Dame Margaret Flemyng, Countess of Athoill, John Earl of Montrois, Lord Graham, &c., and Alexander Master of Levingstoun, his curators, taking the burden upon them for Marie Flemyng, lawful sister to the said John, and Marie Flemyng as principal, on the one part, and James Douglas of Drumlangrig, with consent of Mr. Robert Douglas, provost of Lincluden, Sr [John] Gordoun of Lochinwer, knight, and Robert Douglas of Coschogill, and Mr. John Douglas of Craigincunne, his curators, on the other part, by which the said James Douglas agrees to marry Marie Fleming between the date and 18th February next, and to infest her in liferent in the lands of Chauosit, Chanlosend, Dalzane, Woodend, Danduff, Glenmauno, Dalgoner, and others, upon the water of Skar, in the barony of Drumlangrig, and sheriffdom of Dumfreis, and in conjoint fee in the lands of Kirkhoip and Quhitcamp in the lordship of Crawford Douglas alias Crawford Lindsy, in the sheriffdom of Lanark, &c., with various other conditions and provisions. The tocher paid by John Lord Flemyng is 6000 merks Scots, for which the Earl

of Montrois and Master of Levingstoun become caution &c. Dated at Edinburgh, 9 December 1581. Witnesses, George Meldrum of Fyvie, John Flemyng of Carwood, James Sandelandis of Slamannane Mvre, Sr John Tailzeour parson of Cummertreis and others. Registered 10 December 1581.

[King James the Sixth grants a charter under his great seal confirming a charter given at Drumlangrig 11 October 1611 by the late Sir James Douglas of Drumlangrig, knight, to Dame Mary Flemyng, Lady Drumlangrig, his spouse, in liferent of the dominical lands of Hawick, viz., the East and West Mains of Hawick, with tower, fortalice and manor place, in the barony of Hawick and sheriffdom of Roxburgh; to be held of the granter and his successors in free blench farm for payment of a silver penny yearly, if asked only. Confirmation dated 13 June 1616. (Drumlanrig Charter Chest.)

There are also in the Drumlanrig charter chest a Contract for the marriage of William Douglas, eldest son of Sir James Douglas of Drumlanrig, knight, with Isobel Ker, daughter of Mark, Lord Newbotle, dated at Edinburgh, 20 July 1603; and a contract for the marriage of James, Master of Drumlangrig, eldest son and apparent heir of William Viscount of Drumlangrig, Lord Douglas, Hawik and Tibbers, &c. with Lady Mary Hammiltoun, sister of James, Marquis of Hammiltoun, Earl of Arran and Cambridge, Lord Aven and Ennerdale, to which Dame Anna Cunnyngame, Lady Marquis of Hammiltoun, is a party. Dated at Hammiltoun, 4 June 1630 and signed by the parties. Sir John Hamilton of Orbeiston and others witnesses.]

51. ACQUITTANCE by King James the Sixth to Sir James Douglas of Drumlanrig for 2000 merks, and precept to ratify an infestment of the barony, 1592.

Rex.

Forsamekill as we having laitlie, eftir our perfite age of tuentie fyve yeris and last and general reuocatioun, grantit and disponit to our louit Sr James Douglas of Drumlangrig, knicht, and his aris maill heretabillie ane new infestment, vunder our grite seill off the dait the day off the yeir of God Im V^e fourscoir ellewin yeris; off the landis and lewing of Drumlangrig and vtheris contenit thairin, with aduocatioun and donatioun and richt of patronage of certane kirkis within the samin, all vnite in ane barony callit the baronie of Drumlangrig, with privilege of regalitie, frie chapel and chancellarie, within the haill boundis thairof. For the quhilk the said Sr James payit of befor to our thesaurer ane compositionn the tyme of the granting of the said infestment, according to the ordour vsit in sik caisses; and forder, hes at our desyre presentlie payit to our self the sowme of twa thowsand merkis appointit be ws for our Garde, quhair of we exoner and discharge the said Sr James for evir. Thairfoir it is our will, and we requiest and command the lordis commissioneris, artikillis, sessioneris, and vtheris, that thai on na wyis be quhatsumeuir act hurt or dirogat the foirsaid infestment grantit be ws to the said Sr James nor na privilege or benefit contenit thairin, for quhatsumeuir cause, respect or occasioun; bot to ratifie and allow the samin in sik competent form as may best stand to the weill and honour of the said Sr James. Subscriuit with our hand at the day off the veir of God Im V^e fourscoir tuelff yeris.

James R.

52. FRAGMENT of TESTAMENT of Mr. Robert Douglas, provost of Lincolndane, given up by his own mouth when weak in body, but of perfect memory and whole mind, at the "Feiris besyde Kelso," 12 September 1609. Among debts due to him by the tenants of Greinlaw are 12 oxen, price of the piece 20 marks, and other goods which were delivered to them in "Steelbow," when the lands were set to them, that is the Mains of Greinlaw, &c.

In his will he mentions his "being diseaset in bodie bot of perfyte memorie and hail in mynd and spirite." He leaves his soul to God, hoping it would be received "by the onlie meinis and. meritis of my lord and saviour Jesus Chryst," his body to be buried amongst the faithful in ———. He appoints James Jonstoune of Lochehous his only executor, and appoints noble and potent lords "my tender cousingis," Robert lord Sanquhar, and Robert lord Roxburghe, to be overseers to his executor, who as well as Lochehous accept the office. He leaves to John Douglas "my oy" v^c marks; to Jean Douglas "my oy" viij^c marks; to Archibald and Robert, brothers to James Douglas of Baitfurde, 1^c lib. each; to be paid by James Douglas of Baitfurde, only intromettor with the plenishing in his house of Greinlaw. "Item I leive to George Grahme v^c merkis, prouiding he make payment to his sister Helene Grahme of hir awin bairnis pairt of geir, otherwise the v^c merks to be paid to her." Various other legacies are added. The writ is very much torn.

53. REMISSION by King James the First, King of Great Britain, France and Ireland, on the narrative that during the time the realms of England and Scotland were distinct, which were now most happily by the providence of God united into one monarchy, the peaceful and good subjects living in the inward regions next the borders of either kingdom were most grievously vexed, oppressed and troubled by insolent and misordered persons of the Borders by raids, fires, rapine, theft, murder, homicide, &c. committed on the good and peaceable subjects, so much so that certain noblemen and potent persons dwelling near, partly for their own security, and partly of duty to the King, and charity to their neighbours of lower estate were stirred up oftentimes to oppose and check the savage proceedings of the said malefactors, sometimes by special commissions and sometimes by the King's verbal direction and warrant, when the times required not to wait for issuing a commission, &c. Of which number the King's most faithful and obedient subject Sir James Douglas of Drumlangrig, knight, was one in special on the West Borders, whom the King chose by sundry commissions as well as private commands, and verbal directions from his mouth only, to resist and suppress the insolencies of the said oppressors, who was always ready and willing to risk his life in the King's service. And after the King's coming to England he had been occupied by the King's priuy council, or by the King's faithful and well beloved counsellor, George Earl of Dunbar, Lieutenant of the Middle shires, in apprehending divers malefactors for the peace of the realm, and had forborne no toils to give the King satisfaction in executing the King's commissions and directions, &c., so that he was sometimes compelled to convocate the lieges, kindle fires, commit slaughters, burn buildings and houses, and use hostility for repressing the said malefactors, and several notable and manifest robbers and thieves to punish to the death, without preceding inquest of assize, or sentence of court, because the said malefactors sometimes made resistance, and fled to houses and refuges for security, &c. Therefore the King, with consent of the lords of secret council, finds, decerns and declares, that the said Sir James Douglas, in the

execution of the King's commissions and verbal instructions, and in convocation of the lieges, and in taking, imprisoning and punishing to death *super convictione*, though lacking a lawful commission, of all and sundry persons of whatever quality or rank which were sought for, seized and imprisoned and punished with death by him, at his command, within the bounds of the West Marches, or outside of them, before the date hereof, or in demolishing of houses, slaying persons resisting, being rebels, fugitives or outlaws, &c., had done the King faithful, grateful and acceptable service for the good and benefit of the King and his subjects, &c., and reputed Sir James his faithful and worthy subject in so doing: And exonerates, quitclaims, and relieves him and his heirs of the same; and remitting to him also all other crimes and transgressions. Dated at Quhytehall, 6th November 1609. [Great Seal attached broken.]

HEAD THIRD.—The BARONY and CASTLE of TIBBERS, adjacent to DRUMLANRIG, from the time of GEORGE DUNBAR, EARL of MARCH, LORD of ANNANDALE and MAN, to his successors the MAITLANDS of LETHINGTON and THIRLESTANE and others. 1369–1500.

Also the Barony and Castle of Morton.

54. CHARTER by George of Dunbarre, Earl of March, by which he grants to John Mautalent, for his homage and service, all his lands and tenements of his barony of Tybres with their whole pertinents, to wit, the town (villam) of Tybres with the dominical lands and mill, multures, and sequels, Glengerrok, Auchyngasyll, Auchynawht, Auchbynbany, Dubbillay, Klouchyngare, Knokbaen, Penpount, with mill, multures and sequels, and all his lands lying between Scharre and Schynnylle with all their pertinents, excepting to the granter and his heirs, his messuage, the moat (monte) of the Castle of Tybris, with Dalgernok, and the lands of the free tenants lying within the foresaid lands; to be holden by the said John and Robert, his son, born of the granter's sister Agnes, and the heir or heirs proceeding from the said Robert, of the granter and his heirs whomsoever, for rendering three suits yearly at the granter's court of Tybres, and to the King forensic service, so much as belonged to the lands. A clause of warrandice engages to defend the lands "contra omnes exules tam homines quam feminas nunc ad fidem et pacem Regis Anglie existentes." Seal appended at the granter's Castle of Dunbarre, 23 August 1369; witnesses, David, dean of the granter's collegiate church of Dunbarre, Masters Thomas of Harcars, Patrick of Hebburne, canons thereof, Sir John of Crumby, Sir John of Futheneuyn, Sir Alan of Borthewyk, Sir Robert of Fenwyk, canons thereof; Sirs Walter and Alexander of Halyburton, Patrick of Polword, Patrick of Hebburne, knights, Alexander of Ryclyngtoun, John of Lyle, Hugh Adamson, Robert Lethe, and Thomas, the granter's clerk. [Seal remaining.]

55. RESIGNATION by Walter Beset (Bisset), son and heir of the late John Beset, knight, lord of Clerkyntoun, in the hands of a great and magnificent lord, and his lord, George of Dunbarre, Earl of March, lord of Annandale and Man, all right or claim which he had or might have in the lands with their pertinents whatsoever of Dorsqwen, Glenkode, Croghelyn, Douwyn, Aghenbrekis, Bennan, Corforlyn, or in all other lands with their pertinents, if he held any *in capite* of his said Lord, within the barony of Tybris; so that neither he nor his heirs, nor any other person in his name, could challenge any right or claim to the said lands in time to come. Witnessess, John Synclere, Vmfrid of Gardin, John, son of Walter, Thomas of Wardlaw, Philip of Nesbit, John of Jonystoun, John of Caldcotis. Seal appended at Lowghmaben, 14 April 1374. [Seal attached, legend, "Walteri Beset."]

56. CHARTER by Robert the Third, King of Scots, granting to his beloved and faithful Robert Mautalent, knight, the lands of Tybrys with the pertinents, in the sheriffdom of Dromfres, falling to the King by reason of forfeiture or escheat, without any other royal right, to be held to the said Robert and his heirs, of us and our heirs, in fee and heritage, for ever, in the same way, and by the same services as George of Dunbarre, sometime Earl of March, freely held the lands of the King in times bypast. The King commands his seal to be affixed. Witnesses, Matthew, bishop of Glasgow, Gilbert, bishop of Aberdeen, chancellor, Robert, Duke of Albany, Earl of Fife and Meneteth, the King's brother german, Archibald Earl of Douglas, lord of Galloway (Galwidie), James of Douglas, lord of Dalketh, and Thomas of Erskyne, the King's cousins, knights, at Renfrw, 11th October 1401. Fragment of Seal attached. [This charter is not included in the present Register of the Great Seal.]

57. PROCURATORY of RESIGNATION by Edward of Craufurd of the lands of Dalgarnok, 31 March 1423.

"Be yt kenyt tyl al be thire present letteris, me, Edward of Craufurd, sun and ayre of John of Craufurd, lord of Kyrkanderis in Portoum, tyl haf mad, stabylyst and ordanyt my lufyt frendis Adam of Dalzell, Steuyn of Kyrkpatrick, and Hu of Spens, togeder and syndery, my procuraturis and special mesangerris; gyfand and grantand my ful and playn pouere to tha ilkis, Adam, Steuyn, and Hu, togeder or syndery, my landis of the toun of Dalgarnok, wyth thaire pertinens, lyand in the barony of the Tyberis in the sherafdoum of Dumfres, wyth staf and bastoun tyl vpgyf and purly and symply resyng in the handis of ane he and mychty lord, George of Dunbare, Erl of the March and lord of Man, my oure lord of the sayd landis. Hafand and for to haf ferm and stabyl quat thyng so euer the saydis Adam, Steuyn or Hu, togeder or syndery, as my procuraturis and special mesangerris in my nan [sic, nam] in thaire ofis of procurature ledis to be down. In the wytnes of the quhilk thyng to thire my present letteris of procurature, I haf hyngyt my sel, at Kylosbern, the last day of March, the yere of oure Lord M^{ccccxx} iij." Seal wanting.

[In the same year a charter is given by George of Dunbarre, Earl of March and lord of Man, to his beloved cousin, George of Kyrkpatrick, son of Thomas of Kyrkpatrick, knight, lord of Kylosbern, of his whole lands of the town of Dalgarnok, in the barony of Tybris, &c. for his service, resigned by Edward of Craufurd: to be held by him and the heirs male of his body, whom failing the said Thomas, knight, and the heirs male of his body, whom failing the lawful heirs of the said Thomas whomsoever, of the Earl and his heirs, in fee and heritage, for paying a silver penny at Michaelmas in the church of St. Michael of Dalgarnok, in name of blenchferm, if asked only. Sealed at Dunbarre, 10 October 1423. Witnesses, Patrik of Dunbarre, the Earl's son and heir, Columba of Dunbarre, the Earl's brother, bishop of Moray, Patrik Dunbarre, knight, lord of Bele, Patrik of Dunbarre, his son, Gilbert Grersoun, the Earl's bailie of Tyb[r]is, and Hugh of Spens, the Earl's esquire. [Seal wanting.] A precept of sasine is issued by the same Earl where he is styled George of Dunbarre, Earl of March only, directed to Gilbert Grersoun, his bailie of Tybris, on the resignation of Craufurd, and before the date of the charter. For it is given under the Earl's seal at Dunbarre, 20th August 1423. [Seal remaining—Shield, a lion rampant; crest, a horse's head.]

58. CHARTER by William Mavteland of Thirlstane, whereby for zeal of fraternal affection, he grants to his dearest brother german, James

Mavteland and Giles (Egidia) Skrymgeoure, his spouse, jointly and severally, all and sundry his lands of Auchinbrek, Dunvyn, Qubithill, Clongare, Firdenalane, Clauchane, Auchinach, Brawnkevill, Capilryg, and le Bagrav, in the barony of Tibbris, and sheriffdom of Dunfres; to be held to James and Giles, his spouse, the longer liver of them and the heirs of their bodies, whom failing to return to the granter and his lawful and nearest heirs whomsoever, of the granter and his heirs, in fee and heritage, for ever, in one whole and free lordship by all their right meaths and old marches, &c., for an annual payment of one penny of silver at the town (villam) of Tibbris, at Whitsunday, if asked only. With clause of warrandice. Dated at Dundee, (Dundee) 3 January 1450 [1451]. Seal wanting.

59. OFFICIAL COPY CHARTER by King James the Second, confirming the foregoing charter, by William Maitland of Thrillistane to his brother german, James Maitland, and Egidia Scrimgeour, his spouse, of his lands of Auchinbrek, Dunbryn, Quhytill, Clongar, Ferdenalane, Clachane, Auchmath, Brawnekebill, Capilrig, and le Bagrav, in the barony of Tibberis. Dated at Dundee, 3 January 1450-1, and is confirmed at Edinburgh, 10 June 1451. The extract is certified as being made from the Register by the King's command by Master Gavin Dunbar, Archdeacon of St Andrews, Clerk of Rolls, Register and Council. Signed "Gawinus Dunbar."

[James Maitland is retoured as heir to his father Robert Maitland in the 8 merks of land in the town of Tibris, in Achingassill, Achinbanze, and two acres in Tibris; Achingassill and Achinbanze are held of William Maitland of Ledingtoun by holdings mentioned in retour; the two acres in Tibris are held of the King for 40d. of feufarm, &c. The jurors are Robert Crichtoun of Kirkpatrik, Robert Geresoun of Daltoun, John Fergusson of Cragdarach, Alexander MakMath of Dalpeddir, Duncan Hunter of Ballagan, Robert Creichtoun of Craufurd-toun, Roger Geresoun, brother german of Cuthbert Geresoun of Lag, George Greiresoun of Halidayhill, Laurence Greirsoun of Kirkbridrig, Cuthbert Menzeis of Achinsell, Harbert Maxwell of Kirkeconvell and others. At Drumfres, 11 May 1506. Copy Retour.]

60. LETTER of DISPOSITION by Edward of Craufurd, son of the late John of Craufurd, lord of Trewrenzane, granting and renouncing in favour of George of Kyrkpatrik, lord of Pennersex, his heirs and assignees, for benefits, counsel and help, and a sum of money, all right and property he had to the lands of the town of Dalgarnok and of Langeroft, in the barony of Tiberis and sheriffdom of Drumfres. With an obligation that if he, his heirs or assignees, should move question, or attempt anything against this disposition, he or they should pay 200 merks Scots to the fabric of the church of Glasgow in name of penalty, 200 merks to the said George, his heirs and assignees, in name of damage, &c., without judicial proceedings, to be paid at the tower of Killoberne before they were heard before any judge, ecclesiastic, or secular, &c. And he quitclaims the said George, his heirs, &c. of all conditions and obligations of marriage made and appointed between him and Sir Thomas Kirkpatrik, knight, of Killoberne, and the foresaid George at any time before the making hereof, and binds himself by oath on the holy evangels. Sealed at the Tower of Killoberne, 10 February 1456. Witnesses, Robert of Crechtoun of Sanchar, knight, sheriff of Drumfres, Thomas Fergusson of Cragdarach and others. [Seal wanting.]

[In the following year another writ was granted by Edwarde of Craufurde, confirming and ratifying the gift and grant formerly made to George of Kyrkpatrik. It mentions that he had resigned the lands in the hands of George Earl of March, as to his lord superior (domino superiori). They are granted to be held *a me, hereditibus meis et assignatis*, in fee and heritage. The penalty is 1000 merks Scots, the sum paid to the granter, £100 Scots to the King, and £100 Scots to be applied to the fabric of the Cathedral Church of Glasgu. The granter's seal is appended and that of Roger of Kirkpatrik of Knok, at the Kirk of Dalgarnok 9th May 1457. Witnesses as in letters of Disposition, with Roger of Kirkpatrik of Knok, John Steile, vicar of Dalgarnok and others. [Seals remaining.] Edward of Kyrkpatrik receives sasine of the lands as son and heir of the late George on 16 March 1470-1, on precept from chancery, the lands being held of the King in chief.]

61. NOTARIAL INSTRUMENT certifying that in presence of Thomas of Galhagi, depute of Masters William Heris and Thomas Tyndine, commissioners of Andrew, Bishop of Glasgow, sitting in judgment, the notary and witnesses, a noble man George of Kyrkpatrik, lord of Penerssex, compeared personally and craved that Fergus Duncansoun, Thomas Gersoun, Thomas Andrewsoun, Thomas Goldsmyth, Thomas McCalane, Patrick Ahowran, John Goldsmyth, younger, summoned by the said judge should be examined as to what they knew of a sasine formerly delivered by Fergus McRei, serjeant to a certain Edward of Craufurd, son and heir of the late John of Craufurd, lord of Trarinzan; who being sworn declared that they were present, heard and saw, when the late Fergus McRei, serjeant, at command of Sir William of Douglas, sheriff of Drumfres, as he averred, by authority of a noble lord, the lord Earl of March, delivered heritable sasine of all the lands of Dalgarnok, with the pertinents, to Edward of Craufurd, son and heir of John of Craufurd, lord of Trarinzan, sixty years before the date of the present instrument, and declared that the sasine was given at Ravin Hill in the house of John McCalay, and a sasine ox was taken by Patrick Ahowran, and the deponents declared that at that time they were of age, some 17 years, some 18, some 20. Done in judgment in the Friars Church of Drumfres, 10th hour before noon, 4 May 1459. Witnesses, Sirs Walter McGilhauch, William Ahanna, John McGilhauch, chaplains, Eliseus McWrek and Ranald Smyth. Michael of Byrkmyre, notary, after whose docquet is a sentence importing that for more evident witnessing the seal of the deaconry is affixed. [The tag alone remains.] A duplicate of this deed is certified by John McIlhauch, notary.

62. RETOUR of INQUEST made before Robert of Crechton of Sanchar, knight, and sheriff of Drumfres, by John Menzies of Enach, Vedast Grerson of Lag, Edward Crechton of Knokis, Alexander of Crechton of Crawfordston, James Heris, Archbald of Dowglas, George Neilson, of Madynpap, Gilbert Neilson, Gilbert Grerson of Kyrkbrid, William of Crechton of Ardauch, James Kyrkhauch of Gleneslyn, Robert of Mwrhed of Wyndehillis, Alexander McMath of Dalpedyr, Bertholomew Hunter of Ballagayn, Cuthbert Momorson of Arstroan, Robert McBrer, provost of the burgh of Drumfres, Alexander Roerson of Bardanach, Symon Letill of Kyrkton and John of Kyrkpatrik, who declared that Adam of Kyrkpatrik, father of Adam of Kyrkpatrik, bearer hereof, died last vest and seized at the faith and peace of the King, in the lands of the town of Dalgarnok, in the barony of Tybbyris, &c., is nearest and lawful heir of his said father, and is of lawful age; that the lands were now valued at ten merks and so much in time of peace, held in chief of

the King by blench ferm for rendering yearly one penny Scots, in the church of St. Michael's of Dalgarnok, on St. Michael's day, in name of blench ferm, if asked only; and that seven merks of the said lands were now in the hands of the King, as lord superior, by the death of the said Adam, because the heir had never pursued his right; and three merks of the lands were in the hands of the foresaid Jonet Dowglas, spouse of the late Adam, by reason of her joint fee, and were so from the death of the foresaid Adam, who died six weeks before the making of the inquest. Made at Drumfres, 5th March, 1471-2. Seals are stated to be attached, but they are now wanting.

63. PRECEPT of Clare Constat, whereby William Maitland of Lidyingtoun, and baron of the barony of Tibris, directing his bailies in that part, on the preamble that it was well known that the late Robert Maitland, father of James Maitland, bearer of the precept, died last vest and seized, as of fee, at the peace and faith of the King, in the eight merk land of old extent of the town of Tibris, of the six merk land of Achingassill of old extent, and the twelve merkland of Achinbanze of old extent, lying in his barony of Tibris, and sheriffdom of Drumfres; that the said James was nearest heir of his father and of lawful age. Charging his bailies to give sasine to him of the said lands. Dated at Lawdre, 19th May 1500. Seal wanting.

THE BARONY AND CASTLE OF MORTON were granted by King James the Second to James Douglas of Dalkeith and Janet Borthwick, his wife, in 1439-40.

In the Parliament of 1457, Lord Borthwick appeared on behalf of his sister, Janet Borthwick, Lady of Dalkeith, commonly called Lady Morton, and, objecting to the territorial title of Morton being given to James Douglas of Dalkeith, prayed that the King would do nothing concerning the lands of Morton to the prejudice of her Ladyship and her son. The chancellor answered that the Lord of Dalkeith was to receive his title of Earl from the lands of Morton in the territory of Calder Cleir and not from the lands of Morton in Nithsdale.

The reason of the lady for objecting to the new title of the Earl of Morton being granted to James Douglas of Dalkeith appears to have been, that as she was infeft in the old barony of Morton, and was designed Lady Morton, she did not wish that this courtesy title should be infringed by the new Earl, who was a grandson of her husband by his first marriage. Such an infringement, if it had been sanctioned, might have given rise to contention between her and the wife of the new Earl of Morton as to the right of the former to the designation of Lady Morton.

Bearing on her ownership of this territory two writs are here added, which shew that Janet Borthwick, Lady Morton, who afterwards became Countess of Caithness, uniformly stoutly defended her rights to Morton when these were invaded by neighbouring proprietors.

The Castle of Morton, like the adjacent castle of Tibbers was subsequently included in the extensive estates of the Dukedom of Queensberry. It was the castellated residence of Dunegal of Strait or Nithsdale, in the time of King David the First (1124-1153). Both the Barony and Castle of Morton formed part of the possessions of Sir Thomas Randolph, the great great grandson of Dunegal. Through the marriage of his father, Thomas Randolph of Strathdon, with a sister of King Robert the Bruce, he obtained from his uncle the Earldom of Moray, the Lordship of Annandale and the barony of Morton. These estates were inherited by his daughter Lady Agnes, the famous "Black Agnes" of Dunbar, and Countess of March. The Douglasses of Dalkeith afterwards acquired

the barony of Morton, and also a new creation of the title of Morton from other lands as above explained.

64. NOTARIAL INSTRUMENT, narrating that in presence of the notaries and witnesses, a noble man Robert of Dalzel of that ilk personally compeared, and presented a brief from the royal chancery purchased by him under part of the Great Seal, inclosed in white wax in manner of court, having in the end thereof on the right hand "Baroni de Mortoune et balliuis suis dicte baronie pro Roberto de Dalzel," within the outer gates of the Castle of Mortoune; and having so publicly shown the brief, he craved the presence of William of Douglas, knight, baron of the barony of Mortoune, or any other person baron of the said barony, having power to give heritable sasine to him of the lands of Balibocht with the pertinents, according to the tenor of the brief hanging in his hand, offering humbly to pay the service due and wont. Whereupon approached a noble Lady, Jonet of Borthwic and received the said brief from the hand of the said Robert, and flatly refused to restore him the brief, and said that the said Robert could neither obtain the presence of the baron nor sasine of the aforesaid lands in any manner. Upon which the foresaid Robert Dalzel craved instruments. Done at the Castle, the 11th hour before noon, 1 April 1456. Witnesses, Robert of Crechtonne of Sanchar, knight, sheriff of Drumfres, Lady Jonet of Borthwic, John le Menzeis of Cunath, Charles of Moray of Cokpule, Sir Henry, chaplain of the said Lady Jonet of Borthwic, with sundry of her household, Edward of Crichtoune, Henry Neilson and John le Menzies of Achincel, Thomas of Burne and Michael of Byrkmyr, notaries.

Another Notarial Instrument narrates a second attempt to obtain seizin when Robert of Dalzele, lord of that ilk, gave the brief called "Breue Furthe" from chancery, directed to the lord of the barony of Mortoune to Jonet of Douglas, commonly called Lady of Mortoune, which the notary read, and which charged the baron to give seizin of the lands of Belliboucht to the said Robert, she being baron, or having power to give seizin. Lady Jonet answered that the lord of the barony of Mortoune willed not, nor was bound to give him seizin of the said lands because they were proper and heritable lands of the barony. Done at the gate of the Castle of Mortoune, 14 May 1456.

Seizin was ultimately given ten years later on a Precept of Sasine by William of Douglas, knight, lord of the lands of the barony of Mortoune, directed to William of Douglas of Drumlangrig, John Menzies of Cunath, Edward of Crechton and John Tailzefer, his bailies in that part, stating that he had given to his well beloved cousin, Robert of Dalzell of that ilk, his lands of Bellyboucht in the barony of Morton and sheriffdom of Drumfres, Edinburgh, 3 November 1466. Seizin was given by Drumlangrig at the chief messnage of the said lands in presence of David Heris of Awendail, knight, Sir Robert of Crechton of Sanchar, knight, and sheriff of Drumfres, Thomas of Kyrkpatrik, lord of Kylosberg, Edward of Crechton, Thomas of Dalzell of Buthax and others, 5 November 1466.

65. LETTERS of CONFIRMATION by King James the Third by which he ratifies a decree made at Perth the 5th June 1464 in presence of the Lords of privy council, to wit, James, bishop of St. Andrews, Thomas, bishop of Dunkeldin, Andrew, lord Avandale, chancellor, John, Earl of Athole, David Earl of Crawford, John Lord Dernle, Walter, Lord Lorne, Andrew, Lord Gray, Robert, Lord Flemyng, Robert, Lord Lile, Sr James of the Car . . . Sr John of Colquhene of that ilk,

knights, Master Archibald Quhitelaw, secretary, and Thomas Forbes Dauison; in the action between Jonate, Countess of Cathness, and S^r William of Douglas of Mortoune, knight, her son, on the one part, and Robert of Dazell of that ilk, and George of Kirkpatrick of Prendisax, on the other part, touching the proof made by Jonate "of the gudis spulzeit fra hir oute of the landis of the barony of Mortoune," of which proof a part sworn in Edinburgh in presence of the said Andrew, Lord Avandale, and then committed by him to Master Archibald Quhitlaw and examined by him touching the "spulzie" made by George of Kirkpatrick, and another part "sworne and committit be oure souerane lord to Master John Ottirburn," official of Louthiane, Master William Forman, "dene of that ilk" and Thomas Oliphant, to receive their depositions regarding the spoliation made by Robert of Dalzele of that ilk and his accomplices. The Lords deliver that Robert of Dalzele of that ilk and George of Kirkpatrick shall pay to Jonate, Countess, and to S^r William of Douglas, her son, the sum of £400 Scots for the "spulzie" committed on them after the tenor of the act she has thereupon; and that the said Robert and George shall within twenty days after the date "entir within the Kingis warde," Robert in the Castle of Lochlevyn, and George in the Castle of Striueline, and within twenty days after the entry find surety to Jonate and William to pay them the said sum of £400 within four months after. Which twenty days being gone and no surety found the King shall immediately "presoun thaire personis, mak penny of thaire gudis" and sell of their lands till the sum were paid, Robert and George having recourse against their complices according to the first act. Which act and decree the King ratifies and approves. Given under the testimony of the great seal at Perth, 5th June, fourth year of reign (1464). Seal wanting.

HEAD FOURTH.—ANCIENT CHARTERS granted by the BRUCES, LORDS OF ANNANDALE, subsequent to the grants of the territory of Annandale by King David the First in 1124.

These are a very interesting collection of feudal charters from 1190 down to the succession of King Robert the Bruce, and his nephew, Randolph Earl of Moray, who became Lord of Annandale and Man after Bruce became King. The earlier of those charters contain the names of the Johstones of Johnstone, the Jardines of Applegirth, the Corries of Corrie and many other Annandale families who have long flourished in that district. One of the earliest of these charters, if not the earliest, is by Robert Bruce to Ivo without any other name. In the course of a few years however, William Bruce granted to Ivo of Kirkpatrick the land in the fee of Pennersax, which is called Thorbrec and Willamby. Between the date of the first and second of these grants, Ivo obtained part of the lands of Kirkpatrick, and he is now designated Ivo of Kirkpatrick. All the Kirkpatricks claim this Ivo as their ancestor. The name of Ivo has been preserved in successive generations of the Kirkpatrick family, and these two charters shew the practice of a person having at first only a christian name adding to it a surname on acquiring landed property.

66. CHARTER by Robert Bruis, granting to Ivo and his heirs a place between the fishings of Blawad (Blawatwood) and the water of Hesch (Esk); to be held of the granter for purposes of fishing and spreading nets; rendering yearly a pound of pepper or six pennies. Witnesses, Peter of Humez, Hugh of Corri, Hugh, son of Iugebald, Robert of Hodelm, Walter de Bosco, Humfrid of Gardin (Jardine), Richard Flammanc (Fleming), Henry son of Gerard. Circa 1190.

The original charter is in the following terms:—Robertus de Bruis, omnibus hominibus suis et amicis, salutem. Sciatis me dedisse et concessisse et hac carta mea confirmasse Iuoni et heredibus suis, locum qui est inter piscariam de Blawde et aquam de Hesch; tenendum de me et heredibus meis, ad piscarias suas faciendas et retia tendenda, libere et quiete; reddendo michi annuatim unam libram piperis, uel sex denarios; hiis testibus, Petro de Humez, Hugone de Corri, Hugone filio Ingebaldi, Roberto de Hodelmia, Waltero de Bosco, Humfrido del Gardine, Ricardo Flammanec, Henrico filio Gerardi. [The tag for seal remains bearing marks that the seal had been appended.]

67. CHARTER by William of Brus, addressed to his men and friends, Franks and Angles, granting and confirming to Adam de Karleolo (Carlyle) son of Robert, and his heirs, the lands of Kynemund by their right divisions, and of increase the whole land with wood and pasture as far as Steinreisbech, and so according to the lead by the middle of the marsh between west and north of Wrennehoc towards the Blanch land to the nearest bridge of the Blanch land but one, and so from that bridge as far as the spring whence the lead comes which is called Houticroftebech, and so according to that lead descending to the sike in Winterbech Scok which passes by Walterbrig; and so by that sike as far as Blabech; and so by Blabech descending to where it falls into Gillemartinebech; and beyond Gillemartinebech commonly of pasture with those of Millebi; and with Brakanepheit; and one mill with a pond and a reasonable site, and with reasonable roads to the mill and to the water to be led to the mill upon Polraban in the territory of Cumbertres. And within these bounds the grantee and his heirs shall be able to build and cultivate and make erections wherever they will, except in Brakanepheit where they shall not make houses unless by me. The grantee and his men shall also have free roads to market through the forest at Lochmaben through Dalton, and to Dumfreis through Rochel, and they shall hold all these lands and tenements of the granter and his heirs in fee and heritage, for performing the fourth part of a knight's service, reserving to the granter and his heirs the chase of the stag and hind, hog and roe deer. Further the granter has given the lands, with the mill, to the grantee and his heirs, to be held of him and his heirs for homage and service, and for excambion of Locardebi, which Robert de Brus, his father, gave to Robert, the grantee's father, for his homage and service. With clause of warrandice in time of peace, and promise that if the granter is unable to warrant the lands, he will give an exchange equal in value from his lands in Herterness. Witnesses, William of Heriz, Adam son of Adam, Udard of Hodelm, Hugh de Brus, Hugh of Corri, Henry Murdac, Gilbert son of John, William of Heriz, junior, Hugh Malleuerer, William of Heyneuille, Adam of Dunwithie, Richard Flamanc (Fleming), Richard of Bois (del Bois), Roger son of Udard, and Simon the chaplain. [1194-1214.]

68. CHARTER by William Bruce, granting to Ivo of Kirkpatrick that land in the fee of Penresax which is called Thorbrec and Willambi and the town of Blacwde, for his homage and service, to be held to the grantee and his heirs in fee and heritage, reserving the patronage of the church. Granting also the two carucates of land in the territory of Penresax, with tofts and crofts, which Richard son of Aidus, Robert son of Cecilia, Adam of Willambi, Adam son of the priest, Adam son of Astin, Jurdan, Stephen, and Richard son of Siric, held in Penresax, performing to the granter the service of the eighth part of a knight's fee. With clause of warrandice and a promise of exchanging, if unable

to warrant the lands, for others of equal value in Annandale or elsewhere. Witnesses, William Herice, Richard of Bois, Hugh of Corri, Umfrid Jardine, Robert of Crossebi, Gilbert of Jonistune, Roger of Kirkpatrick, Robert of Turmore, William of Heneuile, and Alan of Dunwidi. [1194--1214.] Part of the seal is still appended. On a shield a saltire and a chief—the charge on the latter defaced. Legend “S. Wilelmi D. Br [us].”

69. CHARTER by Robert of Brus, granting to Roger Crispin the whole land of Cnoculeran, as bounded, namely, from Blakebec under Thornthuayt as far as to the moss (Mussam) which is above Blakebec, and so along that moss as far as Blindethuayt, and so from Blindethuayt as far as Malroser, and so by the streamlet of Malroser as far as in Polraban, and so from Polraban along the green way to the fence of Holthuayt, and so by that fence to Threpland, and so to the marches of Hugh Hendeman's land, and as these marches fall into Blakebec: To be held of the granter and his heirs in fee and heritage, with the common pasture of Dalton, and Little Dalton and Musfald, except that the men living on Roger's land shall give multure and pannage, but he himself shall be quit of multure and pannage from his own house. The lands are granted to Roger for homage and service, and in excambion for his land of Kinemund, and a half carucate of land which he holds near Elrebec in the fee of Moffeth (Moffat) performing the twentieth part of a knight's service; and he and his heirs shall build and cultivate within their own bounds, and in every way possible appropriate the lands to their own use. Witnesses, William of Heris, Hugh of Corri, Gilbert of Joneston, Umfrid de Gardine (Jardine), Richard of Bois, Roger of Kirkepatric, Lawrence of Berkelai. c. 1218. [Seal appended in green wax partly injured, with two impressions. The obverse shews a shield bearing a saltire, and on a chief, a lion passant gardant. On the reverse is a counter seal of smaller size with same bearings. The legend on the larger impression is defaced. The legend on the counter seal is less injured, and is “SECRETUM R[OBERTI] DE B[RUS].”]

70. GRANT by Robert of Brus to Robert Crossebi of all the commonty which the granter or his men have in the wood of Stableton, granting also to Crossebi to have a free park of the said wood, so that he may be able to enclose it. Witnesses, Sir Umfrid of Kirpatrick, Sir Adam of Carnoto (or Charteris), Sir Gilbert of Jonestone, Sir Alan of Dunwidi, Hugh son of Hamelin, and Robert of Herice. [Ante 1245.]

71. CHARTER by Robert of Brus, Earl of Carrig (Carrick) and lord of Annandale, granting and confirming to Sir William of Karleolo (Carlyle), knight, and his heirs, for the increase of his land of Kynemund, a piece of land from the common pasture of the tenement of Neuby, which piece begins at the house which Malota held, and extends beyond Litelsweit Moor transversely as far as Castelbec, and from Castelbec transversely to Langesweit Moss across Batemanriding as far as the march of Brakansweit and the land which Hugh son of Laurence held and so descending by a fence as far as the house of the late John Bond, and from that house descending by a fence to the rivulet called Gillemartinetac, and so ascending as the land of Sir William Carlyle lies, to Mikelkeldwelle, and from Mikelkeldwelle ascending by the Morhuses to the Holgate, which is between the land of Morhuses and Sir William Carlyle's manor of Kynemund: To be held to him and his heirs of the granter and his heirs, with power to enclose the same by hedges and ditches, to cultivate, build, make

meadow and arable land, and act as proprietor in all things within the said piece of land. Clause of warrandice. Witnesses, Sir Roger Kirkpatrick, Thomas of Torthorwald, James his brother, Hugh Mauleverer, Humphrey Bois, knights, William de Gardino (Jardine), Walter of Corri, Nicholas of Corri, then Steward of Annandale, Walter of Bois and others. [Post 1271.]

72. CHARTER by William of Heriz, Knight, granting to Sir William of Carlyle (de Karleolo), Knight, and Lady Margaret his wife, daughter of the late Sir Robert of Brus, and the heirs of their bodies, of one fishing which is called Clutesker, with one fishing which is called Baysenette which he [Heriz] held of the chief lords of Annandale (Vallis Anand), in the tenement of Anand, with their sure marches and freedoms; to be held of the chief lords of Annandale for rendering of services due and wont. If Sir William and Margaret died without lawful heir of their bodies, the granter wills for himself and his heirs that the said fishings should remain with Sir William and his heirs and assignees without any condition for ever. The granter warrants the fishings "contra omnes gentes warantizabimus," first to the parties, and then to Sir William's heirs and assignees as above. Witnesses, Sirs Thomas of Torthorald, Humfrid de Bosco, Hugh Mauleverer, knights, Robert of Apelindene, Nicholas of Corri, John Flemyng, John of Torduff, William of Henevile. Seal wanting. No date, but *circa* 1304.

73. CHARTER by William of Heriz, Knight, to Sir William of Carlyle (Karleolo), Knight, and Lady Margaret, his wife, daughter of the late Sir Robert of Brus and the heirs of their bodies, of an acre of land with a salt pan (salina), which the granter held of the chief lords of Annandale, in the tenement of Roynpatrik, with all freedoms pertaining to them; To be held by them &c. of the chief lords of Annandale; Rendering to the chief lords for the time the services due and wont; and if the said William and Margaret should happen to decease without heirs of their bodies, the land and salt pan to remain with Sir William and his heirs and assignees. Contains a clause of warrandice both to Sir William and his wife &c., and to Sir William and his heirs. Seal appended before Sirs Thomas Torthorald, Humfrid de Bosco, Hugh Mauleverer, knights, Robert of Applingdene, Nicholas of Corri, John Fleming, John of Torduf, William of Henevile. [No date, c. 1305.]

74. CHARTER by George of Dunbarre, Earl of March, Lord of Anandale and Man, by which he certifies that he had seen and diligently understood the copy of a charter of Robert of Bruys of good memory, illustrious King of Scots, as follows:—Charter by Robert, King of Scots, granting to his well beloved and faithful Adam de la Chambre all the land which formerly belonged to Emmot Rede, lying in the town of Moffet in Anandale, with le "forelandis" of the said town: to be held of the King and his heirs, to the said Adam, his heirs and assignees, with all their just pertinents, right meiths and marches, in meadows, plains and pastures, moors, marches, ways, paths, and in waters, woods of Moffetdale and of Auendale, for building and burning, with brew-house (bracina) and butcher-house (carnificio), to sell at their will without the use of inspectors for estimating the price of ale and flesh, freely, quietly, and also free from multure in the Mill of Moffet and from "tolle" within Anandale "de cariaġ et puleař," with all other commodities. The King also grants to Adam and his heirs a toft wherever he should choose in the common of Moffet for building and dwelling,

with an acre of land next adjacent, and pasture for his beasts (animalium) at his will. Reddendo, one penny at Pentecost at the parish church of Moffet, if asked. Contains clause of warrandice. Witnesses, Alexander of Lyndesay, Alexander of Meneyhes, Robert of Keth, Gilbert of Haye. Which charter the Earl ratifies and confirms, saving his service. The seal of the regality of Anandale is said to be appended (now wanting). Confirmation post 1368. Original charter c. 1316 (?).

75. CHARTER by King Robert Bruce granting and confirming to Humphrey of Kirkpatrick, for his homage and service, the whole lands of Torthorwald, namely the whole mains (or demesne—"dominicum") entirely separated from the commonty, and the whole town (villam) of Torthorald, with multures, &c. also three husband lands of the town of Roucan, namely the land of Gilmorduff, the land of John son of Colman, and the land of Robert Scot, with the multures and mill of the whole town of Roucan, with free ish and entry to the said mill; to be held of the King and his heirs, in fee and heritage, for performing the service of one archer, and three suits yearly at the sheriff court of Dumfries (Dunfres). The King further grants the lands to Humphrey in free warren, and forbids any one to cut, hawk, or hunt, in the lands without Humphrey's special leave, or to fish in his lakes or fishponds under pain of forfeiture. Witnesses, William, bishop of St. Andrews, William, bishop of Dunkeld, Bernard, abbot of Abirbrothoc, chancellor, Duncan, Earl of Fyf, Thomas of Randolph, Earl of Moray, and Lord of Annandale and Man, the King's nephews, and James, lord of Douglas, knights. At Scone, 10th July, sixteenth year of the King's reign [1321]. Seal wanting.

76. CHARTER by Thomas Randolph, Earl of Moray, lord of Annandale and Man, granting and confirming to William of Carlyle (Carleolo), laird of Los (Luce near Hoddam), the granter's kinsman (consanguineo nostro) special permission to make a park from the lands of Neulandys and of Dikys, and for enclosing the adjacent moor as far as Bochardebech, and so descending to the water of Anand, excluding the way which leads from Los to the town of [torn in original]: To be held of the granter and his heirs for ever. Witnesses, Roger of Kyrkepatrick, William of Gardin (Jardine), Patrick of Carnoto, knights, and Humphrey Bois. [*Ante* 1329.] Seal wanting.

77. CHARTER by Thomas Randolph, Earl of Moray, lord of Annandale and Man, granting and confirming to John of Carlyle (de Carleolo) son of the late Sir William of Carlyle, special permission to enclose the park of Kinnemoth (Kinmont) without a thicket, and to hold the said park in free warren. To be held of the granter and his heirs without contradiction, the granter forbidding any one to cut, hawk, or hunt in that park without licence from John Carlyle; at Lochmaben (Loghmanban), 29th March 1329. Witnesses, Roger of Kilpatrick, William Gardin (Jardine) and Humphrey of Bois, knights, William of Carlyle, Ralph Frankys, and Adam of Corry. Seal wanting.

78. CHARTER by John of Grame, son and heir of Sir John of Grame, knight, sometime laird of Maskessewra, narrating that he had wadset to Roger of Kyrkepatrick, laird of Torthorald, the whole annual rent of 40s. due to him from the land of Over Dryfe, in the tenement of Hotoun, within Annandale, for £200 sterling paid to the granter in his necessity; the said annual rent to be held to Roger and his heirs, of the granter and his heirs until the granter can pay the £200 within the hapel of Kyrkbride, in the tenement of Kyrkepatrick juxta (near) Moffet,

in Annandale, upon a green cloth before the high altar. Further, the annual rent is granted with its arrears as a free gift, without compensation, to be made to the granter. Dated at Carlaverock, the Monday after Epiphany [5th January] 1355-6. Witnesses, Thomas, Abbot of Sweetheart, Walter, abbot of Holywood, John Stewart, laird of Dalswinton, Thomas Kyrkpatrik, laird of Kylosberne, and Alan of Alayntoun. [Seal attached in fair preservation. A shield bearing a saltire, and on a chief three scallop shells. Legend partly illegible. S.[JOH'G]RAME DNI DE MASSKESWRA.]

79. CHARTER by Robert, Steward of Scotland, Lieutenant of the King, confirming the grant which John of Corri, laird of that ilk, made to Roger of Kirkpatrik, "consanguineo nostro," of the lands and lordship of Wenfray and Duncrith, with the advowson of the church of Wenfray (Wamphray): To be held to Roger and his heirs in fee and free warren. Dated at Perth, 16th June 1357. [Seal wanting.]

[In an Inventory of the writs of Torthorwald and Carlyle, dated anno 1686, at Drumlanrig, there occurs the following entry:—

"Item ane charter be William of Kirkpatrick to John of Garroche of the two merk land and a half of Glengap and Gerardhill, within the tenement of Wamfray, daitit 22 April 1372."]

80. CHARTER by William Lord Creghtoun, granting to Gilbert of Corry, son natural of James of Corry, for his service the lands of Tordoff and Dalbank, in the lordship of Annandirdale and sheriffdom of Dumfries: To be held of the granter as lord of the holding of Carutheris and his heirs male, &c. to the said Gilbert Corry and Elizabeth, his wife, daughter of John Carutheris of Holmendis, the survivor of them, and the lawful heirs male of their bodies; whom failing to the granter and his heirs whomsoever, in fee and heritage, for the services due and wont from said lands; reserving the liferent thereof to the said James of Corry for his life. Dated at Streuelyn (Stirling), 18th February 1449-50. Witnesses, James, Lord of Frendracht, Knight, the granter's beloved son and others. [Seal attached in fair preservation. On a shield quarterly 1st and 4th a lion rampant; 2d. and 3d., a saltire and chief. Legend "S. WILLIEMI DOMINI CRICHTON."]

HEAD FIFTH—ANCIENT WRITS relating to the family of Carlyle, Lord Carlyle of Torthorwald.

The Carlyles in their earliest appearances in Scotland were associated with the Bruces, lords of Annandale, some of whose charters are given in the foregoing section. One of the earliest known members of the family, Sir William de Carlyle, was married to Lady Margaret Bruce, one of the daughters of Robert Earl of Carrick and sister of King Robert the Bruce. King David the Second granted a charter to Robert de Corry and Susanne, his wife, daughter and heir of the deceased Thomas de Torthorwald, the King's cousin, who had died in the King's presence at the battle of Durham, of the lands of Coulyn and of Ruchane, in the sheriffdom of Drumfres, which belonged to the deceased William Carloli, the King's cousin. This charter is dated at Edinburgh 18th October [1363]—[Enrolled in the Register of the Great Seal.]

The first of the family raised to the peerage was Sir John Carlyle of Torthorwald, who was created Lord Carlyle of Torthorwald in or about the year 1475. The title was inherited by Michael, the fourth Lord Carlyle, who on account of the death of his eldest son without male

issue, in 1573, bestowed his barony of Carlyle upon his second son, Michael, to the prejudice of Elizabeth Carlyle, the only child of the deceased William, Master of Carlyle. This led to a long litigation for the estate, ruinous, it is said, to the parties, which terminated in favour of the heiress of Carlyle. Her eldest son, Sir James Douglas of Parkhead, had the title of Lord Carlyle of Torthorwald allowed to him in the year 1609.

The estate of Carlyle or Torthorwald was acquired by Sir William Douglas of Drumlanrig, afterwards successively Viscount of Drumlanrig and Earl of Queensberry, who on the 8th January 1622 had a charter to himself and his son James of the barony of Torthorwald. The territorial title of Torthorwald also ultimately passed into the Queensberry family, as William, the third Earl and afterwards first Duke of Queensberry obtained in 1682 the dignity of Viscount of Torthorwald as one of his minor titles.

81. INDENTURE of marriage, which is made between Sr Thomas of Kyrkpatrik, lord of Killosbern, and William of Carlell of Torthorwald, by which it is agreed that Sr Thomas shall have Jone [John] of Carlell, son and heir of the said William, to be married with Elizabeth, daughter of Sir Thomas and of Dame Margaret his spouse: For which he shall give to the said William 400 marks Scots, to be paid by fifty at every term, the "said Willzam julowand (allowing) to the said Schir Thomas at the fyrst term of the forsaid payment alsmekill as he has resauit fra the said Schir Thomas for the said marriage of befor tyme. Item, it is accordit, at the saidis Jone and Elisabeth sall be handfast, as the oys is, in haly Kyrk at the enterchanging of thir present indenturis, but langer delay, and at the next opin and lachful tyme folowand, the matrimone to be complete and fulfillet betwix thaim, as oys is, in haly kirk, but langer delay, fraud or gille." It is also accorded that Schir Thomas with advice of the said William shall "get a sufficient scoler to ler [learn] and to tech the said Jone sic thingis as be the forsaid partis ar sene mast spedfull and profitabill to tech him, and hald him tharat, ay qwill it be sene to the said partis profitabill at he be haldyn tharat." It is also accorded that when it happens Schir Jone of Carlell, father of the said William, to decease, the said William shall give 20 marks worth of land "in gaynand plas, to the lyfing of the saidis Jone and his wyf wythtin the spas of a zer next efter the dede of the said Schir Jone" if he happened to obtain his land, &c. Item, the said Schir Thomas at his goodly power "sall wytht his body, his trauall and his consall be in the helping, suppowaling and furthiring of the said Willzam in his rychtwis causis, in lyk cas as he wold be till ony of his awyn barnis, for all the dayis of his lyf, but fraud or gille, and he till him in the samyn maner, but fraud or gille." For observing all these conditions both parties, "haf bath bodely geuyn vthir thair trowthis" before witnesses, Thomas of Kyrkpatrik, Thomas the Grahame, Jone the Grahame, Steuyn of Kyrkpatrik and Androw Hamiltoun. To the part remaining with William the said Schir Thomas has set his seal, and to the part remaining with the latter the said William has set his seal, at Drumfres, 8 March 1432.

82. INDENTURE between William of Carlell of Torthorwald and Thomas the Grahame of Achincayse, of the lands of Rowcan. 2 September 1436.

This indenture made at Drumfres, the second day of the moneth of September, the yer our Lord m^occcc^o xxxvj^o, betwixt worschipful men, that is to say, Willzam of Carlell of Torthorwald on the ta part, and Thomas the Grahame of Achincayse on the tothir part, proportis and

beris witnes, that thai ar acordit in maner and forme eftyr folowand ; that is to say, that the said Willzam and his ayris betwex him and Elisabeth of Kirkpatrik, qwilum his spows gettyn, sall haf all the landis of the Rowcan wytht the pretenencis that belangis or may belang to the said Thomas, be resoun of qwilum Jonet of Kyrkpatrik, his spows, lyand witht in the barony of Torthorwald and the schirraydome of Drumfres. Alswa, it is acordit that the said Thomas and his ayris, betwix him and the said Jonet gettyn, sall haf al the landis of Kyrkpatrik wytht the perteneneces, lyand witht in the regalite of Ananderdall and the said schirraydom, that belangis or may belang to the said Willzam in properte, be resoun of the said Elisabeth, qwilum his spows. Alswa, it is acordit that the said Willzam sal geve to the said Thomas in recompensacioun for the said permutacioun a hundyr mark of gud and vsuall money of Scotland to be payit to the sayd Thomas, his ayris, executuris or assignais, at dayis and termis vndir writtyn, that is for to say, thretty pund at the entyrechangin of thir forsaid indenturis, and tene pund at the Martynmes next thar eftyr folowand and fowrti mark at the Qwissonday next thar eftyr folowand, but langer delay, fraud or gille. And at all thir condiciounis and poyntmentis before writtyn sall lelely and trewly be kepit, the partyis before writtyn ar bodely oblissit, the haly ewangell twichit ; and for the mar witnessing to the partis of this indentour the partyis befor writtyn has interchangeable set their sellis, at zer, day, place, befor writtyn in presence of ayris wytht thair consentis. [Seal wanting.]

83. INSTRUMENT of Sasine, certifying that an honourable man, John Corbat, laird of Hardgrafe and Lymekylnys, delivered to a noble man, William of Carlyle, lord of Kynmond and Torthorwald and his heirs, state and sasine of his lands of Lymekylnys, in the sheriffdom of Drumfres and regality of Anandale, wadset by Corbat by special licence of the King to the foresaid William for certain sums of money, according to the tenor of the King's letters, shown and read, and certain letters and indentures made between parties on the wadset (or mortgage). These things were done in the old principal manorplace of the lands of Lymekylnys, 2 August 1443. Witnesses Mr. Thomas Tyndyng, rector of (Anand?) deacon, &c, John of Carlyle, Thomas McKovlath, Robert Glendonwin and Patrick Corbate, esquires (scutiferis).

84. CONFIRMATION by King James the Second, by which he ratifies an act or decret of his instant parliament held at Edinburgh, made by the auditors of causes and complaints deputed by the parliament, bearing that on the second day of the month of July 1445, in the parliament held at Edinburgh, it was concluded and decerned by William, abbot of Cupar, Walter, abbot of Incheolm (Insule sancti Columbe), William prior of Vrquharde, John Skrimgeoure, constable of Dundee, Andrew Ogilby of Inchmartyne, John of Dunbar of Cumnock, knight, John Lummysden of Glengernach, James Parkle, Thomas of Cranstoun and Thomas of Bervic, commissioners specially deputed to hear and determine causes of complaints, in the causes between a nobleman, William of Carlile, plaintiff on the one part, and Herbart lord le Maxwell, knight, and Robert, his son, defenders, on the other part, that the said William of Carlile should remain in possession of the fishing between Cummyrtreis and Lochir according to the tenor of his charter, shown before the deputies, made to him (sibi confecte) by William de Broysse ; and if the said lord le Maxwell assert he has any right, he should pursue his right according to form of law. Further they decree that the spoilings made in mutual attacks by the said parties should be remitted to judges deputed by the King to the said cause. Further in

reference to £5 claimed by the foresaid William, because it had not been proved by him at the term assigned, that he should pursue his right before his judge ordinary. Given and extracted from the Register by John of Scheues, Clerk of Rolls and Register of King James the Second, under the seal which he used (*quo vtor*) in the office of the officialate of St. Andrews and with his manual subscription. Which act or decree the King confirms in all points. Given under the testimony of the Great Seal at Edinburgh, 3 July, ninth year of reign [1445].

85. PROCURATORY of Resignation by John Corbet, laird of Hardgray and Lymekeyllis appointing Sir John of Carlile of Luse, knight, and Lanceloth of Abirnethi, burgess of Edinburgh, to be his procurators to resign, and by staff and baton purely and simply overgive his lands of Lymekeyllis, with the pertinents, lying in Annandale in the sheriffdom of Drumfres in the hands of a most excellent prince and the granter's lord, James, most illustrious King of Scots, the overlord of the said lands; and he resigns the same by these presents, and quitclaims all right to the same. Seal appended at Hardgray, 17 April 1452. Seal attached, circumscription "S: Ihois corpet + dñi + d hardgra." Shield, a saltire in base, on a chief three ravens. Crest a raven.

86. Charter by King James the Second granting to his beloved and faithful William of Carlile of Kynmound, the lands de le Lymekeyllis, in his lordship of Anandirdale and sheriffdom of Drumfres, which belonged to John Corbet heritably and were resigned by him at Edynburgh by his procurators in the King's hands; to be held by William of Carlile and his heirs, of the King, his heirs and successors, in fee and heritage, as freely as John Corbet or his predecessors held them. The King's great seal is commanded to be appended. Witnesses, James, bishop of St. Andrews, the King's dearest cousin, William Lord Creichtoune, the King's chancellor and beloved cousin, the Lords, the King's cousins, George Earl of Angus, Thomas, Lord Erskyn, Lawrence, Lord Abirnethi in Rothimay, Andrew, lord le Gray of Foulis, James, Lord Fren-dracht, chamberlain, Hugh Kennedy, provost of our collegiate church of St. Andrews, and our beloved clerk, Master George of Schoriswod, rector of Cultre, at Edynburgh, 25 April 1452. Subscribed by the King "James R." [Seal wanting. This charter is not in the present record of the Great Seal.]

87: PRECEPT of Sasine by Mary Queen of Scotland (Regina Scocie), tutrix and governess to her beloved son, Alexander Duke of Albany, Earl of March, Lord of Anandale and Man, directed to the Steward of Anandale and his deutes. The precept narrates that an inquest had been made by the Steward, at her command, in name of her son, and returned to her chancery, in which it was found that the late William Carlile, father of John Carlile, knight, died at the faith and peace of a most excellent prince, our dearest son, James, the most illustrious King of Scots, in the half part of the lands of Medilby, and of the tenement of Lus, and of the lands of Kynmont, the lands of Kinkill and the lands of Lochirwod; that the said John was nearest heir of his father and of lawful age, and that the lands were held of her son, as lord of the bailiary of Anandale, in chief. Charging the Steward to give him sasine, taking security for £117 of relief of the lands of Medilby and Kinmont, and two red roses for duplication of blenchferm for the lands of Kinkill, and two red roses for duplication of blenchferm for the lands of Lochirwod. Given under our seal at Pebl[is], 10th November 1463. [Seal wanting.]

[John Lord Carlele has an instrument of sasine in the lands of Kynmounde with mills, Lochirwoude with mill, Durnok with mill and advowson of the church, Middilbe with mill and advowson, Kyrkconnell with mill and advowson, Lus with mill and advowson, Anand with fishing, Kirkpatrick with mill, Brumell, Mariorybank, Oulcotis, Egilfechane, Riall, Cummertrees, Torduff, Bengall, Dailbank, Brydkirk, Lochtmabane, which Lord Carlele had resigned personally at Edinburgh, and which the King had united with the barony of Carlele in charter. The King's precept which is engrossed is dated at Edinburgh, 20 January, twenty-eighth year of the King's reign. Sasine is given to Adam of Carlell, elder, attorney of John, Lord Carlele, by Robert Carlele, son of John, Lord Carlele, sheriff and bailie of the King in that part, who approached to the principal messuage of the lordship of Carlell and gave sasine there at the iron gate of the Castle of Carlele, 30 January 1486-[7].]

88. "ITEM ane chartor grantit be his Majestie under the great seal to Joⁿ Lord Torthorwald, erecting the town of Torthorwald, in all tyme coming to be callit the town of Cairleill, in ane free burgh of barronie; give and power to the inhabitants therein to buy and sell in the said burgh of Carleill all merchandice pertaining to ane burgh of barronie, with power to have baxters, brousters, fleshers, and workmen of all airts and trades, pertaining to the libertie of ane burgh of barronie, and to have ane cross and mercat day ilk week, and oppen fairs ilk year, daitit 3 December 1473." [Old Inventory of Torthorwald and Carlyle Writs 1686, at Drumlanrig.]

89. "ITEM ane renunciatioun made be Wedast Greirson of the Lag to John, Lord Cairlile, of the lands of Glengip, Garvellgill and Gimmonbie, daitit 6 Januarii 1476." Renunciations by Robert Graham of Thornik to John, Lord Carlyle, of his right to Glengip and Garvellgill and of his part of Gimmonbie, 16 January 1476.) [Old Inventory of 1686 *supra*.]

90. "ITEM ane precept of seasing given be William Lord Creichtoun for infesting John, Lord Cairlile, in all and hail the lands of Torduff and Dailbank. Daitit 26 April 1477." [Also Sasine following and resignation in his favour, 24 April 1478.] [Old Inventory of 1686 *supra*.]

91. "Item ane charter grantit be his Majestie under the gritt seall to John Lord Cairleill of the lands and lordship of Cairleill upon his own resignatioun, daitit 1487." [Sasine 30 January 1486 *sic* but 1487.] [Old Inventory of 1686 *supra*.]

92. NOTARIAL INSTRUMENT of Resignation narrating that in presence of a magnificent prince and mighty lord, Alexander, Duke of Albany, Earl of March and lord of Anandale and Man, and witnesses, compeared personally Robert Grahame of Achincash and resigned all his lands of Rowcane, in the barony of Carlile, and sheriffdom of Drumfres, into the hands of a noble man, John, Lord Carlile, his overlord of the same, by staff and baton, and quitclaimed the same, for himself, his heirs and assignees, to be held to the said John and his heirs for ever. In more evident witnessing whereof the said Robert procured the seal of the said Duke to be appended. Done at Edinburgh, in the chamber of the said lord Duke, at ten before noon, 20 December 1475. Witnesses, David Rantoune of Bille, John Carnis of Orchard . . . Malcolm

Drummond, William Broune, John Tailleferre, notary. [Seal attached, partly broken.]

93. CHARTER under the great seal of King James the Third, by which the King, considering the faithful and thankful services done to his progenitors and himself by his well beloved cousin, John Lord Carlile for a long time, and to recompense the said John for his frequent expenses and great labours to the danger of his person, at sundry times in the King's affairs outside the realm with the King of France and elsewhere, being now in his perfect age, grants him the lands of Drumcoll, in the shire of Dumfres, which were come into the King's hands by the forfeiture of the late Alexander Boyde of Drumcoll, knight, and which the King annexes to the barony of Carlile: to be held by him and his heirs of the King and his successors, for rendering for it and the whole barony of Carlile, one suit at the head court of the sheriffdom of Drumfres yearly to be held after the feast of St. Michael, and other services due and wont. Clause of warrandice, notwithstanding any gifts to other persons or annexations, &c. 31 October 1477. [Seal appended, but broken. Register of Great Seal, Vol. II., No. 1327.]

94. ANOTHER Charter by King James the Third to the same of the same lands after his perfect age of twenty-five years, and having by authority of the three estates in his parliament held and begun at Edinburgh, 1 June 1478, made special revocation of the union and annexation made in his tender age of the lands of Drumcoll, which is to be henceforth of no strength nor effect. The King accordingly grants the lands as before and in similar terms. 12 June 1478. [Seal attached, but broken. Register of Great Seal, Vol. II., No. 1385.]

95. RATIFICATION by the King of the above charter (No. 93) which is engrossed. The King, with advice and consent and mature deliberation of the three estates of parliament held and begun at Edinburgh, 2d April 1481, made on the 11th April the confirmation. Appended are the seals of William, Archbishop of St. Andrews and various other bishops, earls, barons and commissioners of burghs assembled in the parliament in token of their consent. Great Seal appended at Edinburgh, 12th April 1481. [Great Seal and another seal remaining, both broken. The other seal seems to be of John (Laing) bishop of Glasgow. Not in Register of great Seal.]

96. DECREE in a Court held at Penpont by Robert Crechtoun of Sanquhar, sheriff of Drumfres, on 30 January 1481-2, with consent of parties, namely, Robert Charteris of Amysfield and Robert Carlile, procurators of John, Lord Carlile, on the one part, and Jasper Newlandis of that ilk, on the other part, affirming the day and place to be lawful. The procurators for Lord Carlile asked the sheriff to execute the King's briefs raised by him, regarding wrongful perturbation of him in his possession "of the mylne layd and draucht of water to his mylne of Drunkow," by Jasper of Newlandis, by drawing away the water. Jasper alleged that the mill lead pertained to him. The sheriff chose an assize to adjudge on the case—Edward of Crechtoun of Kirkpatrick, Robert Mateland of Tyberis, Edward Menzies of Daweyn, Thomas of Crechtoun, Veltre Edzare of the Inglistoun, John Fergusone of the Brakenside, Archibald of Douglas of Cowsowgill, John of Dennem of Creochane, Patrick of Abirnethy, Osewald Lokart and Duncan Huntare, who found by the mouth of Edward of Crechtoun as "fore-spekare" for them, that Jasper wrongously "set the water of the mylne layd owt of the ald gang fra the mylne of Drunkow," and wrongously

put Lord Carlile from his possession of the mill lead, on which his procurators craved the deliverance and "rolment" of the court, which was granted. And it was commanded by the sheriff in plane court that John Geresone, one of the serjeants of the sheriffdom, should forthwith pass and put Lord Carlile in possession of the lead and draught of water to his mill, &c. and before many witnesses commanded the said Jasper to desist and cease from all vexation of Lord Carlisle in his possession thereof. The sheriff and part of the assize are said to append their seals. [Two seals remaining.]

97. NOTARIAL INSTRUMENT narrating that, in presence of the notary and witnesses, compeared a noble and potent lord, John, Lord Carlile, sound in mind though somewhat sick in body, desiring not to die intestate but to dispose of the goods granted to him by God, lest after his death any question should arise by occasion of his goods, made and ordained his last will and testament as follows. First, he leaves his soul to Almighty God, the blessed Virgin Mary and all the saints of heaven. His body to be buried in the dust of St. Michael, the archangel, in the parish church of Carlile situated within the barony of Carlile [Torthorell]; four pennies of his goods to the fabric of the church of Glasgow in honour of St. Kentigern. He appoints his executors, Sir William Carlile, knight, his grandson (nepotem), Master James Carlile, his son lawful and natural, prebendary of Kirkpatrickero, Thomas Makclellane of Bondby, Robert Carlile of Patenane, his son natural, and Adam Carlile, elder son of Adam Carlile, sometime his brother german, to dispose of all his goods and effects, as they should answer to God in the day of judgment and fulfil his bequest and ordinance about the disposal of his goods. The inventory of his goods. First, he confesses to have eight plowing oxen and £100 of silver and gold, which he has bequeathed in a condition of his testament to maintain two aisles in the parish church of Carlile (Torthorwald) founded by him before, and the chaplains celebrating mass for him and his predecessors and successors. Further he confesses to have six tassies (tassias) of silver which he bequeathed in a condition of his testament, with well advised mind, and with advice of the foresaid Thomas Makclellane of Bondby and Robert Carlile, brother of the said Sir William, and Master James Carlile, prebendary of Kirkpatrickero, and sundry other kinsmen and friends of the said Lord Carlile, being present when he made such testament, to the said Sir William Carlile, knight, his grandson and apparent heir, to remain with him and his successors, for the honour and reputation of the manor place and Castle of Carlile (propter honorem et honestatem mansionis et maneriei ac castri de Carlile.) And of his further intention (deposito) Lord Carlile did not wish to make any more mention, except that he bequeathed in a condition of his testament other forty pounds to be expended on his exequies and funeral, the day of his burial. Done in the Castle of Carlile, situated in Scotland, two afternoon, 12th November 1500, in presence of Thomas Makclellane of Bondby, James Carlile, prebendary of Kirkpatrickero, Robert Carlile, grandson of Lord Carlile and others.

98. NOTARIAL INSTRUMENT narrating that in presence of the notary and witnesses compeared Robert Corsby, sometime laird of Wlcottis, and asserted that he, wishing to go to England, has ordained, as he hereby ordains the sum of money due to him by William, Lord Carlile, in terms to come, for alienation of the lands of Wlcottis, to remain with the said William and in his hands till Corsby's return: and meantime ordains all

sums of money due by William, Lord Carlile, to him for the said alienation of the lordship and his lands of Wlcottis, to remain with Lord Carlile. If Robert happened to die in the journey, Carlile agreed to satisfy the wife of the said Robert according to the contract made on the alienation between them. At Drumfres, at the Minor Friars' place, 25 January 1514-5. Witnesses, John Kirkpatrick of Rokelheide, Adam Carlile and Master John McHome rector of Castlemilk.

99. BOND OF REVERSION, in which Elizabeth of Carlile, "dochter lauchfull and naturale" to William, lord Carlile, binds herself to him "my deirest father" and to his heirs, that notwithstanding he had infert her in ten pound worth of his lands of the Myrthous, of old extent, in the parish of Cumyrtreis and stewartry of Anandirdale, &c., with meadow, &c., and in fishing of "sex culpis" in Brewin Skar, in the same parish, with a new house built on the west side "of my chapel situat within my manere and mansioun of the Kelhead," she will up-give and resign the same to William Lord Carlile, &c. on payment of the sum of 400 merks Scots, on the high altar of the parish Kirk of Carlile in Scotland, or as soon as her father or his heirs should marry or cause her to be married or spoused with an honourable party "nocht disconperand me," and to pay the 400 merks in name of tocher, &c. If fraudfully absenting from receiving the money, Lord Carlile &c. to have free regress to the lands, the money to be put for sure keeping in the hands of the laird of Rokelheid. Sealed at the Kelheid, 22 December 1516. Witnesses, "Adam of Carlile, my eyne" (uncle), Schir Hew Fischar, parson of Lus, and others. [Seal remaining. "S. Elizabeth Carlil."]

HEAD SIXTH.—Ancient writs relating to the family of Kirkpatrick of that Ilk, and of Kylosbern, now Closeburn.

The Kirkpatrick traditions have connected this family with Nithsdale at an earlier date than is warranted by charter evidence. The earliest known ancestor was "Ivo" c. 1190, who afterwards c. 1194-1214 became "Ivo de Kirkpatrick." The Kirkpatricks appear to have settled in Annandale contemporaneously with the Bruces in the twelfth century, and were certainly closely connected with the Bruces as lords of Annandale. In the memorable encounter between Robert Bruce and Red John Cumyn, regent of Scotland, which took place on 4th February 1305 in the Grey Friars Church at Dumfries, Sir Thomas Kirkpatrick played such a prominent part that it has ever since been a matter of family and national history. Bruce and Cumyn were rivals for the throne of Scotland. Bruce believing that Cumyn was acting treacherously accused him of this. The two entered into hot controversy. Bruce used his dagger against his opponent and then rushing out of the church to join his friends who were waiting outside, he exclaimed to them that he doubted he had killed Cumyn. Kirkpatrick, who was one of the friends waiting outside, ran into the church to remove all doubt and with his own hand dispatched the wounded regent. He boasted that with his dagger he had made the death of Cumyn sure or sickar.* The armorial bearings of the Kirkpatricks of Closeburn have special reference to their connection with the Bruces, and to the tragic scene of the dispatch of Cumyn: Argent, a saltire, and chief azure, the last charged with three cushions, or; Crest, a hand holding a dagger in pale, distilling drops of blood. Motto, "I make sure."

* One of the familiar names applied to the late Charles Kirkpatrick Sharpe, the Scottish Antiquary, "Mak siccar."

Although the Kirkpatrick family were so closely connected with the Bruces and acquired considerable estates in Annandale and Nithsdale, and also produced several distinguished Knights, they never attained to the dignity of the peerage.* Sir Thomas Kirkpatrick of Closeburn was created a baronet of Nova Scotia by patent, dated 29 March 1685, and the baronetcy has descended to Sir James the present and eighth baronet of Closeburn. The mansion of Closeburn which was built by the first baronet out of materials of the original Tower was burned to the ground in 1748, and all the charters, papers, portraits and plate, &c. perished in the conflagration. Closeburn was sold by Sir James, the fourth baronet, to Dr. James Stewart Menteith; his son Charles was created a baronet in 1838.

The Kirkpatrick Charters now reported on under this head embrace the period from 1372 to 1555.

100. CHARTER by Duncan of Kirkpatrick, lord of that ilk, by which he grants, and by his present writ of mortgage, confirms to John of Carrotheris two merks of land and a half merk which are called Glengepp and Gerardgille, within the tenement of Wemfray, for twenty merks of Sterlings paid to him by the said John; to be held to the said John, his heirs, executors and assignees, till the granter, his heirs or assignees, should pay to him, his heirs, executors or assignees, on one day twenty merks of Sterlings good and legal money: Further, the granter wills and commands that from the date of the present writ, till repayment of the twenty merks, the foresaid John, &c., should enjoy the said lands without any further payment or burden. If the lands should happen to be justly alienated from the said Duncan before the repayment of the twenty merks, the granter agrees that John Carrotheris and his heirs should enjoy an annual rent of 40 s. from the lands of Over Driff, within the tenement of Hotoun, due to the said Duncan, and his heirs, by the laird of Over Driff, till he and his heirs were satisfied of the twenty merks. To the present writ of mortgage his seal is attached. Given at Castilmilk, 22 April 1372. Witnesses, Sirs John of Carrotheris, canon of Glasgow, and Thomas of Sothayk, rector of the church of Corry, John Clerk of Rokhill. [Seal now wanting.]

101. CHARTER by King Robert the Third, granting to his beloved and faithful Duncan of Kirkpatrick, knight, and Isabel, his spouse, and the longer liver of them, the barony of Torthorwald, in the sheriffdom of Drumfres, which belonged to Duncan heritably, and was resigned by him into the King's hands, in presence of most part of the chief men, barons, and nobles of the kingdom: To be held by the said Duncan and Isabel, the survivor of them, and the heirs of their bodies, whom failing the nearest and lawful heirs of Duncan whomsoever, of the King and his heirs, in fee and heritage for ever, for rendering the services due and wont. The King's seal is commanded to be affixed. Witnesses, Walter, bishop of St. Andrews, Gilbert, bishop of Aberdeen, chancellor, David Duke of Rothesay and Earl of Carric, the King's eldest son, Robert, Duke of Albany, Earl of Fyf and Menteth, the King's brother german, Archibald Earl of Douglas, lord of Galloway (Galwidie), James of Douglas, lord of Dalketh, and Thomas of Erskyne, the King's cousins, knights. At Dunbretane, 10th August, ninth year of the King's reign [1398]. Fragment of seal remaining. Not in Register of Great Seal.

* Eugenie, late Empress of the French, is from a branch of the Kirkpatrick family.

102. CHARTER by Thomas of Kyrkpatrik, Knight, lord of Kylosbern, whereby he grants to his well beloved brother, Roger of Kyrkpatrik, all his lands of Pensersex with the pertinents : to be held by the said Roger, for all the time of his life, as quietly and freely as the granter held them ; with warrandice by Thomas and his heirs against all mortals. Seal appended at Kylosbern, 21 November 1423. Seal now wanting.

103. CHARTER by Archibald, Duke of Touraine, Earl of Douglas and Longauill, lord of Galloway and Annandale, granting to his cousin, George of Kyrkpatrik, son of his cousin Sir Thomas of Kyrkpatrik, lord of Kyllsbern, for his service, the whole lands of Pensersex, within the regality of Anandale, and sheriffdom of Drumfres, with tenaaderies and services of free tenants thereof, and advocation and donation of the church thereof, all resigned in the town of Drumfres by the said Sir Thomas : To be held to the said George, and the lawful heirs male of his body, whom failing to the said Sir Thomas, and the lawful heirs male of his body, whom failing to Roger of Kyrkpatrik, brother of the said Sir Thomas, and the lawful heirs male of his body, whom failing to Yuo of Kyrkpatrik and the lawful heirs male of his body, whom failing to Stephan of Kyrkpatrik, and the lawful heirs male of his body, whom failing to David of Kyrkpatrik and the lawful heirs male of his body, whom failing to the nearest heirs whomsoever of the foresaid Sir Thomas, of the Earl and his heirs, in fee and heritage for ever, rendering therefor annually the service due and wont. With clause of warrandice. Dated at Drumfres, 13 June 1432. Witnesses, Sir Herbert Heris, lord of Trareglis, James Heris, his brother german, James of Douglas of Drumlangrig, Thomas of Grame, David of Murray, Sir Thomas McLyn, Sir Michael of Byrkmyr, notaries public, Sir Patrick McNawany, Andrew Hamiltoun, and Richard of Corsby. [Seal of the granter appended, slightly broken.]

104. LETTERS of Quitclaim by Edward of Craufurd, son and heir of "Ione" of Craufurd, lord of Trarinzan, by which he renounces for him and his heirs "till a worschipfull lord," Sir Thomas of Kyrkpatrik, lord of Killosbern, "and to George of Kyrkpatrik, his sone naturall," all right he had to the "landis of the town of Dalgarnok," the Lang Croft, in the barony of Teberis and sheriffdom of Drumfres, and all other conditions and bands betwixt Sir Thomas and his son and him, which the said Thomas and George had in possession at the making hereof. If Craufurd, or his heirs, should do or suffer to be done anything contrary to this obligation, the penalty to be paid to Kyrkpatrik, &c., was to be £200 Scots, in the Friars of Drumfres, on the high altar, "on a day be twix the rysing and the ganging to rest of the sone," before he or his heirs could be heard in judgment making any claim, &c. Sealed at Drumfres, 21 November 1433, before William of Carlell, lord of Torthorwald, John Mur, lord of the Keldwod, Morys of Dalrympill, Andrew of Hamiltoun, Patrik Fergusson, and Schir Michall of Byrkmyr, notary public, Michael Ramsay and Rob Walch. [Seal wanting.]

105. REVERSION of the lands of Pennysrax.

"Till all and syndri, to quhais knowlege thir present letteris sal to cum, Mathew Irwyne duelland in Pennysrax, greting in God euerlesting. Wit youre vniversiteis, that albeit a worschipfull man, Adam of Kyrkpatrik of Pennysrax to me has sald and analyit heretablie be chartir and seisingy all and hale thair twenty thre schilling worth and foure pennyworth off his landis of Pennysrax, of ald extent, with the pertinentis, quhilkis thir personis vnderwritin has in malyng and now occupyis the day of the date of

thir present letteris, that is to say, David Bell, the sone of Johne Bell, a merkis worth of the said landis, and Johne Cuthbertsone, eldare, ten shilling worth of the sammyn landis of ald extent, lyand in the towne and sulze of Pennysrax, in the stewartry of Anandirdale, within the schirefdome of Drumfreis, like as is contenit at mare leinth in his chartir maid and gevin to me thareupone." Nevertheless the said Matthew Irvine binds himself that whenever, on twenty days' warning, the said Adam or his heirs should pay to him or his heirs at the parish kirk of Pennysrax, on the high altar of the same, on one day "betuix the sone risyng and ganging to of that ilk," the sum of twenty pounds usual money of Scotland, together with a letter of tack of the said 23 s. 4 d. worth of land of Pennysrax of old extent, with the 40 d. worth of land of Pennysrax of old extent, that David Bell, elder, the son of Walter Bell, now occupis, for thirteen years for two merks of mail yearly, that immediately after he and his heirs should renounce the said 23 s. 4 d. worth of land of Pennysrax; and engages not to fraudfully absent himself or his heirs from receiving of the said sum. Seal appended at Edinburgh, 6 June 1493. Witnesses, Robert Charteris of Amysfield, John Charteris his son, Robert of Maxwell, Alexander Johnstone and others. Seal attached bearing on shield stork and stag's head. Inscription, "S. Mathei Iruin."

106. CHARTER by Adam of Kyrkpatrik of Pennersex, selling and granting to Symon of Carutheris of Mouswalde, his three merklands of old extent in the town of Pennersex, and in his lordship of Pennersex and sheriffdom of Drumfree and stewartry of Annandale, which David Bell dwelling in Pennersex had formerly in lease from the late Ysabella Jonstoune, the granter's grandmother (*aua mea*), for a certain sum of money paid him by the said Symon. To be held to Symon, his heirs and assignees, of the granter, his heirs and assignees, in fee and heritage, for payment of a silver penny in name of blenchferm, yearly at Whit-sunday, if asked only. Contains a clause of warrandice and is dated at the Manor place of Mouswalde, 9th May 1495. Witnesses, John of Carutheris of Dormunde, Cristofer of Carutheris, Thomas Ra, Thomas Turnour, Alexander Carutheris of Glengeris, Sir Thomas Mackilweyne, chaplain, and Mr. John Makhome, rector of Castelmylk and notary public.

107. NOTARIAL INSTRUMENT certifying that in presence of a notary and witnesses compeared personally an honourable man, Adam of Kirkpatrik of Pennyresexe, and presented a letter of procuratory made by the notary at his command appointing Sirs William Scot of Balvere and John Sinklaire, knights, Simon Cuningame and Stephen Scot, to surrender in the hands of King James the Fourth, as his lord superior, his lands of Pennyresexe, in the stewartry of Annandale, and sheriffdom of Drumfres, extending yearly to a £20 land of old extent, with advowson of the parish church, which were held of the King in chief; and by the said letter of procuratory resigned the same, and this he did in the chamber of the notary, on account of a sum of money paid to him by Herbert Blak, in name and behalf of Simon of Carrutheris of Mouswald. And Adam bound himself by oath, holding forth his right hand, never to revoke or contravene the letter of procuratory and resignation. Whereupon Simon Carrutheris craved instruments. Done in the notary's chamber (John McHome) (apparently in Dumfries), 3d July 1499.

[The resignation was made by Simon Cunninghame, as procurator, in presence of the King, and into his hands, who delivered the lands to

Simon Carrutheris of Mouswald, present and accepting, and to his heirs, to be held of the King and his successors. Done in the King's chamber in the Castle of Striueling, 19 March 1499 (1500). Witnesses, Alexander Lord Hume, Alexander Hume, his son and apparent heir, Sir David Arnote, provost of Bothuile, John Striueling of Cragbernard, John Montgomery of Thorntoun, Andrew Wod of Fetherkarne, and others. The King's charge to his chancellor, George, Earl of Huntly, to cause a charter to be prepared under the Great Seal, is given under the privy seal at Striueling, 19th March, twelfth year of reign. In this precept Kirkpatrik is styled Adam Kirkpatrik of Dalgarnok. The charter by Adam Kyrkpatrik of Pennyrsax to Symon of Carrutheris of Mouswald is dated at Drumfres, 3 July 1499.

108. REVERSION by James Johnstoun of Wamfra to Roger Kirkpatrik of Ros, who had sold to Johnstone his 50 s. land of old extent of Cowrinche and Garwald, "quhillis Cuthbert Johnstoun and his tennentis now occupies," in the parish of Garwald and sheriffdom of Drumfres, which Johnstone engages to restore to him on payment of 200 marks Scots, and giving him a letter of tack for five years at £5 Scots yearly, the money to be paid on the high altar of the parish church of Garwald, &c. Dated at Drumfres, 4th April 1555. Witnesses, Archibald Menzies, preceptor of Trailtrow, John Kyrkpatrik of Glenmaid, Adam Johnstoun in Hislebray, David Johnstoun, Roger Kirkpatrik, son and apparent heir to the said Roger Kirkpatrik of the Ros, and Schir Mark Carutheris, notary. Signed, "James Johnstoun of Wamfra w^t my hand." Seal attached, shield bearing three cushions in chief and saltire in base. Inscription: "S. IACOBI IONSTOVNE."

HEAD SEVENTH.—ANCIENT CHARTERS relating to the family of Carruthers of that Ilk and of Mouswald.

This is not the first time that the muniments of this ancient race have been brought under the notice of the Commissioners. In a Report dated 1st July 1876 an opportunity was courteously afforded me of giving the muniments of the oldest branch of the family which took the name and designation of Carruthers of Holmains or Holmends. These writs extended from the reign of King David the second in 1361 to that of Mary, Queen of Scots, in 1562. [Sixth Report of Historical MSS. Commission. Appendix, p. 709.]

Upwards of twenty years previous to that Report I had occasion to trace the history of the territories of the chief or main line of the Carruthers family in reference to their lands which were situated within the parish of Moffat. These inquiries led to the discovery of the tragic fate of the younger of the two heiresses of Simon Carruthers in the reign of King James the Sixth as set forth in the above-mentioned Report. The ward of these two heiresses Janet and Marion Carruthers was granted by that sovereign to Sir James Douglas of Drumlanrig. He provided a husband for the elder coheiress, and also for the younger. But unlike her sister the latter was dissatisfied with the choice made for her.

The first charter now reported on is one of much interest, as illustrating the method in which the affairs of the country, were carried on during King David the Second's captivity in England. It is a charter by King David as Lord of Annandale granting to William of Carrutheris the land in the tenement of Midilby, which belonged to Thomas of Lyndby. It is granted at Mouswald, 10 September, twenty-first year of the King's reign, [1349]. Witnesses named in the charter are Robert,

Steward of Scotland, John of Carrutheris, the King's chancellor of Annandale, John of Tunnergath, the king's chamberlain of Annandale, and John Stewart, warden of the west March.

The writs in this section extend from the year 1349 to the year 1512.

109. NOTARIAL INSTRUMENT made the 22d September 1452 at the instance of Roger of Carrutheris, procurator of John of Carrutheris, lord of Mousswalde, by Malcolm Ra, clerk of the diocese of Whithorn, containing a transumpt of the following charter—Charter by David, King of Scots and lord of Annandale, granting to his beloved and faithful William of Carrutheris and his heirs all that land in the tenement of Mydilby, which belonged formerly to Thomas of Lyndby, and had come into the King's hands by reason of the forfeiture of the said late Thomas, against the King's faith and peace with his enemies of England: to be held to him and his heirs, of the King and his heirs, with advocacy of the kirk of Meddilby, for rendering of service due and wont. Given at Mousswalde, 10 September, xxi year of reign, [1349.] Witnesses, Robert, Steward of Scotland, the King's nephew, John of Carrutheris, the King's chancellor of Annandale, Maurice Murray, Malcolm Flemyng, John of Tunnergath, the King's chamberlain of Annandale, John Stewart, warden of the west March (custode Marchie occidentalis), William of Crichtoun, and others. The King's seal is ordered to be appended. The transumpt was made at Whithorn, at seven before noon, in presence of Patrick, abbot of Souleseat, Sir Donald McConnen, vicar of Whithorn, Gilbert Adonnyll, vicar of Kyrkmedan, of Whithorn diocese.

The Latin of the King's Charter engrossed in the foregoing Transumpt is as follows :—

“*David Dei gracia Rex Scotorum et dominus vallis Annandie, omnibus probis hominibus tocius terre sue, salutem. Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Willelmo de Carrutheris et heredibus suis, totam illam terram in tenemento de Mydilby, que quondam fuit Thome de Lyndby cum pertinenciis, et que nos contingit ratione forisfacture eiusdem quondam Thome contra fidem et pacem nostram cum inimicis nostris Anglicis defuncti: Tenendam et habendam totam predictam terram cum pertinenciis predicto Willelmo et heredibus suis, de nobis [et heredibus nostris, libere, quiete, bene, et in pace, et honorifice, cum omnibus libertatibus, commoditatibus, asiamentis, rectis consuetudinibus et iustis pertinenciis ad dictam terram pertinentibus seu de iure qualitercunque pertinere valentibus; et eciam cum aduocacione ecclesie de Meddilby pro parte sua, cum vacauerit: Faciendo inde annuatim nobis et heredibus nostris ipse Willelmus et heredes sui seruicium debitum et consuetum. In cuius rei testimonium sigillum nostrum huic scripto precipimus apponi: Datum apud Mousswalde, decimo die mensis Septembris, anno regni nostri xxj; hiis testibus, Roberto senescallo Scocie, nepote nostro, Johanne de Carrutheris, cancellario nostro vallis Annandie, Mauricio Murrauaia, Malcolm Flemyng, Johanne de Tunnergath, camerario nostro eiusdem vallis Annandie, Johanne Senescalli, custode Marchie occidentalis, Willelmo de Crechone, cum multis aliis.*”

[The Transumpt states “sigilloque testimoniali prefati serenissimi principis ut prima facie apparebat roboratam.” Not in present Great Seal Register.]

(In the Drumlanrig Inventory of 1693 occurs the following entry :—
“Item the transumpt of ane old charter given to Robert Currie be

David Bruce, King of Scots, lord of Annandaill, of the lands of Middlebie, quibilk were somtymes Thomas Aplindins, and come in the King's hands be forfeiture of the said Thomas. The charter is dated in anno 1361. The Transumpt dated 18 September 1452." Not in present Great Seal Register.)

110. Charter by Archibald, Earl of Douglas, lord of Galloway and Anandale, by which he grants to his well beloved esquire (scutifero), Simon of Carrutherys, all and whole his tenement of Mousfald, with the pertinents, within his forest of Daltoun, his lands of Appultrethwate, with the pertinents, lying in the lordship of Anandale, for service done and to be done to the granter : which tenement of Mousfald and lands of Appultrethwate, the foresaid Simon had resigned in presence of many noblemen in the justice eyre of Anandale, held at the town of Louchmabane ; to be held to the said Simon, and his heirs whomsoever, of the granter, his heirs and successors, lords of Anandale, in fee and heritage for ever, for payment of one penny of silver yearly in the parish church of Mousfald, at the feast of St. Mary Magdalen, in name of blench ferm, if asked only, for ward, relief, marriage, and all other demands that could be required of the same. At Louchmabane, 4th December 1411. Witnesses, James of Douglas, the granter's brother, esquire, Sirs William, Lord of Grahame, William of Douglas of Nyddisdale, William of Douglas of Drumlangrig, William of Hays of Louchorwart, William of Borthwik of that ilk, John of Carlele, Vmfred Jardyne, Thomas of Moray and Robert Heris, the Earl's cousins (cousanguineis), knights. The Earl's seal is appended in good preservation. Circumscription, "Sigillum Archibaldi, comitis de Douglas domini Galluidie."

At the same place and on the same date as the foregoing charter, the earl grants other four charters, all to the same person :—

- (1.) A Charter of the lands of Hatelandhill, in the forest of Daltoun and lordship of Anandale, which the said Simon had resigned in the justice eyre, to be held by Simon and his heirs for payment of one penny of silver as above. Witnesses, the first four witnesses in the charters of Mousfald.
- (2.) A charter of the tenement of Logane, in parish of Moffet and lordship of Anandale, resigned and to be held by Simon and his heirs whomsoever as above. Witnesses as in (No. 1.)
- (3.) A charter for service and homage to Simon of Carrutheris of Mousfald of the granter's lands of Middilby and Dronnok, in the lordship of Annandale, resigned as above, to be held to Simon and his heirs, with the pertinents, which the said Simon had in the same before his resignation, of the granter and his heirs and successors, lords of Anandale, for rendering service due and wont. Witnesses as in the Charter of Mousfald, except Robert Heris.
- (4.) A charter for service and homage of the lands of Dornok, in the lordship of Anandale, resigned as above with the pertinents, &c., with donation and advocacion of the parish Church of Dornok, to be held to Simon and his heirs for service due and wont. Witnesses, as in Charter of Mousfald except Robert Heris.

To these four charters the seals are now wanting. The originals are in the charter chest, and the three following charters are in the Inventory of the Drumlanrig Charter Chest, but the originals have not been found :—

"Charter by the said Erle to the said Simon of the lands of Hoddam, Tunirgirth, Westwood and Rockcliffe, of the date of the former." [4th December 1411.]

"Gift be Archibald Erle of Douglas and Longavell, to Sir Thomas Kilpatrick of Closeburn, of the right of patronage of the Kirk of Pennersex. Dated 5 May 1428."

"Charter made be Archibald, Duke of Furraine, Erle of Douglas, &c., to John Carruthers of Mouswall, of the five merk land of Cumlongenood, quhilk were before resigned be Norman Johnstoun in the said Duke his hands. Dated 10th September 1438."

111. LICENCE by King James the Second to Elizabeth of Dunwedy to infest her eldest son in Houthwate and other lands. 20 January 1446-7.

"James be the grace of God King of Scottis, til al and sindry oure liegis and subditis to quhais knowlege thir oure letteris sal to cum, greting. Wit yhe vs to haue geuyn and grauntit and be thir oure letteris geuys and grauntis to oure loued Elizabeth of Dunwedy, the spouse of vmquhile Andrew of Carutheris, oure fui licence, faculte and fredome, to put hir eldast sone and ayr, Johne of Carutheris in state and saying of the fe of hir landis of Houthwate, Stanrase, and Wamfra with the pertinence, liand in oure lordschip of Anandirdale, in the schirrefdome of Drumfresse; to be haldyn of vs and oure successouris, lordis of Anandirdale, als frely and in sic like manere as the said Elizabeth and hir predicessouris held thaim of before; the quhilk landis geuyn be state and saying of fe to the said Johne of Carutheris heretabillly as said is, we ratify, approuys and confirmis for euer for vs and oure successouris be thir own presentez letteris. In witnes of the quhilk thingis to thir our letteris we haue gert set our priue sele, at Glasgw, the twenty day of the moneth of Januare, the yhere of grace, a thousand four hundreth fourti and sex, and of our regne the tend yhere." (Seal attached, nearly perfect. On shield, a lion rampant. Legend—"Sigillum secretum Jacobi . . . gis Scottorum.")

[In consequence of this licence, Elizabeth of Dunwedy, sometime spouse and relict of Andrew of Caruderis, lady of Houthuat, Stanres and Wamfra, mentioning the licence, gives a charter to her son and heir, of the lands, to be held by him and his heirs of the King and his successors, lords of Annandale, for services due and wont, reserving her frank tenement; at her lands of Houthuat; 7 March 1446-7, in presence of John Murray, laird of Catmad and others. Seal wanting. John of Carutheris of Mouswald has a precept from the King to infest him in the lands on the resignation of his mother, made in the King's hands at Striueline. Dated there 6 April 1449, and sasine is given on the 30th of the same month.]

112. CHARTER by William, Lord Creighton, chancellor of Scotland, granting to his well beloved cousin John Carutheris of Mousfald, for his faithful service done and to be done to the granter, the lands of Kyrtihous and lands of Dundoby, in the lordship of Ananderdale in Lord Creighton's tenement of Carutheris; to be held by him and his heirs of Lord Creighton and his heirs, in fee and heritage, for rendering one penny of silver, Scots money, at the head messuage of Driuisdale, at Whitsunday, in name of blench farm, if asked only. Contains a clause of warrandice. At Edinburgh, 10th June 1452. Witnesses, his most dear son, James Creighton, lord Frendrache, Mr. George Schoriswode, rector of Cultre, John Setoun and others. Subscribed,

"Cancellor"

Scocie et cc."

"JAMYS OF CRYCHTON."

113. CHARTER by King James the Second, granting to John Carutheris of Mousfald the lands of Mousfald, Loganetenement, Medilby, Dronnok, Ellirbek, Hatilland Hill, Cumertries, Hoddome, Tunnergath, Hallathis, Cumlungand, Hultvhate, Stanrase and Wamfray, in the stewardry of Anandirdale and sheriffdom of Dumfres, which belonged to the said John heritably and were resigned by him in the King's hands at Edinburgh: all which the King unites into one free barony to be called the barony of Carutheris: to be held by Carutheris and his heirs of the King and his successors, in fee and heritage, paying for Mousfald, Loganetenement, Hatillandhill and Cumlungand, 4 d. Scots, at Mousfald, at Whitsunday, in name of blench ferm, if asked only, and for Dronnok and the other lands the services due and wont. Sealed at Edinburgh, 20 August 1452; witnesses, James, bishop of St. Andrews, William, bishop of Glasgow, the King's beloved cousins, William, Lord Someruille, John, Lord Lyndesay of Byris, Andrew, Lord le Gray, Master of Household, Master John Arous, archdeacon of Glasgow, and George of Schoriswood, rector of Cultr, the King's clerk. Seal wanting. [Not in Register of the Great Seal.]

[Archibald of Caruderis of Mouswald receives sasine of all the lands of the barony of Mouswald, on brief from chancery and precept from Robert Lord Maxwell, as steward of the stewardry of Annandale. Done in the principal message of the lands of Mouswald, 18 November 1454. George of Kirkpatrick of Pennersex has sasine of the lands of Vithscalis in the tenement of Corre, on charter from George of Corre of that ilk, 5 March, 1454-5. Witnesses, Thorbrand Thomson, John Padeaneson of Nevtone and others. These lands, called Vest Scalis are resigned in a procuratory by Adam of Kirkpatrick of Pennersax into the hands of George Corry of that ilk, lord of the whole tenement of Corry, to dispose of at his pleasure. At Drumfres, 20 June 1498. Witnesses, Alexander Carutheris, James Amuligane, Mr. John Makhome, rector of Castlemilk and notary of Castlemilk, &c. Seal remaining.]

114. PRECEPT of SASINE by Cuthbert Murray of Cokpull and lord of certain lands of Colnlungane Wode, directed to John Carutheris of Holmendis, and Simon Murray, his bailies in that part, stating that he had granted heritably to an honourable man, Archibald Carrutheris of Mouswalde, his lands of Colnlungane Wode, divided from the marches of the lands of ly Pyhill, and the granters other lands, which are situated from a certain ditch, or certain meiths, stakes and marchstones (quibusdam metis, palis et mensuris) fixed and set up in Colnlungane Wode between the granter and the foresaid Archibald, for all the latter's lands of Colnlungane, which belonged to the late Norman Johnsoun, in the territory of Reuell, within the lordship of Annandale and sheriffdom of Drumfrice: commanding his bailies to give state and possession of the said lands to Archibald Carrutheris. Seal appended at Cokpull, 1 March 1477. [Seal attached, bearing shield with three stars two and one, within a double tressure; at either side of shield apparently a thistle; a helmet for crest. Circumscription almost illegible, but appears to have been "S. Cuthberti Murray dñi de Cokpoull."]

115. INSTRUMENT of SASINE, narrating that Gilbert Carutheris, sheriff of Drumfrece, specially appointed in that part by the King, proceeded on a precept from the King to Michael Ramsay of Raymorsealis and him, directing them to give sasine to his well beloved esquire (armigero nostro), Archibald Carutheris of Mousfaulde, of the land of Raffulgill, containing 20 s. worth of land of old extent, in the lordship of Annandale and sheriffdom of Drumfrece; which belonged heritably to Herbert

Grymme, and were resigned by him into the King's hands at Edinburgh by his procurators. The precept is given under the quarter seal, at Edinburgh, 3 June, twenty-fourth year of the King's reign. The sheriff accordingly delivered sasine of the said lands of Raffulgill to the said Archibald Carutheris of Mousfaulde, at the capital message of Raffulgill, at 2 past noon, 9 June 1484, in presence of Robert Ramsay and other witnesses.

116. NOTARIAL INSTRUMENT, in which John McHome, notary, narrates that in presence of himself and witnesses compeared Symon Carutheris of Mouswalde, and held forth to him in words as follows:—Lo! Sir Notary, it is well known to you that you formerly drew up a writing between me and John Carlell, and William Carlell, his grandson (nepotem), subscribed with our hand writs, touching matrimony to be fulfilled between me the said Symon, and Eufamea Carlelle, sister german of the said William Carlell; in which compromit it was contained that John Lord of Carlell with my consent should get from the Apostolic See as soon as possible a dispensation to contract the said marriage, and now for three months or thereby a most reverend father in Christ, James “Episcopus Imolen.,” legate *a latere*, has been and now is in this kingdom, and gives such dispensations; but Lord Carlell wholly postpones to get such dispensation though very often burdened by me to that effect, and I am always ready to complete the said matrimony, &c., and protests that though for the present he could not get to the presence of Lord Carlell, yet this should not fall to his prejudice, &c., as he was always willing to fulfil his part of the contract. Done at Barresbrig of Tynualde, 29 June 1485. Witnesses, Robert Charteris of Amisfelde, John Carutheris of Holmendis, and others.

117. PRECEPT by Walter Scott of Buklewecht, on the narrative that he had sold the lands to Symon Carutheris of Mouswald, to give sasine to him of four merklands of Roberthill, and one merkland of Tukkis-holm of old extent, in the lordship of Driffisdail and stewartry of Annandale. Seal appended at the manor place of Mouswald, 12 September 1501. Witnesses, John Carutheris, Schir Symon Bayart, chaplain, Schir Roger Magilhauche, preceptor of St. James of Trailtrow, Master John Makhome, rector of Castlemilk, and others. [Seal wanting.]

118. INSTRUMENT of SASINE given by David Carutheris, bailie in that part of Robert Charteris of Amysfeyld, on precept by the latter, of the six merks of land of old extent of the lands of Trailflat, lying in the barony of Amisfelde, in the sheriffdom of Drumfres, to Symon Carutheris of Mouswald. Done on the ground of the lands, 15 January 1502-3.

119. PRECEPT of Clare Constat by Adam Earl of Boithuile, Lord Halis, and lord superior of the lands, narrating that it was well known that the late Symon Carrutheris of Moswald, knight, father of Symon Carrutheris, bearer hereof, died last vest in fee, &c. of the lands of Dundonby, Kirtilhous and Carrutheris, in the stewartry of Annandale and sheriffdom of Drumfres, that he was nearest heir to his father, that the lands were held of the granter by service of blanchferm in chief; charging his bailies in that part to give sasine of the lands. Signed and sealed at Edinburgh, 16 March 1511-12. Signed, “Adam Erle Bothwelle.” [Seal remaining but considerably broken.]

120. CHARTER by King James the Fourth, by which for the good and thankful service done and to be done to him by his well beloved familiar servitor, Symon Carutheris, son and heir of the late Symon Carutheris of Mouswald, knight, he grants to him the twenty mark land

of old extent of the dominical lands of Mowswald, with mill, ten mark lands of Holtwait and Haithlandhill, £10 lands of Drunok, twenty-four mark lands of Pennersex, £5 lands of Myddilbie, ten mark lands in Logane tenement, and five mark land of West Scalis, with outsets, pendicles, and pertinents, with advocacy and donation of the churches and chaplanries of the foresaid lands, lying in the stewardry of Annandale and sheriffdom of Drumfres; which all belonged to the late Symon heritably, and in default of movable goods were apprized by the steward of Anandale and his deputes for the sum of 750 marks of fines (amerciamentorum) in which the said late Symon was adjudged in the King's Justice eyres of Drumfres, and after the apprizing were assigned to the King to remain with him for payment of the said sum, of which the King now discharges Symon as heir of his late father, and gives him all the fermes and profits of the terms they were apprized, with which the late Symon or his son had intronitted in so far as they had not been received by the King, his treasurer or factors: To be held by Symon, and his heirs, of the King and his successors, in fee and heritage, for rendering the services due and wont. At Edinburgh, 8 August 1512. Witnesses, Alexander, archbishop of St. Andrews, chancellor, William, bishop of Aberdeen, keeper of the privy seal, Andrew, bishop of Caithness, treasurer, Archibald, Earl of Argyle, Lord Campbell and Lorne, master of household, Matthew, Earl of Levenax, lord Dernelie, Alexander, Lord Hume, great chamberlain, Andrew, Lord Gray, justiciar, Masters Gavin Duubar, archdeacon of St. Andrews, clerk of rolls, register and council, Patrick Panitere, rector of Tannades, secretary, and Robert Colville of Vchiltre, director of Chancery. Great Seal attached, but partly broken. [This charter is not in the Register of the Great Seal.]

On the same date a precept of sasine was issued under the testimony of the Great Seal, directed to the steward and his bailies of Anandale and Robert Edzare. Sasine is given by Robert Edzare, as depute of John, Lord Maxwell, steward of Annandale, of Mouswald with pendicles and pertinents, viz. Howthwat and Haitlandhill and 20 s. of Raffullgill. Done at the town (villam) of Mouswald, near the parish church, 12 October 1512; of Dronok, and of a toft or tenement at the end of the town of Anande, which had also belonged to Symon Carutheris, knight, of lands, tofts, and crofts, in the territory of the town of Cummyrtreis, and fishings belonging to the same, which had also belonged to Carutheris, elder, on 13 October 1512; of Myddilbie, and of Hoddam, done at Myddilbie at lee Toftgaitis and at the south end of the lands of Hoddam, in presence of John Carutheris of Holmendis, John Carutheris, his son, and apparent heir, John Charteris of Amisfeild, John Charteris of Lochtoun, Alexander Charteris, Archibald Stewart, son and apparent heir of Alexander Stewart of Castelmylek, Adam Carlile, Robert Grayme of Gillisbye, Matthew Erwyng, and Sir Andrew Grayme, chaplain, John Makhome, notary, 13 October 1512; of Logane tenement and Polcornare with corn mill and waulk mill, done at the moat (monticulum) lying near the house of Michael Ramsay, on the ground of the said lands, 12 October 1512, witnesses, Symon Johnstoun in Poldyne and others; of Penersax, and West Scalis, done at the house of Matthew Erwing in Penersax, and at the town of West Scalis at the moat (monticulum) situated in the town (villa), 13 October 1512, same witnesses as in sasine of Myddilbie and Hoddam; and of Westwod, which belonged heritably to the late Symon, knight 13 October 1512, witnesses nearly as in sasine of Myddilbie and Hoddam.]

121. INSTRUMENT OF RESIGNATION by which Catherine Carlile, spouse of Simon Carutheris of Mouswald, personally, compearing before the said Simon as her lord superior of twenty-five merklands viz. :— seven merkland of Dronok, one merkland of Cumnertreis, three merklands of Howthwat, four merklands of Panthuat, five merklands of Haitland hill, and five merklands of Cokat of old extent, in the stewartry of Anandale and sheriffdom of Drumfres, in which she had been invested before by the said Simon in her pure virginity, and resigned the said lands in the hands of the said Simon, as lord superior thereof, and quitclaimed them for ever. Done in the town of Drumfres, in the chamber of the warden of the Friars Minors (in camera gardiani fratrum minorum), 1 July 1516. Witnesses, William, lord Carlile, John Carutheris of Holmendis, John Kirkpatrick of Rokelhede, Master James Heriot, vicar of Drumfres, and Schir David Makgee, chaplain and notary.

122. NOTARIAL INSTRUMENT, narrating that in presence of a notary and witnesses compeared an honourable man, Symon Carutheris of Mouswald, before a noble and mighty lord, William Lord Carlile, and produced an indenture made between them upon a contract of marriage entered into and consummated between Symon and Catherine Carlile, his spouse, and daughter of the said Lord. Meanwhile Symon asserted that he for his part had fulfilled all and sundry contained in the said indenture, in every point; and the said Lord answered him that the premises were supported by truth, and therewith he was highly content; and thereafter, without delay, Symon produced before the said Lord an acquittance of four hundred merks Scots under the seal of the said Lord, as Carrutheris asserted, and asked at the said Lord, if he confessed to such a seal or not, who replied that he did not come to the town of Drumfres for such a business. Done at Drumfres, in the chamber of the warden of the Friars Minors of Drumfres, 9 August 1516. Witnesses, John Carutheris of Holmendis, John Kirkpatrick of Rokelheid and others.

[A later Instrument relates the giving of sasine by Symon Carutheris of Mouswald, of his ten merks of Myddilbe, of old extent, and ten merks of Haitlandhill, to Mariota Johnstone, his spouse, and sister of John Johnstone of that ilk, in conjoint fee for her life, 12 January 1544. Witnesses, John Johnstone of that ilk, Andrew Johnstone and others. Another later writ is the Extract Retour of Jonet Carutheris, as eldest granddaughter and one of two heiresses of Symon Carutheris of Mouswald, in the lands of Collongaynwod, Dundoubye, Kirtilhous and Carrutheris. Collongaynwod was held of Charles Murray of Cokpule for a red rose yearly, Dundoube and Kirtilhous of James Earl of Bothuile for a penny yearly, and Carruthers of the same Earl for ward and relief. The lands had been in the superior's hands since the decease of Symon Carutheris in April 1531, &c. The retour is made 19 January 1557-8.]

123. LETTERS of Reversion by Gawane Johnnestoun in the Kirktown of Kilpatrick Juxta, stating that Symon Carruderis of Mouswald had sold to him the 20 s. worth of his lands called Loganewodheid, otherwise called Ker and Thasseholme, of old extent, occupied by George Carruderis and Thomas Ramsay, at the date hereof, together with the office of "fostirschipe" (forestership) of his wood, called Loganewodheid, "ascendand fra the How bek vp," in the lordship of Loganewodheid, in the stewartry of Anannirdaill and sheriffdom of Drumfres, nevertheless the said Gawane binds himself to renounce the said lands &c. whenever the said Symon on one day between the sun rising "and ganging to of that ilk," in Sanct

Gelis Kirk of Edinburgh, on St. James's altar should pay him £20 Scots, and give a letter of tack for nine years following of the said lands at a yearly maill of 20 s.; and entirely quitclaim his right to the same. The warning to be forty days, and in case of not appearing to receive the money, it should be consigned to the keeping of the treasurer of the burgh of Edinburgh. Dated at Edinburgh, 22 September 1528. Witnesses, James Johnnestoun, burghess of Edinburgh, Sir William Broune, chaplain and others.

124. PRECEPT by Mary Queen of Scots, with consent of James Earl of Arran, Lord Hamilton, protector and governor of the kingdom, to give infeftment to Symon Carrutheris, of Mouswald, and his heirs of entail of the £20 lands of Mouswald, Howquhat, and Haitlandhill, with tower, fortalice, and gift of the Kirk of Mouswald, £20 of Logane tenement, £10 land of Dronok, with fishing, 40 s. land of Cummertreis, 1 mark in Stanereis, £20 land of Pennarsax, with advocacy of the church, 10 mark land of Myddilbie with advocacy of the church, 5 mark land of West Skalis, 2 mark land in Howdown, 1 mark in the Howmis of Annand, called Blewberry lands, and half a mark in Westwod, all of old extent, in the stewartry of Annandale, which all belonged to and were resigned by Symon by his procurators at Edinburgh; and all which further the Queen had united into a whole and free barony to be called the barony of Mouswald, the tower of Mouswald to be the chief messuage &c. Given under the testimony of the Great Seal, 27 December 1544. [Part of Seal remaining.]

Sasine was given to Symon Carrutheris by John Carrutheris of Holmendis, baillie named in the precept, at the manorplace of Mouswald, 11 January 1544-5. Witnesses, William Johnstone, brother german of John Johnstone of that ilk, Schir William Connelstone, chaplain, John Carrutheris of Drummore and others.

125. EXTRACT Retour of Inquest made before John Maxwell of Terreglis, knight, steward of Annandale, by commission of the Queen, by Michael, Lord Carlell, John Jarding of Apilgirth, John Carrutheris of Holmendis and others, finding that Marion (Mariota) Carrutheris was the second daughter, and one of two heiresses of the late Symon Carrutheris of Mouswald, who died last vest in the lands of Mouswald, Houthuat, Haitlandhill, Raffilgill, 2 marks of Hoddun, Cummertreis, Stanreis, in the parish of Trailtrow; and that the said Marion was his heir in half of these lands, was of lawful age, being of 21 years complete at the feast of St. Andrews last; that the lands were held of the Queen by service of ward and relief, and had been in her hands as superior since the death of Symon, her father, who died in July 1548 &c. Done in the Tolbooth of Lochmaben, 13 March, 1562-3.

In a similar extract retour Marion Carrutheris is retoured to half the lands of Loganetenement and Polcornar, Pennarsaxis, West Skalis, Dronnok, Myddilby, held of the Queen by service of ward and relief &c. Tolbooth of Lochmaben, 24 April 1563. Jonet Carrutheris, the eldest daughter, has sasine of her half of Mouswald and the rest of her father's lands on 14th and 15th July 1562.

126. LETTERS of Procuratory by Jonet Carrutheris, Lady Bardannoch, and heir of [Si]mon Carrutheris of Mouswall, her (left blank), whereby for certain sums of money paid to her by Sir James Douglas of Drumlangrig, she sells to him, his heirs and assignees, the lands of Cumlongand Wod, in the parish of Ruvell, and stewartry of Annanderdail; and because she was not yet infeft in the lands, she appoints

(blank) her procurators, to raise commission by deliverance of the lords of council and briefes of chancery to certain judges in that part or to the steward of Annanderdail to serve her as nearest heir to the said late Symon Carrutheris of Mouswall, in the said lands of Cumlonganewod, held immediately of the lairds of Cokpull free blench, for payment yearly of a red rose at the feast of St. John the Baptist, in name of blench ferm, &c., and to cause her retour be past the chancery, and in her name receive infestment of the lands, to resign the lands in the laird of Cokpull's hands as superior. And she hereby renounces and resigns the said lands in favour of Sir James Douglas of Drumlanrig, knight, his heirs and assignees, for infestment to be given to him. Dated at Drumlanrig, 22 January 1607. Witnesses, Mr. John Douglas of Arkland, William Irving of Benschaw, and others. Jonet Carrutheris signs with her hand at the pen.

127. In the Drumlanrig charter chest there is a MS. Protocol Book of Mark Carrutheris, presbyter of St. Andrew's diocese, and notary public (Dumfries). The entries in this book begin on the 17th October 1531 with the induction of Thomas Erskyne to the rectory of Lochtmaban. They end with a sasine of Kentigern (Mungo) Maxwell, brother of Edward Maxwell of Mylhil, in six acres of land of Mylhil, in the parish of Traqueir and sheriffdom of Kirkcudbrycht, dated 18 February 1561-2. During the long period of thirty years in which Mark Carruthers exercised his profession of a notary public, he appears to have been well employed by the inhabitants of Dumfries, and also by owners of adjacent properties, in recording the acquisitions and transmissions of heritable property in that burgh and also in Lochmaben and neighbourhood.

HEAD EIGHTH.—Ancient Miscellaneous Charters by the Earls of Crawford and Lord Lindsay and other owners of landed property, relating to lands in the counties of Dumfries and Lanark.

This section includes a list of the Weaponshaw of Annandale, held on Birrenswark hill in the year 1541. Among other ecclesiastical writs it contains two; the first is one by Robert Stewart, natural son of King James the Fifth, commendator of the monastery of Holyrood, near Edinburgh, being a precept of sasine for a tenement in Edinburgh. The second is a dispensation by John Hamilton, archbishop of St. Andrews, for a marriage of James Twedy and Jonet Douglas, whose marriage was hindered by the somewhat unusual impediment of spiritual cognition (*impedimento cognitionis spiritualis*). This cognition arose out of the fact that Jonet's father had lifted James her proposed husband from the sacred font. A fourth degree of consanguinity was also involved. The archbishop, as legate, dispensed with the impediment and allowed the marriage to proceed.

The writs under this head date from the year 1449 to 1569.

128. CHARTER by Alexander Earl of Craufurd and Lord of Lindsay, granting to his dearest cousin, John of Hammyltoun, brother german of James, Lord le Hammyltoun, for his most grateful help, counsel and service, often done to the Earl's progenitor, and to be done, the lands of Quhite Camp and Kirkop, in the lordship of Craufurd Lindsay and sheriffdom of Lanark, and in exchange for the lands of Westir Brichti, in his barony of Ferne, and sheriffdom of Forfare; to be held by him and his heirs whomsoever, in name of excambion, for the lands of Westir Brichti, of the Earl, his heirs and successors, in fee and heritage; and notwithstanding any previous entail &c. for services due and wont.

Contains a clause of warrandice and is dated at Striueline, 18 June 1449. Witnesses, Master James Lindesay, provost of Lincluden, William Lesly of Bauchquhane, knight, Walter Lindesay, Andrew Glaisteris of Glak, Thomas Bailze, esquires (armigeris), and Robert of Balmanoch, the Earl's secretary. [Seal attached, nearly perfect, on shield 1st and 4th a fess chequè for Lindesay, 2d and 3d a lion rampant with ribbon debruised for Abernethy. Crest, an ostrich's head and neck. Supporters seem lions sejant, and two ornamental feathers or leaves at side of supporters. Legend, "S. Alexandri Lyndesay Comititis deCrau . . ."]

A sasine of the lands of Kirkop and Qwhitcamp was given, on a precept by David Earl of Craufurd and Lord Lindesay, directed to John Lindesay of Colbantoun, and John Lindesay, his son and apparent heir, his bailies of the barony of Craufurd Lindesay, to James of Hammiltoun, as heir of the late John of Hamiltoun, his uncle, on 9 November 1474. A confirmation of the charter of 1449 was given by King James the Third under the Great Seal, reserving the wards, reliefs, marriages, &c. due to the Crown before the confirmation, 18 February 1487-8, which is also in the Great Seal Register at date.

129. NOTARIAL INSTRUMENT, attesting that in presence of the notary and witnesses appeared Thomas Bell of Crwholme, and asserted that it had come to his ears, that a certain John Pottar, officer of Anandale, had delivered corporal sasine or rather intrusion of all the lands of Howelset, in the lordship of Anandale, to a noble man Charles of Murray (de Murraui) lord of Cokpule; which belonged heritably to Richard Bell, sometime laird of the same, and which the said Thomas had and has heritably from the said Richard Bell, by pure and simple sale and resignation in the King's hands, as contained in the King's charter. Wherefore the said Thomas Bell on the manor of the said lands of Howelset, broke the sasine of the said lands, so given illegally and against order of law, by interjection of earth and stone (per interiectionem terre et lapidis) and made interruption to the said sasine, 17 April 1450. Witnesses Patrick Bell, chaplain, and others.

130. INSTRUMENT OF SASINE, narrating that a circumspect man, Mr. Thomas Tynding, deacon of Annandale, and commissary and bailie of Andrew, bishop of Glasgow, in that part, at precept of the foresaid Lord Bishop, passed to the lands of the late Duncan Martin, lying in le Colnhathrig, and there gave sasine to Sir Martin, priest, son and heir of the foresaid Duncan, after which the foresaid Sir Thomas resigned the lands in the hands of the said Mr. Thomas, bailie, in favour of William of Carlisle, Lord of Torthorwald, and thereafter gave sasine of the same to the said William of Carlisle; he and his heirs and assignees paying yearly to the said lord bishop of Glasgow for the time 10 s. of money of Scotland. Done at the message of the said lands at 1 past noon or thereby, 7 October 1471. Witnesses, John Grame, Richard Steyl of Achiuschork and others. William Clapen, clerk of Glasgow diocese, notary.

131. CHARTER by David Earl of Craufurd, Lord le Lindesay, granting to his beloved cousin, James of Hammyltoun of Schawfeilde and Elizabeth Lindesay, his spouse, and the survivor of them, the lands of Qwhitecamp and Kirkhop in his lordship of Craufurde Lindesay, in the sheriffdom of Lanark, which belonged to the grantee heritably and were resigned by him; to be held by him and Elizabeth, his spouse, and the longer liver, and the heirs male or female of their bodies, whom failing the heirs male or female of the body of the said James, whom

failing to return to the granter and his heirs, of the Earl and his heirs and successors, in fee and heritage for ever, freely, &c., and notwithstanding any entail or agreement about them made before, for rendering services due and wont; reserving to the Earl and his heirs wards and reliefs and other services due and wont. Contains a clause of warrandice under hypotnec and bond of all his goods and possessions. Sealed at Edinburgh, 16 November 1474. Witnesses, the Earl's beloved cousins, Masters James Lindsay, dean of Glasgow, George Carmichel, treasurer of Glasgow, John Lyone of Curtastoune, Alexander Lindsay of Dunrode, Thomas Fotheringham of Povry, and Mr. Gilbert Tiry, rector of Lyne. [Seal remaining, broken. On shield, 1st and 4th a fess chequè for Lindsay: 2d and 4th a lion rampant debruised with a ribbon: Crest, head and neck of an ostrich. Supporters, two lions sejant. Inscription, so far as remaining "COMITIS DE CRAUFURD."]

A precept of Sasine followed, directed to John Lindsay of Colbanetoune and John Lindsay, his son, bailies of the Earl's lordship of Craufurd Lindsay, same date, which was completed by Sasine given on the 24th of November the same year.

132. CERTIFICATION OF SASINE by "Ihone Halidai of Hoddome" given to "Ihone of Iohnstoune of that ilk," in the 10 s. "wortht of land" in the Mauys of Hoddome, which the said John Johnstone had before by charter and sasine, and other 10 s. worth of land in the tenement of Hoddom, to wit, the Closeroft, an acre in the Ryddinis, the Kil acre, three roods lying between the Gildus ford and the Kil acre, five roods marching with the Tynclar lands, two oxgang called the Tynclar lands, an acre of the Cotcroft, half an acre of the Dwn croft, a rood in the Smytht croft, of which Halidai gave sasine to Johnstone "at the sulzeis" (soil) of the lands, 23 October 1480 before witnesses. [Seal attached but now wanting.]

133. PROCURATORY OF RESIGNATION of Herbert Gryme of Raffulgill, appointing William Lord Borthwik, John Duundas of that ilk and others to resign his lands of Raffulgill, containing a 20 s. land of old extent, in the parish of Mouswalde, lordship of Annandale, and sheriffdom of Drumfrece, held of the King's Highness in chief, in the hands of King James the Third. Seal attached at the Manor of Mouswalde, 4 May 1484. Witnesses, Thomas Bell of Kirkconnell and others. Seal remaining, slightly broken. Circumscription, "S. Herberti Gryme."

134. LETTERS OF LICENCE by King James the Fourth to Peter Dennom of Creakane, to sell his 50 s. worth of land of old extent of Glencors and Dalquhargzeane, in the sheriffdom of Drumfries, to be held of himself or his heirs, or of the King and his successors; and wills and grants that the said alienation "salbe na caus of recognisio[n]e nor forfeitour of the saidis landis," nor prejudice to Peter or his heirs; and ratifies such alienation. The present writ to be of the same force as if given under the great seal, and the King renounces all right he might have to the lands by reason of escheat or forfeiture through such alienation. Given under the privy seal at Edinburgh, 24 November 1511. Subscribed "James R." Part of Seal remaining, but broken and defaced.

[This writ appears to have been issued in consequence of an indenture of sale by which Peter Dennom of Crechawchquhen sells to William Dowglas of Drumlangrig, knight, his lands of Glencors and Darquharren, extending to five nobles worth of land of old extent, in the parish of Kilosbern, to be held of the King; all for 85 merks: with warrandice against all tacks except one to Robert Maxvel by the said Peter's father

for seven years at five nobles a year, &c. Drumlanrig, 1 November 1511: Signed, "Peł of Dēnwĩ of Cre'aw'quhē."]

135. WEAPONSHAW of Annandale, 15 August 1541.

Anno xli yeris.

xv°. Augusti. The Wapinschawing off Annerdale tane be my Lord Maxwell wpon Burniswerkill.

The lard of Holmendis	ane hundretht men.
The lard of Wormonby	xvi men.
The lard of Wamfra	iiiij ^{xx} men.
The lard of Mowswald	iiiij ^{xx} men.
The lard off Jhonstoune	ane hundretht men.
Drysdale	iiiij ^{xx} men.
Gyllesby and Meskeswa	xl men.
The lard of Dunwede	xl men.
The lard Carlell	ij ^c men.
The lard Corhead, lard Dum- creiff, Sym Jhonstoun,	
James Jhonstoun	iiiij ^{xx} men.
The town off Lochmaben	xl men.
The lard Appilgartht	ij ^c men.
The lard Thornuke	xl men.
The lard off Gretnocht	j ^c men.
The lard of Boneschaw	iiij ^{xx} men.
Alexander Carlell	xx men.
The lard of Robgyll	xx men.
The lard Hawlathis	xij men.
Summa	xiiij ^c and xij men.

[From a volume of Transcript Book of Sasines, given and received by Sir James Douglas of Drumlanrig, 1544 and 1545.]

136. PRECEPT of Clare Constat by Robert, perpetual commendator of the monastery of Holy Rood near Edinburgh, directed to John Lumisdene of Blanerne, and others, bailiffs of his burgh of the Canongate, by which on the narrative that by authentic documents it was well known to him that the late Thomas Scot, burgess of the forsaid burgh, uncle (patruus) of Thomas Scot, son and heir of the late Janet Scot, daughter of the said late Thomas, bearer hereof, died last vest and seized at the faith and peace of our late sovereign lord, King James the Fifth, the granter's father, (nostri patris), in an annual rent of 26 s. and 8 d. Scots from a tenement in the said burgh, that the said Thomas was one of two heirs of the said late Thomas Scot, his uncle, in half the foresaid annual rent, &c. Sealed at Edinburgh, 20 March. Signed,

"Robertus Comēdatarius
Sancte Crucis."

Seal attached. Circumscription "S. ROBERTI COMENDATARIJ SANCTE CRVCIS P"

137. LETTERS of DISPENSATION by John, Archbishop of St. Andrews, primate of the whole kingdom of Scotland, and legate of the Pope and the Holy See, with power of a legate *a latere*, directed to James Twedy, layman, and Jonet Douglas, woman of the diocese of Glasgow; stating that he had lately received a petition from parties desiring to be joined in wedlock, but because by impediment of spiritual knowledge they were

joined together, for the reason that the father of the said Jonet lifted the said James from the sacred font (sed quia impedimento cognitionis spiritualis simul estis coniuncti, ex eo quod pater dicte Jonete leuauit dictum Jacobum de sacro fonte) they could not fulfil their desire, unless an apostolic dispensation were obtained: the archbishop, therefore, by apostolic authority which he enjoyed in that part, notwithstanding the spiritual cognition, freely allows them to contract marriage, and decerns their offspring to be lawful. Given at Edinburgh, in St. Andrews diocese, 9 February 1559 [1560]. Subscribed "Joannes Sanctiandree Legatus." Seal wanting. An indorsation bears that on the 25th January 1559 [1560] the dispensation was produced at the time of the marriage of the within written persons, and they were dispensed for the double fourth degree of consanguinity and the impediment of spiritual cognition foresaid. On all which James Douglas of Drumlangrik, knight, asked instruments. Done at Drumlangrik, 5 past noon, in presence of John Jardane of Appilgirth, . . . lord of Somerwel, James McMath of Dalpedder, John Gordoun of Lochinwer, certified by Schir John Tailziour, notary public.

138. LETTERS of Slains by which William Dowglas of Dalvene, son and heir of the late Hew Dowglas of Dalvene, with consent and assent of David Dowglas of Hilhous, James Hunter in Drumschenacht and John Tailliefeir of Normondgill, his curators, for their interest, and Robert Dowglas of Coschogill, "not onlie for myself for fulfilling of that part of the contract maid thairupone, safer as I am halden to mak this present lettre of Slanis, bot als as principale cheif of that hous quhairof the said vmquhile Hew descendit" on the father's side, and Archibald Naper of Edinbellie, knight, oy [grandson] to the late Alexander Naper of Merchanstoune, who was brother to the late Jonet Naper, mother to the said late Hew and Mongo Johnestoune of Lokarbie, "oy to vmquhile

Johnestoune of Marioribankis," who was brother to the late Christian Johnestoune "guddame on the fader syde to the said vmquhile Hew," and William Dowglas of Quhittinghame, grandson of the late William Dowglas of Quittinghame, who was brother to the late Margaret Dowglas "guddame on the moder syde to the said vmquhile Hew;" for themselves and whole kin, friends, and part-takers, they remit and forgive to James Dowglas "oy" to Schir James Dowglas of Dumlangrik, knight, and son and heir of the late William Dowglas, his eldest son and apparent heir in his time, and to the said late William's whole complices, their kin, &c., all rancour, hatred and feud for the slaughter of the said late Hew, "fader to me the said Williame and fader Bruder to me the said Robert, and descendit of oure forbearis the saidis foure branchis comptit, as said is," and renounce all action to the said James, son and heir of the said late William, and his late father's colleagues and accomplices in the slaughter. Subscribed and sealed at Durrisdair, 9 June "the yeir of God Jm V^c threscoir yeiris" [uncertain but probably 1569], witnesses, Alexander Stewart of Garoleis, younger, Roger Greirsoun of Lag, and Mr. Petir Watsoune, commissary of Nithisdail. Subscribed by parties, Robert Douglas of Cosschogle, William Douglas off Dalwene, Archibald Douglas, persoun of Mouswald, W. Douglas of Quhittingham, &c., all subscribe with their own hand, except James Hunter in Drumschynnocht whose hand is led at the pen by Eustach Crychtoun, notary. [Seven seals remaining, but some of them broken and indistinct.]

ADDITIONAL MISCELLANEOUS Writs—chiefly Bonds of Manrent by and between the Lairds of Drumlanrig and the Lairds of Johnstone

and other Border families, between the years 1510 and 1601. Taken from the Inventory of the Queensberry Writs, 1693, the originals not having been found in the Charter room.

139. "IMPRIMIS, ane decret arbitrall pronouced be Lochinvar and severall others, arbiters, betwixt the Lord Herries, the laird Drumlanrig, and the laird of Johnstoun, whereby they are decerned to keep freindshipe and mantaine one another ; dated March 1510."

140. "ITEM ane band of Manrent be Meinzieis of Caslehill to James Douglas of Drumlangrig ; daited 1 May 1527."

141. "ITEM ane other be Ninian Crichtoun in Bellyboucht, daited the 24 day of November 1536."

142. "ITEM, another be Andrew Rorisone of Bardonnoch, dated 28 January 1544."

143. "ITEM, another be Cuningham Brischall, daitit 20 Jullij 1545."

144. "ITEM, another be Edward Johnstoun of Basbiehall, daitit 24 September 1553."

145. "ITEM, another be way of Contract betwixt the Lairds of Drumlangrig and Johnstoun, dated 23 September 1553."

146. "ITEM, another be William Carruthers of Dormont, daitit the 12 day of September 1568."

147. "ITEM, another be Johnstoun of Alchisheils and severall others of the name of Johnstoun, daitit in May 1564."

148. "ITEM, another be the laird of Johnstoun, dated 25 February 1570."

149. "ITEM, another be Johnstoun of Tunnergairt and others, dated 15 May 1570."

150. "ITEM, another be Johne Johnstoun of Newbie, for redelyverie of severall persones of the name of Irving, daitit in October 1569 yeares."

151. "ITEM, ane other band be Johne Baitie and several others of that name, daited 22 September 1570."

152. "ITEM, another be the laird of Johnstoun, wherby he is bound to reforme any faults done by his friends or servants, daited 23 November 1570."

153. "ITEM, band of Manrent be Johne Carruthers of Holmaynes and his sone, daited 15 Agust 1550."

154. "ITEM, another be William Johnstoun in Broomhill, dated 3d Januarij 1568."

155. "ITEM, another be severalls of the name of Johnstoun, dated 5 May 1570."

156. "ITEM, ane band be the laird of Fairnihirst for redelyverie of one Adam Turnebull, daitit the penult July 1571."

157. ITEM, a band of Manrent be Crichtoun of Ryhill, Crichtoun of Carco, Crichton of Libra, Crichtoun of Crawfordstoune, untill the majoritie of Lord Crichtoun their cheife, dated 6 Agust 1574."

158. "ITEM, another be the Johnstouns, dated in Maij 1567."
159. "ITEM, another be the Johnstouns in Milnebank, dated 1st Agust 1579."
160. "ITEM, another for entering of William Johnstoun in the Burne, dated "
161. "ITEM, another be Grahame of Cannabie and others, dated 19 March 1586."
162. "ITEM, another be Johne Grahame of the Laik and severall others of that name, daitit 1st November 1597."
163. "ITEM, another band be the Grahams, dated 10 November 1568."
164. "ITEM, a band be the laird of Johnstoun for entering of Johnstoun of Courans."
165. "ITEM, offers for the Irvings for the slaughter of the men of Mouswald, dated "
166. "ITEM, band be McGahan of Dalquhat to Drumlangrig, dated 28 October 1601."
167. "ITEM, band of maintenance be the laird of Drumlangrig to Caslehill and his sone, daited 1st May 1527."
168. "ITEM, minut of the bands in the Borders."
169. "ITEM, coppie of objections and answers made by the laird of Johnstoun in the Court of Redress."

HEAD NINTH.—CHARTERS and other WRITS relating to the Abbey of Holywood.

The Abbey of Holywood or *Sacri Nemoris*, the sacred grove, was situated in the parish of that name in Nithsdale, Dumfriesshire. Both the Abbey and the parish derive their name of Holywood from a sacred grove of oak trees which existed in the district so far back as the time of the Druids. Large stones, eleven, but formerly twelve in number, arranged in the form of a Druidical temple connected with the grove still point to this early period and its pagan association.

The temple of the Druids subsequently is reputed to have given place to the cell of the hermit. This hermit, named Congal, said to have lived about the beginning of the eleventh century, gave to his cell the name Dercongal, or the Oakwood of Congal, a designation which was still given to the district two centuries later.

The cell of Congall ultimately became the Abbey of Dercongal or Holywood. But from the time of the Reformation to 1779, the then remaining portion of the abbey, which escaped the fate of so many buildings of a like kind at this period, was used as the parish church. It was, however, thereafter taken down and the materials of the building were used in the erection of the present parish church. Traces of the abbey may still be seen in the churchyard which is formed upon the site of the building.

The precise date of the founding of the Abbey of Holywood is unknown. Its approximate date, however, is between 1120, when the order of the Premonstratensian monks, whose residence it became, was instituted, and 1154 when one of the bells of the abbey, which now does

service in the parish church, according to an inscription on it, was consecrated by the abbot John Wriah. The founder of the abbey is by Dugdale said to be John (Maxwell) lord of Kirkconnel. But Devorgilla wife of John Baliol, lord of Barnard Castle, and mother of John Baliol, King of Scotland, is also named in this connexion. Edward Bruce, lord of Galloway, in the reign of his brother, King Robert the Bruce, established at the abbey an hospital and chapel and endowed them with lands in Galloway.

In 1257, the monks of this Abbey went into litigation with the monks of Melrose regarding the tithes of Dunscore. Its abbot sat in the parliament of Queen Margaret which met at Brigham on 17 March, 1290. Six years later, on 28 August, 1296, Dungald, Abbot of Holywood (Seint Boyse) appears in the Ragman Roll, as swearing fealty to King Edward the First at Berwick-on-Tweed. This act of the abbot secured to him the restoration of his property by Edward. On 8th May 1365, letters of protection were granted to the Abbot and Convent of the Monastery "de sacro nemore" by King David the Second. The abbot of Holywood in the years 1475, 1481, 1483, and 1487, sat in parliament.

No Cartulary of the Abbey of Holyrood containing charters granted to or by the abbey is now known to exist. The original charters of endowment of the lands of the abbey are also missing. The writs now reported in this section, however, record many of the lands and possessions of the Abbey. They also for the most part show the dispersal of these after the Reformation had commenced. In 1522 Abbot John disposes of the lands of Keyr, Bardanach, Barjarg, and others to Robert, Lord Maxwell, in consideration of counsel and help given and to be given by him and his heirs and successors to the Abbey, and an augmentation to their rental. The various steps taken to obtain the Apostolic confirmation to this arrangement are stated at length.

Thomas Campbell was abbot of Holywood in 1556 and is styled Commendator in 1572. He dispersed many of the remaining lands as appears from the Register of the Great Seal, and as is also evident from some of the writs in this section. This commendator adhered to the cause of Queen Mary after her escape from Lochleven. For this he was found guilty of treason and sentence of forfeiture was passed upon him. But this sentence must have been relaxed, to some extent at least, as he is afterwards found disposing of the teind sheaves of the Abbey. About 1570 Thomas Campbell complained that Lord Sanquhar had withheld the rent of Kirkconnel for a period of fifteen years. This commendator died sometime before 28 April 1580, when through the influence of James Douglas, Earl of Morton, the King granted to James afterwards Sir James Johnstone, then a minor, son and heir apparent of John Johnstone of that ilk, warden of the west marches, for all the days of his life, the Abbacy of Holywood, vacant by the decease of Thomas Campbell. One deed here reported on (No. 179 *infra*) is given by James Johnstone as commendator. He was the hero of Dryffesands and his tragical fate at the hands of John, Lord Maxwell, is well known.

James Johnstone continued to hold the commendatorship of Holywood until the year 1600, when he demitted it. On 15th August of that year King James the Sixth gave a grant of the office to Mr John Johnstone, advocate, constituting him for his lifetime commendator of Holywood and its spiritualities with a vote and place in parliament. The grant, which is under the Great Seal, is said to be in compensation for particular services in divers years rendered by him. Mr. John Johnstone was the last commendator of the Abbey of Holywood.

170. CHARTER by John, Abbot of the Monastery of Holywood (Sacri Nemoris) and convent thereof, of the Premonstratensian order, of Glasgow diocese, whereby for the good and thankful council, help, and assistance rendered to them by a noble lord, Robert, lord Maxwell, and to be rendered to them and their monastery and their successors, by him and his heirs, and for augmentation of their rental extending yearly to the sum of £10 Scots more than ever the underwritten lands paid in firm, grassum, and secular service, they grant and in feu-farm let to Robert, Lord Maxwell, and his heirs and assignees, the £16 land of old extent of Keyr, £4 land of Bardanachis, £4 land of Kirkbridis, £3 land of Barjarg, Ferdyne James and Barboy, 40 s. land of Blakwod and Ronanestovne, 40 s. land of Barscotland, £4 land of Alanetovne, and 20 s. land of Swyre all of old extent, in the lordship and barony of Holywood, and sheriffdom of Dumfres and diocese of Glasgow, with the office of bailliary of all and sundry the lands of the lordship and barony of Holywood; reserving to the Abbot and Convent and their successors the teind sheaves and multures of grain of all the foresaid lands, with the mortuaries (mortuariis) and all and sundry other tithes of the said lands; to be held by him, his heirs and assignees, of the abbot and convent and their successors, in feu farm and heritage for ever, for payment of £10 Scots, and beyond that the sum of £78 Scots which the lands paid formerly in ferm, grassum, and secular service, extending in whole to £88 in name of annual rent and feu ferm. Contains clause of warrandice, and the common seal is attached, at the Monastery of Holywood, 17 October 1522. Witnesses, Mr. Archibald Stewart, rector of Kirkmahoo, Schir John Turnour, pensionary of Kirkgunzeane, notary public, and others Subscribed

Johānes Abbas, manu pp^a.
 Thomas Hanna manu pp^a.
 Wilelm^o Corszen, manu pp^a.
 Thomas Roxburch, manu pp^a.
 Adam Cunygham, manu pp^a.
 Robertus Édzař, manu pp^a.
 Robertus Welch, manu pp^a.
 Andrew Hanyng, manu pp^a.
 Thomas Schortryg, manu pp^a.

[Seal remaining, broken; a tree or bush. Legend “. . . BBIS . ET . CONVENTI . SAC . . .”]

A precept of sasine followed on the 14 October 1523 and sasine was given first to Alanetoun and Swyre, at the Cairn of Alanetoun (congeriem); of Bar Scotland at the house of William McNysch, of Blakwod, near “lee March dyke” between Barscotland and Blakwod; of Barjarg at a cross upon the lands of Barjarg; of Keyr, at the house of Fergus Grersone there, &c., all given to Robert, Lord Maxwell personally present. Sasine of the bailliary is given by a rod (virga) 4 December 1523.

171. COMMISSION by Laurence, grand penitentiary of Pope Adrian the Sixth, directed to the Abbots of the Monasteries of Dundranane and Sweetheart (Dulcis cordis), of Whithorn and Glasgow dioceses, stating that he had received a petition on behalf of John Abbot of Holywood and convent thereof, of the Premonstratensian order, of Glasgow diocese, in reference to certain lands, to wit, of Keyr of a £16 land, Bardannachis £4, Kyrkbridis £4, Alanetone £4, Baiargi Fordiniames and Barboy £3, Blakwod and Ronanstone 40 s., Barscotland 40 s. Swyre 20 s. of old extent, of money having course in those parts, in the barony or lordship

of Holywood and sheriffdom of Drunfres, of Glasgow diocese, united or belonging to the said monastery, together with the office of Bailliary of the lordship and barony; which, being desirous to improve the condition of the said monastery, the abbot and convent had granted and leased for a yearly ferm or pension of £80 Scots making £20 sterling more or less, to be paid half at Whitsunday and half at Martinmas to the said John and Abbots and convent for the time, with other conditions &c. in perpetual lease (in emphiteosim perpetuam) to Robert Lord of Maxwell, for him and his heirs and successors. The petition presented to the Penitentiary by the Abbot bore that the lease was for the evident benefit of the monastery; and parties wished the confirmation of the Apostolic See thereupon. Wherefore, by authority of his lord the Pope, and by his special behest *vivâ voce*, he charges their discretions to make inquiries, and if they found the lease to be for the evident benefit of the Monastery, to confirm it by Apostolical authority, &c: Given at Rome, at St. Peter's, under the seal of the Office of the Penitentiary, VI. Kal. Aprilis (27 March) first year of pontificate of Adrian the Sixth [1523.] [Half of skippet remaining, but seal gone.]

172. LETTERS by James, Abbot of Dundranane, and Herbert, Abbot of Sweetheart Abbey, of Whithorn and Glasgow dioceses, judges and commissioners deputed by the Apostolic See, addressed to all and sundry lords, abbots, priors, deans, &c., stating that they had received letters from Lawrence Priest Cardinal, with Seal of the greater Penitentiary attached and delivered to them by Robert Lord Maxwell, given at St. Peters at Rome, VI. Kal. Aprilis 1st year of Adrian's pontificate; requiring them to inquire into the value of the lands of Keyr, &c. [as in No. 170.] After reading which letters, the Judges were earnestly requested by Lord Maxwell to make citation of parties, John Abbot of Holywood and others, to be affixed on the doors of the metropolitan church of Glasgow, and cite the said John Abbot of Holywood and others having interest to appear before them in the parish church of Begar, on the 16th of September instant, to hear their decision about the lease of the said lands of Keyr and others: and also summoning John Maxwell of Carnsalloche, William Maxwell, tutor of Tynvald, Fergus Dungallson and others to bear witness about the value of the lands. Dated at Edinburgh of St. Andrews diocese, 4th September 1523. Witnesses, Schir Thomas Nudrie, prothonotary of the Apostolic See and Commendator of the Monastery of Culros, Adam Steuart, burgess of Edinburgh and others.

[One seal of James, Abbot of Dundrennane, remaining, but broken.] The messengers execution states than on 10 September, John the abbot and convent of Holywood were cited as above: On same date John Maxwell of Carnsallach and William Maxwell of Blarboy, &c., and on 13th all having interest were summoned in the monasterial and parochial church of Holywood.

173. LETTERS containing the process and confirmation following upon the preceding commission by James, Abbot of Dundranane, and Herbert, abbot of Sweetheart Abbey. In these letters they narrate the presentation to them of the foregoing commission by Robert, Lord Maxwell, before notary and witnesses. The commission itself is engrossed. Next follows the charter itself by John, Abbot of the Monastery of Holywood and convent, [etc. No. 170 *supra*.]

This charter and commission was presented to the Judges by Lord Maxwell who craved execution. The judges having first warned the Abbot and Convent and others having interest to appear before them in

the parish church of Begar, on 16th instant September, at 10 forenoon, &c., on which day the commissioners sitting in judgment, Robert, Lord Maxwell compeared before them and reported the citatory letters duly executed and indorsed, parties were thrice summoned &c., when John, Abbot, appeared for himself and Schir John Turnour, priest and notary public in name of the convent, the commission, &c., being read no one appeared to object; and at the request of Lord Maxwell the parties not compearing were denounced as contumacious, and silence imposed upon them; and the judges proceeded to execute the commission. By examination of trustworthy witnesses, and the abbot and procurator for the convent, the judges found the statements in the commission and charter to be true and the lease to be for the evident utility of the monastery; and at the request of Lord Maxwell decern and declare the grant and lease, charter and letters, &c., to be for the benefit of the monastery, and to be ratified and confirmed by Apostolical authority, &c. The Instrument of Process is directed to be subscribed and published in their presence by the scribe, and the Judges' seals to be appended. Done in the parish church of Begar, 16 September 1523. Witnesses, Schir Paul Fraser, dean of Ross, James Douglace of Drumlanark, James Matillent of Auchingassil, John Douglace, James Charteris, Archibald Douglace, David Maxvel, esquires, and Schir John Nicholsonsone, priest and notary public.

The docket is written by John Laudar, M.A., clerk of the city of St. Andrews, notary public, by Apostolical and Imperial authority, and matriculated and described in the office of writers of the Roman Court. [One seal remaining, that of the Abbot of Dundrennan nearly perfect, bearing the Virgin under a Canopy. Legend, "s. JACOBI . . . ABBATIS D'VDNRENNAN."]

174. BULL of Absolution by Pope Clement (the Seventh, Julius de Medici), in favour of William Steward, provost of the church of St. Mary the Virgin of Lynclowden, of Glasgow diocese, to whom the Bull is directed. The pope states that he intended to appoint him to be bishop of the church of Aberdeen, and in case he were bound by any sentences, censures or ecclesiastical pains, he absolves him from any sentences or pains of excommunication, suspension and interdict, in order that the provision foresaid might take effect. Given at Rome, at St. Peter's, Id. Nouembris (13th) 1532. [Seal wanting.]

175. CHARTER by Thomas, perpetual commendator of the monastery of "Sancti Nemoris, Halywood vulgariter nuncupati" and convent thereof, of the Premonstratensian order, of the diocese of Glasgow, lords superior of the underwritten lands, granting to their well-beloved Robert Kirkpatrik, son and heir male of the late John Kirkpatrik of Alisland, begotten between him and the late Egidia Greirsoun, his spouse, for the time, and his heirs male whomsoever, whom failing the eldest of his heirs female without division, of all and whole the six merk land of Brachath of old extent, in the barony of Halywod, and sheriffdom of Drumfreis, excepting the multures of the harvests of the said lands growing upon them which they reserve to them and their successors; which formerly belonged heritably to the said Robert and which he personally resigned in their hands at their monastery. Moreover, for the good faithful and thankful service done by the said late John Kirkpatrik, and Robert Kirkpatrik, his son, to the granters and their monastery, and in respect of great sums of money paid by the said late John for the granters' heritable infestment of feufarm of the foresaid lands granted to him and his heirs male begotten between him and Egidia his

spouse, also for the sum of £170 Scots money, paid to them for reparation and building of our said monastery and houses thereof, whereof not the smallest part (*pars non minima*) by hostile invasion not only of the old English enemies of the kingdom, but by the daily attacks (*quotidianum incursum*) of other wicked subjects of the same assisting the English enemies, was almost entirely cast down and overthrown (*dicta et eversa*), and for several other causes and considerations moving them, *de novo* infest and set in feufarm to the said Robert and his heirs male whatsoever, whom failing the eldest of his heirs female without division, the said six merkland of Brachath of old extent, except as before excepted; to be held of the granters and their successors, commendators or abbots and convents of the monastery of Holywod, in feufarm and heritage for ever, for rendering yearly six merks Scots, contained in their rental, and nine merks in augmentation, extending in all to £10 Scots, in name of feufarm: and a duplication at the entry of each heir, the lease to expire on failure of payment for three continuous terms. Dated at the Monastery the last of August, 1555, before Sir John Jameson, Robert Hynd and John Velche. Subscribed "Thomas commendatarius Sacri nem^{orisi}" "Ioannes Huff manu propria," Vilelm⁹ Hanyng manu prop^{ia}," "Joannes Velche, sub^pior mā sub^pior" (*sic*), "Thomas Roxburch, manu pp^{ia}," "Iohānes Logan, manu pp^{ia}." Seal attached somewhat broken. It bears a shrub or tree.

176. PRECEPT of Sasine by Thomas [Campbell] abbot of the Monastery of Holywood, and convent thereof, directed to Aimer Maxwell of Meikill Spaiddoch, because it was well known to them (*clare constat*) that the late Robert, Lord Maxwell, grandfather of John Maxwell, bearer, died last vest and seized, &c., in the £16 land of old extent of Keir (etc. same lands as in No. 170 *supra*) and office of bailliary, &c., under reservation of the teind sheaves, &c., and the said John Lord Maxwell was nearest lawful heir to his grandfather, &c., was of lawful age; and the lands were held of the Abbot and his successors as lords superior, by service of feu farm, in chief, charging therefore their bailie in that part to deliver sasine of the said lands. Dated at Holywood, 16 March 1556[-7]. Witnesses, Robert Maxwell of Kowhill, Herbert Creychtoun of Neuwerk, Schir Marc Carrutheris, rector of Mowswald, notary. Signed, "Thomas Campbell commēdatarius Sacri Nemoris," and by John Welche, sub-prior Thomas Roxburch, John Logan, John Lytill, William Hanyng, and Arthur Hammylton, all "manu propria." [Seal now wanting.]

Sasine was given upon this precept to Sir John Maxwell of Terreglis, knight, uncle (*patruus*) and as attorney of John Lord Maxwell, appointed by letters patent of the Queen, dated at Edinburgh, 30 October, 15th year of the Queen's reign, the sasine being given by Aymer Maxwell of Spaiddoch. Done on the lands of Allantoune, 1557, in presence of John Greirsoun of Lage, Cuthbert Greirsoun, and Gilbert Greirsoun, his brothers, Gilbert Griersoun of Pandland, Thomas Griersoun of Barjarge, Andrew Portar, Robert Maxwell of Porterrak. Docquet by Herbert Cunynghame, notary public and clerk of the Sheriff Court of Dumfres.

A later sasine was given to John, Lord Maxwell, as son and heir of the late John, Lord Maxwell, on a precept from chancery directed to the sheriff of Dumfres, of the same lands here called Keir, Bardannochis, Kirkbryidis, Parkiarg, Ferding James, and Barboy, &c., with the office of bailliary, and also the 6 merk lands of Balterssane, of old extent, with tower and fortalice, 3 merk lands of Gleneslane for his fee and office, and in the mills of Keir and Allantoune, &c., dated 20 February, 1605. Sasine is given by William Creychtoun of Darnehuuche, sheriff depute

of Dumfreis to John Maxwell, natural son of the late Robert Maxwell of Castelmilk, attorney of John, Lord Maxwell, 11 April, 1605. Witnesses, Robert Creychtoun, brother of the said William Creychtoun of Darnehuuche, and others.

177. Charter by Thomas, commendator of Holywood, and convent thereof, for benefits done to them by John Maxwell of Terreglis, Knight, tutor and governor of John, Lord Maxwell, and in augmentation of their rental, &c., letting in feu farm heritably to John, Lord Maxwell, and his heirs male, their mills of Keir and Allantoun, with watergang, multures and sequels of all lands that formerly paid multures to the mills or are known to pay to the mills in time coming, in the sheriffdom of Drumfres, extending yearly in their rental in fermes and other profits to £20 Scots and 24 bolls of oatmeal of the measure of Nytht (Nith); to be held of them and their successors in feufarm and heritage for ever, paying yearly for the multures, &c. £20 Scots and 24 bolls of oatmeal and 3 merks in augmentation of rental at two terms, the purification of the Virgin Mary and St. Peter *ad vincula*; and the heirs paying a duplicand at entry. Contains clause of warrandice. Dated at the Monastery of Holywood 1558. No day, month, nor witnesses. Subscribed by the same abbot and friars as the precept foregoing, except John Lytill. [Seal wanting.]

This was followed by a precept of sasine, of same date, subscribed by the same persons, directed to James Maxwell of Porterrak. The common seal is said to be affixed. [Seal remaining, but figures obliterated. The inscription seems to read "S. MONASTERII SACRI NEMORIS." A commission was issued by John, Archbishop of St. Andrews, Primate of Scotland, and Legate of the Apostolic See, with power of a legate *a latere*, directed to the abbot of Sweetheart Abbey, of the Order of St. Augustine, of Glasgow diocese, and to the Prior, subprior, and archdeacon of the Church of Whithorn, of the Premonstratensian order, directing them to make inquiries and if the sale was found for the good of the church to confirm it by Apostolical authority, a petition to that effect having been presented to him by John, Lord Maxwell. Dated at Edinburgh of St. Andrews diocese, 28 May, 1558. At the foot of the document are signatures of "A Forrest sec.," "Datarius," "F. Petrus," "T. Blac Abb^{tr}." [Only half of skippet remaining.]

Sasine was given to John, Lord Maxwell, 4 April, 1576, on the precept which is ingrossed and the day and month given 20 April 1558, and witnesses inserted which are blank in the original precept.

178. Tack or Lease by Thomas, Commendator of the Abbey of Holywood, for divers great sums of money paid in name of grassums which had been all applied to the benefit and weal of the Abbot and his Abbey, with consent of his convent, letting to John Maitland of Auchingashill, Dorathie Johnstoun his spouse, and Robert Maitland, their son, for their lifetimes &c., and for nineteen years, the teind sheaves of the whole lands in the parishes of Penpont and Tynroun pertaining to him as parts and pertinents of the Abbey, their entry to be at date, for the yearly sum of 28 merks 6 s 8 d Scots, at two terms Candlemas and Lammas, for the teind sheaves of lands in the parishes which are now in the said persons own hands, viz., Auchingashill, Auchinbanze, Clawquhanholme, 100 s. land of Bagrawis, Auchinfathe, Tibberstoun, Messingeris lands, "to wit, the layrd Amvligane and the laird Makecallis lands," Cloyngavies, &c., the 40 s. land of Penpont and Grenane, &c. And as there were other persons who had tacks of teinds on terms yet to run in the same parishes, at the issue of the said tacks,

when the present could take effect, they should pay the duties specified in the other leases, &c. Dated at Halywod, 20 July 1572. Subscribed "Thomas Campbell comendator of Halywod," and is witnessed by John Douglas and John Haliday, notary. [Seal remaining bearing the figure of a tree.]

179. LEASE by James, commendator of Haliuod, with consent of the convent of the Abbey thereof, for certain sums of money paid in name of "gersum" by Dorotheie Johnnstoun, Lady Auchingassill, spouse of John Maitland of Auchingassill, of which they discharge her and her spouse, by which they set to her and Robert and James Maitland, her sons, and the longest liver of the three in liferent &c., for 19 years after the decease of the last, &c., of the teind sheaves of the 8 merkland of Tibberis, 2 merkland of Mollothefurd, 4 merkland of Balgears, 40 d. land of the "Castell of Tibberis, callit the Peilldikis," 2 merkland of Balgrayhill, 3 merkland of Auchinnay, 6 merkland of Auchingassill, 6 merkland of Auchinbanze, and other lands, 40 s. land of Grenane and Penpont, c merk of Glenquopenoht, &c., all of old extent, in the parish of Penpont and Tynrone, &c. The entry to be at date. Contains clause of warrandice and bears to be signed by the commendator and convent and the common seal appended, at the Lochuod, 24 April 1593, witnesses, the laird of Wamfra, Gilbert Johnstone in Glenkill, Walter Johnstone in the Nuke, and others. Subscribed, "James comendator of Halyuod," "David Welsche, coventar of Halywode," "Gilbert Johnstoun off Vamffray, vitness," "Gilbart Johnstoun, witnes." [Part of seal remaining, but illegible.]

A Confirmation of this Tack was given under the Privy Seal at Halyruidhous, 28 September 1594, containing a clause that it should be valid to the persons for enjoying the teindsheaves according to the rights, "Notwithstanding quhatsumeir crymes, offences, and transgressioniss committit be the said commendator, and notwithstanding quhatsumeuer rebelloun and denunciacionis of horningis led and execute aganis him for quhatsumeuir caus or occasioun bipast."

ADDITIONAL WRITS relating to the Abbey of Holywood and especially about Teinds of parishes related to the Abbey. [From Queensberry Inventory, 1693.]

Penpunt.

180. IMPRIMUS, ane tack of the teynd of the hail paroch of Penpunt, except Auchingassle, sett be the comendator of Holywood to James Douglas of Drumlangrig for 3 years, dated 20 October 1525.

181. ITEM, ane Tack sett be William, abbot of Corseragle, as comendator of Holywood, to James Douglas of Drumlangrig, of the lands of Auchinhesne, during his lifetyne, and for nyntein yeares thereafter, dated 10 May 1539, with another tack of the saids teynd to the said James, dated 16 May 1534.

182. ITEM, another tack of the teynd of Eccles and Scair set be the comendator of Holywood to James Douglas of Drumlangrig for 19 years, dated 12 November 1554.

183. ITEM, the provision of the Kirk of Penpunt be the Archbishop of St. Andrews, granted to John Tailzior, dated 1557.

184. ITEM, ane confirmation in favours of William Tailzior, of the teynd of Penpunt, dated day 1557.

185. ITEM, a tack of the teynds of Glenessing, Eccles, and the Scarr, sett be the comendator of Hollywood to Drumlangrig, dated November 1572.

186. ITEM, another be Sir John Tailzior, vicar of Penpunt, to James Douglas of Drumlangrig for 9 years of the teynd lambs upon Scarr up from the Caineburn, dated 14 April 1573.

187. ITEM, another of the same teinds, dated 17 July 1578.

188. ITEM, another tack of the same teynd lambs, sett be William Tailzior to James Douglas of Drumlangrig, dated 14 Apryle 1590.

189. ITEM, ane procuratorie of Resignation of the kirk of Penpunt, parsonage and vicarage thereof, be Mr. John Johnstoun, commendator of Hollywood and convent thereof, to the effect it may be dissolved from the said Abacie, and that his Majestie may dispone the patronage thereof to Sir James Douglas of Drumlangrig, dated 12 June 1606.

190. ITEM, the Instrument of Resignation following thereupon, dated 3 September 1607, subscriyved be James Dowie, notar.

191. ITEM, ane tack sett be Mr. William Austein, minister att Penpunt, to James Douglas, appeirand of Drumlangrig, of the teynds, parsonage and vicarage of the paroch of Penpunt, for the said Mr. William, his lifetyme, and for 3 nyntein yeares thereafter, dated, 1st October 1607. Registrat 9 November thereafter.

192. ITEM ane Ratification be Mr. John Johnstoun, commendator of Hollywood, of the tacks of the teynds within the paroch of Penpunt, and the teinds of Glenslain in Glencairn and Dunscore sett to Sir James Douglas of Drumlangrig. Dated 12 June 1606. Registrat in the Books of Council and Session that same day.

193. ITEM, ane tack made and granted be Mr. John Johnstoun, comendator of Hollywood, and convent thereof, to Robert, Lord Crichtoun of Sanquhar for his lifetyme, and after his deceise for the space of three nyntein years, of the parochin of Kirkconnell, being within the barronie of Sanquhar and sherefdome of Dumfreis, the entrie att the date of the tack, paying therefore yearly 20 punds att the feist of Hallowmes, subscriyved att Edinburgh, 3 June 1607.

32, Castle Street, Edinburgh,
24 December, 1895.

WILLIAM FRASER.

THE MUNIMENTS OF HIS GRACE THE DUKE
OF BUCCLEUCH AND QUEENSBERRY, K.T.,
IN THE CHARTER-ROOM OF DRUMLANRIG
CASTLE, IN THE COUNTY OF DUMFRIES.
BY SIR WILLIAM FRASER, K.C.B.

SECOND REPORT.

In my First Report on the Muniments at Drumlanrig presented to the Commissioners on Historical Manuscripts on 24th December 1895, the charters and miscellaneous feudal writs relating to the family of Douglas of Drumlanrig from the year 1357 and onwards till the year 1609 are fully described. There is also described in that Report an earlier series of charters granted by the Bruces as lords of Annandale from the year 1190 till Robert the Bruce, lord of Annandale, became King of Scotland, and Edward Bruce, his brother, became King of Ireland and Earl of Carrick. All these Douglas and Bruce charters, ranging as they do over four hundred years, illustrate the early history of the districts of Nithsdale and Annandale. Along with the other writs detailed in the First Report they contain many references to the families of Johnstone, Douglas, Kirkpatrick and Jardine, and to the Lords Carlyle of Tortherwald and the Abbey of Holywood.

The following Report is arranged into the five following heads:—

- I. The Patents or Diplomas granted to the family of Douglas of Drumlanrig of all the grades of the peerage including a lord baron of parliament, a Viscount, an Earl, a Marquis and the august title of Duke.
- II. Commissions, Instructions, Correspondence, and many original writs connected with the first Session of the only parliament held by King James the Seventh of Scotland.
- III. Twelve official letters by King James the Seventh to William, first Duke of Queensberry, as Commissioner to that parliament, and also to the lords of the Committee of the Secret Council, from 25 April to 3 August 1685.
- IV. Fifteen private holograph letters by King James the Seventh to William, Duke of Queensberry, as Commissioner, from April to June 1685.
- V. Miscellaneous Papers specially connected with the first Session of the Scottish parliament 1685, to which William, Duke of Queensberry, was Commissioner.

HEAD FIRST.—All the patents of peerage granted to the family of Douglas of Drumlanrig, including resignations and regrants from the year 1628 to the time of Queen Anne in 1706 are fully described in the present Report. They are nearly all similiar in form and style to the patent of peerage of other families, with special narratives applicable to each grantee, as will be seen from the translations and descriptions of them. There is here, however, a peculiarity which is often taken notice of, viz., that there is a Dukedom of Queensberry and a Marquisate of the same name in two different lines of the same family, and this may require explanation.

William, fourth Duke of Queensberry, who was also Earl of March and Ruglen, under separate patents, and who was popularly known as "Old Q," died in the year 1810, unmarried. His title of Duke of Queensberry was inherited along with the landed Dukedom by Henry, third Duke of Buccleuch, who was thereafter known as the Duke of Buccleuch and Queensberry. The Marquisate of Queensberry was at the same time claimed by Sir Charles Douglas of Kelhead, Baronet, as the heir male of the Douglasses of Drumlanrig. His claim came before the House of Lords as the competent tribunal. All the patents of peerages of the family were produced from the Drumlanrig charter chest in the House of Lords. Henry, Duke of Buccleuch and Queensberry, promoted the claims of Sir Charles Douglas, who was his son-in-law through the marriage of the claimant with Lady Caroline Montagu. After consideration of the patents produced by the claimant and hearing counsel for him and for the Crown, the House of Lords, on 9th July 1812, pronounced the following judgment—That the petitioner had made good his claim to the dignities of Marquis of Queensberry, Earl of Queensberry, Viscount of Drumlanrig and Lord Douglas of Hawick and Tibberis, and that he ought to be enrolled in his place as such upon the Roll of the Peers of Scotland. Charles, Marquis of Queensberry, died without male issue and was succeeded by his brother, Archibald, and from him the title has descended to the present Marquis of Queensberry. This is a short explanation of the apparent anomaly of a Duke of Queensberry and a Marquis of Queensberry in the same family.

There is another peculiarity connected with the descent of the title of Duke of Queensberry in this family which may also be here explained. The patent of the Dukedom was given to William, the first Duke, and the heirs male of his body, and it descended to his eldest son, James, the second Duke, commonly known as the "Union Duke," from the fact of his being the royal Commissioner in Scotland, when the Union between England and Scotland was effected. For certain family reasons and specially in reference to the feeble health of his eldest son, James, Lord Drumlanrig, the second Duke, took counsel with the ablest lawyers of his time, and was advised, in the state of the family, to exercise the power common to the peers of Scotland before the Union. His Grace made a resignation of his title of Duke and his landed Dukedom into the hands of Queen Anne for a regrant of them. This secured the ultimate succession of the Dukedom and landed estates, on the death of William, fourth Duke of Queensberry, without issue, on 23d December 1810, to the heir of line of the Duke, Henry, third Duke of Buccleuch, son of Lady Jane Douglas, eldest daughter of James, second Duke of Queensberry. But the regrant did not affect the original grant of the Marquisate in favour of the heir male whatsoever of the first Marquis, who succeeded to the title under the judgment of the House of Lords in 1812 as above narrated.*

HEAD SECOND.—At the critical period of 1685, the date of the succession to the throne of King James the Seventh, the holding of a parliament in Scotland was an important event. The way in which that parliament conducted itself was highly satisfactory to James, who thought it would form a good precedent for the parliament which had

* Mr. Riddell in his *Peerage Law*, p. 669, states that Charles, Marquis of Queensberry, succeeded as the heir male "without a particle of the resigner's lands." But that is a mistake, as a local authority notices Mr. Riddell's error, and states that Charles, Marquis of Queensberry, heir male, inherited about £13,000 per annum out of the old Queensberry possessions.

to be held in England. The King, while Duke of York, had been long conversant with the affairs of Scotland. He had been commissioner to parliament for King Charles, and having resided in Scotland for years and been entrusted by the King with the business connected with that kingdom, he kept up a close correspondence with the Marquis and Duke of Queensberry, both in the later years of King Charles, or between 1682 and 1685, when Queensberry was regarded as prime minister for Scotland, and in the earlier years of his own reign.

It was important that in the first parliament to be held by the new King, the commissioner to represent him should be a nobleman of high rank and influence. The Duke of Queensberry by his possession of these qualifications was marked out for that exalted position, the highest to which a subject can aspire. His Grace and the Earl of Perth, as chancellor, were called to court to consult with James on the state of affairs. Bishop Burnet, in the History of his own Time, states that the Duke told the King if he had any thoughts of changing the established religion, he could not make any one step with him in that matter.* The King promised him that he would make no change and that he would have a parliament called at which he would be commissioner. The Duke pressed the Earl of Perth, chancellor, to speak in the same strain to the King, but he could not prevail on him to declare himself in so positive a style. Other historians refer to this early notification made by Queensberry to the Court.† King James carried out one part of his intention, and appointed the Duke of Queensberry as commissioner to his parliament, by commission dated at Whitehall, 28 March 1685 (No. 9 *infra*). The commission narrates that the King himself, being detained by affairs of high moment in England, was unable to be present at the parliament appointed to assemble at Edinburgh, on 23rd April 1685: that he had resolved to entrust the power of representing himself there to some most eminent man of most illustrious rank and proved fidelity and special qualifications, and that having experience of the steady loyalty and singular endowments and fidelity of his most faithful and well-beloved cousin and counsellor, William, Duke of Queensberry, High Treasurer of Scotland, which qualifications render him most meet and proper for undertaking such an office and for promoting the King's pious and royal designs for furthering the weal and interest of the kingdom in church and state, and for other reasons, he bestows on him that office with full powers. This commission was not to be prejudicial to the office of High Treasurer previously committed to the Duke of Queensberry.

The King himself, who, as already shown, was versed in the public business of Scotland, and the chancellor Perth, and his brother, the honourable John Drummond, afterwards Earl of Melfort, secretary of State, were all well qualified to frame an elaborate table of instructions for the Commissioner in reference to the Acts to be passed in the parliament. These instructions are forty-one in number, and the original paper in which they are ingrossed is still preserved (No. 10 *infra*). They are superscribed and also initialed by the King and countersigned by John Drummond as secretary, and indorsed as of the same date as the Commission 28 March 1685.

These forty-one instructions were nearly all passed into Acts of Parliament. This is indicated by the cross which the Duke of Queensberry as Commissioner made with his own hand on the original paper

* Burnet, Vol. III., p. 34.

† Macaulay's History, Vol. II., p. 112. (Tenth Edition, 1854.)

after each instruction had been embodied in an Act of Parliament. The Acts themselves may be read at large in the printed Acts of Parliament of Scotland, Vol. VIII.

The thirty ninth Article of the Instructions had special reference to the state of Scotland at this time. It required the commissioner to endeavour to obtain an Act "declaring all preaching at Conventicles in houses (as well as in the fields) to be death in the preacher, and banishment and great fines in the hearers and landlords, as also severe fines upon cities or towns where such conventicles shall be kept."

The required Act was obtained and passed. It is entitled: "Act against preachers at conventicles and hearers at field conventicles." It breathes the same spirit of severity as the original Instruction. This will be seen from its terms which are as follows:—

"Our sovereigne lord, considering the obstinacy of the ffanatical party, who, notwithstanding all the laws formerly made against them, persevere to keep their house and field conventicles, which are the nurseries and rendezvouzes of rebellion, therefor his Majesty with consent of his estates in parliament doth statute and ordain, That all such as shall hereafter preach at such ffanatical house or field-conventicles, as also such as shall be present as hearers at field conventicles, shall be punished by death and confiscation of their goods."*

Nor were these forty-one Instructions deemed a sufficient and exhaustive guide to the commissioner and the parliament. Additional Instructions were transmitted from the court on such subjects as plantation of kirks, valuation of teinds, moneys mortified for building of churches, and ratification of sentences of forfeiture. Instructions were also sent down to pass an Act to ratify the privileges of the senators of the College of Justice; to disjoin lands from one shire to another. The additional Instructions were all superscribed by the King and countersigned by Morray or Melfort, as Secretaries of State. They were for the most part passed into Acts of parliament. But in the case of the Instructions about the forfeiture of persons actually in rebellion in their absence, the Secret Committee of the Council rejected the Instructions as being inconsistent with law, justice, and the King's service. The Commissioner adds a note that none seemed more of this opinion than the chancellor (the Earl of Perth). One Act desired to be passed was to annex all forfeited estates to the Crown—a provision, doubtless, which was meant to be applied to the adherents of Argyll. This is the last of the Instructions, and is dated 10 June 1685. It is countersigned by the Earl of Morray as Secretary.

HEAD THIRD comprehends twelve official letters written by King James the Seventh, and addressed to William, first Duke of Queensberry, commissioner to the parliament, and also to the Secret Committee of the Privy Council. These official letters are superscribed by the King and they are also countersigned by one of the two secretaries, the Earl of Morray or the Viscount of Melfort. They relate to a variety of subjects. No. 30 (9) which is dated 1st June 1685 directs the Commissioner to return the King's hearty thanks to the parliament before their adjournment and to forbear putting in execution a former Instruction to suppress the surname of Campbell. No. 31 (10) orders a proclamation against the traitor, Archibald, late Earl of Argyll, and those who have risen with him in arms in the present rebellion. No. 32 (11) dated 3rd August 1685 gives directions in regard to such prisoners as were to be

* Acts of the parliaments of Scotland, Vol. VIII., p. 461.

banished to the Plantations in America and were so obstinate as not to own the King's authority, that one of their ears should be cut off in order to stigmatise them. This form of punishment was suggested by the Secret Committee of the Privy Council to the King, who cordially approved of it.

HEAD FOURTH comprehends fifteen private holograph letters from the King to his commissioner, William, first Duke of Queensberry, during the first session of the parliament in 1685. The King adds his initials "J. R." at the end of each letter with one exception. The letters refer to the current business of the parliament, which the King was pleased to find had begun well, as it would be a very good precedent to the English parliament. They also refer to the news arriving from Holland of the sailing of Argyll's expedition. The King surmised at first that Stirling would be the point aimed at; afterwards he judged that Argyll would make for Galloway to raise an insurrection in that district. Both surmises were erroneous as Argyll's force descended on Renfrew and were dispersed without much bloodshed. In his last letter the King requires the Duke as treasurer of Scotland to find the means of raising money to pay the three Scottish regiments that were coming from Holland.

HEAD FIFTH reports miscellaneous Papers, but all connected more or less with the Session of Parliament of the year 1685, and the Lord Commissioner. The first paper reported under this Head Fifth and given in full is the Minutes of the Proceedings of the Lords of Articles in the Scottish Parliament of 1685. The proceedings commence on the 24th of April and end on the 16th of June in that year. The Lords of the Articles were a select body chosen from Parliament to arrange the business, and settle what bills should be laid before Parliament, &c. At this time the mode of election was thus arranged: the clergy elected eight of the nobility, the Duke of Hamilton, the Marquis of Douglas and others: the nobility elected the Archbishops of St. Andrews and Glasgow, &c., and these sixteen so elected chose eight persons for the barons and as many more for the boroughs. The Commissioner having approved the names, added to them the officers of state. The lords of Articles elected in this manner were voted a grievance in the Revolution Parliament and the constitution of them was modified.

Among the other papers under this head, notice may be taken of the bond proposed by Viscount Melfort to be imposed upon the shire of Lanark, but which the Secret Committee of the Privy Council rejected as impracticable. There is also a short Memorial on the affairs of the Mint by Viscount Tarbat; also the speeches by the Lord Commissioner and Lord Chancellor at the opening and closing of Parliament.

The Duke of Queensberry executed his office as High Commissioner with general satisfaction, and if certain harsh acts with reference to the conventicles were passed through all the stages of the Lords of the Articles, Secret Council and parliament itself, he only followed out his royal instructions under the hand of the King. But the task of the Commissioner was not an easy one, as he was associated in his office with James Drummond, Earl of Perth, as Chancellor, and his brother John, Earl of Melfort, as Secretary of State. They were bent on supplanting Queensberry. Some of his opponents complained that he had been more overbearing than previous royal commissioners, and that he sat in church with his hat on his head. According to Macaulay the Chancellor had already an unquestionable title to the royal favour, he having brought into use a little steel thumbcrew which gave such exquisite

torment that it had wrung confessions even out of men on whom his Majesty's favourite boot had been tried in vain.* Both Perth and Melfort avowed themselves converts to the Roman Catholic faith, and soon after presented themselves at Court and received such favour that they ventured to bring direct charges against Queensberry as Commissioner or Treasurer. Queensberry obtained a copy of the charges, and Sir George Lockhart, the eminent lawyer, wrote full and exhaustive answers to what was called Lord Melfort's "Lybell," and the King was satisfied that Melfort's accusations were frivolous and dismissed them. The King, however, was so pleased with the conversion of the two brothers and that of Alexander Earl of Morray, the Secretary of State, that he desired to promote them. Halifax to whom Perth expressed some apprehensions that his malignant desire to ruin Queensberry would ruin himself, answered to Perth, "Be of good cheer, my lord, thy faith hath made thee whole." That remark was much talked of at the time. Under the renewed authority which Perth and Melfort received from the King, they both carried matters with a high hand in Scotland. In the second Session of the first parliament of King James, another indignity was cast upon Queensberry, this time by the King. In the first session he had held the office of Lord High Commissioner. This dignity was now bestowed upon the Earl of Morray, who, as has been pointed out, had recently become a convert to the religion of King James, and who thereby, as Macaulay observes "abjured the religion of which his illustrious ancestor had been the foremost champion."†

In a subsequent page the same author notices the filling of offices and honours by those of the King's persuasion, and he adds that Queensberry was stripped of all his employments.‡ But that statement is not strictly correct. His office of Lord Treasurer was put in commission as it had formerly been. The King was pleased to name him first in the commission, and also to appoint him president of the privy council with a salary of £1,000 per annum.§ He attended his place as president of council in the second session of the parliament presided over by the Earl of Morray.

Previous to this, on the 9th of October 1685, the Duke of Queensberry had obtained from the King a most ample letter of approbation and exoneration for his discharge of the many and high offices of Principal Treasurer and Justice-General of Scotland, governor of the Castle of Edinburgh, extraordinary lord of Session, as one of lords of Secret Council, and as sheriff of Nithsdale and Galloway and lately as High Commissioner in the first session of the current parliament, wherein he represented the King's sacred person and royal authority. In all these offices the Duke conducted himself with candour and integrity, and with the highest approbation and satisfaction of the King: and his Majesty indemnifies him for any acts of omission or commission that could be urged against him in his discharge of these offices, and approves his whole proceedings. (No. 61 *infra*.)

* Macaulay, Vol. II., pp. 112, 113.

‡ *Ibid.*, p. 124.

† Vol. II., pp. 113, 114.

§ No. 65 *infra*.

HEAD FIRST.—Diplomas and Patents of Peerages, granted to successive owners of Drumlanrig.

1. EXTRACT Act of the Privy Council on receiving two Patents by King Charles the First, both dated 1 April 1628, in favour of William Douglas of Drumlanrig, to be called Viscount of Drumlanrig, Lord Douglas of Hawick and Tibberis.

Apud Halyruidhous, vicesimo secundo die mensis Aprilis, anno Domini millesimo sexcentesimo octauo.

The whilk day Williame erle of Monteith, president of his Majesties counsell, presented and exhibite before the lords of priue counsell twa patents vnder his Majesteis great seale, both bearing date at Whytehall, the first day of Apryle instant. The one, by the whilk his Majestie was gratuslie pleased, in remembrance of the manie good seruices done to his Majestie be his weilbelouit Williame Douglas of Drumlanrig, to preferre, advance and honour him with the title, dignitie, ranke and preeminence of ane baron and lord of parliament: The other, by the whilk his Majestie was lykewayes gratuslie pleased, in remembrance of the seruices foresaid, to preferre, advance and honour the said Williame Douglas of Drumlanrig with the dignitie, preeminence and ranke of ane vicount. Quhilke two patents, being read and considerit be the saids lords, they with all dew reuerence, did acknowledge his Majesteis bo[unty] and favour showne to the said Williame, and accordinglie did admitt and ordaine him to have his plaice, voit, ranke and dignitie in parli[a]ments, ge[n]erall counsell, pr[ivate] and] publict meetings amongs [the no]ble men of his kingdome, and to be callit in all tyme Vicou[nt] of Drumlanrig, Lord Dowglas of Hawick and Tibberis. Lykeas the said vicount being personallie present, he with all due humilitie and reuerence, resaved frome the hands of the said lord president the two patents foresaid, and promiseist to approue himselffe to the vttermost of his possibilitie worthie of the favour, honour and dignitie, whairunto his Majestie wes pleased to advance him. Extractum de libris actorum secreti consilii S. D. N. Regis per me, Jacobum Prymrois, clericum ejusdem, sub meis signo et subscriptione manualibus.

(Signed) Jacobus Prymrois.

2. EXTRACT Act of the Privy Council of Scotland, 1st July 1633, on receiving a patent bearing date the 13 day of June, whereby his Majesty creates the said Viscount of Drumlanrig, Earl of Queensberry, Viscount of Drumlanrig, Lord Douglas of Hawick and Tibberis.

Apud Halyrudhous, primo die mensis Julij, anno Domini millesimo sexcentesimo tricesimo tertio.

The whilk day George earle of Kinnoull, lord high Chancellor of this kingdome, produced and exhibite before the lords of priue counsell ane patent vnder the great seale, bearing date at Seatoun, the threttene day of Junii last, whereby his Majestie remembring the worth and affectioun of his weilbelouit cousine, Williame viscount of Drumlanrig, Lord Douglas of Hawick and Tibberis, whiche he careis toward his Majesteis service, his Majestie hes thairfoir beene graciouslie pleased and for the better encouraging of the said vicount to doe his Majestie service heerafter, to bestow vpon him some pledge and token of his royall favour and respect; and for that effect out of his royall power and auctoritie hes made, constitute, creat and inaugurat the said vicount of Drumlanrig, Earle of Queensberrie, Vicount of Drumlanrig, Lord

Douglas of Hawick and Tibberis, and hes given unto him and his airis male, bearing the surname and armes of Douglas, the honour, order and degree of dignitie of ane earle, with all and sindrie prerogatives, preeminences, priviledges, liberteis and immunitis pertaining thereto, as the said patent of the dait abonewrittin more fullie propoerts: Quhilk patent being read, heard and considerit be the saids lords and they acknowledging his Majesteis gracious favour shawin to the said vicount in preferring and nobilitating him with this honour, order and degree of dignitie, they have accordingle ordained and ordains the said vicount and his airis male foresaid to be callit in all tyme comming Earles of Queinsberry, Vicounts of Drumlangrig, Lords Douglas of Hawick and Tibberis; and to have place, vote, ranke, and precedence in all parliaments, generall counsellis, privat and publict meitings amongs the Earles of his kingdome, according to the dait of his patent and creatioun foresaid. Lykeas the said lord Chancellor delyvered the said patent to George Deanes, servitour to the said Earle of Queinsberry, who with all dew reverence on his knees received the same frome the said lord Chancellor in name of the said Earle of Queinsberry. Extractum de libris actorum secreti consilii S. D. N. Regis per me, Magistrum Gilbertum Prymerose, clericum ejusdem, sub meis signo et subscriptione manualibus.

(Signed) M. G. Prymerose.

3. EXTRACT Diploma by King Charles the Second creating William Earl of Queensberry, Justice General of Scotland, Marquis of Queensberry, Earl of Drumlanrig and Sanchar, Viscount of Nith, Torthorwald and Ros, Lord Douglas of Kinmont, Middlebie, and Dornoch. To be held by him and his heirs male whomsoever. Dated 11 February 1682.

Diploma by Charles (the Second) King of Great Britain, France and Ireland, and defender of the Faith, by which considering the very many and very distinguished services rendered to him by his most trusty and well beloved cousin and councillor William, Earl of Queensberry, justice general of his ancient Kingdom of Scotland, and his remarkable faithfulness and service towards the King's interest, love and affection, of which he had given very many singular tokens, as well in private as in divers public employments and offices committed by the King to his trust, and in which he had conducted himself with the utmost diligence and fidelity, and according to the King's wish; and considering also the firm and unchanging loyalty of the said Earl's family, particularly the adhesion of his father and grandfather to the King and his father of blessed memory, in the time of the latest most unhappy rebellion, and their very heavy losses for the King at that time, and as a sign and token of his thankful remembrance of the said services, the King resolves to confer a lasting mark of his favour on the said Earl and his family: therefore the King makes, appoints, creates and inaugurates the foresaid William Earl of Queensberrie, Marquis of Queensberrie, Earl of Drumlanrig and Sanchar, Viscount of Nith Tortherwauld and Ross, Lord Douglas of Kinmonth, Midlebie and Dornock, and gives to the said William Earl of Queensberrie and his heirs male whomsoever in all time coming the title, honour, rank, degree and dignity of MARQUIS with all and sundry prerogatives and freedoms &c. thereto belonging, and invests him and them in the same; to be called MARQUISES of QUEENSBERRIE (&c. as above). To be held by him and his heirs male whomsoever of the King and his successors forever, in all and sundry parliaments, general councils, meetings of estates and other assemblies, public and private whatsoever, with all and sundry

privileges and immunities whatsoever thereto belonging or which now or afterwards may be known to belong to any Marquis within the said kingdom. Further, the King commands the Lion King of Arms and his brother heralds to make such additions to the Earl's present coat of arms as is wont to be given in such cases. And decerns the present diploma to be as valid to the said William Earl of Queensberrie and his foresaids, for enjoying the said title, as if he had been invested in the same with all solemnities and ceremonies, ancient, used and wont, where-with the King dispenses. Commands the Great Seal to be appended, at the Court of Whythall, 11 February 1682. (Official Extract by Lord Charles Kerr, director of chancery, in 1703.)

4. ORIGINAL WARRANT by King Charles the Second to the Lion King of Arms, for adding the Royal tressure to the former coat of the now Marquis of Queensberry, 20 April 1682.

(Superscribed) Charles R.

WHEREAS wee having lately conferred the title and dignity of a Marquis upon our right trusty and right wellbeloved cousin and counsellor, William late Earl of Queensberry, and it being fit that the said Marquis have some honourable addition to his former coat of arms; therefore wee, taking to our consideration the good and eminent services done and performed to us by the said William now Marquis of Queensberry, have as a further mark of our royall favour to the said Marquis, warranted and authorised, as we doe hereby warrant and authorise our Lyon King of Arms, in our ancient kingdom of Scotland, to adde and allow to the said William Marquis of Queensberry and to his heirs (as an honourable addition to his former coat of arms) the royall tressure, of the same colour as it is in our royall atchievement. For doing whereof these presents shalbe to our said Lyon King of Arms, and all other persons who may be therein concerned, a sufficient warrant. Given at our court at Whitehall, the 20th day of April 1682 and of our reigne the 34th year.

By his Majesties command.

(Signed) Morray.

Edinburgh, 13 May 1682.

His royall Majesties warrant within writen in favours of the noble Marques the Marques of Queensberry within designed for bearing the royall tressure, being presented by Mr. John Richardsone, wryter in Edinburgh, in name of the said noble Marques, is registrat in the principall Register of Armes belonging to the Lyon Office (in absence of the clerk) by

Robt. Innes, Lyon depute.

5. DIPLOMA by King Charles the Second creating William Marquis of Queensberry, treasurer principal of Scotland, Duke of Queensberry, Marquis of Dumfriesshire, Earl of Drumlangrig and Sanquhar, Viscount of Nith, Torthorwell and Ros, Lord Douglas of Kilmouth, Middlebie and Dornock, to the Duke and the heirs male of his body; with a provision that this diploma should not derogate from the diploma previously granted to the Marquis and his heirs male whomsoever of the dignity of Marquis of Queensberry.

Diploma by King Charles (the Second) King of Great Britain, France and Ireland, and defender of the faith, whereby, considering the very many and distinguished offices performed by his most trusty and wellbeloved cousin and counsellor, William, Marquis of Queens-

berrie, treasurer principal of Scotland, of which he had given remarkable testimonies both in his private capacity and in distinguished public employments, intrusted by us to him, particularly the high office of principal Treasurer of our said kingdom, which he held with conspicuous faithfulness and zeal, and by his love and loyalty to our person and government rendered himself most dear to the King, and recalling also to mind his predecessors' firm loyalty, of which his father and grandfather, during the late unhappy commotions and rebellion, gave singular proofs; therefore the King, as the source and fountain of all honour and dignity in his dominions &c., makes, creates and inaugurates the foresaid William, Marquis of Queensberrie, DUKE of QUEENSBERRIE, Marquis of Drumfres-shyre, Earl of Drumlangrig and Sanquhar, Viscount of Nith, Torthorwell and Ross, lord Douglas of Kinmonth, Middlebie and Dornock: Giving to him and the heirs male of his body, the most august title of Duke, with all immunities, precedence, priority, and suffrages in all parliaments, general councils, meetings of estates &c. To be held of the King and his successors for ever; and as validly as if all ceremonies and solemnities anciently used had been employed, with which the King dispenses. And further commands the Lion king of Arms, to give such additions to his coat of arms as are meet; with a provision that this grant and acceptance of this diploma, should in no wise derogate or prejudice the diploma previously granted to him and his heirs male whomsoever, of the title and dignity of Marquis of Queensberrie, and other dignities therein described, which, failing heirs male of his body, the King declares is in no way to be prejudiced or innovated by this diploma. Commands the great seal to be appended, at the court at Whytehall, 3 November 1684. Fragment of great seal remaining on a tag of gold lace. An illuminated border having at the top the armorial bearings of the Duke of Queensberry, quarterly, first and fourth the Douglas arms, and second and third those of Mar. On the dexter and sinister sides there are on each respectively four shields of arms. Earls of Queensberrie, Lothian, Wigtoun, and Nithsdale, on the dexter side, and on the sinister side the Earls of Traquair, Southesque, Lord Uchiltree and "Eagle, then Earle of Crawford." The coats of arms are all set in a tracery of Scottish thistles, flowers, leaves, and stalks, very brilliantly set in gold.*

6. PROCURATORY of Resignation made by James, Duke of Queensberry, Marquis of Dumfriesshire, Earl of Drumlanrig and Sanquhair, Viscount of Nith, Torthorwell, and Ros, Lord Douglas of Kinmonth, Middlebie and Dornock, constituting Sir David Nairne, secretary depute for the kingdom of Scotland, his procurator, to compare before the Queen's most excellent Majesty and resign the said titles of honour, of Duke of Queensberry &c. in the hands of the Queen, for a new patent of the same, to be granted back again to the Duke himself and to his heirs of entail to succeed to him in his fortune and estate of Queensberry. The said heirs of entail being always the descendants of the body of William, great grandfather of the granter, and first created Earl of Queensberry. Dated 12 June 1706.

Be it known to all men by these presents, us, James, Duke of Queensberrie, Marquis of Drumfreisshyre, Earle of Drumlangrig and Sanquhair, Viscount of Nith, Torthorwell and Ross, Lord Douglas of Kinmount, Middlebie and Dornock. For as much as for diverse good and weightie causes and considerations moving us, we are resolved to resigne in

* There is also at Drumlanrig an official extract of the Diploma of Duke, certified by Lord Charles Kerr, Director of Chancery.

favours of our selfe and our aires of taylzie after mentionat, our titles, honours, degrees, orders, and dignities, in maner under wryten: Therefor to have made, constitute and ordained, likeas we heirby make, constitute and ordaine Sir David Nairne, secretarie deput for the kingdom of Scotland, and ilk ane of them, coniunctlie and seuerallie, our lawfull and undoubted actors, factours, procuratours and speciall commissioners, for us, in our name and upon our behalfe, to compear before the Queen's most excellent Majesty or her royall successours any day and place lafull and convenient, and there with such dew humility and reverence, as becomes, purely and simply, by staff and bastoun, as vse is, to resigne, surrender, upgive, overgive and delyver, lykeas we by these presents resigne, surrender, upgive, overgive and delyver all and haill our said title, honour, degree, order and dignity of Duke of Queinsberry, Marqueis of Drumfreisshyre, Earll of Drumlanrig, and Sanquhair, Viscount of Nith, Torthorwell and Ross, Lord Douglas of Kinmont, Midlebie and Dornock, &c. with all and sundrie prerogatives, preheminencies, precedencies, privileges, liberties and immunities whatsomever pertaining and belonging thereto, in the hands of the Queen's most excellent Majestie, or her said royall successours, of whom the said titles, honours, degrees, order, and dignities are holdin, in favours and for a new patent of the samen to be made, granted and disposed back again to our selfe and to our aires of taylzie already nominat and appoynted, or to be nominat or appoynted by us, to succed to us in our fortune and estate of Queinsberrie in all tyme coming, the said aires of taylzie being allwayes the descendants of the body of William great grandfather to us, the said James Duke of Queinsberrie, and first created Earle of Quenisberrie, to be holdine of her said Majesty and her said royal successours in such dwe and competent forme, as effeirs: provyding and declairing allwayes, lykeas it is heirby speciallie provyded and declaired, and so to be provyded and declaired by the patent to follow heirupon, that the samen resignation shall be no wayes prejudiciall to us nor our forsaid aires of taylzie, named or to be named, of any of our former titles, honours, degrees, precedencie, orders, dignities, and patents thereof, formerly granted to us and our predecessours thereanent: Acts, instruments, and documents, one or more, as neid beis in the [premises] to take and [deliver and seale], and thir presents be registrat [in the books] of counsell and session or any other judges books competent, within the kingdom of Scotland, therein to remaine for conservation and for that effect we constitute our procurators. In witness whereof we have subscryved thir presents (wryten be Mr. James Craig, servitor to Sir Hew Dalrymple of Northberwick, Lord President of the session of Scotland), att London, the twelveth day of June, one thousand seven hundred and six years, before these witnesses, David, Earle of Glasgow, Sir David Dalrymple of Hales, Advocat, and the said Mr. James Craig. (Signed) Queensberry, Glasgow, witness, David Dalrymple, witness, Ja. Craig, witness.

7. INSTRUMENT of Resignation following upon the said Procuratory, narrating that on the 17 day of June 1706 years, in presence of our sovereign Lady Anne by the grace of God, compeared personally Sir David Nairne, secretary depute for Scotland, as procurator constituted by James Duke of Queensberry &c., and there the said Sir David Nairne, with all due humility and reverence resigned the said James Duke of Queensberry's title of Duke, Marquis of Dumfriesshire, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwell and Ros, Lord Douglas of Kinmount, Middlebie and Dornock, in the hands of the Queen's Majesty, in favour and for new patent of the same to be

made to the said James, Duke of Queensberry himself and his heirs of entail. The said Resignation being accepted, the Queen immediately thereafter gave and granted the titles back again. The Instrument further bears that the resignation and regrant of the titles were done at Her Majesty's Court at Windsor Castle, in presence of Hugh, Earl of Loudoun, principal Secretary of State for Scotland, and Sir David Dalrymple of Hailes, Advocate.

8. DIPLOMA by Anne Queen of Great Britain, France and Ireland, and defender of the faith, on the preamble that her most trusty and well beloved cousin and councillor, James, Duke of Queensberry, Marquis of Drumfreisshyre, Earl of Drumlangrig and Sanquhar, Viscount of Nith, Torthorwell and Ross, Lord Douglas of Kinmount, Midlebie and Dornock &c., by himself and his procurators, in virtue of his procuratory of resignation of date the 12 June instant, had resigned the foresaid title, honour, degree, rank and dignity of Duke of Queensberry, Marquis of Drumfreisshyre [&c. as above], with all the prerogatives, preeminencies &c., into the hands of Queen Anne, in favour and for a new diploma of the same to be granted by the Queen to himself and his heirs of entail already named and appointed, or to be named and appointed to succeed in his estate of Queensberry, according to the dispositions and rights of entail of his said estate of Queensberry already made and granted, or to be made and granted, by the said Duke of Queensberry; provided always that the said heirs of entail be descendants of the body of William, greatgrandfather of the foresaid James Duke of Queensberry and first created Earl of Queensberry: Providing, declaring also that the same shall be no prejudice to the foresaid Duke and his said heirs of entail, of whatever former precedencies, titles, honours, &c. previously conferred by the Queen and her royal predecessors on the said Duke and his predecessors, as authentic instruments taken in the hands of a notary public bear witness. The Queen wishing not only to continue, but even to confer other marks of her royal favour on the said James, Duke of Queensberry, and his family, for the many remarkable and faithful services rendered to her royal predecessors by the said Duke and his predecessors, therefor *de novo* makes, creates and inaugurates the said James, Duke of Queensberry and his foresaid heirs of entail, male or female, already named (&c. as above), provided such heirs of entail be descended &c. (as above) Dukes or Duchesses of Queensberry, Marquises or Marchionesses of Drumfreisshyre, Earls or Countesses of Drumlangrig and Sanquhar, Viscounts or Viscountesses of Nith, Torthorwell and Ross, Lords or Ladies Douglas of Kinmount, Midlebie and Dornock; giving to them in all time to come the foresaid titles &c. with all prerogatives &c. belonging thereto or which belonged to the said Duke before the resignation, in virtue of the diplomas granted to him and his predecessors, which are hereby no ways innovated, but confirmed and amplified. To be held by them of the Queen and her royal successors for ever. Providing and declaring the present letters patent to be no wise prejudicial to the said James, Duke of Queensberry and his foresaid heirs of entail of any prior precedencies, titles &c., in any way granted to the said James, Duke of Queensberry, and his predecessors, by the Queen and her royal predecessors. A clause follows that these letters patent shall be as valid to James, Duke of Queensberry &c. for enjoying the foresaid titles &c., as if he and his fore-saids had been inaugurated with all the solemnities and ancient formalities. The great seal is ordered to be appended, at the Court of Windsor Castle, 17 June 1706, fifth year of the Queen's reign. [Only the tag and part of the seal now remaining.]

HEAD SECOND.—Commission by King James the Seventh to William first Duke of Queensberry, to be Lord High Commissioner to the first session of the only parliament held by his Majesty in Scotland, in the year 1685: Also Instructions and Additional Instructions to the Commissioner.

9. COMMISSION by James, King of Great Britain, France and Ireland, which proceeds on the preamble that owing to considerations of great moment the King had caused a meeting of the three estates of his ancient kingdom (of Scotland) to be appointed to assemble at Edinburgh on the 9 April next, which had been afterwards prorogued to the 23d day of April; and the king himself being detained by affairs of high moment in England, was unable to be present in the first session of his parliament: Therefore he had resolved to commit the right and power of representing his sacred person to some most eminent man of very illustrious rank and proved fidelity and special qualifications; and having experience of the steady loyalty and singular endowments and fidelity of his most faithful and well beloved cousin and councillor, WILLIAM, DUKE of QUEENSBERRIE, high treasurer of Scotland, which qualifications render him most meet and proper for undertaking such an office, and for promoting the king's pious and royal designs, for furthering the weal and interest of the kingdom in church and state, and recalling to mind the high loyalty and zeal of the Duke towards his interest at the time of his Majesty's greatest difficulties; therefore the King bestows on him authority to represent his person and sacred Majesty, and to bear the royal authority in the first session of the parliament of his kingdom, and in all things concerning the good of the church, the peace and government of the kingdom &c. as the king's HIGH COMMISSIONER; with most full and ample power, and title of Commissioner, as fully and freely as the office was given by any of his royal predecessors. Further, the king confirms all things done by the Duke in his office of Commissioner, and charges all ministers of state, privy councillors, judges, and all subjects, and especially officers of the forces, to recognize and obey him in his office. The commission begins from the day of his departure from the royal presence, and lasts for the first session of parliament. The Commission not to be prejudicial to any other commission such as that of high treasurer committed to him, and these other commissions to last during the king's pleasure. The king commands the great seal to be appended, at the Court at Whytehall, 28 March 1685. A fragment of the great seal is still attached. At foot, "Per signaturam manu S. D. N. Regis suprascriptam."

Indorsed: "Written to the great seal and registrat 9 April 1685."
(Signed) Jo. Grahame, Dep^t.

Subst. att Edinburgh, the 9 day of Aprile 1685, conform to ane order of his Majesties Privy Counsell. (Signed) Jo. Cunynghame.

Sealed at Edinburgh, the 22d day of April 1685. (Signed) Jo. Cunynghame.

10. INSTRUCTIONS to the Duke of Queensberry as Commissioner to the parliament of Scotland, 28 March 1685.

[On margin of the original in the Duke's handwriting, as are all the Marginal Notes: "The hail artikell with this x on the margen ar past as the Iustruction beris."]

(Superscribed) James R.

Instructions to our right trusty and right entirely beloved cousin and councillor, William, Duke of Queensberry, our commissioner for holding the first session of our next ensuing parliament of our ancient Kingdome of Scotland.

- × 1. You are to passe an act in favours of the Protestant religion and church.
- × 2. You are to endeavour the obtaining an Act containing an offer of lives and fortunes to us, to be commanded and employed by us, as wee shall think fit, and to stand by us and our interests upon all events, from sixty to sixteen.
- × 3. You are to endeavour the obtaining an act asserting our Prerogative over all persons and in all causes, in most ample form.
- × 4. You are also to endeavour the obtaining an act continuing the excise during our life, in the most effectuell and convenient manner.
- × 5. You are likewise to endeavour the obtaining of three months cesse over all the kingdome, to continue during the time of the current supply; and both to be prolonged for five years after the five years last given: and the said three months cesse to commence, at Whitsunday in this present year of God 1685.
- × 6. You are to passe an act for making confessions before the justices probative to juries.
- × 7. You are to passe an act for allowing tryalls upon 24 houres against criminall prisoners for high treason.
- × 8. You are to passe an act for securing ministers from violence or outrage, under certaine paines on the parishioners who doe not act for their help, whereof the application is to be referred to the Privy councill.
- × 9. You are to passe an act obliging masters to insert clauses of regularity, especially rising in armes, in all tacks in time coming, under certain paines; and to answer for their tennants.
- Discharg't by the King. × 10. You are to passe an act for clearing the crimes of resett and intercommuning.
- × 11. You are to endeavour the obtaining an act making husbands lyable for the faults of their wives, in the most effectuell manner, and in what cases.
- × 12. You are to endeavour the obtaining an act obliging witnesses, to depone in matters of treason, under the certification due to the crime for which the pannell is indicted.
- × 13. You are to passe an act defining the punishments of refusing the oath of allegiance, and including therein the oath of prerogative, under any arbitrary punishment not reaching life or limb.
- × 14. You are to passe an act perpetuating intailes.
- × 15. You are to passe an act approving the actings of the kings ministers, officers, councillers and judicatures, and securing them fully for their actings in his Majestys service, in most ample forme.
- × 16. You are to passe an act ratifying the forfeiture of the late Earl of Argile, and dissolving the surname of Campbell and McAllan.
- Rejected. 17. You are to passe an act regulating the method of succeeding to estates, so as to secure creditors by obliging the successor, if he shall acquire the paternal estate, to pay the debts of the family.
- × 18. You are to passe an act for further security of the registrations, and preserving of records.
- Delayt by command from above. 19. You are to passe an act of generall pardon by command and indemnity, but bribery to be therein excepted.

- × 20. You are to passe an act for the more speedy inbringing of our revenues.
- × 21. You are to passe an act for making fines imposed or to be imposed, effectually for our use, by summar adjudging a proportion of the criminalls estate, and giving it to us, allowing still unto the person fined, the space of one year allenarly for redeeming the lands adjudged.
- × 22. You are to passe an act approving the narrative and discovery of the late horrid conspiracy.
- × 23. You are to passe an act for renewing the commission of the peace, and for appointing them to meet under paines, and to accept, as also to bring in their books quarterly to the councill, to the end their diligence may appear.
- × 24. You are to passe an act authorizing such as shalbe nominated by us to treat, consult and determine of such things as may unite the trade of the two nations; and in the mean time renewing the sumptuary law, with all clauses needfull, as prohibiting wearing, &c.
- × 25. You are to passe an act appointing the mustering of the militia at such times as wee or the councill shall think fitt, and dispensing with yearly musters during our pleasure, as also disposing of their armes in the mean time.
- 26. You are to passe an act for free coinage; and giving to us in lieu thereof, one per cent. of all free money lying upon interest.
- 27. You are to passe an act renewing and enlarging the laws for taking pledges.
- × 28. You are to endeavour the obtaining an act obliging all Protestant heretors to take the Test, and ratifying all that has hitherto been done in that matter.
- × 29. You are to endeavour to obtaine an act for discovering of wards to our officers (proper for that effect) under paine of the proprietors losing his ward lands for ever; and for the tutors being obliged to refund, if the concealment was through his fault.
- 30. You are to endeavour that the rebells now in prison, and such as are fled, be forfeited, to witt, all mentioned in our letter and list to the Privy Council, bearing date at Whitehall, the third day of this instant March.
- × 31. You are to passe an Act defining the diligence to be done by Sheriffs and other magistrates within and without their bounds, in the cases of rebellion, disorders, appearance of rebells or disorderly persons, conventicles &c. and in what manner the heretors and commons shall rise, concur and pursue after such, give in intelligence of any conventicles, appearances of rebells, disorderly or vagrant persons, raise the country, follow and pursue, take, apprehend or kill them, inform magistrates or their respective landlords, or the landlords their superiour officers in the shire &c.
- × 32. You are to consent to an act for regulating the inferiour judicatures, and defining their severall rights respectively, so as all debates amongst them for the future may be evited.
- × 33. You are to take speciall notice, and to give particular countenance and encouragement to all such as shall serve us faithfully and zealously in the ensuing session of parliament, and to give us impartial information of such as shalbe remisse in, or oppose our service in the same, and give us frequent and full accounts of affaires.

Laid
assyd.
Rejected.

Maney forfeited
and the rest
remitted to the
justises.

- × 34. In prosecution of the above written Instructions you shall suppress all motions for carrying on any affaires in an unparliamentary way or method, that so the ancient, and laudable way may be entirely preserved in the ensuing parliament, and most especially in right of the Articles, which you shall suffer nobody to impugne or call in question; nor shall you admitt of any thing to be brought into parliament in prima instantia, but that all things treated of in parliament be first brought in to the Articles, and be by them prepared and offered in parliament.
- × 35. You shall take care that no turbulent or factious meetings be kept or allowed off, especially before or in time of our parliament, and that you command our advocate to proceede against such (if any shall happen to be) before the competent judge according to law.
- × 36. You are to passe such acts for clearing old laws, and you shall give our consent to such new ones as shalbe offered to you for securing the private rights and properties of our subjects with relation to one another; and such other acts as you with the advice of the secret committee of our privy councill shall find for the good of our service.
- × 37. You are in all matters entrusted to you to advise with the said committee of our privy councill.
38. You are to endeavour the obtaining an act for making the exportation of passengers out of the kingdome of Scotland, without sufficient passes produced to the chiefe magistrate of the port from which the ship parts, a sufficient cause of confiscation of ship and loading for our use; as likewise the importation of any passengers and letting them goe from on board, untill first they shalbe examined and their princip[les] cognosced by the magistrate of the place where the ship shall arrive, or by a privy councillor, or a justice of the peace, who is to give the master of the ship an allowance to dismiss the passenger, if honest; but if of ill principles, is to detaine him and advertise the privy councill in order to receive their commands concerning him: And in both cases the ship and loading to be confiscated, and the informer to haue the fourth part, he proving his information.
- × 39. You are likewise to endeavour the obtaining an Act, declaring all preaching at conventicles in houses (as well as in the fields) to be death in the preacher, and banishment and great fines in the hearers and landlords, as also severe fines upon cities or townes where such conventicles shalbe kept.
- × 40. You are from time to time to adjourn the parliament as you shall find expedient.
- × 41. You are impowered to confer the honour of knighthood upon such persons as you shall find deserving of the same, not exceeding the number of six. Given under our royall hand and signett, at our court at Whitehall, the 28th day of March 1685, and of our reigne the 1st year.
(Initialled) J. R.

By his Majestys Command.
(Signed) J. Drummond.

Indorsed: Instructions to the Duke of Queensberry, his Majestys High Commissioner, 28 March 1685.

Additional Instructions, three in number, given under the hand and signet of King James, at Whitehall, 15 day of April 1685, and countersigned by the Earl of Morray as Secretary.

(Superscribed) James R.

Additional Instructions to our right trusty and right entirely beloved Cousin and Councillor, William, Duke of Queensberry, our Commissioner for holding the first session of our next ensuing parliament of our ancient Kingdome of Scotland.

- Rejected.
- × 1. You shall give our Royall assent to a commission from that our parliament for plantation of kirks and valuation of teinds, according to the former custome in the like cases.
 - 2. You shall endeavour to procure an act, diverting the money mortified by Moody for building a church (there being no provision of a stipend for it) and applying the same to such publick or pious use or uses as our parliament shall think fit.
 - × 3. You shall be carefull that an act be made for ratifying and confirming all decreets and sentences of forfeiture, past against any person or persons preceding this parliament.

Given under our royall hand and signet at our court at Whitehall, the 16th day of April 1685, and of our reigne the 1st year.

(Initialled) J. R.

By his Majestys command.

(Signed) Morray.

12. An ADDITIONAL INSTRUCTION given under the hand and signet of King James, 21 April 1685, for passing such acts as may be made advantageous for promoting the interests of trade and manufactures of Scotland.

(Superscribed) James R.

An additional Instruction to our right trusty and right entirely beloved cousin and councillor, William, Duke of Queensberry, our Commissioner for holding the first session of our parliament of our ancient kingdome of Scotland.

- × You shall passe such acts as you (with the advice of the secrett committee) shall think most advantageous for promoting the interest of trade and manufactures there. For doing whereof this shalbe your warrant. Given under our royall hand and signett at our court at Whitehall, the 21th(*sic*) day of April 1685, and of our reigne the 1st year. By his Majestys command.

(Signed) Melfort.

13. An ADDITIONAL INSTRUCTION on the right of Archbishops and Bishops to sit and vote in parliament. Given under the hand and signet of King James and countersigned by the Viscount of Melfort. 29 April 1685.

(Superscribed) James R.

An Additionall Instruction to our right trusty and right entirely beloved cousin and councillor, William, Duke of Queensberry, our Commissioner for holding the first session of the current parliament of our ancient kingdome of Scotland.

- × Whereas it is the undoubted right and priviledge of the lords spirituall, namely, the Arch-Bishops and Bishops in that our ancient kingdome, to sitt, consult and vote in all parliaments and

conventions of estates there, to which by our royall authority they are or shalbe called; and that, not only in matters civill or relating to the government, but likewise in matters criminall and processes against traitors or rebels. And if at any time they have not voted to the condemnation of the guilty, that has proceded from their choice and not the want of authority to haue done the same. Therefore, it is our will and pleasure, that you suffer no diminution of these their just rights; nor admitt of any debate either in Articles or parliament concerning the same. For doing whereof this shalbe your warrant. Given under our royall hand and signett, at our court at Whitehall, the 29th day of April 1685, and of our reigne the 1st year.

By his Majestys command
(Signed) Melfort.

14. AN ADDITIONAL INSTRUCTION to discharge all the voluntary offers of money made to the King by the severall shires and burghs in the respective circuits lately held. Given under the hand and signet of King James and countersigned by the Viscount of Melfort 4 May 1685.

(Superscribed) James R.

An Additionall Instruction to our right trusty and right entirely beloved cousin and councellor, William, Duke of Queensberry, our Commissioner.

It is our Will and pleasure, and wee doe hereby authorise and require you in our name to discharge all the voluntary offers of money that haue been made unto us by the severall shires [on margin And boroughs—Melfort] in the respective circuits that were lately held in our ancient kingdome of Scotland; and if any part thereof is already paid, it is our further pleasure, that the same be allowed to the persons respectively by whom such payments haue been made, as a part of the supply granted unto us by our parliament there. For doing whereof this shall be your warrant. Given under our royal hand and signett, at our court at Whitehall, the 4th day of May 1685, and of our reigne the 1st year.

By his Majesties command.
(Signed) Melfort.

15. AN ADDITIONAL INSTRUCTION to pass an Act ratifying the privileges of the ordinary senators of the college of Justice. Given under the hand and signet of King James, and countersigned by the Earl of Morray as secretary, 12 May 1685.

(Superscribed) James R.

An Additionall Instruction to our right trusty and right entirely beloved cousin and councellour, William, Duke of Queensberry, our Commissioner.

You shall passe an Act ratifying the priviledges of the ordinary senators of the Colledge of Justice, as the same were granted unto them by our royall predicessors (of blessed memory) and confirmed in former parliaments. For doing whereof, this shalbe your warrant. Given under our royall hand and signett, at our court at Whitehall, the 12th day of May 1685, and of our reigne the 1st year.

By his Majesties command
(Signed) Morray.

16. ADDITIONAL INSTRUCTIONS, Six in number, to pass an Act warranting the justices to pursue in absence such persons as shall be excepted out of the act of indemnity. The marginal notes are holographs of the Duke of Queensberry, commissioner. Given under the hand and signet of King James, 14 May 1685, and countersigned by the Earl of Morray.

(Superscribed) James R.

Additional Instructions to William, Duke of Queensberry, our Commissioner.

Nott to bee propoist, the Aekt off Indemnety being stopt.

Nott brought in till the King bee spok to.

1. You shall passe an act of parliament warranting the Justices to persue in absence, such persons as shalbe excepted by us out of the act of indemnity.
2. You shall passe a law securing innocent creditors in summes due to them by personall obligations, against the forfeiture of their debtors, for payment of twenty merks Scotts to the crowne, and twenty shillings Scotts to our clerk register for every thousand merks of principall summes so secured, at the time of the registration of the said obligation.
- × 3. You are allowed to nominate commissioners for the supply, justices of our peace, commissioners for the commission for teinds and plantation of churches.
- × 4. You are allowed to disjoine particular lands from one shire and to joine them to another at the request of heretors, and with consent of the sheriffs, where sheriffs are heretable.
5. You are to consent to such acts as the parliament shall find reasonable for adjusting the differences betwixt the Burghs Royall and those of barony and regality.
- × 6. You are to consent (at close of the parliament) to the act salvo jure ejuslibet in common form.

Delayt, the parliament being so unffrequent.

For doing all which this shalbe your warrant. Given under our royall hand and signett, at our court at Whitehall, the 14th day of May 1685, and of our reigne the 1st year.

By his Majesties command

(Signed) Morray.

17. ADDITIONAL INSTRUCTION not to make use of the former Instruction relating to the Indemnity, seeing there has a new rebellion since intervened. Given under the hand and signet of King James, 25 May 1685, and countersigned by the Viscount of Melfort.

(Superscribed) James R.

An additional Instruction to William, Duke of Queensberry, our Commissioner.

- × You are not to make use of that our former Instruction relating to the Indemnity, seing there has since a new rebellion intervened. And for your so doing, this shalbe a sufficient warrant. Given under our royall hand and signett, at our court at Whitehall, the 25th day of May 1695, and of our reigne the 1st year.

By his Majestic's command

(Signed) Melfort.

18. An ADDITIONAL INSTRUCTION to adjourn the parliament to the last Tuesday of October next to come Superscribed by the King. 25 May 1685.

(Superscribed) James R.

An Additionall Instruction to William, Duke of Queensberry, our Commissioner.

- x You are immediately to adjourne the parliament, and that to the last Tuesday of October next to come. For doing whereof this shalbe your sufficient warrant. Given under our royall hand and signett, at our court at Whitehall, the 25th day of May 1685, and of our reigne the 1st year.

By his Majesties command
(Signed) Melfort.

19. "COPPIE of INSTRUCTIONS returned to England." Three in number, 25 May 1685. The first Additional Instruction is to pass an act of parliament to allow a committee of parliament powers in reference to depending processes. The second is, to procure an act for forfeiting in absence persons who were actually in the rebellion. The third is to procure an act declaring persons suspected of rebellion to be dealt with. All these Instructions are dated 25 May, 1685. There is indorsed on the copy of them the following marking, holograph of the Duke of Queensberry as Commissioner:—"The principell Instructions vnder Lord Melforts hand returned (according to his Majesties command in a letter to the Secret Committee heirwith to bee kept); the said Instructions being by the Secret Committee vnanimously rejected as inconsistent with law, justice and the Kings servis, and noin seamit moir off this opinion then the chancellour."

(Superscribed) James R.

Copie. Ane Additionall Instruction to William, Duke of Queensberrie, our Commissioner.

Yow are to passe ane act authorizeing a committie of parliment, with parliamentarie poure for that affaire alone, to judge in the process now depending before the parliment, to indure till the first day of Julie nixt exclusive; or for any other tyme yow may think convenient for effectuating that matter. And for your soe doing this shall be a sufficient warrant. Given under our royall hand and signett, att our court at Whitehall, the 25 day of May 1685, and of our reigne the first year. Sic subscribitur.

By his Majesties comand
Melfort.

Copie. Ane Additionall Instruction to William, Duke of Queensberrie, our Comissioner.

Yow are to indeavour to procure ane act for forfeiting in absence al, who being ceited immediatlie by name, with the consent of parliment, for ther being actuallie in this rebellion or assisting therto, and doe not apaire within 60 dayes or or any tyme to which they shall be ceited, as is [if] they wer actuallie guiltie of the perduellion for which they wer cited. And for your soe doing this shall be a sufficient warrant. Given under our royall hand and signett, at our Court at Whitehall, the 25 May 1685, and if our reigne the first year. Sic subscribitur, Melfort.

Copie. Additionall Instructions to William Duke of Queensberrie, our Commissioner.

Yow are to indeavour to procure ane act declareing that all such as being suspected of this rebellion, and shall be ceited to appeare betuixt this and the 1st day of June 1686 for that cryme, upon

60 dayes or any other convenient time, and shall not appeare, may ipso facto be forfeited in absence befor our comissioners of justiciarie, as actually guilty of perduelion. And for your so doeing this shall be a sufficient warrant. Given under our royall hand and signett, at Whitehall, the 25 May '85, and of our reign the first year.

Sic Subscribitur Melfort.

20. AN ADDITIONAL INSTRUCTION, to give assurance of life to Campbells, elder and younger of Cesnock, if they confessed so that forfeiture might pass upon them. Under the hand and signet of King James and countersigned by the Viscount of Melfort. 28 May 1685.

(Superscribed) James R.

An Additionall Instruction to William, Duke of Queensberry, our Commissioner.

x Whereas wee are informed that Campbells, elder and younger of Cesnock, who for the crime of high treason were processed before our parliament of that our kingdome, haue now an inclination judicially to confesse their crimes, upon assurance given of their lifes :—Wee have, therefore, thought fit hereby to to authorise you to grant them our assurance of their lifes upon condition that they shall so confesse their crimes as sentence of forfeiture may passe thereupon ; which sentence wee doe hereby warrant you to suspend as to their lifes and limbs allenarly. For doing whereof this shalbe your warrant. Given under our royall hand and signett at our Court at Whitehall, the 28th day of May 1685, and of our reigne the 1st year.

By his Majesties command
(Signed) Melfort.

21. AN ADDITIONAL INSTRUCTION for passing an act annexing to the crown for ever all forfeited estates. Given under the hand and signet of King James, 10 June 1685, and countersigned by the Earl of Morray as secretary.

(Superscribed) James R.

An Additionall Instruction to our right trusty and right entirely beloued cousin and councellor, William Duke of Queensberry, our Commissioner.

x You are, before adjourning this session of parliament, to passe an act annexing to the crown for ever, all forfeitures past in parliament, with such other forfeited estates as are yet in our hands, and are not disposed of under our royall hand, in such full and ample form as you shalbe advised by the lords of our Secret Committee, and has been formerly practiced in the like cases. For doing whereof this shalbe your warrant. Given under our royall hand and signett at our court at Whitehall the 10th day of June 1685, and of our reigne the 1st year.

By his Majesties command.
(Signed) Morray.

HEAD THIRD.—Twelve Official Letters by King James the Seventh addressed to William, first Duke of Queensberry, as Commissioner to the first session of the King's first parliament, and also to the lords of the Secret Committee of the Privy Council of Scotland. From 25 April to 3 August, 1685.

22.—(1.) King James the Seventh to William, Duke of Queensberry, Commissioner, dated 25 April, 1685. Countersigned by Viscount Melfort.

(Superscribed) James R.

Right trusty and right entirely beloved cousin and councillor, wee greet you well. Whereas by our 25th Instruction to you as our commissioner, bearing date the 28th day of March last past, wee did authorise you to passe an act dispensing with the ordinary dayes of rendezvous appointed for our militia of that our ancient kingdome, and since that time have approved of a forme of an act to be passed in parliament for that effect; yet now taking into our royall consideration how much it imports us to haue nothing brought into parliament which wee may doe by our prerogative alone: We haue, therefore, thought fit to recall the said Instruction, and doe hereby require you, not to proceede upon it, more than if the same had never been given by us. For doing whereof this shalbe your warrant. And so wee bid you heartily farewell. Given at our court at Whitehall, the 25th day of April 1685, and of our reigne the 1st year.

By his Majesties command.

(Signed) Melfort.

[Address]: To our right trusty and right entirely beloved cousin and councillor, William Duke of Queensberry, our Commissioner in our ancient kingdome of Scotland.

Below it the Duke wrote a holograph note in these words: "By this his Majestie recalls the 25 Instruction aboutt the melitia &c."

23.—(2.) King James the Seventh to the Duke of Queensberry, commissioner,—further Instructions about the militia, also allowing prosecutions for treason on 48 hours. Dated 5 May 1685. Address as in 22 (1).

(Superscribed) James R.

Right trusty and right entirely beloved cousin and councillor, wee greet you well. Whereas by a letter from the Secret Committee of date the 30th day of April last to our secretaries, wee doe find that before our letter of the 25th day of the said month came to you, you had according to our Instructions given to you as our commissioner promised in our name some thing relating to the militia, which the said letter of the 25th does inroach upon; Wee upon that consideration haue thought fit to recall our said letter of the 25th day of April last and all the contents thereof: Authorising and requiring you hereby to proceed upon our former Instructions to you as our commissioner, without any regard thereunto: The same being hereby declared void and null, to all intents and purposes. Wee doe also find by their other letter of the first of this instant, that you have given our consent to an act allowing pursutes for treason on forty eight houres against such as are in prison; which wee doe hereby approve of, notwithstanding of any Instruction given formerly to you mentioning a shorter time. For both which, this shalbe your full warrant. And so wee bid you heartily farewell. Given at our

court at Whitehall, the 5th day of May 1685, and of our reigne the 1st year.

By his Majesties command
(Signed) Morray.

24.—(3.) King James the Seventh to the lords of the secret committee of the Privy Council of Scotland—to add George, Earl of Dunbarton, to the secret committee of the Privy Council of Scotland, 8 May 1685. Superscribed by the King and countersigned by the Earl of Morray.

(Superscribed) James R.

Right trusty and right entirely beloved cousin and councillor, right trusty and right welbeloved cousins and councillors, and right trusty and welbeloved councillors, wee greet you well. Whereas in consideration both of the eminent loyalty and great parts and experience of our right trusty and right welbeloved cousin, George, Earle of Dunbarton, wee haue thought fit to adde him to the present number of the lords of the secrett committee of our Privy Councill of that our ancient kingdome: It is now our will and pleasure, and wee doe hereby authorise and require you to admitt and receive him into that our secrett committee, and to haue full power and priviledge of consulting, debating and voting in all matters whatsoever that are to be transacted therein, with the same freedome that is enjoyed by any of your number: He being alwayes obliged to take the oath of secrecy, that is usually taken by your selves, at all times when our service shall require the same. For doing whereof this shalbe to you and him respectively, a sufficient warrant. And so wee bid you heartily farewell. Given at our Court at Whitehall, the 8th day of May 1685, and of our reigne the 1st year.

By his Majesties command
(Signed) Morray.

[Address.] To our right trusty and right entirely beloved cousin and councillor, our right trusty and right welbeloved consins and councillors, and our right trusty and welbeloved councillors, William, Duke of Queensberry, our commissioner, James Earle of Perth, our chancellor, and the remanent lords of the secrett committee of our Privy Councill of our ancient kingdome of Scotland.

Indorsed; Earle of Dunbartan.

25.—(4.) King James the Seventh to William, Duke of Queensberry, commissioner, dated 8 May 1685. Superscribed by the King and countersigned by the Earl of Morray. The full address of the letter is in the same terms as No. 22 (1) above.

Under the address the Duke of Queensberry adds in his own hand the following docquet: "By this his Majestie geivs his royall plesour about Earle Dunbartane his veuing his forses, maggazins &c."

(Superscribed) James R.

Right trusty and right entirely beloved cousin and councillor, wee greet you well. Whereas by our warrant (of the date of these presents) wee haue thought fit (for the good of our service) to authorise and require our right trusty and right welbeloved cousin, George, Earle of Dunbartan, with all convenient diligence after his arrivall in that our ancient kingdome, to view and inspect all our standing forces there, whether horse, foot, dragoones or artillery, and our garrisons in our castles and forts, together with our stores and magazins and all things thereunto belonging, in manner and for the purposes therein at greater length expressed; wee haue now thought fit to give you notice thereof and withall to authorise and require you to give all orders and directions

(if any further shalbe needfull) for his speedy and effectuall execution of our pleasure to him signified in those matters: Whereof wee doe expect a report from him with all possible di[li]gence, seing wee long to haue a perfect account of the true state and condition of our forces and others already mentioned, to the end wee may give such orders and directions concerning them, as wee shall (after the receipt of his said report) find needfull in matters of so great importance to our service. So wee bid you heartily farewell. Given at our court at Whitehall, the 8th day of May 1685, and of our reigne the 1st year.

By his Majesties command
(Signed) Morray.

26.—(5.) King James the Seventh to the lords of the Secret Committee of the Privy Council of Scotland, about a new test to be taken by all Protestant heritors binding to loyalty, abjuring the solemn league and covenants &c. Dated 11 May 1685. Superscribed by the King and countersigned by the Earl of Morray. Addressed in full as in No. 24 (3).

(Superscribed) James R.

Right trusty and right entirely beloved cousin and councillor, right trusty and right welbeloved cousins and councillors, and right trusty and welbeloved councillors, wee greet you well. Whereas by our 28th Instruction to our commissioner, bearing date the 25th day of March last past, wee did authorise him to procure an Act in this session of our parliament of Scotland, for obliging all Protestant heritors there, to take and swear the Test appointed by law; we haue now thought fit to ask your advice, whether it may not be more proper to haue another new oath made (with consent of our parliament) binding to loyalty and allegiance, abjuring the soleme league and covenants, defensive armes, leavying of warr against us or our authority, with such other clauses as may exclude no loyall subject from taking thereof. Whether this, the Test aforesaid, or leaving both as they were before our giving the said Instruction may be most for our service, are what wee require your opinions in, with all convenient diligence; with your reasons for the same, to convince us of our interest in the matter. The approbation mentioned in the fore-said Instruction of what has formerly been done in this matter, wee doe still think necessary for our service. So wee bid you heartily farewell. Given at our court at Whitehall, the 11th day of May 1685, and of our reign the 1st year.

By his Majesties command.
(Signed) Morray.

27.—(6.) King James the Seventh to the Duke of Queensberry as Commissioner—relative to the precedency claimed by the families of Lothian and Roxburgh, dated 11 May 1685. Superscribed by the King and countersigned by the Earl of Morray. Address as in No. 22 (1).

Under the Address the Duke has written the following doquet: "By this his Majestie geivs his royall plesor in the busines betuixt Earle Louthean and Roxburgh, then befor the Artickels, and particoularly discharges his advocatt and other offishers compear against Roxburgh in itt."

(Superscribed) James R.

Right trusty and right entirely beloved cousin and councillor, wee greet you well. Whereas wee are credibly informed that the Earle of Roxburgh and his predecessors, and likewise severall other earles of that our ancient kingdome, have been in the constant peaceable possession of

precedency before the Earles of Lothian above fifty years in parliaments, conventions and all other places, untill of late that the deceased William, Earle of Lothian did procure a signature from our most dear and most entirely beloved brother of ever blessed memory, giving the ancient precedency of the family of Lothian to the deceased countesse of Lothian. But his said Majestie, having been informed that the title and dignity of the first Earle of Lothian was by his patent provided to the heirs male of his body, and that these heirs male had failed, whereby the honour was extinct, and that the said Earle of Roxburghs predecessors and the other earles aforesaid had been created before the year 1631, at which time the late Earle of Lothian had acquiesced in the extinction of the former honours of that family, and procured a new patent. Upon which considerations our said most entirely beloved royall brother was pleased by his letter to discharge the passing of that signature; notwithstanding whereof, Robert now Earle of Lothian did procure a signature of the same nature, giving him the ancient precedency of the family of Lothian from the date of the first patent, which was extinct. And whereas our said most entirely beloved royall brother (not having been informed of the interest of the said Earle of Roxburgh or the other earles concerned, nor of his former letter) did direct another letter to the lords of session bearing date, at Whitehall, the 16th day of June 1679, wherein he did signify that upon a representation from the last Earl of Roxburgh of his interest, he did remitt the matter to the course of law, and did ordaine them to determine the precedency according to the just rights of the severall parties concerned, without considering his royall interest in it. And whereas, likewise, wee are informed that the Earle of Lothian hath lately presented a petition to you and the lords of the Articles, still pretending to the precedency aforesaid. It is now our royall will and pleasure, and wee doe hereby authorise and require you to take care, that neither our advocate or any other of our officers shalbe allowed to object our royall prerogative to prejudge the rights of the said Earle of Roxburgh, or of the other earles first above mentioned, but that the whole matter relating to the precedency aforesaid, be left to be determined according to law, without regard to the said late signature. For doing whereof this shalbe your warrant. And so wee bid you heartily farewell. Given at our court at Whitehall, the 11th day of May 1685, and of our reigne the 1st year.

By his Majesties command
(Signed) Morray.

28. (7) King James the Seventh to the Duke of Queensberry as commissioner—to delay the pressing of the Test, dated 11 May 1685; Superscribed by the King and countersigned by the Earl of Morray. Addressed as No. 22 (1). Under the address the following holograph docket has been added by the Duke of Queensberry as commissioner: "By this his Majestie orders to delay the aekt anent the Test, bott itt wes past and toutcht befor itt came to my hands."

(Superscribed) James R.

Right trusty and right entirely beloved cousin and councellor, wee greet you well. Whereas by our letter of the date of these presents to you and the rest of our secret committee, wee have thought fit to require your and their advice in the matter of the Test, as you will see therein more fully expressed; wee have also thought fit hereby to signify our royall will and pleasure, that you forbear to proceed upon that part of our 28th Instruction given to you as our commissioner, which relates to the pressing of the Test in time to come, untill wee shall receive the

advice aforesaid and signify our royall pleasure to you thereupon. For doing whereof this shalbe your warrant; and so wee bid you our heartily farewell. Given at our court at Whitehall, the 11th day of May 1685 and of our reigne the 1st year.

By his Majesties command,
(Signed) Morray.

29.—(8.) King James the Seventh to the lords of the secret committee of Privy Council, dated 25 May 1685. Superscribed by the King and countersigned by the Viscount of Melfort. Relative to the rebellion of the late Earl of Argyll and others, and the processes now before parliament. Fully addressed as in previous letters to the secret committee.

(Superscribed) James R.

Right trusty and right entirely beloved cousin and councillor, right trusty and right welbeloved cousins and councillors, and right trusty and welbeloved counsellors, wee greet you well. Whereas the late Earle of Argyle and those associated with him in this rebellion, have at last appeared upon, the west coast of Argyle; and that wee judge it expedient for our service, that the noblemen, gentlemen and burgesses, who are of this present parliament should have leave to goe home to doe what may be proper for them in our service according to their respective duties, wee haue thought fit to advertise you thereof; that if you be of the same opinion this session of parliament may with all hast convenient, be ended: And for that effect, wee haue sent our Instruction to our commissioner to be used by you as shalbe hereafter mentioned. And because this adjournment may prevent the discussing of those processes now before our parliament there, if you think that a commission of parliament with a parliamentary power (of which number the commissioners of justiciary to be) might doe the same thing, especially if the parliament in any one instance sustain the slightest probation you haue, it would doe well to be a precedent for the committee; and for this likewise (that no time be lost) an Instruction is sent to you in the same manner as the other. And because there are many heretors and others suspected to be with the rebels, or assisting to them, if it be fit for our service to haue an act of parliament, ordaining all such as for adherence to these rebels shalbe cited to appear within sixty dayes or any competent time you think fit, and doe not appear, shall ipso facto upon this occasion be forfeited; and this law to continue only for such a short time as you may think most for our service, not exceeding the space of one year. For this there is a particular Instruction, but if this be not thought convenient by you to passe because of its generality, in that case if you think fit to restrict it to such as you can now name, and may cite before the adjournment of the parliament by name, wee haue likewise for this sent an Instruction to you. All which Instructions wee ordain to lye in your hands, till you consult of the fitnessse of them for our service;—That if you judge them or any of them fit, you may deliver them to our commissioner; if not, you may return them or any of them to our secretaries to be cancelled; giving us the reasons why you judge them unfit, for our satisfaction in the matter. And since the time wee instructed our commissioner to passe an act of Indemnity this rebellion having interveened, wee judge it not for our honour to doe it now; and therefore have instructed our commissioner accordingly. And if you find that the acts abovementioned relating to forfeitures may be inconvenient for our service, you are not then upon the account of processes to defer the adjournment of the parliament, but to continue the processes

in the most legall manner, and most secure for our interest. For doing all which, this shalbe your warrant. And so wee bid you heartily farewell. Given at our court at Whitehall, the 25th day of May 1685, and of our reigne the 1st year.

By his Majesties command,
(Signed) Melfort.

30.—(9.) King James the seventh to the Duke of Queensberry as commissioner. To return to the parliament before the adjournment His Majesty's thanks to them for their loyalty &c. To forbear putting in execution the suppression of the surname of Campbell, 1 June 1685. Superscribed by King James and countersigned by the Earl of Morray. Addressed as before to the Duke of Queensberry as commissioner. Under the address the commissioner has written the following note with his own hand:—"By this his Majestie orders his royall thanks to bee geivn the "parliament befoir ther adjournment for ther loyalty exprest upon "this occation, and recalls the Instruction discharging the surname off "Campbell hereafter &c."

(Superscribed) James R.

Right trusty and right entirely beloved cousin and counsellour, wee greet you well. Whereas we have thought fitt for the good of our service, that this session of parliament of that our ancient kingdome be ended with all convenient speed, conforme to what wee have now ordered our secretaries to write in our name, to you and the rest of the lords of our secrete committee. It is our will and pleasure, and wee doe hereby authorise you, immediately before your adjourning our parliament (in pursuance of our Instruction lately sent to you for that effect) to returne our hearty thanks to them for their signall loyalty expressed in their humble offers made to us; and likewise that you assure them of our royall protection to all of them in generall, and to each in particular upon all occasions when it may be proper for us to expresse the same. And whereas wee doe not at this time think fitt to have our former Instruction to you concerning the suppression of the surname of Campbell putt in execution: wee doe hereby authorise and require you to forbear the same. For doeing both which this shalbe your warrant. And so wee bid you heartily farewell. Given at our court at Whitehall, the 1st day of June 1685, and of our reigne the 1st year.

By his Majesties command
(Signed) Morray.

31—(10) King James the Seventh to the lords of the Privy Council of Scotland, ordering a proclamation to be made against the traitor, Archibald late Earl of Argile, and those who have risen with him in arms in the present rebellion in Scotland, dated 16 June 1685. Superscribed by King James and countersigned by Viscount Melfort.

(Superscribed) James R.

Right trusty and right welbeloved cousin and counsellor, right trusty and entirely beloved cousins and counsellors, right trusty and right welbeloved cousins and counsellors, right trusty and welbeloved cousins and counsellors, right trusty and welbeloved counsellors, and trusty and welbeloved counsellors, wee greet you well. Whereas it is fit that a proclamation be forthwith issued by you there in our name, against the traitor, Archibald late Earle of Argile, and those who haue already risen, or hereafter shall rise with him in the present rebellion formed by him in that our kingdome; wee haue now sent you the inclosed, to be published with all possible diligence, at the markt crosse of Edinburgh

and other places (with the due solemnities) usuall upon the breaking out of open and avowed rebellions there. For doing whereof this shalbe to you and all others respectively, who may be therein concerned, a sufficient warrant. And so wee bid you heartily farewell. Given at our court at Whitehall, the 16 day of June 1685, and of our reigne the 1st year.

By his Majesties command
(Signed) Melfort.

Address: "To our right trusty and right welbeloved cousin and councellor, our right trusty and entirely beloved cousins and councellors, our right trusty and right welbeloved cousins and councellors, our right trusty and welbeloved cousins and councellors, our right trusty and welbeloved councellors, and our trusty and welbeloved councellors, James Earle of Perth our chancellor, and the rest of the lords of our Privy Council of our ancient kingdome of Scotland.

32.—(11) King James the Seventh to the lords of the secret committee of the Privy Council of Scotland—relative to treating of such of the rebel prisoners as were to be sent to the kings plantations in America, and are so obstinate as not to own the king or his authority, to be stigmatized by having the one of the ears of every one of them cut off. His Majesty does well approve of the same. Dated 3 August 1685. Superscribed by the king and countersigned by the Earl of Morray, secretary. Address the same as 24 (3).

(Superscribed) James R.

Right trusty and right welbeloved cousin and councellor, right trusty and entirely beloved cousin and councellor, right trusty and right welbeloved cousins and councellors, right trusty and welbeloved cousin and councellor, and right trusty and welbeloved councellors, wee greet you well. Whereas by your letter of the 30th day of July last past to our secretaries, you propose, that such of the rebels, now prisoners, whom you think fit to be sent to our Plantations in America, and are so obstinate as that they will not owne us nor our authority be stigmatized by having one of the ears of every one of them cut off; wee haue now thought fit to let you know that wee doe well approve of the same. And therefore doe hereby authorise and require you to take care that one of the ears of every such rebell as aforesaid, be cutt off before their being shipped in order to their transportation. For doing whereof this shalbe your warrant. And so wee bid you heartily farewell. Given at our court at Whitehall, the 3d day of August 1685, and of our reigne the 1st year.

By his Majesties command.
(Signed) Morray.

33.—(12) King James the Seventh to the lords of the Secret Council of Scotland. To inquire into the settlements which were made in favour of Lady Mary Cochrane, and her children, in reference to her application to be provided to the lands notwithstanding the forfeiture of her father-in-law, Sir John Cochrane, dated 3 August 1685, and addressed fully as before to the lords of the secret committee.

(Superscribed) James R.

Right trusty and right welbeloved cousin and councellor, right trusty and entirely beloved cousin and councellor, right trusty and right welbeloved cousins and councellors, right trusty and welbeloved cousin and councellor, and right trusty and welbeloved councellors, wee greet you well. Whereas there is an humble application made unto us by Lady

Mary Cochran, representing that there wanted only a formality for her being secured in what was provided to her and her children by the contract of marriage with her husband, and therefore craving that wee may be graciously pleased, notwithstanding of the late forfeiture of her father-in-law, Sir John Cochran, to dissolve the lands and others so provided to her and her children from our crown, in the next session of our parliament of that our kingdome. Wee haue now thought fit to signify our pleasure, that you make a full enquiry into the settlements that were made in favours of her and her children upon the said contract of marriage, and into the dates of their or any of their passing in the Exchequer, and through the seales; as also into the reasons of the delays (if any haue been) in expeding the same, with such other circumstances relating to this affaire as may give us a true information thereof. All which you are to transmitt to our secretaries, to the end that upon a full consideration of the same, wee may declare our further pleasure therein. For doing whereof this shalbe your warrant. And so wee bid you heartily farewell. Given at our court at Whitehall, the 3 : day of August 1685, and of our reigne the 1st year.

By his Majesties command

(Signed) Morray.

HEAD FOURTH.—Fifteen private holograph letters by King James the Seventh to William First Duke of Queensberry as commissioner to the first session of the parliament of the year 1685, from April to June of that year, during the sitting of parliament, chiefly about Argyll's invasion.

34. (1)—The King to the Commissioner, sent by the Earl of Breadalbane, 11 April 1685.

St. James's April 11, 1685.

I could not refuse this bearer, the Earle of Breadalban, to write to you by him, he desiring me to do it. I beleue for the countenance of it, he was willing I should do it, for he did not speake to me to say any thing in particular, only that I would lett you know I looked on him as one I beleued was ready to serve me, which I do. This [is] all I haue tyme to say now.

(Initialed) J. R.

For the Commissioner.

35. (2)—The King to the Commissioner. How to pass the act about religion, 16 April 1685.

St. James's April 16 : 1685.

I had not tyme by the last post to answer yours of the 10 : which came by the flying pacquett, and have not much leasur now to do it, and therefore shall begin with that part on't, which concerns the act for religion. I see you are for passnig it in the very same words, were in that act, which past in my tyme there, for the security of the Protestant religion: but all the alteration I would haue in it, is, that only the words, and all acts against Popery, should be left out, and lett them be left out, for tho they signify but little in themselves, where you are, it might do a great deele of harme here. I haue charged Lord Morray to signify the same thing to you. I thought to haue sayd more to you, in answer to your letter, but am so tyred with the seuerall ceremony's of this day, that, I can only tell you I haue ordred two troops of dragoons downe to Carlile to look after those borders.

(Initialed) J. R.

For the Commissioner.

36.—(3.) The King to the Commissioner—First intelligence about the rebels &c.

St. James's, April 23 : 1685.

I haue only tyme to tell you, that I haue heard that a party of twenty dragoons, meeting with about 80 : of the rebels, did not engage them as they ought to haue done, by which means these rebels gott away. I do no[t] heare who it was that commanded the dragoons. Lett it be enquired into, and if the matter of fact be true, such a faint-hearted, pitifull officer, must be severly punished. I haue ordred the secretarie to give an account of some intelligence latly come from Holland, by which you will see the rebels designe to attempt some thing. Lett a company of Earl Mars regiment be sent to Sterling Castel to reinforce that garrison. I hope the magazin of meal is still continued there, as it was in my tyme. I intend sone to send Earl Dumbarton downe to you to give me an account of the true condition of all the forces there.

(Initialled) J. R.

For the Commissioner.

37.—(4.) The King to the Commissioner—That the Scotch parliament had begun well, "and would be a very good presedent to the English one." Original letter not initialed by the King as usual.

St. James's, May 3 : 1685.

I had last night your[s] by Gosfort, of the 29, by whom I see how well you and the parliament haue begun, which will be a very good presedent to the English one, and I make no doubt but that you will continu doing so, and ending well. I haue not tyme by this bearer, the Lord Glammes, to say much to you, it being necessary that the instruction you sent for should be sone with you, and besids, I intend to dispatch Earl Dumbarton very sone, by whom I shall write at large to you. Only pray lett Duke Hamilton know I take kindly the motion you wrote me word he made in the Articles, for the aduantage of the crowne. I hope Captain English will be punished as he deserves for losing the prisoners. I had before I heard of that signed a commission for George Windram, for English his troop, and for Gosfort to be major.

For the Commissioner.

38.—(5.) The King to the Commissioner. Lord Dumbarton sent to Scotland to inspect the military stores &c.

St. James's, May 8 : 1685.

I haue now giuen Lord Dumbarton all his dispatchesse, and haue charged him to speake to you of seuerall things, which would be to long for a letter, hauing intire confidence in him, and so refer to him for what I haue to say, only this I shall say to you myself, which is that you need not aprehend it, it is in any bodys power to do you ill offices with me. No body has gone about it, and if they had, it would only haue done them harme, and not you; therefore, feare nothing of that kind. On the other hand be not to jealous, and beware of such as under a pretence of making their court to you, improve or make stors of others to satisfy their priuat malice against others. I haue seen the mischief such kind of people haue done here, to those they pretended to be freinds to. I haue discoursed at large to this bearer upon this and other subjects, so that I need say no more upon them. I intend to send Beckman downe sone after him, that no more tyme may be lost in securing the bridg of Starling, which is a very necessary worke.

May 10. What is written befor is of the date you see it, since when I though[t] it better to keep this bearer till the Holland letters came, which was not till this day at none; which haue brought considerable intelligence, of which you will haue had an account by Gosfort, who will be some houers, I believe, soner with you, then this bearer, being the better horsemau. What els I haue to say I reffer to him.

(Initialled) J. R.

For the Commissioner.

39.—(6) The King to the Commissioner—Intelligence received from Holland.

St. James's, May: 20: 1685.

I haue only tyme to tell you that I send you by this bearer, Gosfort, on account of the intelligence, I receued this day from Holland by which you see how busy and undertaking the rebellious crue that was there, are. Besides Captain Gifford in a fift rate, who is already sayled, I haue ordred Captain Talbot in the Falcon, to go into the Frith to receue your orders. No care shall be wanting here to aduertice you of what I know, and I am sure none will be wanting where you are, to do what is best for my service. Let the D: of Monmouth be prosecuted as well as the other rebels. Lord Dumbarton will be sonc after this bearer with you.

(Initialled) J. R.

For the Commissioner.

40.—(7) The King to the Commissioner—the expedition from Holland to aim at Stirling.

St. James's, May 17: 1685.

I kept this bearer, Captain Barkley, till this day to see what newse the Holland letters would bring, which only confirme that most of the fugitives of both nations, except the D: of Monmouth are gone with the ships, and that their cheef aime is at Stirling, but considering the good postur you haue put things in, that is easier sayd then done. Things are, God be thanked, very quiet here, and I am confident the parliament will do their duty, as becoms them. This bearer will tell you all the newse of this place.

(Initialled) J. R.

For the Commissioner.

41.—(8) The King to the Commissioner—sending arms to Scotland, Argyll having touched at Orkney.

St. James's, May 19: 1685.

I had yesterday the newse you sent to the Lord Argils hauing touched at Orkeney, and am glad to find by the same letter from the secret committee that you haue put all things in so good a postur to receue the rebels. I haue ordred the arms and amunition you sent for, to be gott ready to be sent by sea, which wind and weather permitting, will be sonc with you. I haue also ordred Captain Hamilton in the Kingfisher, a 4: rate, to saile for the west of Scotland, to joyne the frigats, already sent thether. I shall take the best care I can to secure the English borders. This bearer Lord Charles Murray will giue you an account of all things here, and besids I haue not tyme to say more, being just going to the parliament.

(Initialled) J. R.

I was glad to heare the sesse past so unanimously. I hope the parliament here will follow such good presedents as you haue given them.

For the Commissioner.

42.—(9.) The King to the Commissioner. The “arch-rebell” Argyll landed at Dunstaffnage, and the King approves of the commissioner’s proceedings against Argyll.

Whitehall, May : 23, 1685.

I had yesterday morning your of the 18 : with the letter of the secret committee which gave an account of that arch rebell Argyles being landed at Dunstaffnage, and the orders you had given upon it which I approve of. The secretary will give you an account of what has been done here, and a full answer to the secret committees letter. As for severall things are in your letter, I haue not realy tyme to answer them, only you need not feare, that any one can do you ill offices with me, nor has any one gone about to do it, which I find you are apprehensive of. I send downe this bearer L : Col : Maxwell, to go and serue with Duke Gordon, as aide de camp, or with any other that may haue to do with Argile, or any of the rebels, he being a good officer and ingenire. He will tell you all the newse of this place.

(Initialed) J. R.

For the Commissioner.

[The following manuscript note by the Lord Commissioner is written under the address] :—“The King by this approves the orderes geivn heir upon Argylls landing, and assurs me off favour and protection, and that my enemeis shall not prévaill against me, &c.”

43.—(10) The King to the Commissioner. Sir George Lockhart had served the King well.

Whithall, May 25, 1685.

I haue now little tyme to my self and so shall answer such particulars of yours of the 18 : which I did not in my last; and as you say, had some frigats been sent soner, Argile had neuer gott where he is ; but at that tyme there was none ready, and the first that were, were dispatched as fast as they could. You will do well to lett Sir George Lockhart know I am very sensible of his seruing me so well as he dos, as he shall see when occation offers. As for what you propose concerning the two Sessnocks, and Arkendlas, you may promise any of them their lives, if they will confesse anything which may be of use. I shall not be surpris’d if any speake to me about Sir J. Cochrans forfitur, and the lady you mention might haue well spared the making so long a journay, and I do not thinke Lord Melford will interest himself in such an affaire. As I had written thus far, Lord Murray shewd me a letter, he had of something Macnaghton had done in quitting Innveray after the manner he did, and a strong house hauing been giuen up by some of Lord Athols men in that country, which sure aught to be inquired into and severly punished, if true as is sayd ; which is all I have tyme to say now.

(Initialed) J. R.

For the Commissioner.

44.—(11.) The King to the Commissioner.—To take care of the castle of Stirling, and also the town. Not initialed by the King.

Whitehall, May 28 : 1685.

This morning I had yours of the 24 : and besids your letter (which you may be sure no body shall see) read all those which came from the Secret Committee, to which they will know my mind, from the secretary, both as to what concerns Duke Hamilton, and all other things, to which I must refer you, hauing had so much to do, all this day that I haue not been able to haue writen so fully my self as I intended, and hope to haue tyme bettwene this and Saturday next to answer seuerall particulars in your last letter. You will haue this by Lord Aran, who I

am sure will serue me very frankly. Aboue all things haue a care of securing Sterling, and lett there be so many troups there, as to secure the towne, as well as castel, of the militia or others as shall be thought fitt by you on the place, and lett them fall to worke to throw up the earth, for the securing of the bridg, so sone as Major Beckman, the ingenere, shall be with you. I haue not tyme to say more. All things here go on very well.

For the Commissioner.

45.—(12.) The King to the Commissioner—to press Argyll and drive him out of the country.

Whitehall, May 31 : 1685.

By the last post I made the secretary write to you my mind how necessary I thought it was to presse Argile and to see to drive him out of the country before the winter. I am still of the same mind, but I would not haue that mistaken as to one point, for when I say I would haue him prest, I intend that should be done by Highlanders, and melitia, and what troups may be had from Irland; but by no means would I haue the standing troups go north of Sterling, for as long as you keep the West and South quiet, and keepe Argile from getting into Galloway, I thinke you will some (*sic*) master him, and I am apt to thinke his cheef designe is to gett thether, which he will endeavour without hindred by the arrival of some of the frigats. Sir Roger Strickland will be dispatched, as sone as is possible, and when Argile and his fellow rebels see so many men of war there, and heare how quiet all things are here, they will be very much dishartned. As for what you write concerning some forfeiturs for Lord Dumbarton, when this rebellion of Argile is ouer, it will then be tyme, and not before, for me to dispose of any of the forfeted estats, and then he, Earle Dumbarton shall be provided for. As I had written thus far, I receued yours of the 28; and by it see you had had myne by Maxwell, and God be thanked all thing hether to go on as well in parliament as I can desire, which you will heare of from others, and as to all that the Secret Committee haue written about, the secretarys will lett you know my pleasur. I intended to haue answered the other parts of your letter, but haue not tyme now to do it, and can only tell you, you need not feare any ill offices can be done you.

(Initialed) J. R.

For the Commissioner.

46.—(13.) The King to the Commissioner, about Argyll's movements in the rebellion.

Whitehall, June 4 : 1685.

I had this morning yours of the 31 : of May, by a flying pacquett, and winds must haue been very crosse, to haue hindered the frigats getting to their station. If they had been there, Argile would hardly haue ventured to land, in the west. I confesse, I cannot help thinking, tis only a faint he maks of landing at Largs, and that he does it only to draw Earle Dumbarton, as far as he can from Galloway, and then if the frigats do not come to hinder him, will giue him the slip and go along the coast with his ships and boats, and land in Galloway; by which means he may haue fower or fiue days tyme to be there, and haue the disaffected people come to him, before Earle Dumbarton can gett to him; for, if he lands at Largs, he must haue some designe on Glasgow, and I do not thinke him strong enough for that. What els I haue to say you will know by the letter to the secret committee from the secretarys, and it will be a good recrut will come to you from Holland of the three Scots regiments. All things, God be thanked, are very quiet here. I haue a

fancy in my head, that if Argile should give Earle Dumbarton the slip, and gett some days before him into Galloway, that he may march into England, hoping to find some help there; if that should happen, Earle Dumbarton must follow him. A ship with fower or five thousand arms was taken by one of my frigats, which was agoing into Scotland, neare Poole in Dorsetshire, which will be a great disappointment to the rebels somewhere.

(Initialed) J. R.

For the Commissioner.

47.—(14.) The King to the Commissioner. Of necessity Argyll must fall. The Duke of Monmouth has sailed in a ship from Holland for Scotland with arms &c.

Whithall, June 10 : 1685.

This morning I had yours of the 6 : and another time send by a flying pacquett rather then expresse, for you see the person you sent was forced to send the letter on, he happening to be indisposed. I am glad that at last, some of the ships, are got to Lord Dumbarton, and I hope by this Argile's bussinese is done for him, for I make no doubt of his hauing been hard prest both by sea and land. You see I was in the right in beleuing his making a shew of landing at Largs was only a faint, his cheef aime being for Galloway, but now he has slipt the opportunity; and you see I was not in the wrong for to haue the standing troops continu in the west for keep[ing] that part of the country quiat, and of necessity Argile must fall, and I am still of the mind that Dumbarton with the standing troops should continu still in those parts; and now that we are masters at sea, you may haue men from Irland, if needfull, and weather permitting, will be sone with you, but I should thinke 'twere hard Argils businesse were not done for him, without either of those helps. All things, God be thanked, continu very quiat here. I haue taken all the care I can to keep them so, the Duke of Monmouth, as they write from Holland, is sailed in a ship of 32 guns for Scotland, with some arms and amunition. If he had designed for any part of England, I must haue heard of him by this. I aproue of the proposal you make of annexing the forfeited lands to the Crowne, as you will see by the Secretary's letter to the secret committee, to which I must refer you to what els I haue to say.

(Initialed) J. R.

For the Commissioner.

48.—(15.) The King to the Lord Treasurer of Scotland. To find money for the payment of the three Scots regiments from Holland : The King will do well enough with the rebel Monmouth, and Argyll's busines will soon be done for him by Queensberry.

Whithall, June 15 : 1685.

I have now so much businesse upon my hands, that I haue but little tyme to write to you, so that I must refer you to the secretarys letter to the secret committee. Only this I must say, that there must be mony found for the paying of the three Scots regiments gone to you from Holland, which I hope will be with you before this getts to you, and then the other standing forces must be paid before any fees or pensions whatsoever, and I know it may be done, and expect it. I shall do well enough with the rebel Monmouth. The parliament here do their part, and I make no doubt that Argils businesse will be soon done for him by you.

(Initialed) J. R.

For the Lord Tresorier of Scotland.

HEAD FIFTH. Miscellaneous Papers specially connected with the first session of the Scottish parliament of 1685, to which William, Duke of Queensberry was Commissioner.

49. CONTEMPORARY M.S. "Coppie Minuts of Parliament holden at Edinburgh, 23 Aprile 1685." This "coppie" appears to be substantially the same as in the printed Acts of Parliament Vol. VIII. as edited by the late Mr. Thomas Thomson, Deputy Clerk Register.

Bound up with these copy Minutes is a record of the proceedings 24 April 1685 "At the Artikles." These separate Minutes extend from the 24 April to the 16 of June 1685, and contain Notes of the Debates in the course of the preparation of the Acts by the lords of the Articles.

The lords of the Articles were like the lords of the Secret Committee of the Privy Council, a very important governing body of selected members something like cabinet councils of the present day. Their proceedings materially moulded all the business brought into parliament. As this parliament of 1685 was a historical one, and was in the main guided by the two eminent lawyers, Sir George Mackenzie, then created Viscount Tarbat and Sir George Mackenzie, Lord Advocate, and Sir George Lockhart, the eminent Lord President of the Court of Session, and other able lawyers, the record of their proceedings in reference to the prosecutions of the Earl of Argyll and others who had joined in the rebellion of that year appear to be of sufficient interest to introduce them into this Report.

24 Aprile 1685. At the Articles.

The draught of ane Act, ratifying former Acts in favours of the church and the Protestant religion, being prepared and read was voted and approved to be offered to the parliament.

A former Act of parliament for setting orders in the parliament house being read, it was thought fitt that the clerks of Privy Council, the clerk of the Justice Court and the sheriff deputs of the shire of Edinburgh be added to these allowed be that Act to stay in the parliament house; and appointed that the records of parliament be searched for any other Acts to that purpose against the next meeting of the Articles.

Warrant given to his Majesteis advocat to raise processes of forfaul-ture before the parliament against the Lairds of Cessnock, elder and younger, Sir William Scott, younger of Hardin, the Laird of Park Hay and the Laird of Arkinlas, and that the Lord Register and his deputs give out the summonds against these persones.

It is thought fitt that it be intimat at the next meeting of parliament, that any persones who are pursued for treason before the parliament shall be allowed to raise summonds of exculpation, when they shall desire the same, and warrant given to the Lord Register and his deputs clerks of session, to give out under their hands these summonds of exculpation, where the same shall be allowed by the parliament or Lords of the Articles.

In regard there are occasions, which require the meeting of the Lords of the Justiciarie, it is thought fitt to be offered to the parliament at their next meeting, that dispensation may be granted to them, for them to meet and proceed in processes depending before them, notwithstanding of the sitting of parliament; and likeways that the Lords of Exchequer may be authorised to meete, and that it be declared that any

commissions granted by the Lords of Session for examination of witnesses may be prosecuted during the sitting of parliament, and that the Lyon be allowed to keep his courts.

A motion being made by his Majesties advocat anent the relaxation of persones pursued criminally before the parliament, it is remitted to the Viscount of Tarbett, the President of the Session, his Majesties Advocat and Sir George Lockhart, to meet and consider what they find in the records of parliament relating to this case.

In regard some difference is like to fall out betwixt the Constable's Guard and the foot company which keeps guard in the parliament close; remitted to Generall Dalzell and Collonell Dowglas to meet with the Earle of Erroll and to consider former practises in this case to adjust any difference or report.

The Articles appointed to meete upon Monday next at nine a'clock.

27 Aprile 1685.

The draught of a letter to the King in answer to his Majesties gracious letter to the parliament, being prepared by the committee appointed to that effect, and severall times read, and some amendaments made therein, was putt to the vote and approven to be brought in to the parliament.

The draught of ane Act of parliament, offering to his Majestie our lives and fortunes for maintenance of his sacred person and government and his successours, and offering the Excise to his Majestie, his aires and successours, and annexing the same to the crown, being read, the offer foresaid contained in the Act being putt to the vote was unanimously approven and remitted to the Lord Tarbet, President of the Session, the Advocat and Sir George Lockhart to meete and consider how the Act shall be worded.

The Articles appointed to meet to morrow morning at eight a clock precisely.

28 Aprile 1685.

The Act of the 13 of May 1662 anent the orders of the House being read, appointed that it be taken in and intimat in parliament with this addition, that the clerks of Councill, clerk of the Justice Court, and the sheriff deputs of Edinburghshire, are allowed to stay in the House, and that by a posterior order of the House in the years 1663 and 1669 none is admitted to sitt or be present with the Articles but the members of the Articles and clerks.

The Act concerning the Excise being agane this day read was putt to the vote, and approven to be offered to the parliament.

There being a petition given in for the Lairds of Cessnock, elder and younger, and Park Hay craving warrand to advocats to consult and appear for them and warrand for summons of exculpation and freedome of prison, and another petition being given in to the same purpose for John Weir of Newtoun, warrand was given to the advocats condiscended on in the petitions to consult and appear before them, and it was declared that by freedome of prison allowed to the petitioners is meant, that their friends and lawyers may have free access to them, and communication with them, without the hearing of uther persones.

The Lords of the Articles doe find that his Majesties Advocat is not holden to give a list of the witnesses he is to adduce to the persones endyted for treason before the parliament.

It is thought fitt to be proposed to the parliament, that summons of exculpation be allowed to such persones as are processed criminally

before the parliament, but that they be appointed in the bills to be given in for the same, to condiscend upon the grounds of exculpation, and that the King's Advocat sie the bill.

Recommended to the Duke of Hamilton, the Earle of Tweeddale, and the Lord Tarbet to meet with the Earles of Erroll and Marischall, and to adjust any difference betuixt them in relation to their offices and priviledges thereof, and particularly anent the keeping of the key of the Inner House doore.

29 April 1685.

The draught of two Acts explaining the 9th and 10th Acts of the parliament 1669, concerning prescription and interruption, being brought in and read, the consideration thereof continued until the next meeting.

The draught of ane Act anent Tailzies being prepared and read, the consideration thereof continued, and coppies appointed to be given thereof to such members of parliament as shall desire the same.

A petition given in by the Earle of Lothian anent his precedency being read, the Earles of Strathmore and Roxburgh appointed to see and answer the same against Tuesday seven night.

Lord Neill Campbell appointed to see the petition given in by the Lairds of McDowgall and Rasay, and to answer the same on Tuesday next.

The Lord Commissioners Grace nominats and appoints the Archbishops of St. Andrews and Glasgow, the Duke of Hamilton and the Earle of Tweeddale, Sir George Lockhart and Sir William Bruce, the commissioners for Linlithgow and Dunbartoun, and the officers of estate as supernumerary, to meet and consider of ane Act to be past for regulating the collection of the Excise granted to his Majestie by the parliament.

30 April 1685.

The draught of ane Act being read declareing that Inhibitions and Interdictions being execute at the mercat croce of the head burgh of the shire shall be sufficient, albeit the lands ly within a regality or uther jurisdiction. After debate was by vote laid asyde.

The Act anent Tailzies being this day againe taken in consideration, after debate it was committed, and his Majestie's Commissioner did nominat the Duke of Hamilton and the Earle of Tweeddale, the Bishops of Edinburgh and Dunkeld, the President of the Session, Forret, Balcaskie, and Sir George Lockhart, the Provost of Edinburgh and Sir Patrick Murray, to meet and consider that Act and what amendaments are fitt to be made therein, and to report, and the officers of state to be supernumerarie, and that they meete to morrow afternoon.

The draught of ane Act concerning citations in processes for treason, being brought in and read, was voted and approven to be offered to the parliament.

The draught of ane Act anent witnesses in cases of treason and conventicles refusing to depon, being read and voted and approven, to be brought into the parliament.

First of May 1685.

The Earle of Lauderdale upon his desire allowed to see the petition given in by the Laird of Pittarro, until the next meeting of the Articles.

The draught of ane Act, concerning the resetting and intercommuning with rebells, being read, continued untill the next meeting that it may be further considered.

Sir George Lockhart allowed to consult and plead for Madam Brisbane in the process pursued by her against the Earle of Leven before the parliament, if he please.

The Bill given in by the Lairds of Cessnock, elder and younger, for ane exculpation, being read, the consideration thereof continued untill the next meeting.

4th of May 1685.

The Lord Tarbet did make report to his Majestie's Commissioner and the Lords of the Articles, that the Committee appointed to consider of ane Act for regulating the collection of the Excise, having mett, and finding that by the Act past in this parliament, the Excise is appointed to be collected in maner prescribed in the Act of parliament 1681, and that be that Act his Majestie has the power of appointing collectors for inbringing of the Excise, the Committee conceived that there remained nothing to be done by the parliament in relation to the ordering the collection of the Excise.

The proclamation of the Councill anent quartering, founded on the Kings letter, appointed to be considered.

The draught of ane Act appointing that all clerks of courts should be notars, being brought in and read, it was putt to the vote if the Act should be rejected or not, and it was carried in the negative; and thereafter the Act was restricted to the clerks of sheriff, commisser, steward and regalitie courts and the clerks of burghs royall and of regality and delayed to be past untill it be further considered.

Ane overture being made, that for preventing the prejudice the liedges may sustaine by the loss of their principal seasings, that the nottar who takes the seasing be holden to give to the pairty two authentick instruments of seasing, and that when the seasing is registrat one of them be left as the warrand at the register, which is to be considered.

The draft of ane Act read, ratifying the priviledges of the ordinarie senatours of the Colledge of Justice, and all Acts made thereanent, and particularly the 8th act of the 2d session of the 2d parliament of King Charles 2d, anent their immunitie from publick burthens. The Act appointed to be made more breiffe in the narrative and to be brought in.

Ane Act for cleering resett and intercommuning with rebells, being read and debated, it was remitted to the President of the Session, his Majesties' Advocat, the Justice Clerk and Sir George Lockhart to meet in the afternoone, and to consider how that Act shall be worded and to bring in the same to morrow.

It is remitted to the same committee to consider the bills given in for exculpations, if the same should be granted or not, and if these persones can have summonds of exculpation, who are not in prison and doe not find caution to compear.

The committee nominat to consider the Act anent Tailzies appointed to meet in the afternoone.

The cash-keeper appointed to see the petition given in by the heretours of the shire of Argyle for a valuation in that shire, and to answer tomorrow.

Vpon the Laird of Pittarro his petition, warrand given for citation of the Earle of Lauderdale and uthers against the twenty of this instant.

5th May 1685.

Vpon consideration of the Report of the Committee concerning exculpations, that part of the Report anent the granting warrand for summonds of exculpation in favours of these pursued for treason, who are in prison, approuen; and accordingly the petitions given in for the Lairds of Cessnock, elder and younger, John Weir of Newtown and the Laird of Ardkinlas were granted; and as to the other part of the Report anent exculpations in favours of these who are not in prison but are absent albeit not denounced, the consideration thereof continued.

His Majestie's Advocat protested that the granting warrand for the saids exculpations doe not import ane acknowledgement of the relevancie of the grounds of exculpation; but that he may be heard to debate, when the proceses of treason shall come in, why these exculpations ought not to be sustained.

The draught of ane Act, ratifying the sentences of the Justices against Porterfield of Duchall, was read, and the process whereupon that sentence proceeded being produced, and the Interlocutour, verdict of the Assise, and sentence with the quere given in by his Majestie's Advocat to the Lords of Session, and their answer thereto, being all read, after some debate, resolved that the Act be considered till tomorrow.

The draught of ane Act, anent husbands being lyable for their wives withdrawing from the ordinances, being read, after some amendaments made therein, was approuen and appointed to be offered to the parliament.

The draught of ane Act declaring judiciable confessions in cases of treason emitted before the Commissioners of Justiciary to be probative, being read and debated, was approuen to be offered to the parliament.

A petition given in by Mr. James Eleis against the Earles of Cassills and Lothian and the Laird of Brodie, was appointed to be given up to them to see and answer tomorrow.

Mr. Alexander Sheills, prisoner, being called before his Majestie's Commissioner and the Lords of the Articles, was examined, and did owne the declaration emitted by him before the Lords of Justiciarie, and that he rave his subscription from his abjuration of the late and treasonable declaration of warr.

A warrand given to his Majestie's Advocat to raise a process of treason against the said Mr. Alexander Sheills before the parliament, to compear upon Wednesday come eight dayes being the thirteenth of this instant.

6 May 1685.

The Act ratifying the sentence of forfaiture pronounced by the Justices against Duchall, being this day again read, was amended and thereafter being voted was approuen to be offered to the parliament.

The draught of ane Act brought in declaring the taking of the covenant or owning of the same, to be treason, being read, was approuen and appointed to be offered to the parliament.

The Lord Commissioners Grace nominats and appoints the Arch-Bishops of St. Andrews and Glasgow, and the Bishop of Edinburgh, the Duke of Hamilton, the Earles of Mar and Tweedale, the President of Session, Sir George Lockhart and Sir William Bruce, the Commissioners for Aberdeen, Linlithgow and Dumbartoun to meet and to consider what Acts or overtures are fitt to be offered concerning trade and the Mint and the officers of state to be supernumerarie in this committee.

The draught of ane Act anent the disposall of vacant stipends being read, it was remitted to the foresaid committee for trade and mint to be considered by them, and they are appointed to meet in the afternoone.

The Lord Comissioners Grace nominats the Earles of Strathmore and Southesque, the Bishops of Dunkeld and Breichen, Forret and Balcaskie, the Commissioners for Glasgow and Dumfermling, to meete and to draw a commission for regulating the inferior Judicatures, and the officers of State to be supernumerarie.

The Lords Justice Clerk, Forret and Balcaskie appointed be way of precognition to examine the witnesses to be adduced by his Majestie's Advocat in the processes of treason pursued by him before the parliament.

Vpon a petition given in by the Earle of Strathmore concerning the debate betuixt him and the Earle of Lothian for precedency, remitted to the Arch-Bishop of St. Andrews, the Duke of Hamilton, the President of the Session, and the provost of Edinburgh, to hear the parties consider the matter in question betuixt them and to Report.

7th May 1685.

Ane Act brought in, ordaining that preachers at house and field conventicles and these present at field conventicles shall be punished with death, being read, was appointed to be considered by the Lords of the clergy, till the next meeting.

Ane Act for the more effectual payment and inbringing of his Majestie's rents and revenues being read, was approven to be brought in to the parliament.

Ane Act oblidging personcs to accept offices being read, was approven to be offered to the parliament.

The Act concerning Tailzies, being brought in by the committee, to whom the consideration thereof was remitted, and read, was approven to be offered to the parliament.

Ane Act concerning Justices of peace being brought in and read, appointed to ly in the clerks hands, that any member of parliament who desires may see the same.

Ane Act approving the sentence of forfaulture against the late Earle of Argyle being read continued till to-morrow, and the clerk of the Justice Court appointed to have the register in the house to morrow morning from seven to nyne a clock, that any member of parliament, who desires to see the register, wherein that process is recorded, may see the same.

8th May 1685.

The Report of the Committee concerning the difference betuixt the Earles of Strathmore and Lothian for precedency being read, was approven and appointed to be brought in to the parliament.

The Act approving the forfeiture of the late Earle of Argyle being read again this day was approven and appointed to be brought in to the parliament.

The Act against preachers at house and field conventicles and hearers at field conventicles was read, and being amended was past to be offered to the parliament.

The President of the Session added to these who were appointed to examine be way of precognition the witnesses adduced in the processes of treason before the parliament.

The Act concerning confessions in cases of treason before the Commissioners of Justiciarie being read and amended, approven to be brought into the parliament.

Ordered that the committees appointed by Majestie's Commissioner and the Lords of the Articles meete this afternoone, to morrow in the forenoone and upon Monday in the forenoone, the Lords of the Articles not being to meete untill Monday in the afternoone, and that the first person nominat on each committee doe convene the committee.

The process at the instance of Madam Brisbane appointed to be seen by the Earle of Levin's procurators.

Elevinth of May 1685.

The Act concerning Tailzies being again this day read, after debate was laid asyde untill it be further considered.

The Act anent vacant stipends being read, it was remitted to be considered by the committee to whom the same was formerly committed.

An Act approving the sentence of forfeiture against Hamilton of Monkland being read and the process before the Justices and probation led therein being produced, read and considered, the Act was putt to the vote and approven to be offered to the parliament.

The Act anent Justices of peace being again read severall times and debated and amended, was voted and approven to be brought in to the parliament.

12th of May 1685.

An Act explanatorie of the Act of parliament 1669 concerning prescriptions being read was voted and past the Articles.

An Act explanatorie of the Act of parliament 1669 anent interruptions being read and amended, was voted and past the Articles.

An Act offering to his Majestie a new supply of 216000 lib, during the continuance of the fyve moneths cess imposed by the parliament in anno 1681, and four moneths cess termly thereafter during the King's lifytyme, being twice read was voted and past the Articles to be brought in to the parliament.

It being moved by some members, that to the end the supply granted to his Majestie may be the more effectuell, and the burthen equally laid on all, a committee might be nominat, his Majestie's Commissioner did nominat the Arch-Bishops of St. Andrews and Glasgow and the Bishop of Edinburgh, the Duke of Hamilton, the Earles of Marr and Tweeddale, the President of the Session, Sir George Lockhart and Sir William Bruce, the commissioners for Linlithgow, Glasgow and Dumfermling, to meet and consider what overtures shall be proposed in this affair and to report, and the officers of state appointed supernumerarie, and that they meet this afternoone.

The draught of ane Act appointing the test to be taken by all Protestant heretours, liferenters and others mentioned in the Act, being read, after some amendaments made therein, was putt to the vote, and approven to be offered to the parliament.

The petition of the Earle of Lothian for precedency being read, which was appointed to be answered this day, and the parties called, the Lord Commissioners Grace and the Lords of the Articles appoints Thursday next in the forenoone for hearing of that matter, and ordaines both parties in the meantime to produce any writs they found upon, or will make use of in the clerks hands, that the other party may see the same.

The process at the instance of Mistris Brisbane against the Earle of Levin. appointed to be heard before the Articles upon Thursday afternoone.

Vpon a petition given in by the Viscount of Tarbet for stopping a way going by his house at Roystoun, it is the opinion of the Lords of the Articles that warrand be granted to the Lords Collintoun, Reidfoord, Sir John Foulis, Sir William Hope and Sir John Young, to consider and determine in that matter.

There being againe double elections returned from the shire of Air, viz. one in favours of the Laird of Blair and the Laird of Craigie, and the other in favours of the Laird of Blair and the Laird of Collene, the consideration thereof remitted to the committee for contraverted elections.

13 May 1685.

The Lord Commissioners Grace did nominate the Arch-Bishops of St. Andrews and Glasgow, the Earles of Strathmore and Southesque, the President of Session and Sir Thomas Stewart of Balcaskie, and the commissioners for Aberdeen and Glasgow, to meete and consider the whole affaire of Thomas Moodie's mortification for building a Kirk in Edinburgh, and what hes been done therein, and to report, and the Bishop of Edinburgh to be present at this committee.

Ane Act approving the sentence of forfeiture against Mr. Robert Baillie sometyne of Jerriswood being read, and the process and probation taken therein being produced and read, the Act was voted and passed the Articles to be offered to the parliament.

The process of forfeiture against the late Earle of Argyle and probation therein being read, the Act approving the sentence of his forfeiture was againe read and past the Articles and brought in to the parliament.

The Lord Justice Clerk and Sir William Bruce added to the Lord Tarbet for considering the petition given in by the Lairds of M^dowgall and Roray against Lord Neill Campble.

14 May 1685. Ante meridiem.

The Earle of Lothian and the Earl of Roxburgh being called, and their Advocats, at length heard upon the petition given in by the Earle of Lothian for precedency and the writs produced being considered by the Lords of the Articles, it is their opinion that the desire of the petition should be refused.

Eodem die A meridie.

The process at the instance of Madam Brisbane against the Earle of Leven being called and the parties advocats heard, remitted to the Arch-Bishops of St. Andrews and Glasgow, the Earles of Mar and Tweeddate, the President of Session and Sir George Lockhart, Sir Patrick Murray and the Provost of Glasgow, to meet and to consider that wholl matter and to Report.

Vpon a petition given in by the Laird of Edzell anent the title of the Earle of Crawford, warrand given for a citation against the Earle of Crawford upon ten dayes.

The petition given in by Mr. James Eleis of Stenhomylnes against the Earles of Cassills and Lothian and the Laird of Brodie being called, the parties appointed to be readie to answer the first meeting of the Articles in the next week.

15 May 1685.

The Report concerning the Earles of Lothian and Roxburgh being read, appointed to be brought in to the parliament.

A petition given in for the Colledge of Glasgow, remitted to the Committee appointed to consider the Act anent the vacant stipends.

18 May 1685.

His Majestie's Commissioner adjourns the Articles untill to morrow at four a clock in the afternoone.

19 May 1685.

Warrant given to his Majestie's Advocat to raise a process of treason before the parliament against the Duke of Monmouth for his accession to the rebellion and rising in armes of Archibald late Earl of Argyle.

Sir Patrick Home, Walter Pringle and Mr. William Fletcher compearing gave in defences against the endytment given to the Lairds of Cessnock, elder and younger, which were given up to his Majestie's Advocat to see and answer.

Sir John Cochrane being thrice called and not compearing his Majestie's Advocat declared he insisted on that Article of the lybell against him, anent his demanding of money for supplying the late Earle of Argyle, a declared traitour, which article of the lybell being read and considered, it is the opinion of the Lords of the Articles that the same is relevant to inferre the pain of treason: his Majesties Advocat declared he insisted also on that article of the lybell separatim anent the conspiracie, and his concealing and not revealing of the same, it is the opinion of the Lords of the Articles, that the same is relevant separatim to inferre the pain of treason.

Witnesses being led for proving the first article of the lybell anent the contributing money, and the same being considered by the Lords of the Articles, it is their opinion that the said article is proven.

The Advocats compearing for Hay of Park, Ardkinlas and Wier of Newtown, appointed to give in their defences against to morrow at eight a clock in the morning.

The draught of ane Act anent vacant stipends being read and amended, was voted and approven to be offered to the parliament.

20 May 1685.

His Majestie's Advocat declared that for proving that article of the lybell against Sir John Cochran anent the conspiracie and plott, he made use of the principall deposition of Mr. William Carstairs and adduced Sir William Paterson and Mr. Coline M^cKenzie, clerks of Councill, to prove that he owned the said deposition before the Councill, and adduced also Commissarie Monro as a witnes, and for further administering of the probation produced, the process pursued against the said Sir John before the commissioners of Justiciary and the roll of the fugitives, of whom the said Sir John is one.

The Lords of the Articles having considered the probation adduced, it is their opinion that the article of the lybell anent Sir John Cochran's accession to the conspiracie and his concealing and not revealing of the same is proven.

Eodem die, A meridie.

His Majestie's Advocat declared he insisted against Sir Patrick Home of Polwart, George Pringle of Torwoodlie and the aires of Mr. Robert Martin, who being thrice called at the barr and the utter doore of the parliament house and none of them compearing, and that article of the

lybell against them anent the conspiracie being read and considered, it is the opinion of the Lords of the Articles that the same is relivant to inferre the paine of treason.

His Majestie's Advocat for proving the lybell did adduce the Laird of Philiphaugh, the late Earle of Tarras and the Laird of Gallascheills, who were examined.

21 May 1685.

The draught of ane Act approving the discoverie of the late treasonable plott by the secret Committee, and the narrative thereof being twice read, the narrative and the papers and instructions whereon the same is founded were appointed to be putt in one of the clerks hands, that any member of parliament who desires may have inspection thereof until the next meeting of the Articles.

The draught of ane Act, ratifying the priviledges of the ordinary senaters of the Colledge of Justice, being twice read, was voted and approven to be brought in to the parliament.

The draught of ane Act for taking the oath of alledgeance and asserting the royall prerogative being twice read was voted and approven to be offered to the parliament.

The petition of the Laird of Pittarro against the Earle of Lauderdale and others being returned with the executions of the citation thereon, ordained to be given up to the Earle of Lauderdale, with the writts produced for instructing the same to see and answer with conveniencie, and in the mean time warrand given to the Lord Register, to search for the grounds and warrands of the decreet 1661, recovered by the Earle of Dundee against Pitarro craved to be reviewed.

The draught of ane Act for inbringing of the fynes imposed for his Majestie's use being read, delayed untill it be further considered.

A petition given in for the Lairds of Cessnock, elder and younger, being read, delayed to give answer thereto, untill the process against him come in.

The Lady Melvills petition in behalf of her husband refused.

The Laird of Saltoun's petition refused.

22 May 1685.

The Act approving the narrative of the conspiracie, being this day again read, was voted and approven to be brought in to the parliament.

The draft of ane Act ratifying a proclamation of Council for apprehending traitours being read, remitted to the Lord Tarbet, President of the Session, the Justice Clerk, Forret, Balcaskie and Sir George Lockhart, to meet and to consider further that Act, and what is fitt to be amended therein and to report.

25 May 1685.

The Report of the Committee concerning the state of that affair of Thomas Moodies Mortification being read, remitted back to the same committee to consider for what use that money may be best and most advantagiously employed, and to report their opinion therein.

The Act anent Tailzies being read, it was appointed to be amended and the Act with that amendament thereof to be brought in against the next meeting.

The draught of ane Act for preservation of the game, being read and amended, was approven to be offered to the parliament.

The draught of ane Act against stealing and resetting of doggs and haulks, being read and amended, was approven to be brought in to the parliament.

Recommended to the Lord Tarbett, President of the Session, Advocat, and Sir George Lockhart, to meet and consider that Act anent the inbringing of fynes imposed for the King's use, and the Act for apprehending traitours, and to report.

Remitted to the Commytty appointed to draw the commission for regulation of Judicatures, to consider how the abuses committed by messengers at armes in executing their offices may be remedied and their fees regulate.

The Act concerning Tailzies being amended was read, voted and approven to be offered to the parliament.

The draught of a Commission for plautation of Kirks and valuation of teinds being read, appointed to ly in the clerks hand untill it be considered and compared with the former commission.

The process of treason against John Weir of Newtoun being called, his advocats were appointed to give in their answers to the lybell once this night.

Thomas Stewart of Cultnes being thrice called and not compearing, the lybell against him being read and considered was found relevant complexedly.

The depositions of the witnesses adduced for proving of the lybell being considered, the lybell was also found proven.

The draught of ane Act read approving the sentences of forfaulture given against those in the late rebellion 1679 by the Commissioners of Justiciarie, the Act appointed to ly in the clerks hands, and the processes of forfaulture whereon these sentences proceeded to be seen by any member of parliament who shall desire the same untill the next meeting.

27 May 1685.

The draught of ane Act disjoyning some lands in Perthshire and Fife and joyning them to the shire of Kinross, of consent of the sheriffs of Perth and Fife, being read, was approven by the Lords of the Articles.

After debate the lybell against John Wier, of Newtoun found relivant, as it was qualified by his Majestie's Advocat, as the minuts of process beares.

The witnesses adduced for proving of the lybell being called, and it being objected against three of them, that they had deadly feede and hatred against the pannell, the Lords of the Articles before answer declared they would try the matter of fact anent the veretie of the objections, and it being desired by the pannalls advocats, that in regard the witnesses they are to adduce for proving the objections are with the King's host, that dispensation may be granted for their absence and a tyme allowed to bring them in ; they were appointed to bring in their witnesses against Tuesday next, and dispensation granted for the absence of any of them who are with the host untill the fifth of June.

30 May 1685.

Recommended to the President of the Session, Advocat and Sir George Lockhart, to meet and consider the Act for bringing in of the fynes, and to prepare the same against the next meeting.

The draught of ane Act for a Commission of Trade, being read and considered, was approven to be brought into the parliament.

The draught of ane Act ratifying the 12 Act of the Parliament 1681 anent trade and manufauric, with a reference to the Council being read, approven to be offered to the parliament.

The draught of ane Act continueing the method of collecting the excise for three moneths after the first of August next, being read, approven to be offered to the parliament.

An Act anent the militia read and approven to be brought in to parliament.

First of June 1685.

The draught of ane Act ratifying the opinion of the Lords of Session anent these who owne or refuse to disowne a late treasonable declaration of warr, being read, was approven to be brought in to the parliament.

Ane Act approving citations before circuit courts by messengers or sheriff officers, approven to be offered to the parliament.

Ane Act appointing masters of ships to present passengers who are not of the ship company before the next magistrat, being read, approven.

The Act concerning the militia being read, continued until the next meeting of the Articles.

Ane Act for security of ministers being read, the consideration thereof continued until the next meeting.

Ane Act ratifying the former Acts of parliament anent the punishment of the reseters of traitours and rebels, and a proclamation of council of the 8th of July 1682, was read and approven to be offered to the parliament.

Ane Act concerning Ajudications for fynes imposed or to be imposed for reset and church irregularities, being read approven to be brought in to the parliament.

The draft of a new commission for plantation of kirks and valuation of teinds being read, the consideration thereof continued till tomorrow, and particularly these clauses thereof anent granting prorogations of tacks for augmentations already granted, and if the liberty of buying teinds should be of teinds valued or not valued.

Ane Act for sowing of peese and beanes, and against the cutting up and burning of ground, being read, was laid asyde.

Ane overture given in anent the crying up of the money being read was laid asyde.

Ordered, that where processes were raised and depending before the last parliament and not determined that warrant be granted for new citations therein, and accordingly a citation granted at Abdens instance against the Laird of Pitrichie.

The Commissioner for Dumbartoune named to be on the Committee for regulation of Judicatures in place of the Commissioner of Dumfermling, in regard of his absence.

A petition was read, given in by the town of Edinburgh. in relation to Thomas Moodie's Mortification, craving that the same might not be inverted, but the money applyed for the use to which it was destinate by the defunct. After debate that matter was laid asyde without passing any vote.

Second of June 1685.

The draught of the Commission for plantation of Kirks and valuation of teinds, being again read and amended, was putt to the vote and approven to be brought in to the parliament.

Ane Act made anent a clause to be insert in tacks granted to tennents for their living regularly, was approuen to be offered to the parliament.

The Earle of Kintore, the Bishop of Edinburgh, Forret and the Provest of Aberdeen nominate and appointed to revise any ratifications, which are or shall be given in to be past in this parliament.

A petition given in by the burgh of Inuernes for continueing a smal imposition for the use of their bridge granted.

Ane Act past in favours of the Bishop of the Isles to be brought in to the parliament.

Ane Act anent citations and warnings in the King's causes being read was laid asyde.

The Earles of Erroll and Marischall nominat in place of the Earles of Strathmore and Southesque to be upon the Committee for regulation of inferiour Judicatures.

The process at the instance of the Laird of Edzell against the Earle of Crawford continued till to morrow.

3d of June 1685.

The process of treason at the instance of the King's Advocate against Mr. Robert Ferguson being called, and he not compearing, the lybell was sustained relevant, and the witnesses being examined, the lybell found proven as the minutes of process beares.

The Act concerning the militia being againe brought in and read, the same was approuen to be offered to the parliament.

Ane Act for poll money being read was voted and approuen to be offered to the parliament.

Ane Act anent the modifying the prices and charges of messengers being read, voted and approuen.

The Act approving the narrative of the plott being againe read, it was voted that the same should be brought in againe to the parliament.

Eodem die, A meridie.

Ane Act for security of the ministers of the gospell being read, the consideration thereof continued till to morrow.

Ane Act indemnifying the officers of state and uthers therein named being read, continued till to morrow, and recommended to the Lord Tarbet, Advocat and Sir George Lockhart, to adjust the wording of the Act in the meantime.

An Act for reduceing the anwelrent to fyve per cent. during the King's life, being read was delayed.

Ane Act concerning registrations being read, remitted to the President of the Session and Sir George Lockhart to adjust the matter betuixt the Lord Register and the Clerks of Session, his deputs, anent the office of clerkship to these registrations.

Ane Act for security of the Records, being read and putt to the vote, was approuen to be brought in to the parliament.

The process at the instance of the Laird of Edzell against the Earle of Crawford being called, and the parties advocats heard, the adviseing of the cause continued untill to morrow.

4th June 1685.

The Act for security of the ministers of the gospell being againe this day read, was voted and approuen to be offered to the parliament.

Ane Act for security of the officers of state and uthers therein named being read, was voted and approuen to be brought in to the parliament.

Ane Act in favours of the Viscount of Tarbet, dissolving his lands therein mentioned from the shire of Ross and annexing them to the shire of Cromartie. And also the Lord Advocat's lands mentioned in the said Act being read, was approvén.

A petition given in by the Countes of Lauderdale in behalfe of the Earle, her husband, being read, the petition given in by the Earle of Southesque and Pittarro craving the process depending at their instance against the said Earle to be remitted to the Lords of Session, was laid asyde.

The fyfth of June 1685.

The process of treason against the Lord Melvill and David Montgomerie of Lainshaw being brought in, and they being thrice called and not compearing, and the Advocat having insisted joyntly on these two articles of the lybell against the Lord Melvill viz. : his corresponding with the rebels, and 2dly his accession to the conspiracie, the lybell was found revelant and the lybell against Lainshaw anent his accession to the conspiracie was likwayes found relevant.

Vpon consideration of the probation against the Lord Melvill, both articles of the lybell were found proven.

Vpon consideration of the probation against Lainshaw, the lybell also found proven.

Warrant given for a citation at the instance of James Hamilton of Maner Eleistoun against Mr. John Eleis.

Eight of June 1685.

The process at the instance of the Laird of Edzell against the Earle of Crawford, being this day taken in consideration by the Lords of the Articles, concerning the title of Earle of Crawford and the precedencie due thereto, after debate the process was laid asyde.

A petition being read, given in by the Earle of Southesque and the Laird of Pittarro, and after debate that point being putt to the vote, if a commission or warrant should be granted to such of the Lords of Session as are members of Parliament, to take the depositions of witnesses to be adduced by the petitioners in that matter, to ly in retentis, least the probation perish, it was caryed in the negative that such a commission or warrant should not be granted.

The Act for security to the persones and goods of the bishops and ministers of the gospell, being againe brought in and read, was approvén to be offered to the parliament.

Ane Act anent planting and inclosing being read, approvén to be brought in to the parliament.

Nynth of June 1685.

A petition being read, given in by the children of Sir William Primerose, desireing that in respect he was so affected with a palsie as he was not able to goe about his affaires, that some persones might be authorised to manage his estate and uplift his rents, the same was granted.

A petition given in by _____ in Pittenweyme, anent the making of black beere, being read, remitted to the councill.

Ane Act for encouraging of the Greenland fishing, being read, was voted and approvén to be offered to the parliament.

Ane Act concerning registrations and the clerks of Session being read was putt to the vote and approvén to be brought in to the parliament.

The draught of ane address from the parliament to the King's Majestie against the late Earle of Argyle, being read, the consideration thereof continued untill to morrow.

The endytment of treason against the Lairds of Cessnock, elder and younger, being called, and the pannalls being brought to the barr, and compearing with their advocats, after the lybell was read they gave in their defences, which being read his Majestie's Advocat declared he insisted on the second article of the lybell anent the pannells accession to the conspiracie being art and part thereof, and concealing and not revealing the same; which being considered, that article of the lybell was found relivant, notwithstanding of the defences proponed against the same which were repealed.

10 June 1685.

Ane Act being brought in in favours of the Royall Burrows and read, it was remitted to the Earle of Tweeddale, the Lord Tarbet, the President of the Session, Sir George Lockhart and any of the Commissioners of the burrows that pleases, to meet and adjust that Act to be brought in againe to the Lords of the Articles to morrow.

Ane Act for encouraging of fishing, being read, laid asyde.

Ane Act anent measuring of myles, being read, agreed to be past.

His Majestie's Advocat having proposed that Sir George Lockhart may be ordered to assist him in debating of the process of treason, depending before the parliament, against the Lairds of Cessnock, elder and younger, it being of importance; and Sir George, having alledged that he could not plead for or against any partie convened before the parliament, in regard he is a member of parliament, and does represent a shire, for whom he is commissioner, and the said Sir George being removed, the Lords of the Articles repelled the alledgeance proponed by him, and found that he may be appointed to assist his Majestie's Advocat in this process, likeas the Lord Commissioners Grace in his Majestie's name did command the said Sir George upon his alledgeance to concurr with the Advocat in the foresaid process.

The Lairds of Cessnock, elder and younger, being called, after debate some interlocutours were given as the minuts of process beares.

11 June 1685.

The address of his Majestie against the late Earle of Argyle, being againe read and amended, was approven to be brought in to the parliament.

Ane Act anent escheits of persones denounced for fanaticall disorders being read was voted and past to be offered to the parliament.

12 June 1685.

The proces betwixt Abden and Pitravie remitted to the Lords of Session to be determined by them, notwithstanding of any dependence before the parliament.

Ane Act for weighing of bear and male being read, the materials of the Act was aproven, and his Majestie's Commissioner did nominat the Earle of Erroll, the Bishop of Edinburgh, Sir George Lockhart, Sir William Bruce, the commissioners for Aberdeen and Linlithgow, to meet and to adjust any thing to be further done in that affaire, and to consider any proclamations of Councill relating thereto, and also anent the making of malt, and to report.

Ane Act reducejng the conversion of fewdewties of the estate of Argyle being read was voted and approven to be offered to the parliament.

The draught of a commission for regulation of the Inferiour Judicatures being read was voted and approven to be brought in to the parliament, and the nomination of the commissioners left to the King's Majestie.

Ane Act for sowing of peese and beanes in the shire of Aberdeen being read was voted and past to be offered to the parliament.

The two Arch-Bishops, the Earles of Erroll and Tweeddale, the President of the Session, and Sir George Lockhart, the commissioners for Aberdeen and Glasgow, and the officers of state as supernumerarie, appointed to meet and adjust the affaire betwixt the burghs royall and the burghs of regalitie and barronie.

Ane Act ordaining execution of summonds and letters against the inhabitants of Orkney and Zetland to be upon fourty dayes, being read, voted and past to be offered to the parliament.

Sir Hugh and Sir George Campbell's of Cessnocks compearing at the barr did confess in maner mentioned in their confessions under their hands, and declared they came in his Majesties will for the crime lybelled against them; and his Majestie's Commissioner did signify that they having voluntarily emitted the said confessions and comed in his Majestie's will, he had warrand from his Majestie to give them assurance of their life, they renewing their confessions before the parliament, that sentence of forfeiture may pass against them.

13 June 1685.

His Majestie's Advocat desired that point to be cleared anent the relevencie of the lybell against the Lord Melvil, it being by mistake minuted that both articles of the lybell were found relivant joyntlie, whereas he insists that they may be sustained relivant separatim viz., that anent his corresponding with rebels, as also the uther anent his accession to the conspiracie, which being considered by the Lords of Articles they found the saids articles of the lybell relevant separatim.

The Act for weighing of beare and meale being againe brought in and read the same was putt to the vote and approven to be offered to the parliament.

The Advocate beside the probation already adduced, did this day adduce the Lairds of Cessnock, elder and younger, as witnesses for proving that article of the lybell anent the Lord Melvill's accession to the conspiracie, who were examined as their depositions beares.

15 June 1685.

Ane Act rescinding the 27 article of the Act of parliament 1672, anent the regulation of Judicatures, being read, was voted and past to be offered to the parliament.

Ane Act brought in for remitting the processes of treason depending before the parliament to the Commissioners of Justiciarie being read was putt to the vote and past.

Ane Act annexing the lands of forfeaulted persones to the crown being read was voted and approven.

The Act reducejng the conversion of the ancient fewduties of the estate of Argyle having been formerly past the Articles, a clause was subjoyned thereto annexing the same to the crown, which being read was approven, and the Act appointed to be brought in to the parliament.

A petition being given in by the Earle of Southesk and Laird of Pittarro craving a warrand to examine witnesses condiscended on, to ly in retentis in the process at their instance against the Earle of Lauderdale, the petition appointed to be given up to see and answer tomorrow at nyne a cloik.

A petition given in by the towne of Dalkeith for a continuation of a small custome formerly granted for repairing two bridges near that towne, granted.

The like granted for the bridge of Gulletts.

The like granted in favours of the Laird of Dun for the North-Water bridge, with the same limitations in favours of the adjacent heretours, which were in the former Act, and particularly with the immunity granted to the lands then belonging to the Earle of Northesque, now to the President of the Session.

16 June 1685.

The Act for encouraging the Greenland fishing being read was appointed to be brought in againe to the parliament.

Ane Act in favours of the Bishop of the Isles being read was approved to be offered to the parliament.

Ane Act annexing to the crown the offices that belonged to the late Earle of Argyle being read was voted and past to be brought in to the parliament.

The petition of the Earle of Southesque and the Laird of Pittarro, with the answers thereto given in by the Lord Maitland being read, the desire of the petition craving that some witnesses might be examined to ly in retentis, refused.*

50. "ABREVIATE of the Lords Commissioners Instructions and Acts of Parliament," with remarks as to the delay of certain Acts owing to rebellions, &c. 1685.

51. "OBSERVES on his Majestie's Instructions to the Commissioner on the 12 of June 1685." Indorsed by Queensberry as Commissioner. These observations "Maid by the Lord Tarbitt in presence of the secret council."

52. PAPER ENTITLED "Abreviate of the probation taken by way of precognition against some of the pannalls perssewed befor the parliament." The Duke of Queensberry as Commissioner has written this note on the Abbreviate: "The being in some things defecteiv is to bee supply't bee S^r Rob^t Coult, who, as on off Majesty's solicitors, wes present att the said precognition and got me this abreviatt thereof."

53. "BAND by the shire of Lanerk submitted by the King's Advocate, 1684." Indorsed by the Duke of Queensberry as Commissioner as follows: "This is a just double off the Boind prest upon the Glasgow districk by the Lord Melfort, and condemit by the S: Com. (as ther Instructions bear) being contrar to Law, and a thing wez impracticabl."

Wee under subscribers, noblemen, heretours and others within the shire of Lanerk, for testifying our deep sense and dewtie to our most

* The Lord Commissioner has written with his own hand on the first page of the "Coppie Minuts of Parliament" 1. "In the Minuts I fynd nothing about the Bp. voiting in criminall caices, which I remember wes doon, and is nou to be helped. This is ordert by the 4th Instruction." "2. Discharg off the volutar supply nott hear mentioind; which wes lyckwys doon and is ordert by the 5 Instruction."

sacred sovereign, the King's most excellent Majesty, and from our abhorrence of rebellion and rebellious principles, irregularities and disorders, and to evidence our firme and constant resolutions to adhaere to his Majestie and his aires and lafull successours their interest, and to contribut our outmost endeavours to imploy our lives and fortunes for his security and peace of the government, and to the extirpation of every thing that may tend to the disturbing thereof, wee bind and oblige us and ilkaue of us, for ourselves, our families, tennents, subtennents, cottars, and servants, that wee and they shall live regularly and orderly according to the Acts of Parliament, and shall not connive at any disorder, bot to the outmost of our power shall repress the same, by taking and delivering the offenders to justice (if in our power) and shall give timely notice to the next magistrat or officer of his Majestie's forces, and shall assist and concurr with them for taking and apprehending any fugitives, vagrant preachers, or such as resett, assist and maintan any such; and that wee shall not harbour, resett or maintan any rebells, fugitives or intercomuned persons, nor suffer any such to be upon our ground or estates; and furder, we and ilk ane of us bind and oblige us for our selves, our families, tennents, subtennents and cottars, to duely and orderly and ilk Sunday frequent our owne paroch churches, unless we have ane reasonable excuse to impeded us therefrom; and shall partake of the Holy Sacrament of the Lords Supper when ever the occasion offers, unless we be able to give satisfaction to our ministers of our present unfitnes to partake of that holy ordinance; and such of our tennents, cottars, servants or others liveing upon our lands and heretage as shall refuse to partake of the said holy sacrament, without a reasonable excuse to satisfie the ministers, as said is, and shall be complained of to us by our ministers, wee shall deliver up their persones to the ordinary magistrats to be punished according to law (if in our power) or shall remove them from our lands and heretages, and that wee shall not baptize nor mary but with our owne ministers without their allowance; and wee bind and oblige us and ilk ane of us to performe the premisses and every part thereof, under the paines and penalties due to such crimes as wee shall connive at; and we shall behave ourselves as becometh loyall and faithfull subjects, by declareing and discovering what may tend to the disquiet of the kingdom or disturbance of the peace thereof any maner of way, and that wee shall not rise in armes against his Majesty or his authority, his aires and lafull successours, bot shall defend the same with our lives and fortunes; and as a further evidence of our loyaltie and sincerity in the premisses, wee hereby bind and oblige our selves, our aires and successours, to payin to his Majestie's thesaurie, or any who shall be appointed to receive the same for his Majestie's use, three moneths cess yearlie over and above the cess imposed by the current parliament, and that for two years payable at two termes in the year, Mertimas and Whitsonday, be equall portionis, beginand the first termes payment being one moneth and halfe moneths cess at the terme of Mertimas nixt, and swa furth to continue termly ay and while the expiration of the saids two years, and wee are content and consents that all diligence pass against us for inbringing thereof as may pass against us for the cess imposed by the said parliament; and consents to the registration hereof in the books of his Majestie's Privy Councill or any other books compitent, to have the strength of ane decreit interponed thereto, that letters of horning for imbringing thereof and others executoriells needfull may be direct hereon in forme as effeirs; and constituts,

Our procuratours &c. In witness whereof thir presents (written by John Robertoun, clerk in the said shire).

54. MEMORANDUM for the Lord Clerk Register Tarbet in reference to his care of the Records of Scotland, and proposed increase of fees of office, 1685.

Memorandum for the Register.

Your Grace will I hope give some account of my diligence and fidelity, particularly since July 1684.

That Clerk Registers in the parliaments where they had vast gaine had alwayes tokens of his Majestie's favour, albeit some did yeeld severall thousand pounds sterlin to them, and this hath not yeilded 200 to me.

That the addition to my perquisit will not exceed 150^{lb} per annum, and my care of the records is doubled. Besides that the records which were never in order nor secure, are now both for the future; and I have putt bygones which were in a totall confusion, to order both for the King and peoples use, and have found thereby many writts of the highest importance.

That the joining my barrony to the shyre of Cromarty is a favour was never refused to any, and in which none can possibly be concerned, tho it were in ane heritable shirrefship. Earl Midlton and the parliament 1662, did take of a whole shyre viz. Rosse from Inernes in favours of Seafort at my single desyre; so was Cathnes and Sutherland formerly taken of it but for litle parcels to accomodat privat subjects. I am the first it was ever refused, and if any had suffered so much trouble and losse by beeing in on shyre with the Earl of Seafort, they would have complained lowder, when wee have been quartered on whole half yeares for his deficiency, and are so to this day.

Since the Earl of Seafort complains that he was neglected in the comand of the councell and imputes that to me, he is in the wrong, for his commission to bring out his 400 men was on of the first sent by the councell, and the cheef man beeing to comand the regiments, and the next to command the horse and heritors, since he commanded the foot he could not be mentioned in the proclamation, which was issued but for the second rank of comanders, the comanders of the regiments beeing formerly ordered, and this was the Earl of Murrayes mistake also in the Lord Duffus matter.

But for my part I was so litle ambitious to comand any others men, that I did break my regiment in three to please others.

In the matter of the mint, I referr to my proposall, but the generals office most be discharged and the comission to be in place of it, but use only Sir John Falconer's name in the proposition.

If gifts be goinge mind your faithfull servant as yow think fitt.

I will send up a signatur of change of 10 chalders of victuall of Lochsline from ward to taxt.

Let the President, Advocate or any new intrant to the secret committee be clerk per vices yeare about, for it is ane excessive trouble.

A short Memorial of the Mint affairs.

If a mint be sett up money most be coyned to our standard or worse.

If worse, whatever is abased of the money whither in fynnes or weight (which is all on certainly) that will diminish and substract just that much of all the goods and lands of the kingdome.

If money be coyned at our standard, so long as any forreign money of a worse standard passes, the whole that is coyned will be weekly carried away in merchandise.

If wee continue as wee are, the samme losse wee have from the base forreign money, as if wee coyned below our standard, for wee only imagine the forreign coyne to be worth what its called, but it is valued by all wee trade with, but at its true value.

The base money is on certaine cause of the scarcisy of money and poverty of the people.

For to fancy that the allowance of base money incuradges merchants to bring in money is a grosse mistake, since the merchant will bring no more money in, nor he resolves to buy of goods, and he would bring that in of good money, if bad did not passe, and wee are only cheated when wee take as 58 shillings what in all trade with other nations is worth not 54 shillings.

Therfor since there is a certaine national advantage in haveing a mint to coyne our bullion, and merchants would import money to be coyned, if they find ane easy coynadge, and since to coyne bad money is madnes and certaine loss.

Therefore, its fitt to coyne money at our owne standard of elevn denier fyne out of the fyre. This is a litle lower nor the English to keep in our coyn and it was ever so, but its better then all the forreign money passing here be farr.

But it will be all caried away if forreign money be not discharged absolutly.

This would be a loss to all the nation, who now have nothing but forreigne coyne almost.

The remedy of all is to recoyne the forreign money to our standard, which will take at least 12,000 pounds sterling to make up the difference.

And thereafter the King giveing his bullion to the expence of the mint and allowing 200 ston of silver to be coyned at 10 denier fyne in 5 and 10 shilling peeces, to runn currant only in the kingdome, there will be a coynadge given to merchants for litle or no expence viz.: for the petty charges, which is 24^{sh} scots or 40 shillings sterling on each ster (stone) of silver.

But 4,000 stone of copper is desyned to help the undertakers.

55. INSTRUCTIONS by the secret committee of the Privy Council to the Duke of Queensberry as Treasurer, to make representations to his Majesty on a variety of subjects connected with the Kingdom of Scotland. It is signed by the Marquis of Atholl, Lord Tarbat, the Lord President Falconer, and Sir George Mackenzie, Lord Advocate, without date, but evidently after the rising of the parliament 1685.

Sederunt.

Lord Treasurer, Lord Privie Seall, President, Advocat and Register.

It is thought fit that ane acompt be given by my Lord Treasurer to his Majestie of the present state of this Kingdome since the late rebellione.

Especially that albeit the rebellione be compesseed, yett the principle is not extinguished, and many are of it, who, if not further crushed, may as weil revive and act mischeevously heirafter.

And that therefore albeit the measurs formerly taken, which have brocken them, can not now be prosecuted, because all submitt. Yet it is advised that the heads who are under guilt be brocken, so as to be uncapacitat to doe ill, and that notwithstanding of any indemnitie may

be given; yet an eye is to be kept over them and the forces posted with a respect to that, untill by experience they be found to have forgot their malignitie.

As to what is past in the secret comitty, and as to the little differences on some measures proposed, the minutes containe the articles, and as the letters sent to us carie what they reported and are by us, so our answers on all occasions carie our opinion and the reasons thereof, to which we adhere as particularly, to the bond proposed in Clesdall, and since urged, which we could not concur in because it was impracticable, and the forme of these obligations were expressly prescribed by Act of Parliament. And when the Lord Treasurer offered to cause his district to take it, if it were judged fit, the secret comitty referred any consideration thereof to the next parliament, because of the generalitie of the concerne and the tenor of the Act of Parliament against it, wherby it could not tend to a solid securitie.

The Lord Treasurer would represent to his Majesty that all of us in the secret comitty have ever concurred in everie thing and everie resolutione, without the least contradictione or oppositione, in everie individuall thing unanimously.

The Lord Treasurer would represent to his Majesty that his Majesty would consider, that the secret comitty can not be considered by him as to be answerable for the events of government, since nothing comes before us but when we are to prepare a proces or examine informers; but as we ought not to steep further then we are allowed, so we ought to be considered as having no influence on the greater wheels of the government, such as the qualities of persons employed. These actions and methods, their interests and concerns thereby and relations. Nor can we influence the first grounds when we are commanded or we be consulted. For in our duty when we are ordered to run in a road, it were undutifull to us to stop untill our advice were taken whether that were the right road. This would be represented so as not to infer that we desire to be consulted in these greater matters. But that we be not blamed for the effects when we are not consulted in the

We humbly desire that his Majesty may consider that affairs persons and actions will have a different aspect at 300 miles distance from what they have on the place, and that his Majesty would not see things the worse, if things were represented as well by those who are one the place as well as by those who most but conjecture, or perhaps take there measures from private informations.

There is a draught of the Indemnitie marked by the King's Advocate, wherein is to be considered whither to except Argylls rebellione in the terms in it, or to extend the pardon to this as to the other rebellione 1679, with the exceptions relative to that rebellione, which is referred to his Majesty. But at least it is our humble opinion, that an Indemnitie in the terms of the Act is necessarie. But as to the particular persons to be nominatim expressed, we are not ripe to give advice as yet in that, and it will be fitt to be delayed till they be fully informed in the beginning of the sessione.

It is advisable that the livenancies be recalled if the King thinks fitt.

And since the Indemnitie concludes bygaines that for the future the counsell be commanded to emit a proclamatione ordering shireffes and others to strate and exact observance of the laws against new transgressours.

The Lord Treasurer would informe himselfe of the state of the comission of trade and where it stopt, and lay it before his Majesty, that it may be knowne what is to be expected from England in it

that meassurs be taken accordingly heer, and to give his Majestie ane acompt, that the preservacione of this natione depends on it, for if they doe not communicat trade with us, wee must prohibit all wearing of English cloth.

The natione crying out for a mint and the great consumptione the natione is under by base forrange coyne, and that the natione will be destroyed, if the money be not brought to a just standard, as also if all the forrange coyne be not recoyned without loss to the people; to remeade thes great evells there is ane overturne given in to the Lord Treasurer for redress heirof, which is referred to his Majesties consideratione. And it will be a most acceptable thing to the natione if the artillery company and a proportione of the cess lately granted may be employed one this use, to the value of 12,000^{li} sterling, for receiving the forreigne mony.

The King would be informed that all the heretours, who are in prisone and not sentenced, are under proces.

The King's Majestie would be plassed to consider that not taking of the test, according to the late Act of parliament, can be advantagious to nobody, bot some ringleading fanaticks, who doe not exceed 24 persons; and if they be let past it will be a new head for ther partie, but the executione and applicatione of it may be so regulated, that it needs extend no further then those few and within a short tyme, and use may be made therafter of the Act as his Majestie pleases, with which his Majestie may consult his counsel heer. If any thing be spock of the Act of parliament concerning the militia, it would be represented that the reasons moving us to goe on in it are fully in our letter sent up of the

If the proces of forfaitur past in parliament be spock of, our reasons for the relevancie on the acompt of the interest of the crowne would be told his Majestie, least it be thought that wee made, and wee have the more reason to have our services to his Majestie truly represented, since a verie moderat aprobacione past for us in parliament was so much scrupled at by some.

But as to the militia, it beeing left to the King's pleasour by the Act it could have no inconveniencie, and by it the parliament was incouraged to the supply and all other grants, and was the only thing wherby they vere gratified, and it was impossible to discipline them and undisciplined all the croud twixt sextie and sixteen is as good as they. And by the Act of militia the King's prerogative was stratned dangerously, which by this new Act is totally taken of, and the unsignificancie of the militia. This late commotione hath fully demonstrated by their mutinies and other irregularities, and the militia of the west could not be trusted with armes, few militia men beeing there who have not been actually in armes against the King, and on the contrare it did and does seem necessarie for the securitie of the goverment that they be disarmed.

The King's Majestie would know that all commissioners of excyse, suppl7, and justices of peace, vere by a generall rule nominat by the commissioner of the shyres and by the noblemen of these shyres, and the persons apoynted for the trade. Argyll's affairs, commissione of the church and others vere by the Comisioner nominat and advised with us according to his Majestie's instructione.

For the settling of the peace of Argyll and Tarbat, it is propossed that ane indemnity be past to all the comons who shall come in befor a certain day and enact themselves to all obedience for the futur. That all the heretours in these shyres who are guiltie of rebellione be forfeald, and the Lord Advocat is desired to heast proces against them. The houses are ordered to be cast doune viz. :—Dunstafnag and others, and

the shireffe is ordered to execut the laws vigorously against theft and roberie, and a comissione sent to him for this effect, and by a proclamatione the Highland comissione is ordered to endeavour restitutione of the goods robbed.

There would be a new comissione for the Highlands by his Majestie and the nomination by his Majesty's counsel.

And for a generall securitie of the peace of the Highlands it appears necessar that two companies of the standing forces be ordered to be divided by the secreit counsell in fitt posts, without which the laws will not be executted nor honest men secured.

In the process comanded against the late Duke of Monmouths aires, its thought that the aires most be either sent doune or sett at liberty to make the proces formall.

As to the state of the right of the estate, the lawiers are to consult the rights, but in generall it appears what stood in the late Dukes persone falls under the forfaitour, and what stood in the Duches persone will not fall, and we are informed that the Lords of Sessione by a decreit have reduced all rights which vere made by him and repond hir; however the Advocat is to goe one in the proces against the aires, but litle can be done in it till November nixt.

It would be told that the proces against Auchinbreck, Ardkinglas, and others of Argyll complices is to goe one, but Saltoune most have a new proces because his great cryme hath emerged since the last proces was raised.

The King would be informed that the proces intented against Staires before the parliament was remitted to the Justices, but that one Sir John Cochran's informatione and Spence's confessione, it appearing that he assisted with 1000 lib. ste(r)ling to the rebellione, that a new process is intented, and the said Sir John Cochrain and Spence ordered to be examined be the Justices to ly in retentis.

The King's Majestie would be pleased to pass a remissione to Spence, and the Counsell in the meintyme to repryve till the first counsell day in October.

Charles and John Campbell and Lord Neils sone most be forfaitued or they be banished.

His Majestie would consider how much it imports his Majestie to give a ship to carie away prissoners, when any number of them shall be apprehended.

If any thing be spoeked of Argylls maner of executione, of the Act for augmenting the registers fees and for adding some lands to Cromertie shyre from Ross.

His Majestie may be informed that Argyll's forfaitur being one consequentiall treason, and no tyme being allowed for a new proces that the executione behooved to be one the first cryme and sentence; but since therby there is nothing on record of his last hideous treason, it may be proper yet to forfeit him.

As to the aditione of the registers fees, it is no new practise, and the new trouble imposed one the register and his deputs, and the securitie of the people be far above what they vere formerly appeared a good reason for it, and so all of us thought or it past and doe so still; and as to that of the shireffship, it is ane ordinar favour granted to all who ask it, and the Commissioner did shew us an instructione for it.

The King may know of the matter of Marques of Atholl and Lochzeill, and the depositions taken, if any thing be spok of it: thir and a coppie of what is informed against Lochzell presented.

The state of the garisone at Inverarey would be represented that it hath been heitherto one the Marques of Atholl's expences, and that as yet he hath not received one farding of that sent nor will not for a tyme, it beeing cast absolutly vast.

If Duke Hamiltoune shew any resentment against the late Earle of Tarras depositeone, where he is mentioned, it would be told that the first peaper sent by Tarras with his lady which is sent up did give a ryse for generall intergatoures, which without a cryme wee could not but urge, tho without designe against any particular persone living.

There are many peapers which vere taken with Argyll are put in a servant of the Exchequer hand to revise and to be considered.

His Majestie would be pleased to consider of how much importance it is to the crowne to retain the possessione of choseing the provest of the brugh of Edinburgh ; for this is the true way to keep them from faction, and from misemploying ther revenue and governing the towne only with ane eye to procure elections.

The Lord Threasurer would represent to his Majestie that the forces which his Majestie hath in this kingdome are sufficient to suppress any comotione that can aryse within it selfe, and as many as can be conveniently entertained in the kingdome. For the povertie of the natione is above what any can think, and some things are necessarie to be done for the natione by the publick stock, such as the establishment of the mint and to have some money in cash. And it is certaine that if my Lord Threasurer had not had money in the castle, the intertainment aither of horse or militia had been impossible and the enimie might have ranged at pleasure. And therefore it vere advisable and more in our humble opinion for his Majestie's interest here that the number of single souldiers in tyme of peace should rather be diminished then any new forces to be rased since a little money heer is difficult to be raised and ther is much to do with it. But without any diminutione of the present forces the mint may be established to the satisfaction of all the natione.

GEO. MACKENZIE.

S. DA. FALCONAR.

ATHOLL.
TARBAT.

56. ANSWERS by the Duke of Queensberry to the Libel given in to his Majesty against him by the Lord Melfort after the first session of parliament in April 1685. The King kept both the principal Libel and Answers.

Just double of the Ansuers made by Duke Queensberrie to the Lybell and accusation given in against him to his Majestie by the Lord Melfort after the parliment 1685, wher the said Duke was Commissioner, and for greter clearness the severall Articles of the said Lybell are here mentioned before the Ansuers.

1st Article of the Lybell.

In the 6th Act obligeing husbands &c. to answere for ther wives, the pouer of obsolving or mitigating fyns is left to the councill and not to the King, which is highly undutifull. Act 6.
In. 11th.

This Act was made in persuanee of his Majestie's royall pleasour, intimat by his letter to the Privie Council bearing date the day of and brought down by Earl Pearth, warranding them to fyne husbands for ther wives irregularities, and to acquitt or mitigate the fyns of loyall husbands, as ther loyalty and merite should be made appeare; and the Act is in the exact tearms of the letter and the Instructions given to Duke Queensberrie theranent, by which his Majestie devolves Answere 1st.

that poure to the Councill, and it necessarily behooved to be so, since such sentences wer to proceed upon judiciall tryall, and has been the method of all former parliaments in caices of this nature. The King and his counsell are not different; what is remitted by the parliament to the counccills determination is still understood to the Kings, and its a grosse missconstructing the Act of Parliament to pretend the contrair, as if the parliament did intend by ther remitting this matter to the counccill to exelude the King, which is equalie against law and sense.

2nd Article of the Libell.

Act 10th.
Ins. 6.

The 10th Act concerning judiciall confessions comes not the lenth of the Instruction, since it is only a temporary law, and that is ane abridgement of the prerogative by which it was done before that law was made.

The 10th Act anent judiciall confessions was brought in to the Articles as a perpetuall law in the tearms of the Instruction; but tending extreamly to the alteration of the antient laues of the kingdom, most of the Articles and the whole lawiers ther did much oppose and debate against it, and it having mett with generall opposition, as being judged of dangerous consequence, this temporary law was resolvd upon by the Secreit Comittie as the best expedient, and even that did not pass without difficultie; and how his Majestie's prerogative is more abridged by this temporary law then if it had been perpetuall cannot be comprehended.

3rd Article of the Lybell.

Act. 12.
Inst. 5.

In the 12th Act severall Catholicks are namd commissioners of Assessment, ordained to act under seveare pains and fyns, and to take the test and other oaths contrary to ther religion.

Ansuer 3d.

The Commissioners of valuation for the severall sheyrs wer not now nor in any preceeding parliament named either by his Majesties Commissioner or the parliament, nor wer ther names ever so much as read in parliament, the common course having still been, that the noblemen and commissioners for the seaverall sheyrs made up these lists and gave them to the Clerk Register who inserts all in the Act, so if ther be any named who ought not, they have only ther oune freinds to blame, who therby design them favour and not a snaire, and particularly Mr. Thomas Gordon, clerk to the Justiciarie, who does the Duke of Gordon's bussiness, complaind to Duke Queensberrie about raisinge of the parliament, that non of Duke Gordon's freinds wer namd commissioners in the severall sheyrs wher the said Duks interest lay, wherupon Duke Queensberrie, the Commissioner, orderd him to give in lists to the Register of the said Duke's freinds to be added, which accordingly was done, and these containd most if not all the Roman Catholicks mentiond in the Act, who if they be insnaird by this trust have only Mr. Thomas Gordon to blame, who ought to have knoun the law in that caice. Beside, his Majestie would be pleased to remember that the preceeding parliament wherin he was commissioner did enjoyn these commissioners to take the test (and the Secreit Comittie now thought fitt to doe the samin) so that it's noe new Act or design of this parliament; and albeit these commissioners be oblidge to accept as they will be ansuerable, yet that imports neither seveare pains nor fyns, since the application of it is still reserved to his Majestie, they being only ansuerable to him and his counccill if they shall so refuse; and as this was by the Secreit Comittie singly levelld against phanaticks, so non other can be in heasard

by ther not accepting, since his Majestie may acquitt them at his pleasure.

4. Article of the Lybell.

The 24th Act is contrar to the Instruction, since masters are not obliged to answer for ther tennents as they ought. Act 24.
Inst. 9.

The Act is not contrary but agreeable to the Instructions in evrey thing, all former lawes obligeing masters for ther tennents being renewed and declaired to be in force, which wer judgd by the parliament to be sufficiently strick in that caice, and that nothing could safely and justly be added to them ; and as this was all that the parliament (after full debate in the Articls and seaverall amendments of the Act) could be brought to condescend to, so the Secreit Committie found it reasonable and advised to accept of it. Answer 4t.

5. Article of the Lybell.

In the 31 Act for securing the officers of state ther is more then the Instructions, and that to the King's prejudice, as ommissions, by which the King is tyed up not to enquire into the ommissions in his service. Act 31.
Inst.

His Majestie by his Instruction has allowed the whole actings of his officers and ministers to be fully approven in parliament, and they to be secured as to ther actings in his service in most ample forme. This being the tenor of the Instruction, it was judg'd reasonable by the Secreit Committie and the whole knowing lawiers of the nation, that this approbation and securitie should extend as weell to ommissions as commissions in his service, without which they could not been fully secured in the tearms of the Instruction ; and his Majestie has allways been pleased to allow such Acts in favours of his servants and ministers to passe in the most extensive and favourable tearms as the Instruction in this case bears ; and if ever the actings of his Majestie's servants be inquird in, probably non of them will have more reason to crave the benefit of this Act both as to ommissions and commissions then these who now reclame against it. Answer 5t.

6 Article of the Lybell.

The 32nd Act concerning the militia, contrary to the Instructions, and against the good of the King's service, as was the method of carrying it on. Act. 32.
Inst. 25.

This Act anent the militia is upon the matter the same, that his Majestie has allowed by his Instruction, since it only discharges the randevouze of the said militia dureing the King's pleasour, reserving still pouer to his Majestie to convene them as he thinks fitt according to former laues ; and what is objected against it is but a meer quibbling of words ; nor was it otherways caried on then by his Majesties special warrand and in the ordinar methods of parliament, and likeways by the advice and approbation of the Secreit Committie ; and that so loyall a parliament should be chargd with carying on affairs by methods against his Majestie's service and interest seems hard and not to be answered for if questiond. Answer 6t.

7 Article of the Lybell.

The 36 Act anent ane Address against the familie of Argyle is contrair to the King's prerogative, without Instruction, and of dangerous consequence, since the councill has twice allready committed the cryme therin statut high treason. Act 36.

Answer 7t.

The Address which the parliament made to his Majestie against Argyle was brought in both to Articles and parliament in the terms of ane humble address, and voted and past as such, but never considered (nor will the draught beare it) to be of the nature of ane Act, nor was it touched by the scepter as other Acts are, as appears by the Minuts of Parliament. And tho the tittle beare the word Act yet that inferrs only that the parliament orders the Address to be made, which and all things else done in parliament most in forme be done by way of Act, and as this was approven and brought in by the Secret Committies advice so the reasons that moved them to it seem loyall and dutifull, the late Earl of Argyle being then in actuall rebellion, and the whole discontented people in the nation ready to joyn him; and the lyke cruell and unnaturall rebellion haveing at the same tyme broke out in England under the command of the late Duke of Monmouth. I say these reasons made the Secret Comittie judge fitt that the parliament should give that publick testimonie of ther abhorrence of such courses, and of the familie that occasioned them heir, which at the tyme I'm sure had good effects in the King's service and deterred many from joyning the rebells; and the whole import of this address was humb(ly) to implore his Majestie in the terms therein mentiond that Argyles freinds and favourers might be therby discourag'd, nor does this address beare one word statutorie, but on the contrair the strain of it runns in ane humble petitioning his Majestie; and since all that the parliament by this address desyrs to be done against the familie of Argyle, and much more was actually done and past unto a positive law by a former parliament, wher King James 6 was personally present against the restitution of the familie of Gourie, as appears by the Act signd by the Register and heirwith given his Majestie, which runns in much higher terms then this address. The Secret Comittie and parliament thought his Majestie would be so fere from being offended att this ther so loyall and zealous address, that they expected thanks for it as the best service they could doe upon that occasion, and thought if it had been omitted they might be justly chargeable with remissness in his Majesties service; nor is the printing and publishing it less excusable, being at a tyme when the rebellions wer on foot in both kingdoms, as said is; and considering ther is nothing of Argyls rebellion remains upon publick record in Scotland, save this adress, it was judged both fitt and necessar that it should remain in the publick records of parliament: by all which how malicious, slight and groundless, this article of the libell is, seems abundantly cleare, since whats complained of could never have any ill consequence, nor did not passe in a law; and that the Secret Comittie approved of all this matter appears by ther letter to the Thesurer of the 6th of October 85 heirwith shoun to his Majestie; and till the King declaired his pleasour anent the adress, that ther was the least heasard in contraveening it is obvious in law and sense, fare less that the Privie Councill committed the cryme of treson by iuteposeing with his Majestie for any of these accessorie to that rebellion, which seems to be a bold asertion, and wherof they are very easily able to vindicat themselves.

8th Article of the Lybell.

Act.

The Act of annexation of Argyle's offices, jurisdictions, &c., includes Arran belonging to Duke Hamilton and excludes Orknay and Zettland.

Answer 8.

Argyle's offices wer annexed exactly in the terms mentiond in his infestment, which contain the jurisdiction of all the isles of Scotland, excepting Orknay and Zettland, and these being the precise words of the infestment, the annexation behooved to runn in the same terms,

without excepting Arran or any other isle ; and, beside, ther was noe application made by Duke Hamilton or any for him to the Commissioner and parliament to have Arran excepted, nor was it knoun that Duke Hamilton pretended to the Justiciary therof, and it's supposed Duke Hamilton was present in Articles when the said Act past, at least I'm sure Sir George Lockhart, who is trusted in all his affairs was, and nothing being objected by any body against him, how could Duke Hamilton's concern fall under the Commissioner's and parliaments consideration, and if the familie of Hamilton have a legall tittle to that Justiciarie (which many question) it can no wayes be prejudged by this annexation, since he may declare it before his Majestie's Judicatories at his pleasour.

9. Article of the Lybell.

That of annexation of forfeited estats to the croun has in it some excluded by the Instructions, and has some left out for favour to the Thesurer's freinds, as is most evident by that notorious cheat in the lands of Carbello. Act 42.

Both the branches of this Article of the Lybell doe grossly misrepresent matter of fact and very confidently assert against his Majestie's Commissioner and the parliament notorious falsehoods, for as to the first pairt, that lands are annexed which wer formerly gifted by his Majestic, it's supposed to be meand by Collonel Oglethorp's interest in Galloway, and is a great mistaike, for by his Majestic's letter bearing date 11 May 1680, and by a bond given by the said Oglethorp and his partners therupon, the effect of ther gift is restricted to 600^{lib} sterling yearly ; wheras the lands therin contain'd, and to which the rebels ther predecessors had right, will amount to neir double that soume, and are such as for many reasons the Secreit Committie judged fitt his Majestic should acquire ; and touching Collonel Oglethorps right, it is reserved by the Act, and noe body else is concernd to make such an objection especially against his Majestic's interest : and as to the bussiness of Carbello, which (as is humbly conceaved) is exprest in tearms very undiscret against the Commissioner and parliament, it is a great and malicious callumnie, for these lands are anexed in the express words of Sir John Cochran's infestments, as the publick records will instruct, if his Majestic judge fitt to cause inquire further in the matter ; and the Thesurer knoues nether the lands nor persons concernd, and ther is noe favour done or designd to any body but singly to annex what Sir John Cochran had right to, which is all the parliament did, and behooved to be done in the tearms of his infestments. Ansuwer 9.

10. Article of the Lybell.

The 43d Act in favours of the inhabitants of Orknay and Zetland not instructed and against his Majestic's prerogative. Act 43.

This Act of privat concern allowing the inhabitants of these remote islands (being his Majestic's proppertie in great pairt) a longer tyme to appeare before his judicatories at Edinburgh upon citation and process betuixt privat parties, then his Majesties other leidges who live not at such distance. This Act was desyrd in favours of these inhabitants by the tacksmen of the King's rent, and was judgd reasonable and for the good of the King's interest by the Lords of the Secreit Committie ; and, besyde, his Majestic has by a generall Instruction warranted all such privat Acts, and wherin the prerogative cannot be in the least concernd, so it mett with noe opposition, and all privat Acts of that nature have been so past both in this and preceding parliaments. Ansuwer 10th.

11. Article of the Lybell.

Act 45. The 45 Act in favours of Sir William Bruce against the Instructions, and the granting ane hereditary jurisdiction by Act of parliament without the King against his prerogative and the constant rule of gifting heretage viz. by his Majestie's signatur and great seall.

Ansuer 11th. What's said against this Act in favours of Sir William Bruce is a misrepresentation of matter of fact, for Sir William long before the parliament had right to that sheriffship and others mentioned in the Act from the King by his Majestie's signatur and great seal, whereof this is only a ratification; and these doe pass in course and are denyed to noe subject, and besyde this Act was advised with and approven by the Secret Committie, and for which it's conceived the Comissioner was sufficiently warranted by his Majestie's Instruction, the whole privat parties concerned having consented.

12. Article of the Lybell.

Act 38. Concerning registration of writts not instructed, and against the King's prerogative, in so fare as it imposes upon the leidges ane imposition of money without the King's consent or knowledge.

Ansuer 12th. His Majestie by his Instructions did warrand the passing ane Act for further securing and preserving the registers and records, in order to which this Act was agreed to in the Secret Committie (as a further security to the leidges); by whom it was lykewayes thought just and reasonable, that in consideration of the Lord Register's additionall pains and trouble in his office ther should be a small adition made to his fies, so what's mentioned in the Act was condescended upon and is said to be a very inconsiderable thing not exceeding 200^{lib} sterling a year, and was most willingly agreed to by the leidges who wer the only persons concernd. The lyke adition was made to the Registers fies in favours of Sir Archbald Primrose by the parliament 1661, tho the said Sir Archbald was then putt to noe additionall trouble, and for passing which Act the then Comissioner had noe instruction; and as in this matter the Secret Committie wer then very unanimous and doe yet adhere to ther former opinion, so it was with great zeal and concern managed and carryed on in the Secret Committie, Articles and parliament by the Lord Chanceler, who used all his interest to have it granted, and when the Register after this noise about it would have past from and dischargd it dureing his tyme, the Chanceler and others of the Secret Committie disswaded him.

13. Article of the Lybell anent Acts ommitted.

That of the mint without which it is the generall opinion the kingdom cannot long subist.

Ansuer 13th. The imposition of one per cent. for a free coynage (out of the annual rents) was proposed in Articles conforme to the Instruction but was vigorously opposed by most of the members; and therefor and that in all probabilitie it could not cary, the Secret Committie, judged fitt to delay it, and the rather that most of the nobilitie and gentry who wer most like to have gone allong in the thing wer then absent and with the King's host against the rebels, so that the burrous wer the only intire state at that tyme in parliament, who wer resolved as one man to have opposed it.

14. Article of the Lybell anent unprinted Acts.

One in favours of the Register erecting ane hereditary jurisdiction without the King's consent, as that of Sir William Bruce with this addition that this includes the King's oune proppertie, not instructed.

Ther is a generall Instruction for disjoyning particular lands from one sheyre and annexing them to another at the request of heritors. And this of disjoyning the Registers lands from the sheyre of Rosse and joyning them to the sheyre of Crommartie was desyred by him as convenient for his interest and the inhabitants and prejudiciall to non. It was brought in to the Secreit Committie and by them judged reasonable and agreeable to his Majestie's Instruction, and was managed and caryed on both ther and in the Articles and parliament by the Lord Chancellor, and non oposing it was unanimously past, but when Earl Seaforth's interest was represented (which was not till after the Act past) the printing therof was disscharged till his concern should be heard and determind, so it still remained stopt. Ansuer 14th.

15. Article of the Lybell.

A Commission of Parliament with Parliamentary pouer to supply, as is pretended, the last Commission granted by the King under the great seall to determine in the state of Argyle, against the King's prerogative not instructed, the Commissioners not named by the King nor to be answerable to non by the tenor of the said Act.

This Commission with a parliamentary pouer was most just and necessar for his Majestie's service in respect severall persons had upon pretence of debts, wher not a 6 pence was due to them, purchast localities in that estate, not only of unconfirmd vassalls and other lands which will be found to belong to the King, but even of his Majestie's oune fewduties and other casualtics, which by this Commission most be restored to the crown, which could not be legally done without a parliamentary pouer; and it seems strange to assert that a Commission given by parliament in the King's oune favours and to determine his oune rights should be against his prerogative. The Commissioners are by the Act left to his Majestie's nomination (tho the contrair be confidently aserted) and the Commission most pass the great seall, so that the King may qualifie it as he pleases; and if he shall not think fitt to name the Commissioners the commission falls, which these who reclaime against it have very good reason to desyre, since they know that the localities they have gott will be called in question upon undoubted grounds of justice and law, and a great pairt of them will be found to belong to the King; and that this Act was fitt and absolutly necessar for the King's service the Secreit Committie wer unanimously of opinion, without which it had not been proposd in Articles or parliament. Ansuer 15.

16. Article of the Lybell.

Another Commission with parliamentary power to cognosce on the inferior judicators, contrar to the Instructions, and ineroaching upon the King's royall prerogative.

His Majestie did give ane Instruction to pass ane Act for regulating inferiour judicatories, and the constant method therof has been by such commissions, nor is it to be supposed that a bussiness of that nature can be otherwayes done except the parliament wer to sitt at least 6 month to examine the errors and escapes of the inferior judges, and whats to be helped or altered in judicatories, which (considering the many seaverall judicatories of the nation) is a work of noe small tyne Ansuer 16.

and labour, and the other chief judicators of the nation are already regulat by the same method. It's lykewayes to be mynded that the Secret Comittie unanimously approved of this way and orderd the Act to be brought in to the Articles accordingly, which past ther and in parliament without contradiction.

Upon the whole matter it's to be mynded that all the Acts past this session of parliment as weell mentiond as not mentiond in this malicious lybell, were revised and approven by the Secret Comittie, and by them allowd to be proposed in the Articles, in which all of them wer unanimous upon evrey occasion, as ther Instructions to Duke Queensberrie when he went up after the parliament beare. As also most if not all of the said Acts past in this parliament wer (before being moved in Articles) sent up by the Secret Comittie to the secretaries and returned with approbation, so ther was noe reason to fear they would be objected against after they wer past; and if they wer wrong the Commissioner is less to blame then any of the Secret Comittie, being by his Instructions ordred to follow ther advice in evrey thing, which he did exactly as ther letter to the King and Instructions heirwith kept beare; and lykewayes if any of the said Acts be wrong draun, it's noe way chargeable upon the Commissioner being noe lawier, and having at that tyme the weight of the war and great affairs of the government upon his hand, in which he had little help, so that wording of Acts of parliament and such like bussiness was much out of his rode, and ought to have been done by the President, Register and Advocatt, whose bussiness it is, who (and non else) drew the whole Acts, and after passing the Secret Comittie they wer amended or approven in Articles and parliament accordingly.

This is the Just Double of Melfort's lybell against Duke Queensberrie, the Secret Comittie and parliament with Duke Queensberrie's answers therto, which his Majestie was pleased to keep for his oune satisfaction, and after perusall therof did immediately order the said Duke's exoneration to be prepaired for his royall hand, which accordingly past there and was expعاد here in dew forme.

And these are the trey representations of matters of fact reflected upon in these remarks upon the proceedings of the late session of parliament, which is hopt satisfied his Majestie and convinced him of the insolence and injustice of that lybell, by which many of the said Acts wer misconstrued, his Majestie's Commissioner and other officers of state and a dutifull and loyall parliment misrepresented and impeached, for inroaching upon his Majestie's royall prerogative, of carying on business by methods against the King's service, of partialitie and injustice, for favour of freinds, of cheating, and of insolencies and crymes of the highest nature, and his Majestie's privie councill in plain tearms accused of treason: and these being indignities never person had the confidence before to putt upon officers of State, Commissioner or parliment, this humble representation is offered to his Majestie in ther behalf, who in ther severall capacities and actings have behaved themselves with the greatest zeall and loyaltie imaginable, and in some things that parliment and Commissioner did more for advancement of his Majestie's service and to secure his croun and succession then ever parliment did before, wherof the following instances are offerd to his Majestie's consideraton.

- 1°. The Inland excyse of the kingdom, which by former parliments was only granted for a short tyme, is by this for ever annexed to the croun, which makes ane addition of 29,000^{li} sterling yearly to the constant revenue.

- 2°. The annexing the forfeit estates (which and prosecuting the phanaticks are the trew rise of all this clamour against the Thessurer) and the restoring to the crown the old fewduties of Argyle, taken away by former parliments, will augment the revenue towards 8000^{lib} sterling yearly.
- 3°. The supplie which was given by former parliments did continou but a shorte tyme and came not the lenth of what his Majestie's service seemd to require. So this parliament has most cheerfully not only made a considerable addition to the then current supplie, even to the outmost of what the kingdom is able to give, but has continued the whole dureing his Majestie's life.

These particulars being now stated in a constant revenue and added to the old crown rent, which formerly was very inconsiderable, does secure to his Majestie if right managed a renew sufficient to maintain a considerable force for support of his royall government; so that ther will not be so great need of parliaments after and beside the advancement of the revenue in these and other particulars. The Commissicner and that most loyall parliament have contrived and past such lawes for making the payment therof, as also fynes &c. effectually, which was never done before. They have also so fare secured his Majestie's government against the turbulent phanaticks, that not a man of interest, who is of that principall and refuses to conforme himself to the law but his estate is at the King and Councils mercy, who by Act of parliament have it in ther pouer to inflict what fynes they judge fitt in these cases, and because methods wer allwayes taken to defraud the King upon these occasions the parliament both past the Act forsaied for making these fynes effectually, and declaired ther estates effected with them preferable to other creditors.

They have lykeways been so fare from ineroaching on his Majestie's royall prerogative, that they have by ane Act ouned and acknouledged the King's absolute, unlimited and suppream pouer in more express and full tearms then ever was done by ther predecessors. They have a(l)so made offerr to his Majestie of ther lives and fortouns, and have oblidged the nation to bestow both in his service when and wher his occasion shall require, and this is lykeways done more fully and effectually then by any former parliament, and makes the militia after this of noe use.

From these and many more instances that might be offered of the great loyalty, zeall, dutie and affection of the Commissioner and parliament, it's hoped his Majestie will not only have suteable thoughts of both, but also in his oune way and tyme vindicat them from these insolent and calumnious aspersions wherwith ther actings are so mali-tiously and unwarrantably charged.

SPEECHES of the LORD COMMISSIONER and LORD CHANCELLOR at the opening and closing of the parliament &c. 23 April 1685.

57. ARRANGEMENT of the order of parliament and business.

The parliament having come up in their order they are to march in from the place of their lighting to their respective seats in the parliament house. The constable conducts the Commissioner from the ladies steps to the door of the parliament house, quhair the Marishall receaves him and conducts him to the barr.

Wher the Chancellour and all the other officers of state meets him the Chancellour with the purse goes befor his Grace and the other officers of state follow him.

Soe soon as he is sett upon the throne the Commissioner comands prayers to be said, and after prayer, he delivers his comission to the Lord Chancellour, and the Lord Chancellour to the Register, who reads it twice.

Then the Rolls of parliament are called and absents marked, a litle tyme allowed to take protestations.

The court is then fenced in the usuall manner and the oathes taken and subscribed.

Then the Lord Commissioner delivers the King's letter to the Lord Chancellour, and the Chancellour to the Register, quhich is twice read and ordered to be recorded.

Then the Lord High Commissioner speaks, then the said High Commissioner deysrs the Lords of the Articles to be choisen.

Wherupon the Lords of the Clergie goe to the Counsell chalmer or old Exchequer roume.

The Lords to the Sessione house.

The Barrons and burgesses keep their seats.

After the bishops having made chose of 8 noblemen, and the noblemen of 8 bishops,

The 16 meet together eyther in the Counsell chalmer or Exchequer roume, and make choice of 8 barrons and 8 burgesses.

All these soe elected are carried by the Lord Register to the Lord High Commissioner.

And if he approve the same then all the members are ordered to returne to their seats.

And after they are sett the Lord High Commissioner attended by the officers of state, ascends the throne.

And the Lord Register publishes the names of the Articles, the Lord High Commissioner add to them the officers of state,

Then the Lord High Commissioner nominats a comitty for the contraverted electione.

Which ordinarily consists of thrie of every estate, quhair of five to be a quorum, and the officers of state supernumerare. The Lord High Commissioner nominats the first dyett for the Lords of the Articles, and the forsaide comitty for elections, and declares they have power to adjourne their meetings as they sie expedient.

Then the Lord High Commissioner adjournes the parliament to a certaine tyme and prayer is said.

Att all other meetings, prayers being said the Rolls are called, and reports from the Lords of the Articles are brought in in their order.

58. SPEECH of the LORD COMMISSIONER, 23rd April 1685.

sic.

The Commissioner's speech at the opening of parliament the 17 Aprile 1685.

MY LORDS AND GENTLEMEN,

HIS Majestie has been pleased so fully and oblidgingly by the letter you have now heard to intimate his royall pleasour to yow, as what I am to say seems in a maner superfluous, so I will not take up much of your tyme, nor doe more then touch a few things as breifly as possible.

And in the first place, my Lords, this being the day of his Majestie's coronation in our nighbour kingdom, yow sie he is noe sooner placed in the throne of his royall ancestors then he inclyns to have your advice in what may import the good of his service and subjects here; by which yow ought not only to be convinced of the great confidence his

Majestie has of the loyaltie of this his ancient kingdom and of ther good example to his other dominions, but lykeways how fully he makes good his royall word and declaration to follow in his reign the example of his late Majestie of ever glorious memorie, under whose protection and government we enjoyed so long peace and quiet. I say, my Lords, as by calling you so soon his Majestie expresses great confidence in yow and seems still myndfull of the zeall and affection of the last parliment for the rights and prerogatives of the crowne; so in dew return, it's not to be doubted but yow will upon this occasion not only exceed what has been formerly done, but cheerfully comply with all can be proposed for establishing his Majestie's greatness and your oune securitie, and by this convince the world how sensible ye are of the great honour his Majestie allowes yow of being the first parliment of his dominions to doe so.

I'm in the next place to tell yow that his Majestie is very myndfull of the dutie and loyaltie of this kingdom to his late Majestie and himself, when he was heir amongst us, and the better to compose the mynd of his faithfull subjects, I'm allowed to assure yow of his princely resolution to protect and maintain the religion and government of this church as they are now established by law, and that he will take the persons and concerns of the regular clergie into his speciall caire and protection, and in order therto I'm to give the royall assent to such lawes and acts as can be reasonably proposed.

I'm lykeways to let yow know that his Majestie will concerndly maintain your just rights and propperties according to the established lawes of this kingdom, and will not allow of oppressive arbitrary proceedings in souldiers or others, and his Majestie being also sensible of the great decay of our trade has warranted me in his royall name to consent to such lawes as shall be offerd for the recoverie and improvement therof.

And, my Lords, to conclude what I'm to say on this subject, his Majestie is so concernd in the encouragement, weellfaire and prosperitie of this his ancient kingdom, that he will not only doe what can justly be desyred or expected for these ends, but even in the bussiness of the excyse and militia (his more immediat concerns) I am warranted to goe the greatest lenth for your ease and convenience, that the nature of these things can beare, and his Majesties service and your oune securitie will allow.

And, my Lords, his Majestie having in all things so evidently discovered his gracious inclinations for the good of this kingdom, and given us the fullest assurances of his favour and protection that our hearts can desyre, what sutable returns and acknowledgements can we make to so excellent and incomparable a prince, who in all things relating to our quiet and prosperitie prevents our very desyres; so if dureing his reign (which I pray God make long and glorious) we be not the happiest people in the world, we have only our selves to blame.

And now, my Lords, the King having in all points so fully done his part, it concerns yow in the next place to mynd yours; and in order therto I make noe doubt but yow will asert the rights and prerogatives of the crowne, and establish the revenue as amply upon his Majestie and his lafull successors, as it was enjoyed by the late King or any of his royall progenitors, since yow can not the least doubt but his present Majestie's caire for your repose and securitie will rather exceed then fall short of that of his royall ancestors. But to use further arguments to incite yow to what is so much your dutie and interest wer at the same tyme to question your loyaltie and zeall for his Majestie's service, and your concern for the interest and honour of your native

country, whose representatives ye are; so I shall not injure yow or lessen your thanks by saying more upon the subject.

My Lords, his Majestie certainly expects from the prudence and loyaltie of this parliament, that effectually wayes will be fallen upon for destroying that desperat phanticall and irreclameable pairtie, who have brought us to the brink of ruine and disgrace, and are noe more rebels against the King then enemies of mankind, wretches of such monstrous principles and practises that past ages never heard nor those to come will hardly beleive. What indemnities and Acts of grace and clemencie have they not contemnd. And all the use they made of them has still been to harden and confirm them in ther execrable villanies, and how inconsiderable so ever they appear, assure your selves they ought not absolutely to be contemned; for if they had not support and correspondence not yet discovered, it's not to be supposed they could have so long escaped the caire and vigilance of the government. It therfor concerns yow both in honour and prudence noe longer to dally with them, but that the outmost severities be most effectually applyed and all wayes taken both to discover ther favourers and retired and secret haunts.

My Lords, I doubt not but all of you sufficiently know that some of our nation are too deeply involved in the late horrid conspiracy, who (and some others for treasonable cryms and practises of another nature) are to be proceeded against before this parliament. The evidence of ther guilt I shall leave to its' propper place and tyme, and doe not doubt but his Majestie's Advocatt will manage this weightie matter with suteable caire and faithfullness; so all I shall further say upon this subject at present is that if Allmightie God (who watches over the securitie of princes) had not miraculously discovered and dissappointed those, the most hellish and barbarous designs that wer ever contrived, in place of that peace, happieness and tranquillitie, which we now enjoy, these kingdoms had certainly been at this day a sea of blood, and in all imaginable miserie and desolation; which being evident beyond denyall will certainly provoke your and all good mens indignation and resentment against such who can be reacht, not only as advisers and contrivers of these villanies but concealers of them; and since our honour and securitie evrey way seems absolutely bound up in the life of his sacred Majestie, ought we not most cheerfully to grant what the exigencies of his myld and most gentle government requires, especially since what we so give is still betowed upon ourselves and for maintaining us in our just rights and poseessions against the crewell and barbarous designs of his and our enemies.

And now, my Lords and Gentlemen, in the last place touching myself I shall not say much. My unfitnes for this eminent station is possibly more obvious to me than to any of yow; however, since his Majesty has been graciously pleased to place me in it, I am resolved to serve him boldly and firmly; and therby labour to make up my other great defects, and as this has still been my practise in the other great trusts I have the honour to carry under his Majestie, so I know his goodness will allwayes except of the sinceare indevours of his servants in place of greater performances.

59. SPEECH of the LORD CHANCELLOR at the opening of Parliament, 23 April 1685.

My Lord High Chancelers speech in parliament.

MY LORDS AND GENTLEMEN,

AFTER what my Lord Comissioner hath so weell represented to yow it will be very little necessary for me to say much. I shall only take the liberty to putt yow in mynd (of what I beleive you are sensible

all ready) of the many obligations this nation lyes under to be graittfull to our great monarch. When by the command of the late King, his Majestie who now reigns came first hether, what disorders, divisions and animosities found he among us. To bring the state of things into your prospect as it was then could not be very graittfull to yow nor pleasing to me, but we all remember with joy how well he left us, and by what easie gentle wayes he brought about the establishment of that unitie, which we wer beginning to despaire of.

Since that tyme how much we have been in his particular caire dureing the happie reign of that excellent prince, his brother, of ever blessed and glorious memory, it's knoun to all the world. But of all the instances of his Majestie's caire for us, his favour towards us and his good opinion of us, this of his calling us together in the very beginning of his reign (which God grant may be long and prosperous) that we might have the oportunitie of presenting him with the first frutes of the service of his parliament and becoming examples to his other dominions, is the greatest, and what we should prize the most, improving it as fare as it will goe.

When we consider what strange turns the extravagant follies of some and the malicious deivlish contryvances of others amongst us have taken, since the last meeting of a parliment, what convulsions have attacqued the body of this nation, and how vile a ferment has raged in it, to have our advice called for by our prince how to provide proper remedies for it is the greatest honor could be putt upon us.

That we may doe what in deutie we are bound, in return, lett us lay asyde all privat aims and ends, for how can we hope to serve his Majestie or promote the interest of the nation, while our eye is directed only towards our oune particular; and lett us with the frankness and cheerfullness of honest Scotsmen use all possible means for uniteing of the nation, and the drivinge from amongst us whoever will not joyne with us upon such tearms as may conduce to the advancement of the honour and interest of our King and his croune, and the weellbeing of this our native countrey, which we should not suffer to be defiled, and rendred contemptible to the whole world, by entertaining so venomous a bastardly brood of villanous men, as have of late, to the reproach of Scotland and of human nature itself, maintaind principles and venturd upon practises not to be named amongst any who have ever heard of a government much less of religion.

My Lords and Gentlemen, you all know what a conspiracie hath been entered into by ill men of both kingdoms against the sacred lives of the late King and his present Majestie; and who but incarnat deivles could think of attempting any thing against such precious lives, for what prince in Europe or the whole world was ever like the late King except his royall brother, who now reigns, and to have cutt off any [of] them had been barbarous to a degree of making us appear more abominable then any people ever wer, but for us to have lost both had been our uter ruin. Yet against both was the design laide, and had succeeded, if that watchfull Providence, which hath so often preserved the two royall brothers in so many difficulties had not defeated the success by ane unforeseen accident; and had it succeeded what confusion, what crueltie, what blood, what unexpressable miserie had overflowed these kingdoms.

But beside this, we have a new sect sprung up among us from the dunghill, the very dreggs of the people, who kill by pretended inspiration, and instead of the temple of the Lord, the temple of the Lord, had nothing in ther mouths but the word, wreisting that blessed conveyance of His holy will to us to justifie a practice, suggested to them by him,

who was a murtherer from the beginning, who haveing modelld themselves into a commonwealth (whose idoll is that accursed paper the Covenant, and whose only rule is to have non at all) have proceeded to declaire themselves noe longer his Majestie's subjects, to forfeit all of us, who have the honour to serve him in any considerable station, and will be sure ere long to doe so, if not prevented by this great and honourable court. It is how to ridde our selves of these men and of all who inclyne to ther principles, that we are to offer to his Majestie our advice, concurrence and utmost assistence. These monsters bring a publick reproach upon the nation in the eyes of all our nighbours abroad, while in ther Gazetts we are mentiond as acting the vilest assassinations and the horridest villanies. They render us unquiet and unsecure at home; they bring reproach upon our religion and are our great plague.

Let us for the saike of our alledgiance, for his Majestie's honour, for our reputation abroad, for the vindication of our religion, and for our oune peace and tranquillitie, make haiste to gett our selves cured of it. If this wer once effectuat, we might yet hope for quiet, and in order to the making our quiet more comfortable to us when once we are to come to a resolution about what relaits to the publick peace, and to the respect we owe to his Majestie, we may have occasion of considdering what lawes may be necessary toward the facilitating the weel governing of our selfs and native cuntry, both as to the regulating our carrage to one towards another, and the secureing our estates from any thing that may be uneasie from the distribution of justice between man and man, as to the improveing of our tread and commerce abroad, and encouraging industrie and frugalitie att home; for in all these things his Majestie's caire will not faile us, and my Lord Commissioner amongst his many other advantages is so weell known to be a lover of his cuntry, that we need not feare but that he will give his concurrence in what he is allowed so freely to consent to.

My Lords and Gentlemen, to encourage us to doe all we can towards the service and the honour of our glorious monarch, lett us consider him in all his personall advantages, whither in what relaits to warr or peace, wher has the world affoorded such ane other, one whose naturall induments have been improven by his great experience at home and abroad, in armies and courts, by the greatest tryalls of the most differing kynds, those of prosperitie and success, and of adversitie and opposition, of heasards and toyles, and of authoritie and command. Did ever man shew such exact ane honestie in the strictest adhering to his word, such temperance and sobrietie, so indefatigable a dilligence in affairs, so undaunted a courage upon all occasions, and so unwearied a clemencie towards the most obstinat malicious offenders? Did ever hero compleat the character so fullie in overcomeing bravely and shewing gentleness to the vanquist, and I most say the triumphs of his patience are not his obscurest glories, nor is the foregivcing of those whose virulent tongues would have tainted his fame (if ther malice could have reached it) what is least to be admired. What reputation other princes have laboured for, at the vast expence of blood and thesaur, and the putting of a constant constraint upon themselves sits so easie upon him, that what they would have, he forces from the consciences of his very enemies, by his merite, and it costs him noe more then to be himself. But this theam is not for me, I doe him wrong; and while it may be at this very moment he is receaving the acclamations of his good subjects in the chief cittie of our neighbour nation at the great solemnitie of his coronation there, I am detracting from him heir by giving him too low a character.

I shall only adde that he gave his subjects the greatest example of loyaltie and obedience, while he was one himself, and now hees ane example to all kings in his love and clemencie and caire towards his people, let us give him the return of our love, our fidelitie and our obedience, and seing he takes pleasour in nothing so much as in our felicitie and prosperitie, lett it be ane additionall ty upon us to advance his honour and greatness by all the indeavours of our lives and without reserve, and with our whole fortouns, which under his protection we may (if we please) so peacably and comfortably enjoy.

60. The LORD COMMISSIONER'S CLOSING SPEECH at the RISING of
the PARLIAMENT.

MY LORDS AND GENTLEMEN,

I HAD been undutifull to my master and highly injurious to yow, if I had not given tymeous and full accounts of your great zeall and resignedness in his Majestie's service upon evrey occasion, since this parliment begunn, and particularly in the bussieness of excyse and supplie, of all which assure yourselves his Majestie is abundantly sensible, and commands me to return yow his royall thanks, with assurance of his favour and protection, both in your publick capacities and private concerns; and that the nation made choyce of so loyall a representative at this tyme, when good example and unanimitie wer so necessar is of infinite honour and advantage to us all, and will I'm sure for ever secure us in his Majestie's good opinion.

My Lords, I need not now particularly resume the great things ye have at this tyme done in his Majesties service. They're recent here and have been of good ouce [use] elswher. But this in generall I may without vanitie say, that as ye have in loyaltie and unanimitie exceeded all former parliments, so the great happieness and securitie of this nation and his Majesties servis will be, that all succeeding parliments tack you for ther exempell, and certainly our great master at this day is more happie in yow then other princes are in thesaur and armies, since yow have loyall harts cheerfullie to grant both when his service and your owne securitie requires, and upon other occasions his Majestie will never putt yow to the least trouble.

This barbarous rebellion interrupts our quiet extreamply, but I hope the firmness of this parliament and the just indignation you have shoune again[s]t the principles, persons and practises of those who have occasioned it, with the blessing of God upon his Majestie's great caire and conerne for us, will speedylie defeat ther villanous designes, and by hastening ther uter destruction secure our peace for ever.

And, my Lords, in the last place, ye most allow me to acknouledge with all imaginable gratitude, the great respect and kindness yow have been pleased to show me since I had the honour to serve in this station, which I'm sure I shall never forgett, but by the whole actions of my life shoe my just sense of it, and wher I can serve any of you with my master I shall never be wanting; for nixt to the honour and satisfaction I have of haveing been in this eminent trust so successfull in the service of the greatest and best of kings, I shall still consider and oune it as my cheife happieness to have served with persons of your worth and loyaltie.

And now, my Lords, it only rests that I tell you as his Majestie is unexpressable weell satisfied with your service upon this occasion, so judging yow may at this juncture be of more use to him elswher then here, and not doubting of your zeall in his service as weell in your privat as publick capacities, commands me in his royall name to adjurno

this parliament till the day of October first at tenn a clock in the morning at this place, and accordingly it is adjourn'd.

So God save King James the 7, grant us a happie meeting, and confound all his Majestie's and our enemies.

61. LETTERS of APPROBATION by King James the Seventh in favour of William first Duke of Queensberry for all his actings in any public offices, including High Commissioner to the current parliament.

Letters of Approbation and Exoneration by James (the Seventh) King of Great Britain, France and Ireland, and defender of the faith; wherein the King considering how his most trusty and welbelov'd cousin and counsellor, William Duke of Queensberrie, for these many years bypast had discharged very many employments and offices of the highest trust, intrusted to him by the King and his dearest brother of most blessed memory, with the utmost prudence, skill, zeal, and remarkable fidelity, particularly as principal treasurer and justice general of our ancient kingdom, governor of the castle of Edinburgh, extraordinary lord of Session, and also as one of the lords of our Secret Council, and of the number of our Secret Committee, and sheriff of Nithsdale and Galloway, and very many other most eminent employments in the said kingdom; and lately also as High Commissioner in the first session of the current parliament he had represented the King's sacred person and royal authority. In the discharge of all these offices the said William, Duke of Queensberrie, conducted himself and discharged the offices with candour and perfect integrity and with the King's highest approbation and satisfaction. And because it was clearly known to the King, that the said William, Duke of Queensberrie, in all his very great and eminent employments, had nothing so much before his eyes as the exact performance of his duty and the accurate observance of the King's commands and instructions, in promoting the King's service, right and weal in the said kingdom; and the King holding in much esteem the steady and exemplary loyalty of the said Duke and his family, and desiring that he, his heirs, successors and representatives should be exonerated, secured and completely indemnified as to all actions, omissions and commissions, that could be in any way objected against him in any of the foresaid offices and employments: Therefore, the King, with mature deliberation not only ratifies and approves all actions, administrations, proceedings and deeds of the said William Duke of Queensberrie in discharging the employments and offices foresaid of his High Commissioner in the first session of the current parliament, Treasurer principal of our said kingdom, Justice General of the same, Governor of Edinburgh Castle, Extraordinary Lord of Session, Lord of our Secret Council and Secret Committee, sheriff of the districts of Galloway and Dumfries, and all other offices and employments, intrusted to him by the King or his most serene brother of most blessed memory. The King further declares that he is abundantly and most amply satisfied of the administration, zeal, skill and fidelity of the said William Duke of Queensberrie in all his foresaid employments, and fully exonerates him thereanent, dispensing with the generality of these presents, &c. But also for the further security of the said William Duke of Queensberrie, by virtue of his royal prerogative and privileges of his crown, of his certain knowledge and proper motion, the King remits, forgives, indemnifies and exonerates the foresaid William Duke of Queensberrie, his heirs, executors, successors and representatives, of all crimes, transgressions, malversations, and mistakes in his actions, and all the said omissions or commissions or speeches, and others whatsoever, done by

him, however far the same may be extended against him and his foresaids, their persons estates &c. even though the same reached to treason or lese-majesty; and of all other crimes &c. and that he had received by entertainment and afforded help, or spoken words with rebels and fugitives, or that they had been received in his fields and estates, and of his knowledge and concealment of treason, and all other crimes whatsoever &c. Inhibiting all Judicatories &c. to molest the said William, Duke of Queensberrie, and his foresaids for any such crimes committed by him or for any of his proceedings in prosecuting the offices intrusted to him &c. preceding the date hereof, or any other transgressions that might be objected to him, such as contraventions of the laws, constitutions or custom of this kingdom, even though they extended to treason and lese-majesty. Further declaring that this approbation and laudation of administrations, actions, proceedings of the said Duke shall not derogate from his letters of remission and indemnity in favour of the said Duke and his foresaids, but should be as effectual, as if the crimes and transgressions &c. were expressly inserted in these letters; all which the King remits, forgives and discharges for ever. These letters of remission and indemnity to be as valid and effectual, as if the said William, Duke of Queensberrie and his foresaids had obtained an Act of indemnity passed in the parliament. Finally the King wills and ordains that this exoneration and remission, and its various words shall be understood and extended in the widest sense. The great seal is commanded to be appended. At the King's Court of Whytehall, 31 October 1685, and first year of the King's reign. Per signaturam manu S. D. N. Regis suprascriptam. Written to the Great Seal and sealed 9 November 1685, as the official indorsations shew.

62. ORIGINAL LETTER by William first Duke of Queensberry to his Majesty King James the Seventh, dated Holyrood House, 2 February 1686, relative to the recent tumults in Edinburgh, and also especially in reference to his management of his office of Lord Treasurer, and suggesting improvements in the administration of it for the benefit of the King's revenue.

Holyroodhouse, 2 February 1686.

MAY IT PLEASE YOUR MOST SACRED MAJESTIE,

NOT doubting but my Lord Chancellor has given your Majestie full account of the late scandalous and unexpected tumults here, and what the Privie Council has done for preventing such in the future, I shall not need trouble your Majestie with any thing upon that subject, only some are of opinion that another provist had been large as usefull upon this occasion; for this man, I finde, only considered the bishop's substitute, who is still the old man and has this tounce once more in the old method, and how inconsistent this may prove with your Majestie's interest and service tyme will discover. When your Majestie has account of the late bustles here, I hope I shall be found to have done my part, as I shall still doe to the last droppe of my blood, when your Majestie's service is concern'd. Touching bussiness relating to the government and other things extrinsick to my trust, I shall not presume to trouble your Majestie, not doubting but my Lord Chancellor and others in whose provence they ly gives much better accounts of them then I can. But as to thesaurie affairs I most with régraitte tell your Majestie, that they are not in the condition I once design'd and had certainly accomplished, if I had been left alone, all imaginable wayes being taken to divert money from being brought in, and noe pretence shunn'd how extravagant soever of throuing it away, in so much that if other methods be not

speedily fallen upon, it will not be possible that the revenue can defray the current charge of the government and pay the armie; of all which your Majestie will send [*sic.*] speedily convinced, when ye see the present state of the revenue, which I am preparing and will be there in few posts. By the bussiness of the fynes, I design'd, not only to have had the charge of the late war re-founded, and the precepts draun upon that found satisfied, bot to have putt £2,000 sterling in your Majestie's coffers; tho by the methods now taken, I find I'll hardly gett money to ansuer the precepts, so all the rest will be lost and your Majestie's enemies in noe worse condition then formerly, tho I presume their principles are still the same. The bussiness of the toune of Edinburgh, by which your Majestie thought to acquired Strathmore and Arroll's interest in the estate of Argyle languishes extreemly; nor doe I expect any thing that way, this provist bestowing the touns money more usefullie. The Secret Committie is speedily to transmitt to your Majestie the draught of a commission to some of Earl Tueddall's freinds for counting with the steuards of the estate of Bacleugh, and receaving the resting-rents from them and the tennents, in which I cannot joyne for reasons writte to the Secretaries to be communicat to your Majestie. Besyde that I know Tueddall's clame to be most unjust, as I formerly signified to his late Majestie with Earl Aberdeen and this Advocatt, to whom that affaire was then referred, soe doe humbly wish your Majestie putt it in its trew channell by ordering me and the Thesaurer Deputt to intrust such with it as weell ansuer for, and I doe assure your Majestie the thing will be better and more speedily done and the reputation of your servants preserved. These and many such contryvances are design'd to mortifie me, which shall never be in my enemies pouer without injuring your Majestie at the same tyme, for I'm sure I never had or has anything in prospect but your Majesties service, and what malice I ly under for designing the destruction of your enemies and to keep your money from these I'm sure will never deserve it, the whole nation sees. But what I say in all these matters is without designe of accusing any man, but singly to exoner myself as a faithfull true servant, and I know your Majestie has the goodness not to take notice of it to any body. Many here would allarum and make me beleive hard things designed against me, but I have too great. proove of your Majestie's justice and favour to have the least feare, so long as I mynd my dutie, and longer I desyre not to live. I was sorie this day to hear so great heat in councill, wherof your Majestie will have account from others, and possiblie short tyme will convinc your Majestie that some both here and there deserve the character of Lauderdaile more then I. My second son's bussiness with the Countess of Weemis being now deserted, I presume to return your Majestie the letter ye did me the honour to wryte in his favours, which I judged not fitt to delyver, finding the settlements could not be effectuat. Mean while I'm sure I have all the resentment I'm capable of, for the great goodness your Majestie was pleas'd to express for me and my familie upon that occasion.

I humbly wish your Majestie have serious thoughts about your Thesaurie bussiness in which the fewer your Majestie allows to meddle, your coffers will be the fuller, for the Secretary's nor noe body else ought to know what's doeing there, fare lesse to be procurig precepts and recomending old clames which ought not to be heard of, but by what means all this comes about is sufficiently knoun here.

Your Majesties not allowing me the honour of your commands as formerly in thesaurie bussiness encourages my enemies extreemly, and is of noe advantage to your Majesties service. However, its my dutie to

submitte to your Majestie's pleasour, which I shall still in evrey thing doe with that dutie and obedience becomes,

May it please your most sacred Majestie, your Majesties most humble, most faithfull and most obedient subject and servant,

QUEENSBERRIE.

63. LETTER by King James the Seventh to the Lord Treasurer relative to the recent tumults in Edinburgh and also at Aberdeen. His Majesty adds that "I will not let any suffer or be the worse for being of my persuasion."—Dated Whitehall, February 10th 1686.

Whitehall, February 10, 1686.

On Monday in the afternone I had yours of the 2: and at the same tyme the two Secretaries read to me the account they had with the journals of Councill relating to the tumult which happened where you are. I intended to have written to you upon that subject myself, but coming late from hunting had only tyme to talke with those of the Secret Committy that are here and order the preparing the letter I then signed to the Councill upon that affaire. I find by the letters which came this day of the 4. that all was quiet, and that at Aberdeen there had happned something of the same nature there, which makes it look as if there were something more than meere accident in it. However, I hope what has and will be done will keepe all quiet, and brisknesse must be used at the beginnings of all such tumults or els they may proue dangerous, and those that I employ must be suported. As to what you say concerning the Tresury businesse, I have not tyme nou to say anything to you of it, nor of any thing els, only that I will not lett any suffer or be the worse for being of my persuasion.

For the Lord Tresurer of Scotland.

64. ANOTHER LETTER from King James the Seventh to the Duke of Queensberry intimating that his Majesty had resolved to put the Treasury into commission, and making Queensberry President of the Council and one of the Committee of the Treasury. Dated Whitehall, 25th February, 1686.

Whithall, February 25, 1686.

By that tyme this gets to you you will have the Lord Tarbet with you, who I haue charged to tell you the reasons which moued me to put the Tresury againe into commission. I haue also discoursed at large upon the same subject both to Lord Rochester and your sonne, and assured them, as I now do you, that nothing but my being satisfied upon long and mature considerations that it is absolutely necessary for the good of my seruice could haue obliged me to do it. And to lett the world as well as yourself see I do it upon no other account, I make you President of the Councill and put you into the Committy of the Tresury, in both which stations as well as in that of the Secret Committy you may have the oportunity of seruing me as well and as usfully as in the former station you were in. As to my putting the command of the castel of Edinburgh into the Duke of Gordon's hands, I thought that necessary at this tyme, to make that towne haue more regard for my commands and euiler to the catholiks, by seeing it in the hands of one of that perswasion, who I am sure neuer thought of asking for it, nor dos he know yett I intend it him. I shall end as I began with assuring you I haue done all this upon no other consideration than what I already sayd; and as I expect the same seruice from you which I always did, so you may be sure of my kindnesse and protection to you and yours.

For the Duke of Queensberry.

J. R.

65. WARRANT by King James the Seventh, granting to William, Duke of Queensberry, as Lord President of the Privy Council of Scotland, a yearly pension of £1,000 sterling during pleasure.

Warrant by King James (the Seventh) ordaining a letter to be made and past under the Privy Seal of Scotland, granting with advice of James Earl of Perth, Lord High Chancellor, William Duke of Hamilton, George, Viscount of Tarbat, Lord Register, William Drummond of Cromlix, Lieutenant General of his Majesty's forces in Scotland, Lords Commissioners of the Treasury, and also with advice of the rest of the Lords Commissioners of Exchequer, to William, Duke of Queensberry, as Lord President of his Majesty's Privy Council of his said kingdom, a yearly pension of £1,000 sterling, to be paid at Whitsunday and Martinmas, during his Majesty's pleasure only; and charging the Lords Commissioners &c. to pay him. Given at the court at Whitehall, 24 February 168 $\frac{5}{6}$. Superscribed "James R." Subscribed "Perth, cancell," "Hamilton," "W. Drummond," "Linlithgow," "Southesque," "Belcarres," "Kintore," "G. Lockhart," "Ja. Foulis." The docket is signed by "Melfort."

WILLIAM FRASER.

Edinburgh, 32, Castle Street,
10th April 1896.

THE MUNIMENTS OF HIS GRACE THE DUKE
OF BUCCLEUCH AND QUEENSBERRY, K.T.,
IN THE CHARTER-ROOM OF DRUMLANRIG
CASTLE, IN THE COUNTY OF DUMFRIES.

THIRD REPORT.

The present is the Third Report on these Muniments, which has been prepared and submitted by me to the Commissioners. The First and Second Reports were dated respectively, 24 December 1895 and 10 April 1896. This Third Report consists of three divisions of correspondence. The first contains one hundred and twelve letters addressed by James, Duke of York, or as he was styled in former documents connected with Scotland, Duke of Albany and York, to William, Marquis and Duke of Queensberry. These letters are all holograph of the Duke.

The second division consists of letters by William Douglas, Duke of Hamilton to his brother-in-law, William Douglas, Earl, Marquis and Duke of Queensberry, also holograph, and numbering in all eighty-one letters.

The third division consists of holograph letters addressed by Colonel John Graham of Claverhouse, afterwards Viscount Dundee, to William Duke of Queensberry, and are in number thirty-seven letters.

The respective writers of these letters are all well known to history, and the correspondence speaks for itself. To each of the letters in the three divisions there is added a heading or rubric of the principal subjects contained in the letter. These headings will facilitate reading the letters continuously, or such portions of them as may be required for reference. Any detailed description of them is, therefore, unnecessary, but a few explanations in reference to each class or division of the letters may be convenient.

FIRST.—THE ROYAL LETTERS.

These include the period from June 3rd 1682 to July 16th 1685, the three last of the letters being written by the Duke after his accession as King on 6th February 1685. When the Duke of York came to Scotland as the representative of the King in Parliament and council William Douglas, then Earl of Queensberry and afterwards Marquis and Duke of Queensberry became intimately associated with him as his confidential correspondent in Scotland. Queensberry held the office of Lord High Treasurer of Scotland and other offices under his Majesty King Charles the Second and also under King James the Seventh. The latter, for the periods above mentioned, communicated on Scottish affairs very closely with Queensberry. On matters connected with the army and navy in Scotland as well as with the office of Treasurer, the Duke of York's letters show an intimate knowledge, as also indeed with all departments of business, in which the King or he himself was specially interested. In his youth the Duke of York had the advantage of being trained to arms. He was probably too young to be engaged with his cousin, Prince Rupert, either at the battle of Marston Moor on 3rd July

1644, or at the battle of Newberry in October of that year, or at the fatal battle of Naseby in June 1645. But after the retirement of his father, King Charles the first to Oxford, and the surrender of that city to the army of the Parliament, Cromwell was the only officer who visited the Duke. The great Oliver appeared to have been struck with the gallant bearing of the young Prince James. He kneeled before him and kissed his hand.

After many trials endured by him and his brother Charles, after the death of King Charles the first, the Duke of York obtained leave to serve in the French King's army as a volunteer under Marshal Turenne. The Duke gallantly went through all the dangers of the campaign. He was the first to discover that the enemy was entrenching. In the years 1653, 1654, and 1655, he served under Turenne in four campaigns and wished to continue and serve in France, but in obedience to the wishes of King Charles the Second he entered the Spanish service. The Duke's fifth campaign and his first in the Spanish army was in 1657. He became High Admiral in Spain and saw much service in the navy.

Bishop Burnet, referring to the high opinion that Marshal Turenne had of the Duke, records "that the Marshal often referred to him as the greatest prince and like to be the best general of his time." The bishop adds about him that "this raised his character so much that the King was not a little eclipsed by him."

The Duke of York in his correspondence now reported, showed great zeal, ability and punctuality, in mastering every subject. If he could not overtake all his topics in replying to his correspondents, he deferred certain of them to a future day, or arranged for a reference to the King for further instructions. In a letter from Colonel John Graham of Claverhouse to Queensberry, he makes allusion to the Duke of York's decision on certain matters connected with the army, adding that these belonged to the Duke's own province.

The Duke occasionally makes particular allusions to persons or subjects which he considered of interest to Queensberry. A few instances of this may be noted. In a letter dated July 29, 1682 he writes.—"As for newse, Lord Sunderland is come back to court, and all his by past faults haue been forgiven him at the intercession of the Dutchess of Portsmouth, and his owning them, asking pardon, and giving all the assurances of good behaviour for the tyme to come. Many honest men are alarmed at it, but not I."

In his letter of August 26, 1682, he notes in a very few words a rumour then current.—"They say Duke Lauderdale is adying." Three days later he wrote that he did not know when he wrote last "of the Duke of Lauderdale's being dead, but I heard of it so sone as I came from hunting." In the same letter he adds.—"As for the Garter I proposed Duke Hamilton's hauing it, which would not only oblige him, but besids, I thought that the whole nation would be glad to have one of their countrymen have it." This is presumed to have been the garter which had been worn by Lauderdale: and it was somewhat singular that it should be awarded to Hamilton, who was in constant opposition to Lauderdale in his proceedings in Scotland. In the Duke's letter of November 2nd, he writes to Queensberry, "You did very well to undeceve Duke Hamilton," for the writer made no promise that the president's place of the council with a pension of £1000. was designed for him; and this the Duke had told his Majesty as soon as Duke Lauderdale died. "As for newse, all things go very well here. Lord Shaftsbury still absconds. Sir Thomas Player has not been seen these five or six days, and one Wtaker, that was accused of treasonable words is fled, and has left his security to pay for him; and 'tis thought more of that tribe will take the same course."

In a letter dated November 24, the Duke writes "As for newze, this day I had the better of Pilkington upon the statute of *Scandalum Magnatum*, who was fined £100,000 for the words he sayd of me, which is another mortification to the Whigs." Pilkington, who is here referred to, had been one of the sheriffs of London, and the scandal complained of by the Duke was a speech by the sheriff, who said that upon the Duke's return, "he had fired the citie, and was now come to cut their throats." The Duke caused him to be indicted on the 8th May, and the words being proved by two aldermen the court awarded the Duke one hundred thousand pounds as damages.

In a letter, dated 2d December written to Queensberry, he says, "I am absolutly of your mind as to Claueros (Claverhouse), and thinke his presençe more necessary in Galloway than anywhere els, for he need not feare anything Stairs can say of him, his Majesty being so well satisfyd with him." In the same letter, and in another of two days later date, the Duke refers to his hunting and defers answering letters fully till next post.

In a letter, dated December 12th, he refers to the Duke of Hamilton, who had just left London, and was he thought in good humour. Hamilton showed his Royal Highness a letter from one Hamilton a brewer, in which he proposed that he and his partners on the expiration of the present lease would give 1000*l.* a year more than his Majesty had yet received, to have the tack of Edinburgh and one or two of the Lothians. Hamilton desired to have the superplus, but the Duke declined to give him it. He concludes his letter with the following "All thing[s] go very well here and by the Dutch letters we had on Sondag are informed that Lord Shaftsbury was at Amsterdam, had taken a house there, and was made a burger of that towne."

1683.

While matters were going on smoothly in 1682, the following year 1683 was a very anxious one both for the King, and his brother, the Duke. A conspiracy was discovered. The object of it was to destroy the government, and to murder the King and the Duke. This plot was known as the Rye-house conspiracy. That house belonged to one of the plotters. It was situated on the road from Newmarket, along which the King and Duke frequently travelled. The Earl of Shaftsbury, the Duke of Monmouth, Algernon Sidney, John Hampden and many others, who are named in the letters of the Duke this year, were engaged in that plot.

In a letter dated January 12th the Duke writes "All things go very well here, and we do not know certainly where the Duke of Monmouth is, but beleue he is beyond sea, for feare of being obliged to be a wisse against Mr. Hamden and some others of that seditious party.

His Royal Highness about this time attended to general business as well as to hunting. In January, he writes of having hurt his knee with a fall at hunting. He could not stand long enough to speak with his Majesty of business, but hoped to be well enough before the end of next week to go to a hunting again. In a letter dated January 13, he refers to the death of Shaftsbury, one of the conspirators, and he says he does not hear that he is at all regretted by his own party.

In another letter dated Newmarket, March 9th, the Duke refers to "Clavers" (Claverhouse) and says, he had discoursed with him about the charges that Queensberry and the Chancellor had made against him. In referring also to some jealousy on the part of Queensberry that some

might have done him ill offices to his Royal Highness, he writes, "I assure you there is no such thing, and you cannot desire I should be better satisfyd with you then I am; and am very sensible how well you serve his Majesty, and how true a friend you are to me."

In a letter dated April 10th, he writes that he had received a letter from Queensberry's eldest son, Lord Drumlanrig about his desire to be allowed to go into the army. His Royal Highness seconds his request, and thinks he may not fare the worse for being an elder brother. From Windsor, April 24th, he writes.—"And now Clauers will be sone sent back to you. I only keep him here till the Archbishop and Generall shall be come, and by him I shall answer all your letters." The General referred to here is General Dalycell of the Binns, who had gone to Windsor and had told his Royal Highness all his grievances, who added in his letter just quoted, "which needed not his having made so long a journey. I shall by Clauers know what they are. He will now be soon dispatched back to you."

In a further letter from the Duke of York, dated London, May 9, he writes, "The Old General is now agoing back, and I hope better satisfyd then when he came from Scotland. His having spoken to the King himself will have helped to have satisfyd him . . . My daughter's being to be married to the Prince of Denmark will now be no newse to you; and I am the better pleased with it, because I find the loyal party here do like it, and the Whigs are as much troubled at it . . . I came yesterday from Windsor, and am to returne back thether to-morrow from whence I will sone dispatch Clauers to you." In a letter dated May 13, from Windsor, after his return there, he says, "This gos to you by Clauers to whom I must refer for severall things I have to say to you and to informe you how things go here."

In another letter from the Duke, dated from the same place, June 22, he writes, "I am very glad to heare from all haud that Duke Hamilton behavs himself so well. I have done both him and Lord Aran right to his Majesty, and will upon all ocations shew them what kindness I can." In a letter from London, four days later, which he begins with a vindication of Claverhouse from a report circulated about him, he writes, "I am confident they do him" [Claverhouse] "much wrong who report he should say, I am displeas'd with you, since I assure you there is no such thing, and that he is not a man to say things which are not; and this justice I must do him, that whilest he was here, no man was more your friend then he, and did presse all your concerns with more earnestnesse . . . Lord Russell and Lord Gray are sent to the Towre, and that the Duke of Monmouth is not to be found, though a warrant has been out since noon to take him. We are gott to the bottom of this damnable conspericy against his Majesty and the Government. In a few day[s] will be made publike to all the world." In another letter dated from the same place, July 7th, he writes, "There is one taken in the West who is beleved to be that great villan Rombold." The next letter, dated July —, refers to Lord Russell and several of the other conspirators who were to be tried the following week, and states that several people were taken and examined every day who, it adds, acknowledge the rising which was to have been about this time though they had put it off once before. The letter then proceeds "and had mis'd of their dispatching his Majesty and myself." "We are all here so full of this damnable conspiracy that one cannot write of any thing else." In a letter dated July 13, the Duke writes "that the E. of Essex cut his own throte in the Tower yesterday to prevent the stroke of justice, tho he had not yett been indited. Lord Russell and three

others of the conspirators are condemned and are speedily to be executed."

On July 21 the Duke writes giving further news about the conspirators that he had been "all this afternoon very busi of examining people about this develish conspiracy." Walcot, Rouse and Hone were hanged yesterday, and that this day Lord Russell was beheaded. "He behaved himself like a stout man, but not like a good Christian; said little, but left a most sediticus paper signed by himself to be sent to the King."

The conduct of the Duke of Monmouth in consequence of his connection with the conspirators of this year caused much annoyance to the King. Monmouth's restoration to favour troubled both the Whigs and the Tories, and he had to be again banished the court. In the correspondence of the Duke of York with Queensberry towards the end of the year 1683, the conduct of Monmouth comes in for a great deal of unfavourable notice. In a letter of December 8 he writes, "Yesterday Algernon Sidney was beheaded; he died stoutly and like a true republican."

1684.

On New Year's day 1684 the Duke writes to Queensberry "When I come downe to you, Claueros [Claverhouse] "shall know I am not satsyd with his behavior to you." In a letter, dated Windsor, August 5 of this year, he writes, "I find by yours the Boots had done no good upon Spence, and beleve him so stuborne, he will not owne what he knows." In another letter, written ten days later, he writes further, that "he was glad Spence began to speake." In a letter, dated St. James's, December 8, the Duke of York writing about the movements of the Duke of Monmouth, who was then privately in England and causing some alarm to loyal people, as appears from his letter, says "the Duke has been assured that Monuouth came over in the same boat with Lady Henrietta Wentworth. Whether he is in England or not it will not hinder my being with you in March" [for holding the parliament]. Ten days later, writing again from St. James' about arrangements concerning the troops and other matters, he proceeds "I am sorry to heare that Clauros " [Claverhouse] "was so little master of himself the other day at Councell; both the Chancelor and Lundy gave me an account on't, and of your temper not to take advantage of it. I had a letter from Claurous" [Claverhouse] "by the last post, who endeavors to excuse his warmth by saying he took what was sayd as leveld at him; but of this more when Lundy shall be here."

1685.

The last letter in the collection written by his Royal Highness as Duke of York is dated, Whitehall, January 29, 1685, and has reference to a rumour of a new Indulgence to be made. He adds "but the King knows to well both the principles and practices of the phanatiks ever to give them any indulgence."

King Charles the Second died on 6 February 1685, being eight days after the last letter quoted above. The Duke of York then became King James and he writes a letter to Queensberry on February 16 in which he assures him that "the change of my condition has made no alteration in kindnesse to you, having the same esteem and consideration for you as before," and adds other warm expressions of trust and confidence in him.

The original letters of King James the Seventh played an important part in a question which was raised regarding the credibility of the

records of the Privy Council of Scotland in reference to the attendances at the Council of the Duke of York. At a meeting of the Society of Antiquaries of Scotland held on April 11, 1855, a paper was read by the late Mr. Robert Chambers, an eminent member of that Society. The paper was headed—"On a curious difficulty as to evidence arising from an entry of the Duke of York's name in the Sederunt of the Privy Council at Edinburgh in July 1684."

Mr. Chambers explained that "in the record of the Privy Council, the first out of the five meetings after Perth's arrival, he being the new Lord Chancellor, namely, on the 15th, 17th, 22d, 24th July, the sederunt or list of Councillors is headed with the words "His Royal Highness, His Majesty's High Commissioner," being the style under which the Duke of York was recognised in the same record, when he attended the meetings of the Privy Council three years before. To look to this Record alone, and better evidence no one could ask for, the Duke of York was in Edinburgh during the month of July 1684, and presided as was his wont at the meetings of the Privy Council. His style does not head the sederunt of the 23d; one might suppose him to have been prevented from attending that day. It does not occur after the 24th; we might suppose that immediately after that day he had returned to London. The whole looks most natural and feasible, as an indication of a brief visit paid by the Duke at this time to the Scottish capital, in order to inaugurate those new ministers and councillors, from whom a more zealous service of the court was expected. Yet there can scarcely be a doubt that the Duke did not visit Edinburgh at this time and that the entry of his style in the Sederunt is a fiction.

"The most complete disproof of his presence in Scotland between the 15th and 24th of July 1684, would be, of course, an *alibi*. As yet however, means of establishing an *alibi* have not been obtained."

Mr. Chambers in continuing adduced indirect evidence for the purpose of substantiating his statement, proceeds—"It is worthy of remark that in the record which is a *transcript* of notes taken during the meetings, and usually appears to have been very carefully prepared, the *style* of the Duke is interpolated in a space too narrow for it, and thus clearly appears as inserted after the record was completed. In a transcript of the original minutes or notes this could scarcely be as the correction of an accidental omission. Far more likely it was the result of some afterthought, though proceeding on grounds unknown to us and which may never be discovered."

Although upwards of forty years have now elapsed since the late respected author of that paper read it to the Society, happening to be one of the members present at the meeting, I have still a recollection of the discussion which took place upon the subject. Mr. Joseph Robertson, another member of the Society, being himself officially connected with the Records, maintained their strict accuracy in shewing the Duke of York to be present in Council on the dates on which Mr. Chambers threw doubts as to his being in Edinburgh in July 1684. He would not allow the records of the Council to be doubted. Mr. Robertson, indeed, added emphatically that the "Records had triumphed over every objection to their accuracy." After that meeting, I recollected that His Grace the late Duke of Buccleuch and Queensberry, K.G., had in his private room at Dalkeith two volumes of holograph letters of King James the Seventh. I further remembered that they contained letters written by the King from Windsor and other places in England on one or more of the dates in which his name is entered in the Sederunt of the Privy Council at Edinburgh.

At the next meeting of the Society of Antiquaries, held on 11 June 1855, Mr. Robert Chambers read another paper entitled—"Supplementary Notice regarding the entry of the Duke of York's name in the Privy Council's record, July 1685" [1684]. The Supplemental Paper read by Mr. Chambers consisted of a letter written to him by myself. He introduced it by a few words admitting that the question as to the fact itself was now set at rest. As considerable interest had been raised on the subject, I may be excused for introducing here the letter which Mr. Chambers read to the Society of Antiquaries.

"General Register House, 25th May 1855.

"My dear Sir,—From the interest which you have taken in the question touching the evidence of the Duke of York having sat in the Privy Council at Edinburgh in July 1684, I know you will be glad to hear that I have found counter evidence which resolves the question in the negative.

"In the Privy Council Records, the Duke is entered in the 'sederunts' or list of councillors present, on the 15th, 17th, 22nd, and 24th July.

"But there are extant two letters, holograph of the Duke, addressed to the Lord Treasurer, who was one of his confidential correspondents on Scotch affairs, which show that he could not have been present at any of the four meetings. The first of these letters is dated the 22nd of July, being the third day on which the Duke is entered in the sederunts, and it bears to be dated from *Tunbridge*. Of course the Duke could not have been there and in Edinburgh on the *very same day*.

"But independently of the place and date, the subject matter of the letter is equally decisive that he was not present on the 15th when the Earl of Perth was inaugurated as Chancellor. The letter acknowledges receipt of one from the Lord Treasurer dated 15th July, 'by which,' (says the Duke) 'I am very glad to find that most of the loyal men are pleased at Lord Perth's being made Chancellor. I have not yett seen what passed at the Secret Comitty, but believe I shall when in London, where I intend to be to-morrow. I came yesterday from Windsor, and when I return back thether, which I intend on Thursday, shall answer more particularly your letter.'

"The Duke was thus receiving in England accounts of what was passing at the Privy Council at Edinburgh from his official and confidential correspondents there. If he had been personally present to hear and see what was transacted in council as the records erroneously bear him to have been, it was, of course, altogether unnecessary to inform him of the proceedings by letter.

"The second letter is dated at Windsor on the 25th. The Duke acknowledges receipt of a letter from the Lord Treasurer, dated the 17th and two from the Secret Committee. He expresses his satisfaction that the Treasurer had "made so good an understanding between the Chancellor and M. Atholl. 'Tis a very good service to the King."

"There is a third letter which is dated at Windsor, August 5, 1684, in which the Duke says, 'I find by yours that the boots had done no good upon Spence, and believe him so stuborne he will not owne what he knows.' Poor Spence was the Earl of Argyll's servant who suffered repeated and inhuman torture, first by the boots, and then by Dalziel's experiment of the thumbikins, and a hair shirt.

"From the intimation contained in the first letter as to the movements of the Duke from day to day, he appears to have been either in London or at Windsor on the 24th. But it is not necessary to fix at which of

these two places he actually was. Finding him at Windsor on the 25th precludes the possibility of his being in Edinburgh on the previous day.

“At the late meeting of the Society of Antiquaries, where the question was raised by you, I expressed an opinion that the records should be taken as good legal evidence of the Duke having been present in Council, until they were contradicted by better evidence of an *alibi*. I had not previously investigated the matter in any way. I certainly, however, expected that any investigation which might be made would corroborate the records. My leanings were all in favour of the accuracy of the records; but in common candour and fairness to you, I am now bound to confess that instead of being corroborated the records appear to be contradicted by the letters under the Duke’s own hand which are the best of all evidence, and that the view which you and Mr. Macaulay entertained is fully established.

“The letters from the Duke of York to which I have referred are in the charter chest of the Duke of Buccleugh and Queensberry, who is the representative of the Lord Treasurer, to whom they were addressed, which is thus the proper legal custody. They have been examined by me with much care, at the sight and with the assistance of a gentleman of great accuracy, who has the more immediate charge of them and you may rely upon them being correctly quoted.

“An error being thus traced to the Privy Council Records, in so far as they shew the Duke of York in the sederunt of Councillors, the next inquiry should be for an explanation of such a startling mistake. This point I have not yet had an opportunity of investigating. I remain, my dear Sir, yours very faithfully,

“Robert Chambers, Esq.”*

Wm. Fraser.”

As the late Duke of Buccleugh and Queensberry was the legal custodian of the holograph letters of the Duke of York which decided his residence in England in July 1684, he naturally shared in the interest on the subject. I remember his Grace mentioned to me that he had explained the point to the late Lord Chancellor Brougham, who said he was very much interested to hear all about it, as a question of documentary evidence. Having myself been always much interested in legal evidence, more particularly in connexion with Peerage cases, I may be excused for recounting a reminiscence of a subject which happened to me upwards of forty years ago. From my lengthened connexion with the preparation of public legal records, I have no hesitation in holding that the entries of the name of the Duke of York in the sederunts of council arose from pure clerical error.

II.—THE HAMILTON LETTERS.

These letters were addressed by William Douglas, third Duke of Hamilton, to William Douglas, first Marquis and first Duke of Queensberry. They embrace the period from September 1, 1676 to July 11, 1685, and amount in all to eighty one letters, all holograph of Hamilton. Prefixed to each letter is a heading or rubric indicating the subject treated of in it. This will facilitate the reading both of the letters and the references to them.

The Hamilton Letters are not of so much historical importance as the letters of James Duke of York, which form the first division of this Report, or even as the letters of Colonel John Graham of Claverhouse,

* Proceedings of the Society of Antiquaries of Scotland, 1855–1856, pp. 118–120.

afterwards Viscount Dundee, which form the third division of this Report. But the correspondence of a nobleman who held such a prominent position as the Duke of Hamilton, in the affairs of Scotland, from the time of the Commonwealth to the reign of King William the Third deserves consideration.

The illustrious house of Hamilton has had several historians. The most noted of these was Gilbert Burnet, when he was one of the chaplains to King Charles the Second. His Work is entitled "Memoirs of the Lives and Actions of James and William, Dukes of Hamilton," and it was published in the year 1677. Much of the Correspondence, which passed between King Charles the First and James and William, the First and Second Dukes of Hamilton, is printed in that work. The author does ample justice to these two Dukes.

Under the authority of the late Duke of Hamilton permission was granted to me to make a careful inspection of the great collection of Muniments preserved in the charter room at Hamilton Palace. That inspection was made in the year 1879. The entire Collection of MSS., as finally discovered chiefly in, but partially apart from the charter room, formed the subject of three separate Reports. The last of these was submitted by me to the Commissioners on Historical Manuscripts on 15 November 1887. That Report sets forth the whole charters, correspondence and other muniments of the House of Hamilton from the time of King Robert the Bruce down to the date of the Report. It shews that William, third Duke of Hamilton, who was Lord William Douglas, being a younger son of the first Marquis of Douglas, married in 1656, in his twenty-second year, Anne Duchess of Hamilton in her own right. He was at that time Earl of Selkirk, having been so created in 1646, with limitations to him and his heirs male. After his marriage to the Duchess, the Earl of Selkirk set himself energetically to redeem the estate of Hamilton from the great burdens with which it was affected. He was fined in £1000 sterling by Cromwell; and his treaties and correspondence with him and Monck shew how carefully the Earl endeavoured to protect himself from further encroachments. After clearing off the heavy burdens on the Hamilton estates, Lord Selkirk took a more active part in public affairs. On a petition by the Duchess of Hamilton to King Charles the Second that her husband Lord Selkirk should be advanced to the dignity of Duke, the King granted a patent dated 12 October 1660, creating the Earl of Selkirk Duke of Hamilton, but for his life only.

The Duke of Hamilton being thus provided to the highest dignity of the peerage, made a resignation of his peerage of Earl of Selkirk in favour of Lord Charles Douglas his second surviving son. This son was created on 6 October 1688 Earl of Selkirk with the precedence of the original creation of 1646. His two younger brothers Lord John and Lord George were also respectively created Earl of Ruglen and Earl of Orkney. The Hamilton family were thus richly provided with peerages in the time of William Douglas, the third Duke. His Grace gradually became a power in the State, and began to assert himself in opposition to the government of the Duke of Lauderdale, who was Secretary for Scotland. Hamilton and Lauderdale had much correspondence on public business, as appears from the letters still preserved at Hamilton. Taking exception to some of the strong measures which Lauderdale pursued in Scotland, Hamilton began an opposition which was joined in by the Earl of Kincardine and several other Scottish Noblemen of influence. The King, however, did not encourage complaints against his principal minister for Scotland, and the opposition continued unavailing during the life of Lauderdale.

The Duke of Hamilton took a prominent part in the Revolution in favour of the Prince of Orange. He was elected president of the Convention of Estates at Edinburgh, on 14th March 1689, which declared the throne vacant and offered the crown to King William and Queen Mary. Hamilton was constituted High Commissioner by them in June 1689. He was again made Commissioner to the parliament which met on April 18, 1693. This was the last of the royal Commissions which Hamilton was spared to undertake. On his returning from London he died on April 18, 1694 in the following circumstances, as explained in two letters from his nephew, William, Earl of Annandale, dated the 17th and 18th of April of that year. Annandale writes:—"This night about 6 a'clock Duke Hamilton came to this place and in all probabilitie cannot be mannie days in this world, for he is seized with a violent palsie which affects his head, soe as he speaks non, nor knows noe bodie, and hes lost intyrlie the use of his limbs. This distemper begun upon him att Darnton upon Thursday and hes increased by degrees evrie day since, soe that he is in a greatt measure spent, and is nott like to putt itt off long. If his temper, constancie and good humor had been suitable to his parts his loss had been a greatt deall more sensible to the nation."

In his second letter Annandale adds:—"I can now tell you that Duke Hamilton died this morning about six a'clock."*

Anne Duchess of Hamilton survived her husband for twenty-two years, and died in 1716 at the age of eighty. Four years after the death of her husband her Grace resigned all her peerages into the hands of King William on 9th July 1698 in favour of her eldest son James Earl of Arran, who was created Duke of Hamilton with the original precedency.

It was suggested that her Grace Anne Duchess of Buccleuch should follow the example of her sister Duchess and make a similar resignation of her Buccleuch peerages in favour of her eldest son, James, Earl of Dalkeith. But the Duchess of Buccleuch took a different view of the subject from the Duchess of Hamilton. In a letter written by the Duchess of Buccleuch to Lord Melville, dated London, September 3rd 1698, she writes:—"I would have put my son in fee of my estate when Gream would have had me given him half, but till I chang my mind, I will keep all the rights I injoy from God and my foifathers. I did not com to my estate befor my time. I was my sisters aire, and I bliss God I have children which I trust in his mercy will be mine when I am dead. The Duchess of Hamilton is but a woman, and wee are not such wis creatures as men, so I will follow no exampull of that sort till I see all the nobill men in Scotland resin to ther sons; then I will consider of the busines."†

A few weeks subsequent to the date of this letter, the Duchess of Buccleuch, who in the interval had been thinking over the subject of the proposed resignation of her peerages, wrote another letter enlarging farther on the same subject to Lord Melville. Her letter is dated London, November 19, 1698:—"As to the other proposition, I have given my answr as fully as can be esspress'd; so Ile say no mor to troubl you with the matter, only this, I'le nevr light anie body doun stares in my own hous, as the Emprour Maximilion did, for fear I should repent it. Tho' I love my child as well as anie body living ever lov'd ther own flesh and bloud, but will never be so blinded whilst I keepe my reason as to lessen my self in my own famelly, but will keepe my outhorety and be the head of it, whilst it pleases God to give me

* Annandale Family Book, Vol. II., pp. 74, 75.

† The Scotts of Buccleuch, Vol. I., p. 459.

life. And I hope Jeams will have the witt to do so to, and Francis also; and I trust in God a neumourus race from him, and all of a mind to keepe ther own firmly, as ther old grandmother will do, who, God be thanked, hes not disgraced them. By this time, for all your gravety, I am sure you lawgh at your sister for so I am to you, but a man in my own famelly.”*

These two letters are thoroughly characteristic of the Duchess of Buccleuch, who boasted that she had never lost the Scotch heart that was in her.

At the date of the letters there were only two Duchesses in Scotland, Hamilton and Buccleuch, and it seems interesting to note here how those two Duchesses differed in their views about the resignation of their ducal peerages in their own lifetime. Both of the Duchesses lived to an advanced age, the former to eighty and the latter to eighty-one years. From the date of this proposal for resignation of the Buccleuch peerages in 1698, the grandson and successor of her Grace of Buccleuch had to wait for the peerages for the long period of thirty-four years, when, on her death in 1732, Francis, Earl of Dalkeith, became second Duke of Buccleuch.

III.—THE CLAVERHOUSE CORRESPONDENCE.

This Correspondence forms the third division in this Report. The letters embrace the period from 16 February 1682 to 3 July 1685, and extend to thirty-seven in number. To assist in the reading of the letters, or in making special references to them, a heading or rubric has been prefixed to each letter.

The writer of these letters was John Graham of Claverhouse, afterwards Viscount of Dundee. He was a cadet of the illustrious house of the Grahams, Dukes of Montrose. The family were conspicuous for their bravery and warlike renown from the earliest period of Scottish history. Part of their extensive landed possessions was situated in the county of Forfar and known as Old Montrose, as far back as the time of King Robert the Bruce.

The lands of Claverhouse which gave name to the cadet branch were also situated in the county of Forfar near the town of Dundee.

There were several other coincidences between the chief of the Grahams and the cadet branch of Claverhouse, besides that of their being landed proprietors in the same shire. Both of them were educated at St. Andrews, the oldest of the Scottish Universities, and both were distinguished students. Both of them also were closely connected with the noble family of Carnegie, Earls of Southesk and also Earls of Northesk. The first Marchioness of Montrose was a daughter of David, first Earl of Southesk; and the mother of Claverhouse was Lady Jean Carnegie, daughter of the first Earl of Northesk. Both of these Graham warriors distinguished themselves in the history of Scotland by devoted loyalty to their sovereigns and valiant deeds to save their thrones. Both of them also added lustre to the race long popularly known as the “Gallant Grahams.”

After having left the University and entered on his travels abroad, John Graham of Claverhouse was induced to serve for a short time in the armies of France and Holland. He returned to Scotland about the year 1677 or 1678 with the rank of Captain. About that time the troubles connected with ecclesiastical affairs in Scotland assumed a

* The Scotts of Buccleuch, Vol. I., p. 460.

serious aspect, and special measures had to be adopted in reference to the South Western counties. Captain Graham of Claverhouse was selected by the government to carry out their policy and he served several years in suppressing covenanters and conventiclers from 1678 and subsequently. The Earl of Linlithgow was then commander-in-chief of the forces in Scotland. As an officer under him Captain Graham reported to him his military proceedings periodically. His letters to Linlithgow were printed in a volume for the members of the Bannatyne Club in the year 1826, by the late Mr. George Smythe of Methven.

As Captain Graham held part of his commission in the West Country from the Earl of Queensberry, afterwards first Duke of Queensberry, as sheriff of the county of Dumfries, he also addressed periodical reports of his proceedings to him. These letters, containing his reports, have been carefully preserved at Drumlanrig, since the time they were received from Captain Graham. The late Mr. Mark Napier, who was sheriff of the county of Dumfries, and also the biographer of Montrose and Dundee, obtained permission from the late Duke of Buccleuch and Queensberry, K.G., to inspect the original letters of Claverhouse.

During the preparation of the lives both of Montrose and Dundee, Mr. Napier was in frequent communication with me as to several portions of these works. He consulted me repeatedly as to the form in which the original letters of Dundee should be printed. My advice to him was that the letters should be printed exactly as they were written in the originals, and not altered or changed to the standard of spelling applicable to the present day. Several of my friends gave Mr. Napier the same advice, but he followed his own opinion and altered the spelling of numerous words into modern form.

The letters of Dundee are characterised by energy and originality throughout; and no person reading them can misunderstand the object and aim of the writer. I had occasion formerly to deal with a separate collection of letters in the archives of the Duke of Montrose written by Claverhouse to the Graham Earl of Menteith in reference to the intended marriage of Miss Graham, a cousin of the Earl, to Claverhouse. These letters I printed exactly as they were written and without any alteration in the spelling.*

During the military service in Holland, Claverhouse was a dashing and promising young officer, and it has already been pointed out, in the notice of the Duke of York's letters, that on his return to Scotland, both his Royal Highness the Duke, and his brother, King Charles the Second, summoned him occasionally to court. Indeed the two royal brothers appear to have made him somewhat of a companion. Claverhouse relates in his letters a long walk he had with King Charles at Newmarket and states that their sports of cockfighting and coursing interfered with his own correspondence and dispatch of business. The favour shewn to him by royalty on these occasions created jealousies on

* The Red Hook of Menteith, 2 Vols. 1880, Vol. I., p. xxvi. Mr. Napier states that the sixty-four letters by Claverhouse which he printed, is the whole of his epistolary correspondence that he could discover to be extant [Napier's Dundee, Vol. II., p. 9.] He adds that forty of these sixty are printed for the first time from the Queensberry Papers. But in two other passages of his Memoirs he explains that all the Claverhouse letters preserved at Drumlanrig are only thirty-seven in number [Ibid., Vol. I., pp. 14 and 19.] In addition to these thirty-seven the other ten were overlooked by Mr. Napier in the Duke of Montrose's charter chest. These were afterwards discovered by me there. As they were passionate love letters written by Dundee, they form more interesting reading than his military dispatches, especially his letter on the defeat at Drumclog.

the part of some of the higher officers in Scotland, and complaints were made of his hot and impetuous temper in the Privy Council meetings. Still the Duke of York continued to entertain the favourable opinion he had formed of him. In the letters of the Duke of York to Queensberry many allusions to Claverhouse occur, and these are noticed in the Introduction to these letters in the first division of letters in this Report.

One of the letters from Claverhouse to Queensberry about his operations in the West Country, requires special notice. It makes reference to the military execution of one of the humble covenanters by Claverhouse. The letter is dated Ga[1]ston, May 3, 1685, and describes the execution as follows:--

“On Frayday last amongst the hilles betwixt Douglas and the Plelands we perseued tuo fellous a great way throu the mosses, and in end seized them. They had no armes about them, and denyed they had any; but being asked if they would take the abjuration, the eldest of tuo called John Brown refused it, nor would he swear not to ryse in armes against the King, but said he kneu no King. Upon which and there being found bullets and match in his house, and treasonable peapers, I caused shoot him dead, which he suffered very inconcernedly.” The letter goes on to show how the younger “fellow” called John Brounen, a nephew of the older made confessions to save his life.

The execution of John Brown who was known as the “Christian Carrier,” created a wide spread outcry against Claverhouse. Wodrow’s well-known narrative of the tragic event of shooting John Brown, as contained in his History is thus negatived under the hand of Claverhouse. His letter exonerates him of the charge of shooting John Brown with his own hand, as well as of the profane expressions in reference to the Deity attributed to him by the historian.*

After the discovery of the letter of Dundee on the execution of John Brown, Mr. Napier was in the practice of explaining to his friends that he had discovered complete proof of the innocence of Claverhouse. He arranged with the officers of the Society of Antiquaries to read at a meeting of the Society held on 13th July 1857 a paper with this heading:—“Original letter (hitherto unpublished) from Colonel John Grahame of Claverhouse (afterwards Viscount of Dundee) describing the military execution of John Brown of Priesthill commonly called ‘The Christian Carrier’ on the 1st of May 1685.”

The Proceedings of the Society bear that Mr. Napier read an elaborate statement regarding the account given by Mr. Macaulay of the death of John Brown founded upon Wodrow’s narrative. Although forty years have nearly elapsed, I well remember the meeting and the elaborate statement by Mr. Napier. It was in his usual vigorous style, and it was against the historical accuracy of Mr. Macaulay in quoting the fanatical and fabulous Wodrow, as Mr. Napier calls him. One of the Fellows of the Society of Antiquaries, Mr. Macfarlane, a well-known gentleman in Edinburgh, and who had corresponded with Mr. Macaulay when he was member of parliament for Edinburgh was present at the meeting. Mr. Macfarlane rose after Mr. Napier had finished his laboured statement. He declined to accept his attack upon Mr. Macaulay and hinted that Mr. Napier almost pleaded that a statue should be erected at Edinburgh in honour of the Duke of York and Claverhouse. Mr. Napier was disappointed that his elaborate statement had produced an effect contrary to what he intended, and the officers of the Society

* Wodrow’s History (folio Edition) Vol. I., p. 503.

were also disappointed with the "elaborate" tone in which Mr. Napier addressed the meeting. His statement was cut down in the report of the Proceedings to a few lines as a mere preface to the letter of Dundee which was printed in full.

Being present at that meeting, I listened both to the elaborate statement of Mr. Napier and the speech of Mr. Macfarlane, who criticised it. I happened to walk home with Mr. Napier from the meeting. He was much agitated, and expressed a hope that the proceedings would not be reported in the newspapers.

The entire collection of the letters of Claverhouse preserved at Drumlanrig are here printed exactly as written in the originals all by the hand of Claverhouse, without attempting to modernise the spelling, about which by far too much has been made by several modern critics. As a rule the letters throughout are good business letters. Occasionally Claverhouse indulges in a little pleasantry. He had a project of raising a new troop in 1682 by selling the Bass Rock as he indicates in his letter of the 1st of March in that year. He says there is nobody to guard there, only "solen geese and ministers."

It will be noticed in the holograph letter by Claverhouse explaining the execution of John Brown that he says he "*caused him to be shot dead*" [No. 228]. A question has arisen whether Dundee was killed on the battle field at Killierankie, or survived some days after that battle, and wrote a letter to King James the Seventh congratulating him on his victory and stating that his wounds were not mortal. A copy of a letter in the terms here stated on the same sheet of paper as an alleged speech by Dundee to his soldiers at the commencement of the battle was first printed by Mr. Macpherson of Ossian fame; but no mention of the original of such a letter has ever been seen or noticed by any writer, and the letter has been characterised by Mr. Macanlay as being as "impudent a forgery as Fingal." The latest evidence discovered as to the death of Dundee was a letter written by Thomas Stewart of Stenton, two days after the battle, on the evening of 27th July 1689. The letter is very precise, and in the course of it the writer says:—"My Lord Dundie *was shot dead* on the head of his horse." The words "shot dead" form the exact phrase used by Dundee himself four years previously when he announced the death of John Brown, after his execution.*

WILLIAM FRASER.

Edinburgh,
32, Castle Street,
October 29th, 1896.

SECTION I.—One hundred and nine Letters from James Duke of Albany and York, and three from him as King James the Seventh, to William first Marquis and first Duke of Queensberry, Lord Treasurer of Scotland, 1682-1685.

1. Promises to offer nothing to pass the King's hand but what had been seen by the Treasurer or Lord Chancellor (Sir George Gordon, afterwards Earl of Aberdeen.)

Windsor, June 3: 1682.

Sone after I landed I receued yours of the 20 of May: but what with his Majesty being indisposed, and my going to and againe bettwene

* Report on the MSS. of the Duke of Atholl, K.T., Twelfth Report—Appendix, Part VIII., pp. 5 and 6.

this and London, I haue been in such a hurly that I could not write to you soner then now that I am come hether; and even now I haue not so much leasur as to say so much as I haue a mind to, but to answer as much as I can of your letter. I shall follow the aduice you give me and not offer any thing to passe his Majestys hand but what has been seen by the Chanceler or your self, and shall take care that no new pentions, or precepts be granted, but to those you may remember I spake of to you before I came from Scotland. As for what concerns L^d Halton, I thinke he did very ill in coming away as he did, tho he had my leaue, since you and the Chanceler thought it necessary for the Kings service he should haue stayd some few days longer. But for all that, I did not thinke it proper to send him back, since he could not haue been there so sone as was desired; for I could not haue done it, without speaking to his Majesty, and his Majesty falling sick the day after I landed, and it not being fitt for me to trouble him with any businesse till he was quite well, it was to late to send him the Treasurer Deput, to haue been tyme enough for the meeting; and that being past I thought it would haue been hard vpon him, that is looking after his privat concerne, with his brother, to send him away now till the end of this month, for by that tyme he will be able to see what he can do, for I beleve his brother will not hold out much longer being so very broken, both in understanding and body; besides, he says things may go on as well in his absence as if he were present. And pray do not fancy that the not sending him back, those things hauing happned as they did to hinder it, can be of any disreput to you that are trusted with his Majesties affairs, for you shall find I will stand by and suport you; and lett people haue a care that they do not mis-behaue them selves to you his Majestie trusts, for they shall not find their account in it. I haue not tyme to say more, but that you shall still find me as kind to you as ever.

JAMES.

For the Marquis of Queensberry.

2. Introducing Sir William Sharp.

St. James's, June 25: 1682.

I could not refuse this bearer, Sir William Sharp, to recomend him to you in generall, hauing never found him behaue him self other wise, then as an honest man ought to do in what I haue knowne of him, whatsoever others may haue done; so that I hope you will use him accordingly, in the concerns he may haue with you; which is all I shall say now, this being the only subject of this l^{etter}.

For the Marquis of Queensberry.

3. Salary of the Earl of Morray as Secretary.

St. James's, July 5: 1682.

I haue been in such a perpetual motion ever since the arrivall of Mr. Wallis, that I haue not yett been able to gett him dispatched, but nope to do it by the end of this weeke, when we are at Windsor, all the papers being in Lord Morrays hands. He desired me to write to you about a concerne of his; it is, if I understand him right, about the mony he should haue had as Secretary. You will understand it by what he writes, and can judg how far it is resonable, and methinks neither he nor the King should be sufferers; which is all I shall say to you till I send back Mr. Wallis to you.

For the Marquis of Queensberry.

4. Pensions of the Duke of Lauderdale and Marquis of Queensberry.

St. James's, July 15: 1682.

At length I haue gott all the papers you sent by this bearer, Mr. Wallis, dispatched, and not without some dificultes in fees and pensions, and Duke Lauderdale had the confidence to presse his 2,500: pounds upon the exise might be continud to him; and truly 'twas not without some trouble I gott that overruled, as this bearer shall tell you at large, I hauing informed him of it. I haue charged him to tell you why I did not thinke it fitt now to moue his Majesty about the precept of 1000: pounds for you as you proposed it. I haue now seuerall of your letters to answer of the 6: and 8: both which I receued since I came last hither, and haue spoken about the affairs of the Ile of Man, and other things you mentiond in one of the 29: of last month. I am glad to find by yours of the 6: that you haue lett the Sherif of Boote haue the take of the asise herring, since it pleases the Advocat, and that his Majesties reueneu is advanced by it. As for other things that are in that letter concerning Hopton, Sir W. Paterson and others, I shall speake with L^d Morray about them. I haue not had yett tyme to speake with him about severall things you mention in yours of the 8: but shall do it this night or tomorrow. As for newse this bearer will tell you all that we haue here.

For the Marquis of Queensberry.

5. He would haue a careful eye over the Bishop of Edinburgh.— Lodgings in the Abbey for the Earl of Linlithgow:—affairs of the Mint at Edinburgh.

Windsor, July 22: 1682.

Since I wrot to you by Mr. Wallis I haue receued two of yours of the 8: and 11: which I deferd answering till now that Lord Morray is come. And yesterday, so sone as he arrived, I spake with him about the Sherif of Boote tack, Sir J. Drummonds affaire, and about that little affaire you recomended concerning Douglas of Stennouse. As for what you mention in yours of the 8: concerning the Earl of Linlithgows pretentions for the pay of the vacant offices, I shall enquire how the coustume is here, and then shall lett you know his Majesties pleasur concerning it. The Bishop of Edinburgh is not yett arrived and I am of your mind as to his up coming, and shall haue a careful ei over him, and in any thing shall do my part to hinder any new charge upon the Treasury; and I cannot immagin, if you can retriue any thing of the King's property in the Ile of Ila, why you should not endeavor to do it and to encesse his reueneu by any legal way. Since the writing of this I haue receued yours of the 15: and cannot imm[a]gine why Lord Halton should refuse to depone, since the other officers of the mint made no difficulty of doing it. He had no assurance from me but that he should not be unjustly run downe by his enemys, and I alway told him the truth must be known. It seems he thinks he has need of a new remission, for his sonne had, I must call it, the indiscesion, to presse me two days since, for a new pardon for him, euen now before the Commission has made their report. I told him it could not be done, and wondred very much at its being proposed. I haue now spoken with his Majesty about Lord Linlithgows pretentions concerning the pay of the vacancys in his regiment. He is of your mind, thinks it very unreasonable, says it is not done here, and so will not haue it done there. You will also receue a letter from his Majesty, I think this post, for some lodgings in the Abbey for Lord Linlithgow, if there be any to

spare. It was first drawne for those which Lady Peterborow had, but because I did not know whether D. Hamilton did not make use of them, I gott it altdred, and put in the generall termes it is, that he, Duke Hamilton might not be discomodated, or disoblighed. But, pray, if there be any to spare, lett Lord Linlithgow be accomodated, which is all I have to say at present.

For the Marquis of Queensberry.

6. Lord Ross ordered back to Scotland—Lord Sunderland was come back to court being pardoned at the intercession of the Duchess of Portsmouth.

Windsor, July 29: 1682.

I had not tyme the last post to lett you know I had receved yours by the Bishop of Edinburgh, and another of the 20: by the post. He has not yett sayd any thing to me concerning the allowance you mentioned for the church. When he dos you shall be sure I shall follow your advice in it. He has given me accounts of severall things there, and amongst the rest, of Lord Rosses behavior, which was not as it should be. I haue informed his Majesty of it, who will give Lord Morray order to signify to Lord Rosse that he is not pleased with his coming without leave, and commands his speedy returne into Scotland. As for what you say in yours of the 20: I see you had receved myne by Mr. Wallis, and shall take care that no further burden be layd on the renew till the state of it you are sending up be come. As for what you mention concerning Lord Linlithgows pretentions as to the pay of vacant offices, I have already answered it in a former letter. As for the precept concerning your self, I do not yett thinke it a proper tyme to moue his Majesty in it. As to the affaire of the mint, I shall take care that nothing be do [n] in it till the report coms hether. As for the Granadiers, I think tis better to encesse the establishment then to take one man more out of a company: as for their being payd and clothed, it must be the same way the rest of the regiment are. I thinke I haue now answered most part of your letter. As for newse, Lord Sunderland is come back to court, and all his bypast faults haue been forgiven him at the intersesion of the Dutchess of Portsmouth, and his owning them, asking pardon, and giving all the assurances of good behavior for the tyme to come. Many honest men are alarmed at it, but not I. 'Tis late and I must end my letter.

For the Marquis of Queensberry.

7. Case of the Earls of Mar and Panmure.—State of the King's revenue.

Windsor, August 6: 1682.

I was in such a hurly of businesse when I was last at London that I could not then answer your letters of the 25: and 27: both which I receiued there. As for what you say in your first concerning the Earls of Mar and Panmure, I thinke you did very well in it till I had knowne his Majesties pleasur in it: but before I speak to him about it, I would be willing to haue a true state of their case and how long they haue enjoyd it, how much the somme is, and whether it was upon valuable considerations, that I may the better informe his Majesty and be satisfyd in it my self, and be able to answer if objections be made; for I would not willingly engage my self and you in such an affaire as this unlesse I saw it would be gone through with. As for Lord Castlehill, he will be added to the exchequer as you desire, and the remission for Craignell will be dispatched also. 'Tis but resonable, now that you haue taken

so much pains in his Majesties businesse, you should go downe into the country to look a litle after your owne. With yours of the 27: I had the state of the King's revenu in Scotland, and am sorry to find after all the retrenchment there is so smal a somme as 2107: pounds of over plus. Roughead is not yett come as I know of, and when he dos I shall be careful that no new charge be imposed on the revenu; only I thinke that whilst this provost continus his pention should be payd, which is not now much above a years; and to declare at the same tyme that it is to go off then. As to the affaire of the exise of that towne and shire, I shall take care that nothing be done without advising with you. I have not heard of any one pretending to Lord Nevoyes place in the Sessions, and shall take care that none but a good man shall fill it when vacant; which is all I shall say now.

For the Marquis of Queensberry.

8. Lord Perth and the Lord Clerk Register (Sir George Mackenzie, afterwards Earl of Cromartie) were come to London about the affairs of the Mint.

Windsor, August 19: 1682.

When I was at London last, I received yours of the 10; and am much of your mind in most of what you have sayd in that long letter; and did read much of it to his Majesty to strengthen what I had already sayd to his Majesty upon severall of those subjects; and shall be careful that none but good and proper men be put into any of the vacancys are like to be; and shall keep your letter by me as a memorandum, till all those things be fully settled; and when I see Lord Morray, shall speake with him about the officers servants to be alowd them as you propose. Lord Perth came to London on Wensday, after his Majesty was gone from thence, but the Register came not till the day after. They both came to this place yesterday, and I went with them to his Majesty, to whom they gave an account of their commission. They sayd so much as has satisfyd him how much both he and the nation have been abusd in the affaire of the mint. The report was not read before him, but is to be on Thursday nixt in presence of all that are here of the Scots councill, till when I shall say no more to you of that affaire. All things go very well here. I am just now a going to London.

For the Marquis of Queensberry.

9. The Report on the Mint—Duke Lauderdale said to be dying.

Windsor, August 26: 1682.

On Thursday the Report of the Mint was read to his Majesty here before those of his Scots councill, upon which he ordred a letter to be written to Lord Chancellor, a copy of which you will receive from Sir Andrew Forester: by the which you will find that all Lord Hatton's places are to be disposed of. I have not yett spoken to his Majesty to recomend any to him to fill them, but intend to propose Lundy's being Tresurer Deput, who I do really thinke as fitt a man as any I know for it. It was you your self that gave me the first hint of it, and I am sure he is one who will live very well with you. I am now going a hunting, and if I have tyme enough after I come from it, to speake with his Majestie upon the whole affaire, I shall open my letter and lett you know it. They say Duke Lauderdale is a dying. By the next post I shall say more of all these affairs.

To the Marquis of Queensberry.

10. To pay his brother's Bonds quietly—Duke Lauderdale's death—the Garter to be given to the Duke of Hamilton. Queensberry to be Governour of the Castle of Edinburgh.

London, August 29 : 1682.

Before I say anything to you els least I should forgett it this post, as I did the last, I must tell you that you[r] brother has spoken to me about the bonds which were given in for him, for the paying of so much out of the forfeited estats were given him. I aduisd with Lord Morray about the best way of doing it, without noyse, who sent me word by Forester, that you might do it your self, and so no body need know it ; and so others not torment his Majesty to have the same favor done them. Therefore pray do what is necessary in that affaire for your brother, but so that it may not be knowne. When I wrot last as you will have seen by my letter I did not then know of the Duke of Lauderdale's being dead, but I heard of it so sone as I came from hunting. The next day I spake to his Majesty that you might have the castel of Edinburgh which was then vacant. He told me you should, but before you had the commission for it, he would enquier into and regulat that as he had done all his garrisons and castels here in England, and in his other dominions. As for the President of the councill, he will not yett dispose of it, for besids that it is an unnecessary office, it would draw after it a considerable pention which I do not see his Majesties reveneu could well beare. As for the Garter, I proposed Duke Hamilton's having it, which would not only oblige him, but besids I thought that the whole nation would be glad to have one of their country men have it. At the same tyme I proposed Lundys being Tresurer Deput, and Lord G. Drummond Master of the Ordinance in Lundy's place. And since his Majesty was resolved to keep the nomination of the Lieutenant of the Castel to himself, with the name of Lieutenant Governour, I proposed Major White for that command, which he aproued on. It will not be till Lord Morray coms out that your commission as Governour can be dispatched, but then it will be done. It is now late so that I have not tyme to say more.

For the Marquis of Queensberry.

11. Along with his Majesty visited the new ships at Chatham—Duke of Lauderdale's offices partly bestowed.

St. James's, September 13 : 1682.

The last letter I received from you was of the 31 : of last month. I haue had others from you of an older date, which I have not had tyme to answer, hauing been almost in perpetual motion ever since I had them; and now am just come from a smal water journay, hauing been with his Majesiy by water to see the new ships at Chatham, so that now I have only tyme to answer your last. And as to Lord Lauderdale's offices, I thinke I haue already told you that the President of the Councill will not be disposd of to any body. The Garter you know how it is giuen to Duke Hamilton. As for the report you heard of the Earl of Lauderdale's pretending to the title of Duke, nothing was ever sayd of it here; and the Lord Kemnes [Kemnay] is come upon no bodys businesse but his owne (that I know of) which is to gett, if he can, the forfeitur of one Forbus estate for himself, if he cannot prove that man to be legitimat. It is late and I have not tyme to say more to you now, being to go a hunting to morrow morning.

For the Marquis of Queensberry.

12. His Commission for the Castle prepared—The Duke of Monmouth gone down into Cheshire.

London, September 16 : 1682.

By the last post I received yours of the 7 : and Lord Morray has order to prepare your commissions for the Castel, and company to, and for Major White as Lieutenant Gouverneur and Lieutenant of the company. As for what you propose concerning Captain Hume, I had long before I had your letter proposed another to his Majesty; but have a project in my head for Captain Hume, which if it take will be better for him. As to the affaire of the Artillery, I shall as you desire know his Majesties pleasur, so that when Lundy returns he shall be fully instructed in it. For the affaire of the mint, I shall take care that nothing be done in it without advising with you and hearing the aduice and report from the Commissioners. If Earl Lauderdale has not a good title to the 55 : pound yearly out of Hoptons lead works, I know not why you should not call for it for his Majesties use. As for what you mention you were informed of concerning Sir W. Paterson and the Advocats brother, I have yett heard nothing of it; and when I do, shall be carefull nothing shall be done hastily or without sending to you. As for the newse you had concerning the Duke of Monmouth, 'tis so far from his coming in or endeouing it, that he is gone downe into Cheshire where there has been very disorderly doings, which have very much displeas'd his Majesty. I thought to have sayd more, but have been sent for by his Majesty, so that now I have not tyme to do it.

13. The affair of the two Scottish Secretaries settled by the appointment of the Earl of Morray and the Earl of Middleton.

London, September 19 : 1682.

The affaire of two Scots Secretarys is now settled; and this day by his Majestys command, I told it to Lord Morray, who, tho you will easily beleve had rather have been alone, yett will be still very well provided for, for he is to have 2400 : Ps. out of the pention and perquisits of the place, and Lord Middleton the remainder; with which, and the continuing to him the pention he already has, he is well pleased, rather then not be one of the two secretarys. This day was a busi day in the citty, where in the morning, one Riche a very honest man was chosen sherif, in Box his roome, who had fined, and in the afternone the two old sherifs meett with some of their factious party contrary to the Lord Majors orders, and in a riotus maner went about to pole for their two men againe, Pappillion and Dubois. But Lord Major went and commanded them in the Kings name to go to their homs, which after some tyme, and disorders committed they did. Tomorrow his Majesty has ordred the Lord Major to attend him to give him an account of what past, and I beleve a commission of oyer and terminer will be ordred to sitt to enquire into the riot. I have not tyme to say more but that our people here are very hart.

For the Lord Marquis of Queensberry.

14. Sir John Cochran's affair of Carolina—Lord Stair was landed in Holland, and was with James Stuart, the advocate, and other "phanatiks" there.

London, October 10 : 1682.

I have now three of yours to answer, of the 25 : 27 : and 29 : in the first of which I see you had been advertised of endeavors used to gett leave to coyne the bullion now in the mint. But I was of your mind and told them that prest it, they must have pacience, till the commission

of the mint meett in November, and then adresse them selvs to them; and you may be sure nothing shall be done hastily in any thing that has to do with the mint. In your[s] of the 27: you giue me an account of Sir J. Cocherans pretentions. As to his affairs of Carolina, I wonder he should say I was satisfyd with all his proposals, for I told him I was not a competent judg of them, and gott them referd to the councill, whom I knew would take care that nothing should be granted to him but what was consistant with his Majestys service, the interest of the church, and the peace of the country. 'Tis true, I told him I was glad he and others of his perswation thought of going there, because they would carry with them disaffected people. As for the Lord Stair, I haue had notice from Rotterdam that he lande'd there and his seconde sonne with him, that he was with Ja: Stuart, the advocat, and other phanatiks there, and had sent his sonne back into Scotland, and do expect a farther account of his behavior there. As to the Treasurers Deputs commission, I suppose it is drawn up in the ordinary forms, which you will sone see, he being on his way to Scotland. I am sorry to heare Lord Dalhousse is so ill, and shall take care that his Majesty shall not be surpris'd in the disposing of his comand. As to yours of the 29: what you say about Sir William Sharp is but resonable, therefore, do in it as you find expedient; and as it is but resonable, you should have a care his Majesty should not suffer, so I am sure you will see that at the end he may have his due. As to the solicitors place, there is no thought of removing him. I do not think the captaius of Lord Linlithgow's regiment are in the right, for it belongs to the Colonel to looke after the clothing of them; but tis as resonable that care be taken that they [be] well clad, and that neither officer nor souldier be defrauded, and that both you and the generall are to looke to. I shall be sure to speake to his Majesty about Hamilton of Redhouse, when a vacancy happen in that regement. As for newse, you have heard how neare the pole went for Sir William Prichard: they are now a reviuing the books to see whether any gave their vots who were not free men, so that either this night or by the next post, one shall know who will be chosen by the citty. In case it be an ill man, his Majesty will refuse him, and then they must go to a new election.

15. Petition from Lady Sutherland.

London, October 28: 1682.

This is only to serve for a cover to this enclosed petition, to me from the Lady Sutherland. If matter of fact be true, I do not see how for the tyme to come one can avoyd paying the annual rent as is prayd in the petition. Pray, lett me know your opinion as to this affaire, for till then his Majesty will come to no resolution in it. As for newse, you will heare what passes here from others, so that I shall only tell you that all things go very well here.

For the Marquis of Queensberry.

16. Place of President of the Council not intended for the Duke Hamilton—the Fishery Company to be dissolved.

London, November 2: 1682.

Some days since I received yours of the 20: of last month, and shall be sure when I write to the Chanceler to recomend to him the frequent meeting of the Commission for the Treasury accounts, till they have perfected them. You did very well to undeceve Duke Hamilton, for I do not remember I ever gave any ground to any body to say that the President place of the Councill with a pention of one thousand

pounds was designed for him; but, on the contrary, I declared against any bodys having that employment, because it would draw on the pention which his Majesty's revenue could not beare; and besides, was of no use, but to serve for a pretence to gratify some one with the pention. And this I told his Majesty so sone as Duke Lauderdale died, and shall put him in mind of it againe for feare he should be surprised. As for what concerns the lodgings, I shall do as you desire, and to that of the pention for Mr. Kennedie. As to the Fishing Company, I haue spoken to his Majesty about it, who thinks as well as both you and I that that trade can never be carried on to proffit by a company; and, therefore, is willing to have that company disolved, and what remains of the mony he had there in his owne hands again; therefore, lose no tyme in sending vp the draft of the letter and instructions concerning the disolving of it. As for what concerns the Earl of Lauderdale, when the juḡ ordinary have done their part, his Majesty will then consider how far to have their sentance put in execution: in the meane tyme he nor his sonne have no reason to brag as to any of their places, but of that more another tyme. As for what you hint at concerning Sir George Lockhart, I have realy forgott what it is; therfore, you should lett me know againe what it is. I am just now told Duke Hamilton is arrived, and is now a coming to me that I may present him to the King. As for newse, all things go very well here. Lord Shaftsbury still absconds. Sir Tho: Player has not been seen these five or six days; and one Witaker that was accused of treasonable words is fled, and has left his security to pay for him; and 'tis thought more of that tribe will take the same course.

For the Marquis of Queensberry.

17. Arrears of pay to troops should come from the Fishing Company.

London, November 14: 1682.

You will by the last post have had from Lord Morray the letters you desird concerning the Fishing Company, and if the arrere due to some of the last raised troups be not yett payd, I thinke the mony that will come from the fishery to his Majesty cannot be better employd then to pay those arrears, being a thing that must soner or later be done; and I remember that before I left Scotland Lord Mar and his officers spake to me about it. All things go very well here, and this weeke we shall know when the affaire of the Quo Warranto will be ended. I thought to have sayd more now but have not tyme.

For the Marquis of Queensberry.

18. The Chancellor's Patent was preparing (to be Earl of Aberdeen). The Duke had got the better of Pilkington who was fined 100,000*l.* sterling, for the words he said of him.

London, November 24: 1682.

What I could not do by the last post I must do by this, and answer the rest of yours of the 15: and shall be sure to speake to one of the Secretarys as you propose concerning the Lady Sutherland's affaire. As to what you say concerning the Chanceler, I thinke it very resonable, and desire you to propose what you say may be of aduantage to him, and of no prejudice to his Majesty, and shall be sure to sollicit his Majesty for him, who I know had rather he should have things of that kind then others whom you say are not very significant to him. His patent is now a drawing, but I thinke such a letter as you propose is not necessary, for in the patent will be enumerated the loyalty and suffrings of his family, and I am for doing and not saying he shall be

requited; and, besids, it might be a precedent for others, to torment his Majesty; therefore, you need not send downe the draft of such a letter, for the thing must be done without it. As for my having a troupe of Gards, I thanke you very kindly for proposing it to me, but do not thinke it fitt to be done now; and when the project concerning Lord Balcaris his troupe gos on, I shall be sure to keep the cornets place for who you shall name. I do aproue of your sending one hether, as you and the Chanceler propose, to giue information of those invasions haue been made on his Majestys property. The soner you do it will be the better, and I am sure you will chuse a fitt man for it. As to the affairs of the mint, I thinke you and the Chanceler would do well to send me your proposals concerning the futur ordring and managing of the mint, and that by no means you aught to stay for the close of the processe against the Earle of Lauderdale; and am of opinion that what so euer officer shall haue been found guilty, he aught not to be employed any more there. As to the Lord Maitland, I wrot my mind to the Chanceler about him by the last post, so that I need not repeat it. I thinke I told you in a former letter that Lord Perth had neuer to my knowledge medled with any Tresury affairs. As for newze, this day I had the better of Pilkington upon the Statute of Scandalum Magnatum, who was fined one hundred thousand pounds for the words he sayd of me, which is another mortification to the Whigs.

For the Marquis of Queensberry.

19. Lady Errol's Lodgings in the Palace of Holyrood—Claverhouse's presence necessary in Galloway, and he need not fear anything Stair might say of him.

London, December 2: 1682.

I had not tyme by the last post to answer yours of the 21: which now I shall do; and to begin, I do not heare that Lady Arrol has any reason to be allarumd that she shall be put out of the lodgings she is in, Duke Hamilton hauing sayd nothing of it here. I do not beleve he would do it, he being so much her freind; but I doubt whether it would be proper to gett a warraut from the King for hir keeping them, since as I remember they belong to the housekeeper, and that as such Duke Hamilton lent them hir. I shall take care that no new pentions or precepts shall be granted. I see that you and the Chanceler expect I should name some one to you to be sent up hether by you to giue an account of the Tresury affairs, but I thinke you on the place are better judges then I; therefore, pray, do you thinke of some fitt man to send up with them. As to what concerns the Castel, I shall answer that by the next. I am absolutly of your mind as to Claueros, and thinke his presence more necessary in Galloway then any where els; for he need not feare any thing Stairs can say of him, his Majesty being so well satisfyd with him. I am sorry that that little gift which was beged by one of the Dutchess of Portsmouths women could not be done, and that it was transacted before the order came to you, but for the futeur I shall care that nothing of that kind be given away here. Since the writing of this I have receved yours of the 25: but it being late, and I hauing been a hunting must defer answering it till the next post.

For the Marquis of Queensberry.

20. The Master of the Ordnance—Lieutenant Colonel Bachan appointed to the late Lord Dalhousie's regiment.

London, December 4: 1682.

By the last post I had not tyme to answer yours of the 25: of November, and do it now a day before the post, being to go a hunting to

morrow. I gave last night his Majesty an account, in presence of the two Scots Secretarys, both of what you and Major White wrote to me about Lieut. Gen. Drummonds pretentions as Master of the ordinance; and it is his Majestys pleasur that that affaire be regulated there as it is here, of which you will have an account from one of the Secretarys; so that I need say no more on that subject; and have read over both L: G: Drummonds and Major Whits proposals for the necessary repairs of Edenburgh Castel, of which an estimat must be made by the Master of the Ordinance and given to you as Lord Tresurer, to be sent up hether for his Majestys order upon it. I am of your mind as to the Justice Clarks place, and shall when I see a fitt tyme speake to his Majesty about it; and shall by the next haue knowne his pleasur as to the gratuitous pentions; and the refering it to some of you upon the place, to give him your advice about settling of the mint. As to the affaire of Crightons remision, I haue not yett read the depositions you haue sent and so cannot say anything upon it now. The Lieutenants place in Stirling Castel is giuen to Lord Morrays brother, and was promist him long before I had your letter. Since the writing of this I spake with the Secretarys about the affaire of the mint, who have put me in mynd that in a letter from his Majesty to those who had examin'd that affaire of the mint, they had directions to propose to his Majesty a method for the futur regulation of it, so that what you proposed is done already. I haue just now receved yours of the 28: Nouember with the state of his Majestys reuenu and am sorry to see it has so great a burthen upon it; and shall shew it to his Majesty that he may see to hold his hand from adding any more pentions to those are already. I am sorry to hear Lord Dalhousie is dead. There were many pretenders besids him you mentiond, who tho worthy deseruing men, yett his Majesty thought it necessary for his service to haue some good old officer in that regiment, and so has given the Lieutenant Colonels place to Lieutenant Colonel Bohem, who is now in Holland, the Major to the eldest Cap: Balfore, and the vacant company to Fleming who is Captain Lieutenant, and leavs it to Lord Mar to name his owne captain lieutenant. As for the sheriffship, I will speake to his Majesty that the Chanceler may haue it. I see you continu still of the same mind for a letter to be writen by his Majesty in fauor of the Chanceler as you proposed some tyme since: and tho I confesse I did not thinke it necessary, yett since you thinke it is so, and that it will be of countenance to him, if you will send a ruf draft of such a letter I will offer it to his Majesty; and tho it is proper to leave a blanke as to the somme, yett pray in your letter lett me know what it is you would propose it should be. As to Lord Castelhill, I will move his Majesty he may be of the councill, but do not lett it be spoken of till the letter go downe. You will haue an account from one of the Secretarys of his Majestys pleasur concerning Mrs. Roches affaire. I will also speake to his Majesty about Posse. I must now tell you that his Majesty has been presty to renew the Duke of Monmouths order for his being alowed his defalcation out of the sesse, as the Lords of the Session are, and as he was before you were Tresurer; upon which I shewd his Majesty what a greuance it was to all the rest of Scotland to haue him and the Lords of the Sessions exempted, when they all pay; upon which his Majesty seemd to be satisfyd none of them should be freed from bearing there equal burthens with their fellow subjects. However, I would not presse him to come to a positive resolution till I had aduis'd with you and the Chanceler about it, to know whether it be resonable to take it from every body: for besids that, I thinke it resonable that in such a tax as this is all should pay; and I foresee that if they haue it contineud to them the Duke of Mon-

mouth will obtain it also. Therefore, pray, lett me haue your opinion of this, and know how long the Lords of the Session haue been in possession of it, that I may the better know what to offer to his Majesty upon it.

For the Marquis of Queensberry.

21. Major White to have a pension—Duke Hamilton's proposal to increase the Revenue by a Company of Brewers declined—Lord Shaftesbury was at Amsterdam and made a burgher of that town.

London, December 12: 1682.

I was a hunting on Saturday so that then I could not answer yours of the 2: in which you give me an account of what you had done as to the Fishing Company. What you say in it concerning Lord Aran, is the first newse I have heard of it, for I never heard on word sayd of it here, and sure if he had had any such thought I should have been spoken to about it. Nor is there the least ground to beleve that Lord Linlithgow should be layd aside. I am sorry I did not soner know what you say concerning Major White; because, before I had your letter or his, both the lieutenant colonel and majors place were disposed on, and the commissions signed; and, besids, I do not thinke his continuing major to the regiment could have well consisted with the command he has in the Castel; but, however, 'tis not resonable he should be a loser, when good was intended to him, and that he should have a pention to make it up to him. Therefore, pray, lett me know what it should be, and send me the draft of a warrant ready drawne with the somme you judg resonable it should be, that I may offer it to his Majesty. What you propose as to the gunners, I thinke very resonable to be done; so that you would do well to put it in a way. Duke Hamilton went away from hence yesterday morning, and I thinke in good humor. He shewd me a letter he had, as I remember, from one Hamilton, a brewer, in which he proposed, that he and partners would, when the present tack shall be expired, give one thousand pounds a yeare more then his Majesty has yett had, for to have the tack of the towne of Edenburgh, and one or two of the Lothiens; and this superplus as he called it, he, Duke Hamilton would have had me moued his Majesty that he might haue it, since it was a new thinge, and no deminution of the present reueneu. But I told him it would be still an improument, if gained, and that his reueneu had need to be improued; and that I was sure you would improue it as much as could be, and that this could be no new thing to you, tho it was to me, and that I could by no means agree to his hauing that. I tell you this, that you may be prepared when he speaks to you upon this subject. I cannot judg, whether the brewers proposal, if made to you, be a good one; but you on the place, will be the best judg. All thing[s.] go very well here; and by the Dutch letters we had on Sunday, are informed that Lord Shaftesbury was at Amsterdam, had taken a house there, and was made a burger of that towne.

For the Marquis of Queensberry.

22. Was glad he found he could raise considerable fines in Galloway. The Bishop of Edinburgh proposes to have a house built for himself.

London, December 16: 1682.

Yesterday I receued yours of the 9: by which I am glad to find you thinke you may raise considerable fins from Galloway, and other disaffected shires. By the next post I shall lett you know his Majestys pleasur. As to the gratuitous pentions, for all the report yu haue made concerning Lord Tweddals affaire, he, by his sonne that is here, presses

as hard as ever to be considered as he calls it; but I told him I could not move his Majesty in it against the report you, his great officers, have made. The Bishop of Edenburgh has made a proposal, about building of a house for him and those that shall succeed him in that bishopric, which seems very reasonable to me. I know it must be done by the council, where, pray, forward it. I have been desired by your countryman, Mr. Brisban, to recommend him to you, that in case any place could be found for him, that might be executed by a deputy, of some profit, you would let him have it: for, tho he have a good place here, yett it is not so profitable to him as is thought; and, besides, he has many masters, some of which do not love him, and so at last may find means of laying him aside. I have not tyme to say more now.

I had forgott to tell you, 'tis now tyme to send me the name of him you would recommend to be cornet to Lord Balcaris.

For the Marquis of Queensberry.

23. Recommending Sir Patrick Maxwell.

London, December 20: 1682.

This bearer, Sir Patrick Maxwell having brought a letter to me from you, and desiring to carry one back to you, I could not refuse it him, and to recommend him in generall to you. You know him better than I, so that I need say no more, he will not [*sic*] so sone with you; so that I shall say no more at present.

For the Marquis of Queensberry.

24. To pay an old precept in favour of Lady Cassillis.—Letter in favour of the Chancellor, &c.

London, December 27: 1682.

Before I answer the last letters I had from you, I must lett you know that his Majesty has commanded me to signify his pleasur to you, that you cause pay this old precept, which I send you here enclosed, to the Lady Cassilles, as sone as conveniently you can; and he took this way of signifying his pleasur to you by me, that it might be done so that others might not torment him for the like fauor. By the last post I had not tyme to answer yours of the 16: and now I can tell you that the rules concerning the master of the ordinance will be sone sent downe to you, and are such as will very well agree with methods where you are. As for what concerns the Justice Clarke, and the gratuitos pentiones, his Majesty has not yett declared his pleasur. As for the letter in fauor of the Chanceler, I am absolutely of opinion that it should be to the council and not to the exchequer, and should only be in generall terms, that his Majesty will repaire and raise the family; which will be better for many reasons, for him as well as his Majesty, then if it should go by the way of precept. Therefore now lose no tyme in sending up to me a draft of such a letter for the council. What was written to you of my telling the Secretarys what you sayd in one of yours in favor of the Chanceler is true, and I thought it necessary that they should know you thought it resonable as well as I; and I did not thinke they would have taken notice of it againe as I see they have done; but for the tyme to come I shall be more cautious. Posse's warrant is signed or will sone be. I have now given his Majesty an account of what the Chanceler and you wrot about the Lords of the Sessions; and by the next post you will have a letter to make them pay next Whitsontyde. I thinke you answered Lord Melvine very well. The Generall had written up here for one of the cornetts to have the vacant lieutenant's place in the Dragoons. But since you desire it for your cousin; James Murray, I will move his Majesty in it, and will bid

Lord Charles Murray lett the Generall know that he that you have recommended must have it, but that for the tyme to come his rules shall not be broken into. Since the writing of this I haue had yours of the 19: and thinke what you propose concerning Major Whit very resonable, and aproue very well your reducing fower men to have a chirurgeon. As for Clackmanan, he was recommended to me as a very fitt man, as hauing had a company in Lockharts regiment, been in seuerall engagements at sea, and of a very good family; but I shall remember those recommended him to me, upon which you say orders shall be given for the Commission for Sir James Douglas.

For the Marquis of Queensberry.

25. Hurt his knee by a fall at hunting—Hopes to be well by the end of next week to go hunting again.

London, January 4: 1683.

This is only to tell you that I haue had yours of the 26: of last month, but till next post cannot answer it; for hauing hurt my knee a little with a fall I got on Tuesday as I was a hunting, I was obliged to keep a[t] home yesterday, and tho I am better this day, and was at Whithall, yett I could not stand long enough, to speake with his Majesty of businesse. But within a day or two I shall, and hope to be well enough before the end of next week to go a hunting againe.

For the Marquis of Queensberry.

26. The King would not consent to the Duke's proposal in favour of the Marquis—the first fines were to go to the repair of Stirling Castle.

London, January 11: 1683.

Yesterday was the first day my knee would giue me leaue to stand since my falle, so that soner I could not speake to his Majesty about what you wrot concerning your self, and am sorry I could not succede in it, tho I assure you I prest him as much as was decent for me to do. And when I could not preuaile, desired he would be pleased not to tell any one of it, so that it will not be knowne; and this he bad me tell you, it was not out of any unkindnesse or any other reason, that he did not do it, but because such a somme as that was a very considerable one in that kingdome and that the first monys could be gott out of such concelment or fines he was resolved should go towards the fortifying of Sterling castel, and securing of that so considerable a post; and he intends this spring to send downe the best ingener he has to vieu it, and to see what is to be done to it. I spake with the Secretarys about what you wrot concerning the wards, who tell me that what you desire they should signify to you as his Majestys pleasur concerning it, is already in your instructions; but if it be not so full as is necessary in them, send up a draft of such an order as will do it. As for the old decrepid souldiers, I am of your mind that you must be rid of them, but thinke that some care must be taken of them to, and shall enquier what method is used here in such cases that the like may be done there. I haue spoken to the Secretarys about an order as you desire for the beds. In yours of the 2: you told me that by the following post I should have a letter sent me up about the Chanceler's affaire, but yett none such is come. I am cleerly of your mind in it, and shall have it alted accordingly, when it shall be sent up, and shall lett no body know you have sayd any thinge to me of it. As for the cornetts place, since Sir James Douglas will not haue it, it is disposed of to Fletcher, who had a promise of such an employment, and is a very honest fellow. I find you are not yet ready with your report anent the mint. I am sorry to heare the

Prouost has behaved himself so ill. What will the Bishop of Edenburgh say to it? As for newse, there is little sturing here, and now we shall sone see whether there will be peace or war beyond sea. I hope the Turks coming into Hungary will have one good effect, which is to make peace in Christendome.

For the Marquis of Queensberry.

27. Not known where the Duke of Monmouth then was. It is said that he is keeping in hiding to avoid being a witness against Mr. Hamden, &c.

London, January 12: 1683.

I haue had yours of the 3, and Lord Middleton has spoken to me about the seuerall things you wrot to him of, and from him you will haue an ansuer of them: so that I need say nothing upon them, and the affaire of your sister will be dispatched as you desire. All things go very well here, and we here do not know certainly where the Duke of Monmouth is, but beleue he is beyond sea, but where cannot certainly say; and beleve he will not faile to make a visite to his friends of both nations, which are in Holland. 'Tis sayd by some he is out of the way for feare of being obliged to be a witness against Mr. Hamden, and some others of that seditious party. I thought to have sayd more but have been interrupted as I was a writing, and it is now so late, that I must end.

For the Marquis of Queensberry.

28. To try to find some little forfeiture or fine for Captain Hume.

London, January 13: 1683.

This bearer, Captain Hume, has served so well, and is so good a man, that I could not refuse to write by him to recomed him to you, that if you can find any little forfitur or fine, that might be proper for him, that you would send up the draft of such a gift up hether, to me, that I might gett his Majestie to signe it for him. You may remember you recomended him to me when he came up hether, and could I have found any thing for him here, I should have gott it done for him. I wrot to you by the post yesterday, so that I have no more to say now.

For the Marquis of Queensberry.

29. In favour of young Langtoun.

London, January 24: 1683.

I could not refuse this bearer, yonge Langtoun, who has been long soliciting his fathers concerns, to write to you by him, to desire you to send up to me, a true state of his case, that his Majesty may be the better judg of his pretentions; which are, that of right, he aught to have the full of the pention, or salery he had before your tyme. I confesse, I cannot thinke he can make it out. However, 'tis but reasonable to know the truth of it. What els I have to say I intend to write by the post tomorrow.

For the Marquis of Queensberry.

30. The King would not sign the precept in favour of the Chancellor —gifts out of forfeited estates:—The Duchess is now quite recovered and sees company.

London, January 25: 1683.

I had wroten to you by the last post but for the Dutchesses indisposition. Having since Sondag not had a good oportunity of speaking with his Majesty about the Chancelers affaire till to late on Tusday to write,

when I proposed to him the signing such a precept, as that which you sent me downe, in fauor of the Chanceler, in yours of the 13 ; and did represent to his Majesty the suffrings of his father, both in life and estate, and what els was proper to be sayd upon that occasion, of all which his Majesty seemed very sensible ; and, tho he sayd he would realy do the thing and make a good prouision for him, yett for many reasons, which are to long for a letter, and for the consequences of it, he did not thinke it proper to giue him such a precept now: but would lett him haue gifts of things as they fall, and as any concloment of his reueneu, or such other things are made out, that may capacitat him to do it. Pray, tell the Chanceler this from me, and satisfy him that his businesse will every whit as well be done this way as the way you proposed of the present precept ; and his Majesty charged me to tell you, that when any such thing came in his power to dispose of, that you should lett me know it that the Chanceler might haue it ; and I thought it was better acquiesing in this then presing his Majesty to much, when it could be as well done his owne way. The Tresurer Deputs warrant, which you sent downe, is dispatched. As for what you mention concerning the Master of the Ordinance, the Secretarys tell me he is only to make the estimats for any repairs which you are to send up, and to be assistant to you in making any bargins but not to touch the mony, and so not lyable to account for it. However, if the instructions be not cleer, send up to me what alterations or additions you thinke necessary, that it may be considered on and mended here. What Major Whit proposes concerning himself as to the Majors pay, is I thinke very reasonable, that he should haue it till the new Major was reced. You will haue such an order as you desired concerning the repairs of the Abbe house. I haue yett heard no more then what you sayd to me concerning the gift out of Argils forfitur to the Captain of Clanranold. I am sorry to heare the old Generall has been ill. As for what you propose concerning your hauing a warrant from his Majesty to empower you to employ such aduocats as you thinke fitt to assist the Lord Aduocat in proceses of his Majesties, depending before the Lords, I thinke you would do well to speake with the Lord Aduocat about it, and to haue his concent to it, for other wise he might haue reason to take it ill. I do not remember that euer Lord Oxford spake to me about hauing any of the rebels estats, and consequently that no promis of that kind was made to him ; and if he can find out any that haue been in the rebellion, and could not be found out, nor forfeited by any other way, but by his means, 'tis resonable enough he should [have] a good share of the discouery. I haue now I thinke answered most of what was in your letter ; and so shall say no more now, but that God be thanked the Dutchesse is now quite well againe, and sees company this night.

For the Marquis of Queensberry.

31. "Clavers" (Claverhouse) pay as Colonel—Clanranalds signature stopped—Lady Frazer's pension not to be paid if not in the List—Lord Balcarres' pension to be continued as reduced—Death of Lord Shaftesbury.

London, January 30: 1683.

I haue now only yours of the 20 : to answer, and as to what you proposed as to a letter anent the fewes, it will be sent to you ; and what you desired both for Mr. Wallis and Smith will be expeded ; and from the Secretarys also you will haue an answer as to what concerns the old and decrepit souldiers, intelligence mony, and Clavers pay as colonel. As for the Captain of Clanranold's signatur, you are in the right to stop it, till that whole affaire be reported to his Majesty by the Lords of the

Sessions, and care shall be taken that till then no more such kind of signatur shall be past. As for the Lady Fraziers pention, if it be not upon the list was sent downe to you since you were Tresurer, it is not to be payd; and for Lord Ballcarris his pention as retrenched, is to be continu'd. I had, before I had your letter, writin into Holland in Captain Bruce his favor. I have now answered most of your letter. In a letter I had from William Drumond by this last post, he tells me he has spoken to you about some little conveniency for those who attend the Magazin, and a roome for himself, where he may meett with his officers about his businesse, and that you only expected directions from hence to do it. If it be so, I thought it not necessary to haue any orders sent to you to that purpose, but only to tell you that I thinke it resonable, if there be roome for it. You will haue heard of Lord Shaftsbury being dead. I do not heare he is at all regreted by his owne party.

For the Marquis of Queensberry.

32. Lord Oxford had written desiring to get such of the forfeited estates as he could discover.

London, February 17: 1683.

I haue now yours of the 8: to answer, and cannot find the paper that Lundy left me of the establishment of the Artillery company; so that you must gett one drawne there and send it hether. As to what you say concerning the lodging of the Master of the Ordinance and his storekeepers, I suppose he will be resonable in it, and not aske more then will be absolutly necessary. I have had a letter by the last post from Lord Oxford, in which he desires his Majesty would give him such of the forfeited estats as he could discover, which were not yett knowne to be so, but of this I need say no more, because Lord Middleton will write to you about it; only this, you see that in any thing which concerns the reveneu nothing shall he done without consulting you. As to the draft of a letter you sent up some tyme since for me to gett signed, for raising process against such an imbeazel the Kings rents and casualitys, I haue shewd it to the Secretarys, who are of opinion it is a thing which would very much alarum most men of quality and estats where you are, and might give them much trouble; that without such a new letter to you, you might enquire, by the instruction you already have, into any ons estate, and actions, to see if he keeps what he aught not from the King. Pray, consider of their reasons and lett me know whether you thinke they have waight enough to hinder the passing of the letter you desire to haue. As to what you propose concerning Claures captain lieutenant, tho' those in such employments have the name of captain, they never have but lieutenents pay; so that tho he may deserve well, such a new president as that must not be made. The letter for the Earl of Morton will be dispatched, and the order for the beds will be sent, and care shall be taken, that no discharges of the two years rents shall be granted. I thought to have sayd more, but it is so very late I have not tyme to do it now.

For the Marquis of Queensberry.

33. If the "disaffected" gentlemen of Clydesdale come to London, they should have little countenance—Argyle's charter chest.

London, February 24: 1683.

Yesterday in the evening when I came from Windsor, I received yours of the 17: and by it find I am to expect within a few days to heare from you by one we all may trust. I see by it to, that some of the disaffected gentilmen of Clidsdale are withdrawn. If they come here they

shall have little countenance. Sir William Sharps business is agreed to as you sent it up. As to the matter of protections, before the Councells letter came the substance of what was proposed by them was done, in a letter which went last post. I shall take care as to what you mention concerning the few dutys and am glad you have made so good an end of the affaire of the fishery. A letter is signed to the Lords of the Sessions concerning the arms which were in Lord Argils hands, and his charter chiste, as you proposed. I haue not tyme to say more, but that all things go very well here.

For the Marquis of Queensberry.

34. To let Captain Creighton's pardon pass, as he behaved so well since his misfortune.

London, March 2 : 1683.

I receved this afternone yours of the 24 : of the last, with the papers you sent enclosed in it, and have given the establishment for the artiliry to Lord Morray to compare with that which I had from Lieutenant General Drummond; so that till I shall be at Newmarkett, I cannot have an account of the difERENCE that is bettwene them, and you may be sure I shall be as little as possibly, for encreasing of his Majesty's charge. I have not tyme now to answer the other parts of your letter, it being now late, and I to go very early to morrow, till I am at Newmarkett where I shall haue leasur to do it. I must now desire you to lett Captain Creightons pardon passe, which has been so long stoped, hauing reason to beleve, the fact was not so bad, as was represented; for I sent up a true state of his case to the Chanceler, that I might know what the others could say against it. But, tho it was sayd it should be answered, many posts are past, and none come, so that I desire yow to passe it now; for I am sure, that ever since that misfortune, the gentilman has had a very good character where soever he has served.

For the Marquis of Queensberry.

35. Had discoursed with Clavers about what the Treasurer and Chancelor had charged him with.

Newmarkett, March 9 : 1683.

Yours by Clauers I receved since I came, and have discoursed with him at large of what you and the Chanceler had charged him with; but, there being none of the Scots Secretarys here, have not yett troubled his Majesty with the reading of the draft of the letter he brought up; so that as to the publike affaires I can yet say nothing. But as to some jealousy you had that some might have done you ill offices to me, I assure you, there is no such thing, and you cannot desire I should be better satisfyd with you then I am; and am very sensible how well you serve his Majesty, and how true a friend you are to me.

For the Marquis of Queensberry.

36. Lord Ross's wish to serve in Clavers' regiment.—Clanranald's signature to be stopped till the pretences of Argyle's creditors were discussed.

London, March 27 : 1683.

Now that I am come to this place and haue leasur which I had not at Newmarkett, I shall answer many things which were in severall of your letters; and to begin with what Lord Rosse proposed, to be lieutenant colonel to Clavers, it is what cannot be, there being to be no

such officer amongst the horse, in any of his Majesty's kingdoms. If he haue a mind to be major, I will then move his Majesty for him, and that one man may be reduced out of each troupe, or what is necessary to make up that pay to him. As for the Captain of Clanranolds signatur, you may stop it, since you thinke it fitt to do so, till the Lord Argils creditors pretences be discused. I haue done more then what you desird as to the Countesse of Niddsdale for I haue gott hir husbands pention continu'd to hir. I do not remember of any complaint come to me from Col: Pat: Hays daughters; and if there had, should not haue condemn'd what you may haue done, being sure you would haue done nothing but what is just and resonable. As for what you proposed concerning Clavers, I think it very resonable, and when he gos back he shall informe you what is resolved concerning the dragoons, by which you will see there has been care taken of one of those you recommended. I send you here enclosed a letter I receued from the Bishops, to which I would returne no answer till I heard from you. I enclose also a part of a paper I had from Lord Seafort, which to me seems resonable, but you know whether it be so. I was much surpris'd to heare of Lord Maitlands coming hether, but of that more by the next, for I haue not tyme to say more now.

For the Marquis of Queensberry.

37. Philpes's fine to be kept for Stirling Castle all but 500*l*. which might go to the Advocate (Sir George Mackenzie). When Clavers came down to him he would speak about the the petition of the Macer.

London, April 3: 1683.

I haue been so busi here since I came that I haue not had leasur to answer yours of the 15: and 21: of March, till now. As to the signatur you sent up, it will be with you signed before this; and as for Philpes's fine, his Majesty would haue that keep particularly for Stirling Castel, all but five hundred pounds, which he thinks resonable to giue to the Aduocat, for the pains he has taken, and is like to take in prosecuting the rebels, and the reseters of them. As to Maitland the Macers petition, when Clauers gos downe to you, he shall speake with you about it. I am sorry to see that what the secretaries had order to write doune about the phanatiks was so much talked on where you are. I shall take notice of it to them, without letting them know I had it from you, that they may take more care for the future. I haue now I thinke answered all of concerne in that letter. As for yours of the 21: I was now agoing to answer it, but was interrupted, by businesse I could not auoyd, and so must defer it till the next.

For the Marquis of Queensberry.

38. King Charles would give away none of the forfeited lands but keep them for repairs—the Treasurer Depute should try to make a discovery of some forfeited lands and then he would get a share.

London, April 10: 1683.

I did not write to you the last post, it being a tyme of deuotion, and as to the affaire of the mint, shall say nothing till the report coms up. As to Lord Maitland's coming up, he has failed in one of his cheef points, for his Majesty will not lett his father come up hether, and I haue made him sensible of his fault, of coming up hether, without leaue of the councill, or from hence. As to what you propose concerning the Tresurer Depute, I haue not yett thought fitt to moue his Majesty in it, because when I spake at Newmarkett to him for some of the forfited

lands for Sir W. Sharp, that is here, he told me he would hold his hand and give no more of those things away, if there were any left, but would keep them for the repairs, and fortifying his castels; so that at present, the best thing the Tresurer Depute could do, will be to see if he can find out, and make a discouery of forfeited lands, which are not yett discovered; and then I can move his Majesty for such a proportion out of them, as you have proposed, for I should be glad to shew him a kindnesse. As for the additional instructions for the muster master, they are or will be sone sent downe to you. I beleve the Lady Dalhousie is satisfyd with what she has had, for I haue heard no more from her since, and am glad to heare she is so well married. As for the continuing Lord Nidsdales pention to his Lady, since you say the condition of the family requirs it, I shall move his Majesty in it, and I shall take care the gift shall be drawne with regard to the educating of the children. There has been nothing sayd concerning Sir J. Dalrimple, or his fine, but you may be sure nothing shall be done hastily in any such thing. I have had yours of the 3: of this month, but have not now tyme to answer it.

For the Marquis of Queensberry.

39. Desiring him to let Lord Drumlanrig go into the army.

London, April 10: [1683].

Had it not been for a letter I receued this day when I came from Windsor, from your sonne, the Lord Drumlanrig, I should not haue writen to you by this post; for, indeed, what he says to me, of desiring to go into the army is so resonable, that I could not hinder my self from writing to you in his fauor, that you would give him leau to go, and that he may not faire the worse, for being an elder brother, and lett not the care you have of him be a prejudice to him. I hope I need use no other arguments to second so resonable a request as his is, for realy you ought to lett him go.

For the Marquis of Queensberry.

40. Argyle's creditors—good service of Queensberry in the Mint, &c.

Windsor, April 17: 1683.

The night before I left London I had yours of the 7: and at the same time the decret against the late officers of the mint. The letter you desired concerning the creditors of Argyle will be sent downe to you speedily, his Majesty having aproved of it. As for the other letter concerning the exaltation mony, I will move his Majesty in it, and when he aproves of it, which sure he will, will cause dispatch it. I see by the abreviat you have sent me of the yearly income of the customs and excise, since his restoration, how much he has been abused by those who then managed his reveneu; and have made his Majesty sensible how well you serve him now, and you need not be discouraged, tho you do not find that assistance from others you might have expected, since he is satisfyd with your service. I find by your letter, that the Generall and Lord Mar, are coming up hether; for the first, Duke Hamilton asked leave for him to come up some tyme this spring, but for the other he aught to have had leave from this place or the Councill, which he shall know when he coms here. Lord Middleton has read over the decret, and has given both his Majesty and myself an account of it. His Majesty is yett come to no positive resolution in that affaire, and will sone resolve as to Lord Lauderdale; but as to Sir J. Falconer and the other officers of the mint, he cannot come to any resolution in it, till he haue a true account of what they haue,

that they may be fined accordingly. Therefore, pray, as sone as you can, lett me know it, and your opinion as to what they should pay. I am informed that difficulty is made of paying Lieutenant Colonel Buchan from the date of his commission. I do not know what your rules are there, but here they are always payd from that tyme. Pray, be as faorable to him in it as you can. As for newse, there happned a great disorder at Oxford last weeke betweene the scholars and some of the rabble of the towne. I have not yett had an account of it from an authentike hand, but by what I heare the townspeople were in the wrong, and will go neere to lose their charter upon it. Judg Dolben is turned out, and Sir Frances Withens a very loyal man put in his place.

For the Marquis of Queensberry.

41. Recommending Sir William Sharp.

Windsor, April 23 : 1683.

I could not refuse this bearer, Sir William Sharp, to write to you by him, he hauing desired me to do it, and to recommend him in generall to you; which I willingly do, he being a very good yonge man, and deserves very well the favors his Majesty has been pleased to shew him: which is all I shall say now.

For the Marquis of Queensberry.

42. Resolution about the officers of the Mint.—Clavers to be sent back to Edinburgh.

Windsor, April 24 : 1683.

His Majesty is now come to a full resolution as to the officers of the mint and what they shall pay; and Lord Middleton has order to prepare the papers to be signed, which will now sone be dispatched. And now Clauers will be sone sent back to you. I only keep him here till the Archbishope and Generall shall be come, and by him I shall answer all your letters.

For the Marquis of Queensberry.

43. Clavers to be soon despatched.

Windsor, May 1 : 1683.

This is only to tell you that I had last weeke yours of the 19: and if you find it necessary may send up the Treasurer Depute, when you thinke fitt; and neither here, nor to anywhere you are, shall I take the least notice that you designe it. The generall is here, and has told me all his greevances, which needed not haue obliged him to haue made so long a journey. I shall, by Clavers, lett you know what they are. He will now be sone dispatched back to you, till when I shall defer what els I haue to say; only that in the affaire of the towne of Edinburgh and all other things, where you may be concerned, care shall alway be take[n] to lett people see the consideration is had of you. The Quo Warranto is like to go very well.

For the Marquis of Queensbury.

44. The Provost of Edinburgh and the Excise.—Keeping of Stirling Castle by the Earl of Mar.

Windsor, May 3 : 1683.

Some days since I received a letter from the Provost of Edinburgh with these enclosed papers, which I herewith send you, concerning the businesse of the exise; which I thought fitt to send you; tho I heare

that they haue had a rebuke at councell for a memorial they gaue in there, upon the same subject, since their writing their letter to me, which they deserved very well; and you may be sure they shall haue no countenance from hence, and that you and what has been done by his Majesty in it, shall be supported. You will, I suppose, by this post, haue his Majesty's pleasur to treat with the Earle of Mar about agreeing with him for his heritable keeping of Sterling castel. It seems the sayd Earle had some notice that such a thing would be proposed to him, and write to me about it, and have answered him that it was true, but that it was not out of any dissatisfaction of him, but that his Majesty did thinke it for his service, to gett into his hands all such heritable things; that you were to treat with him upon it; but that if he liked not the proposal it should not be imposed on him. I thought it fitt to lett you know what I had written to him, that you might be the better prepared. The whole affaire of the officers of the mint, as to their fines is now settled and past his Majesty's hand; and as for the exaltation mony, I moued it to his Majesty before the two Secretarys, where 'twas resolved, that since his Majesty would not quite ruin Sir J. Falconer, that should go as it was in the decret, for what he is fined: and the account he is to make for the bullion will be very heavy upon him. I thought to haue sayd more now but have not tyme.

For the Marquis of Queensberry.

45. "The Old General" Dalzell going back to Scotland. The Prince's daughter to be married to the Prince of Denmark.—Clavers to be soon despatched to Edinburgh.

London, May : 9 1683.

The Old General is now a going back, and I hope better satisfyd, then when he came from Scotland, his Majesty hauing caused Lord Morray to write downe to the Chanceler, about some little things which were but resonable: and I beleue now he sees he needed not to have made so long a journey, but that a letter from him would have done as well, but I am apt to think that his having spoken to the King himself, will have helped to have satisfyd him; for tho he proposed some things which were not very resonable, yett he readily acquiesced to his Majesty's pleasur. As for newse, this bearer, Mr. David Hay, who is to give you this, can tell you all we have here, and how things go very well in the city. Pray, be kind to him for I am confident he well deserves the favor his Majesty has done him. My daughter's being to be married to the Prince of Denmark will now be no newse to you, and I am the better pleased with it because I find the loyal party here do like it, and the Whigs are as much troubled at it. There is one Sterling, a minister, who, when I was in Scotland, used to give inteligence. He has latly writen me word he continus to do it to you; and I make no doubt, if he deserves it, and you find him usefull, you will now and then lett him have some little thing. I came yesterday from Windsor and am to returne back thether tomorrow; from whence I shall sone dispatch Claures to you.

For the Marquis of Queensberry.

46. Letter carried by Clavers—Hamilton of Monklands forfeiture—Provost of Edinburgh and the excise.

Windsor, May 13, 1683.

This gos to you by Clavers, to whom I must refer for several things I have to say to you, and to informe you how things go here. As to what you wrot to me some tyme since concerning a gift to the tresurer

depute of one Hamilton of Munklands forfitur, I do not think it fitt to move his Majesty in it, till the thing be judged by the justice court; and when it is, send up a gift for the tresurer depute, and then I will move his Majesty in it; and to make it the esier to passe, lett a clause be in it, as is in your letter to me repeting his being instrumental in the discovery of it, and that if it be more then 200: Ps ster: the ouer plus to be layd by for the castel of Sterling. Lord Lothian is come up, but has not yett spoken to me about his few duty, but I beleve will. Lord Seafort has given me a paper to the same purpose, which I send you here enclosed, that you may see it, and lett me know what to answer, tho I am of opinion, if it be granted to any one, there will many pretend to have the same favour done them, which if it should, might for aught I know diminish his Majesty revenu, more then would be convenient. I see by yours of the 1: of this month that some fault is found with the letter sent downe about Argils affaire. I confesse I do not [see] why it should be excepted against, and until I heare better reson to the contrary, shall be of yours and the Advocats mind. I haue already sent you the papers you desired that the Provost of Edinburgh sent me up concerning the affaire of the exise; and am of your opinion that the Bishop medled more then he needed to have done in that affaire, tho in his letter to me he sayd no reflecting things of any body, and only in generall recomended that the towne might not be roughly dealt with; but I thinke it had been better he had not writen nor medled at all in it. I have already told you in a former letter of my aproval of Lundys coming up, when you thinke it necessary; and have not nor will not tell any body of it. What els I haue to say I refer to this bearer.

For the Marquis of Queensberry.

47. The Bishop of Edinburgh meddling indiscreetly—depositions against Lord Melvin [George Lord Melvill].

Windsor, May 26: 1683.

This morning I had yours of the 19: with your answer to the paper sent me up by the Provost concerning the towne of Edinburgh. I haue not yett had tyme to reade it, and am sorry by your letters to find the Bishope of that place has medled so much and so indiscretly in that affaire, which he needed not haue done; but you may be sure you shall be suported in it hauing done nothing but what became you in it. The depositions against Lord Meluine are sent me by Lord Chanceler, but his Majesty hauing playd at tennis this morning I have not had tyme to shew it him, and shall write to the Chanceler as you desire concerning the commissions now depending. I haue spoken to his Majesty as you wrot to me, in yours of the 12: about Sir David Dumbar, and will gett it moued to morrow at the Cabinet Councell; which is all I have tyme to say now.

For the Marquis of Queensberry.

48. Recommending Major Mayne.

Windsor, May: 28: 1683.

I would not lett this bearer, Major Mayne go, without writing to you by him, he going into Scotland, and as he tells me, into that part of the country, where you will be; for I suppose by that tyme he gets thether, you will be at your owne house: which is all I shall say, but to recomend his concerns to you, if he has any there.

For the Marquis of Queensberry.

49. His Majesty's Revenue overcharged—Care to be taken to hinder more charges.

Windsor, June 9, 1683.

I am sorry to find by the state you sent me of his Majestys revenue, that it is so ouer charged; and therefore shall be carefull no new grant be made, and have enough to do to hinder its being more charged then it is, there being many solliciters. I haue yett heard nothing concerning Lord Montrose, nor is Sir J. Falkoner come up; you may be sure nothing in any of the Tresury affairs shall be done without aduising with you. Things continu going very well here, and you have heard how well the common councill behaved themselves the other day in the city, by repealing severall by laws made in the rebellious tymes. On Tusday the businesse of the City Charter will be decided; which is all I shall say now, but to desire you to lett me know what answer I shall give to this enclosed letter.

For the Marquis of Queensberry.

50. About pensions to Lord Arran, Lord Perth, &c. Duke Hamilton was behaving well.

Windsor, June 22: [1683.]

I receved some days since yours of the 10: and shall still do my part, (tho I know I shall anger many people) to perswade his Majesty to be a good husband of his revenue in Scotland. I have been attacked by seuerall ladys already, as well as by others, and shall still do my part, that his Majesty's charge may not be encreased. Only those gifts of pensions have been past, as that for Lord Arran and others, were resolved on before I came away; and Lord Kintors, of one hundred, which you mentioned in yours, is also past. As for the syse of herring, nothing shall passe here concerning it without aduising with you: if any body has it, it must be the Sherif of Boote, and he must giue more and pay better then Lord Argile did, and care must be taken that the Admirals rights and priueledgs be not envaded. You may speake with the Advocat about it; twas the only favor he desired, and tis but resonable to gratify him in it, since he took so much pains in that whole affaire. As for the Parke, I thinke for the present you would do well, to lett it, as you propose, for some few years, but still with a power of taking it into your hands againe when you thinke fitt. As for what concerns Lord Halton, he will be downe with you by the 4: of next month, and you may be sure if he be found so guilty as to be displaced, yon shall be aduised with before it be disposed on. As for what you say concerning the allowance of officers servants, I thinke it resonable and shall speake to Lord Morray to prepare a letter from his Majesty about it. Lord Perths pension is signed, but I have not yett seen the signatur you mention in his favor for Drumshorlin moore. When it coms I will move his Majesty to passe it. Lundy is come, but I have not had yett tyme to speake with him. I am very glad to heare from all hand that Duke Hamilton behavs himself so well. I have done both him and Lord Aran right to his Majesty, and will upon all occations shew them what kindness I can. I have not yett moued his Majesty as to what you mention concerning Lord Perths being put as you propose into the Sessions, but will; and will giue my helping hand in Lord Tweedales affaire, when he letts me know how I must do it. I shall remember Gosfords affaire. I long for the arrival of the person you intend to send up with a state of the revenue, and make no doubt but that you will sone put it into much better order then it has ever yett been. I thinke I have now answered most of your

letter. To morrow his Majesty gos for London whether I wayt on him. Hir Majesty gos this evening. The Dutchesse stays here. I beleue it will be this day sennight before we shall all be back here. All things, God be thanked, go uery well in this country.

For the Marquis of Queensberry.

51. The Earl of Mar and the Castle of Stirling—some leather guns to be purchased.

Windsor, June 24 : 1683.

What with going to London, and coming from thence, hunting, and the new plot, I have not till now had tyme to lett you know, that I had receved yours of the 4 : As to what you say in it concerning the Earl of Mar affaire, you saw both by what I wrot to him, and I thinke to you also, that there was no designe of doing any hardship to him, for if he did not like the proposal there was an end on't, the chief thought being only to see if he was willing to part with his being heritable [*sic*] of Sterling, it being certainly the intrest of the Crowne, by degrees to gett in to their hands all the heritable offices. As to what you say concerning the vacant place in the Sessions, I shall say my mind to you of it another tyme. I thinke you will do well to buy some of the leather gunnes, for they may be of use where others cannot go. As for what concerns the Soliciters place, nothing shall be done, as you desire, till the tresurer depute coms. As for the new plot you will heare it from others, and I have not tyme to say more now.

52. He had no letter from Clavers.—They did him wrong who reported he said the Prince was displeas'd with Queensberry.—Lord Russell and Lord Gray sent to the Tower.—The Duke of Monmouth not yet caught although a warrant is out for him.

London, June 26 : 1683.

At my arrival here last night I receved yours of the 16 : and send you here with an answer I wrot at Windsor, to your former letter. As for what is in your last, I have had no complaint from Clavers nor any els, about the delay there has been of adding some officers to the horse and dragons, nor have I had so much as one letter from Clavers of any kind ; and I am confident they do him much wrong who report, he should say I am displeas'd with you ; since I assure you there is no such thing, and that he is not a man to say things which are not ; and this justice I must do him, that, whilst he was here, no man was more your friend then he, and did presse all your concerns with more earnestnesse. I find by that and other things that some people both from hence and where you are make it their businesse to create misunderstandings bettwene all of you, that are most trusted in his Majesty's affairs, and in whom I have most confidence in. God forgive them that do it, and haue a care of such dangerous people ; and do not be to jealous and thinke that any haue gone about to do you any the least ill office to me. They haue not ; nor is it in any ones power to do you a prejudice with me. As to Sir J : Falconer, I have not yett heard of his being come ; when he dos he shall be sent downe againe without any answer here, but that he shall know his Majestys pleasur from you of the treasury. I wonder Sir J. Dalrymple should make such difculty of paying his fine, hauing had no encouragment from hence, that I know of, to thinke he shall have any favor. I have not tyme to say more, but that Lord Russell and Lord Gray are sent to the Towre, and that the Duke of Monmouth is not to be found, tho a warrant has been out since noon to take him. We

are gott to the bottom of this damnable conspericy against his Majesty and the Government ; in a few day[s] will be made publike to all the world.

For the Marquis of Queensberry.

53. The Muster Master's place given to Middleton's uncle, but something might yet be done for Lagg. The great villain, Rombold, believed to be taken.

London, July 7 : 1683.

I had but last night yours of the 29 : of June, and his Majesty hauing had notice by the former post, of the death of the muster master, had given it to the Lord Middeltons vncl, or els you are sure Lagg had had it ; and I hope other oportunitys may happen, of doing some thing for him, knowing him to be so loyal a man, and related to you. I have had an account from others as well as from your self how well things have gone at Dumfrise, and every body has done you justice both from thence and from Edenburgh, and particularly the Chanceler, who besids tells me, he fears they will not be so obedient at Jedbrugh. The letter to the Prive Councell you mention was not calculated for any end but what is mentioned in it, and will not hinder your sending up the treasurer depute, when you judg it necessary. Only this is fitt to be done, which is, that you lett the Chanceler and Councell know, I haue obtained leaue for him to come up from his Majesty. I haue not tyme to say more now hauing been all this afternone below at the Secretarys, examining prisoners. There is one taken in the West, who is beleved to be that great villan, Rombold.

For the Marquis of Queensberry.

54. Lord Arran troubled that Queensberry was dissatisfied with him : —Lord Russell and others to be tried next week.

London, July 1683.

I intended to haue writen to you by the last post, but we were so long that evening at the cabinett councell, examining some prisoners then brought in, that I had not tyme that night to do it ; and before I say anything else, I must tell you that Lord Aran is much troubled to heare you are unsatisfyd with him, about his hauing told me his father had complaind a little both of you and the Chancelor. He did not know well how to auoyd doing it, and did not say it as his owne sence, but as his fathers, whose letter he shewd me, writen to him upon that subject. This I thought fitt to say to you, that you may not blame him for it. As for newse, the Lord Russell and seuerall others of the conspirators are to be tryd next weeke. Seuerall people are taken and examined every day, all of which except one Mr. Trenchard owne all of them the rising which was to have been about this tyme, tho they had put it of once before, and had mised of their dispatching his Majesty and myself. Lord Argile asked at first 30^m. pounds for to enable him to buy armes to make a rising in Scotland, but at last came downe to six thousand pounds, and that they might be sure the mony should not be misimploy'd by him, desired they would send some ouer to see the armes bought. 'Tis reported that the Duke of Monmouth, Lord Gray, and some others, are gott away in a small vessel from a place neare Chichester. Yesterday the Lord Major, aldermen, and common councell, were with his Majesty and myself to complment upon the discovery of this damnable conspiraey. We are all here so full of this, that one cannot write of anything els.

For the Marquis of Queensberry.

55. Not to press Lord Mar any further.—The Earl of Essex cut his throat in the Tower to prevent justice.—Lord Russell and three other conspirators condemned and to be executed.

London, July 13: 1683.

Last night I received yours of the 7: and you have done well not to presse Lord Mar any further, since he desires to come vp hether, and I shall move his Majesty he may have leave to come. What you say concerning the Lord Naper is very resonable, but the best way of doing it will be a precept from hence, that it may not be a preparatif to others. I thought to haue sayd more in answer to your letter, but have not now tyme, only I must tell you that the E: of Essex cut his own throte in the Tower yesterday to prevent the stroke of justice, tho he had not yett been indited. Lord Russell and three others of the conspirators are condemned, and are speedily to be executed. I haue not tyme to say more.

For the Marquis of Queensberry.

56. To find a small forfeiture for Lady Newark.

London, July 18: 1683.

Tho' his Majesty would not grant a pention to the Lady Newark nor the arrears were due to hir husband, yett he has so much compassion for hir, that he is willing to do some thing; therefore, if you can find some smal forfeitur, worth bettwene one hundred or two hundred pounds, or some fine of about that valu, send up, when you haue found it, a warrant ready drawne, to be signed here. This being the only subject of this letter I shall say no more now.

For the Marquis of Queensberry.

57. Examinations about the conspiracy.—Lord Russell beheaded.

London, July 21: 1683.

I had yesterday in the evening yours of the 14: but have not now tyme to answer it, hauing been all this afternone very busi of examining people about this divelish conspiracy, but by the next shall do it; and shall only now tell you that Walcott, Rouse, and Hone were hanged yesterday, and that this day Lord Russell was beheaded. He behaved himself like a stout man, but not like a good Christian; said little, but left a most seditious paper signed by himself, to be sent to the King, which just now is brought to me in print, which has been published by some of his factious friends. When you see it you will say there cannot be a greater lybel on the government.

For the Marquis of Queensberry.

58. The parliament not to be dissolved through the loss of a letter.

London, July 24: 1683.

I had yours of the 17: yesterday, by which I see you there thinke the Parliament is dissolved. I confesse I cannot be of that mind, it being according to my sence against all reason that by such an neglect or the accident of the losse of a letter a Parliament should be dissolved, which I thinke cannot be done but by his Majestys order or proclamation. I am sure here in England the late Lord Shaftsbury and other Lords were sent to the Tower for saying and endeavoring to suport this very argument, that that Parliament was dissolved by such an oversight as this was. I have writen to the Chanceler upon this subject, and desired him to advise with you and the rest of the officers of State about this affaire, and to lett me know your opinions about it; for I cannot thinke

such nicities can dissolve a Parliament. As for the treasurer deputies coming up, he may, whenever you thinke fitt; and if it be necessary, you may tell the Chancellor and counsell, that I have asked his Majestys leaue for him. The Captain of Clanranolds signatur was signed before I had your last letter, and so is sent downe to you. I am of your mind as to the minister, Sterling, and you did very well to giue him nothing I have not tyme to say more now.

For the Marquis of Queensberry.

59. Sent with the Archbishop of St. Andrews—for a good understanding between the Chancellor and Treasurer.

London, July 25: 1683.

I have desired this bearer, the Archbishop of St. Andrews, to speake with you of severall things concerning the country where you are; and amongst the rest to enquire whether there be any ground for a report which is here, as if there were not so good an understanding bettwene the Chancellor and you as there used to be; and if that should be, to endeavor to make you good freinds againe, which is absolutly necessary for his Majestys service as well as myne. The Archbishop has desired me to recomend a concerne of the Universites of St. Andrews to you—he will tell you what it is—and as he stats it, it seems to be resonable. What els I have to say I reff[e]r to him.

For the Marquis of Queensberry.

60. The marriage of his daughter.

London, July 31: 1683.

By the last post you might heare of my daughter's having been married that night, and by this that their Majesties went early this morning to Windsor. The Dutchesse, the new married couple, and myself are to go thether tomorrow: from whence I shall have leasur to answer severall things in some of your letters which I had not tyme to do here.

For the Marquis of Queensberry.

61. Lady Wemyss's leather guns—action in favour of Lady Argyle and Lady Jean.

Windsor, August 4: 1683.

Since my arrival here I have had tyme to know his Majesty's pleasur concerning the Lady Wemyss leather guns. He is for hauing some few of them bough[t] after tryal; that for the rest she might haue leave to sel them anywhere beyond sea; and that if they were not speedily transported, they should be kept in the castel of Edenburgh till she could agree for them, and carried thether at his Majesty's charge, for lying where they are they might be seased on by disorderly people. I receved this morning yours of the 28 of July, and as to what you say has been done in favor of Lady Argyle and Lady Jean (without your knowledg,) it has been done without any new orders from hence, so that tis proper for you in the place to enquire into it and looke after it. As for Muncklands forfitur, the signatur is come downe hether for the treasurer depute, but Lord Aran puting in some pretentions to it, in right of his father, which I do not well understand, I have cause[d] stop it till that be enquired into: and did againe put his Majesty in mind of his promise to Lundy, that he might not be surprised by what Lord Aran might say to him upon that subject. As to the Scots prisoners that are here, what you propose will be done, and am of your mind that Carolina was only a pretence to carry on their damnable

designs. I shall lett the Chancelor know his Majesty has given the Earl of Mar leave to come up hether, so that he needs only move it in Councell the next day it meetts. When you find any thing proper for the Earl of Dumbarton, send an order ready drawne up to me, and then I shall cause offer it to his Majesty, and in the meane tyme shall take care that none shall be disposed on to any other. As for newse, there is none but that one-leg Charleton was taken the other day in Oxford shier—he was a great man with the late Earl of Shaftsbury, and a great agitator for that party.

For the Marquis of Queensberry.

62. A new parliament—the forfeiture of Monckland desired both by Lord Arran and Lundy.

Windsor, August 9 : 1683.

Yours of the 31 of July I had two days since, and am of your mind that a new parliament will be better then this present one is. But his Majesty hauing considered that whole affaire, and read the paper sent by the Chancelor concerning it, has resolued of what you will see in his letter to the Councell, which in effect is but to suport his prerogative, being resolued that when a Parliament is to sitt and do any thinge, it shall be a new one. Lord Aran presses still very hard about the forfitur of Monckland; and, if the estate be as considerable as he says it is, I beleve both he and Lundy may be satisfyd; for, as I remember, when you wrot to me first for it for Lundy, it was looked not to be worth much above two hundred pounds a yeare, and that his Majesty sayd that what it was worth more should be layd aside towards the fortifying of Stirling Castel. Lord Aran would have had me have sent you a paper he gave me of his father's pretences to some part of it; but I told him I thought it not necessary, for that his father would be sure to informe you of it; but my true reason was, to keep it by me till Lundy came, that I might lett him see it. Till he is here, and that you send an account of the true valu of that forfitur, nothing shall be done in it, and then not without advising with you. I have not tyme to say more now.

For the Marquis of Queensberry.

63. Letter by the Archbishop.—To ask leave for the Treasurer to come up.

Windsor, August 20 : 1683.

I had not tyme the last post to tell you I had receved yours of the 11 : by which I see you had had myne by the Archbishops, and that he had spoken to you about what I had charged him with to say to you; and make no doubt it will haue had that good effect with you and others as is necessary for his Majestys service, which is all I shall say upon that subject now. As for your coming up about the tyme his Majesty uses to go to Newmarkett, I thinke it very reasonable. If the Chancelor coms, and if I aske leaue of the King for him, I shall at the same [tyme] aske it for you also, and send you word of it, that you may come up to. I thought to haue sayd more, but haue not tyme now. Lundy is not yet come.

For the Marquis of Queensberry.

64. He had written to the Register concerning Carstairs.—Monroe's and Philiphaugh's confessions.

Winchester, September 22, [1683].

Till the last post I could not haue answerd yours of the 6 : and 9 : hauing been out of this place for some days with the Dutchesse to see

Salisbury and Portsmouth; and when I thought to have written then, I had not tyme to do it, hauing had only leasur to writ to the Register by the Kings command concerning Carestairs; which the Register will, before you have thlis, haue given you an account of. I am glad to find by yours of the 6: that you made Duke Hamilton sensible of his error, and I hope he will continu of the same mind after he has been at home. Since I had yours of the 9: which is the last I have had from [you], I haue had an account both of Monroe's and Philiphaugh's confessions, which will bring you to the bottom of the conspiracy in Scotland. This I beleve will not find you at Edenburg, so that at present I shall say no more to you till I be at London, which I intend to be on Wensday, and their Majesties on Thursday.

For the Lord Treasurer of Scotland.

65. Bishopric of Ross.—Baillie Drummond to be Provost of Edinburgh.—Stubbornness of the City of London.

London, October 2: 1683.

I had yours of the 14: of September when I was at Winchester, and have been in such motion till I came to towne and so much bussinesse since my arrivall here, that till now I have not had tyme to answer it; and as to the bishopricke of Rosse, haue lett the Arch-Bishoppe of St. Andrwes know I do aproue of what he has proposed concerning it. You have shouen very good example in causing men to be put into some of your owne houses, and am sorry to heare others did not mind those things as they aught to have done, tho you wrot to them about it; and am sorry any of his Majesty's officers of State should shew themselves partial for the towne of Edenburgh against his Majesty; and care shall be taken to advertise them to be more carfull for the future. As to what you propose concerning sending downe the Lord Middleton, I do not thinke it necessary; for against November, when you will all be in Edenburgh, such directions will be sent as will I hope settle the management of his Majesty's affairs there for the better, and hinder any occation of dispute amongst you. Sir James Dicke is come hether, and by the next letters we shall heare what the towne of Edenburg has done in persuance of his Majesty's letter to them for chusing Baily Drummond to be their Provost. The city here haue been a little stuborne, for they haue rather chosen to lose all their privileges then to agree to what was offerd them by his Majesty—it is the worse for them, but not for the Crowne. Lord Dumbarton is come this night from France, who says the King of Portugal is dead, and that he was told Tanger was beseiged by the Moors.

For the Marquis of Queensberry.

66. Sir James Dick had got nothing by coming up—the Scots prisoners ordered down—Algernon Sidney to be tried.

London, October 26: 1683.

If it had been necessary, I had answered yours of the 12: soner; but that not being I deferd the doing it till now, hauing had much business since my coming from Newmarkett. I am glad to heare that the generality of the towne of Edenburgh is so well pleased with what has been done; and I beleve Sir James Dick thinks now he had done better not to have come vp, since he has gott nothing by it. As for the Earl of Marrs affaire, nobody is more for shewing him favor then I am, but do not thinke it proper to move his Majesty in anything concerning it till I have an account from you of the true state of it. I

am very well satisfyd with the account the treasurer depute has given me of the affairs under your trust, and I can assure you his Majesty is so to; and I wish all people in their severall stations may serve him as successfully and as well as you two have done. As for the Scots prisoners which are here, his Majesty has ordered them to be sent downe by sea to Scotland. Algernon Sidney is to be tryd very sone, and has had notice to prepare for it. The French and Flanders letters are not come, but the Dutch are, which say that Courtray is beseiged by the French. All things are, God be thanked, very quiet here. I am sorry to heare you have had some feild conventicles, but I hope care will be taken to supresse them.

For the Marquis of Queensberry.

67. Recommending the Earl of Breadalbane.

London, October 29: 1683.

'This bearer, the Earl of Breadalban, being returning into Scotland, and desiring me to write to you by him, I could not refuse it him; and to lett you know that his Majesty is well satisfyd with him, and looks on him as one, who is able and ready to serve him. If I did not beleve it to, I should not have written as I do, and recomend him in generall to you, which is all I shall say at this tyme.

For the Marquis of Queensberry.

68. Field Conventicles to be put down.—The Treasurer's sons fine young men.

London; November 10: 1683.

I had yesterday yours of the 2: by which and other letters I have had, find there has been some feild conventicles and other meettings of late amongst the disorderly people; and am of your mind, that, if every body would bestur themselvs and be as diligent as you, it would not be so easi for them to meett; but I hope when you all are at Edenburgh, you will do your parts to hinder them. All things are very quiet here, and the bill is found against Algernon Sidney, and on the 21 of this month he is to be tryd. As to Lord Marr's affaire, by my next I shall lett you know what his Majesty's pleasur is. They have done me right to you that have lett you know I am kind to your sonns. I assure you they deserve to be countenanced, being both as fine yonge men as I have seen.

For the Marquis of Queensberry.

69. Duke Hamilton and his place in the Abbey.—Lady Cassillis' pension, &c.

London, Nouember 18: [1683].

I had this weeke yours of the 6: and as yett Duke Hamilton has sayd nothing to me about Lady Sutherland's pretentions, but has sayd some thing to me concerning his place of house keeper of the Abbey; and made some proposals about parting with it. I desired what he had to say he would put in writing, that it might be considred of, as you desired me in a former letter of yours; and you may be sure that what you say to me upon any subject shall not be spoken of againe. I see you are not satisfyd with one Campbel, scriver of the Castel. Lundy told me he was put in, as I remember, at the recomendation of Lord Argile, and you will do well to put him out. I did not know that Lady Cassiles pention had such clauses in it as you mention; if I had, it should not have gone so but in the ordinary forme; and for the tyme coming care shall be taken in such cases, and that no new pentions be

added to the establishment. As for the precept of 250: pounds she expects, I shall say more to you upon it another tyme. What you have heard of Lord Perth and the Countesse of Weems are all storys. Nothing is done yett as to the Justice Clarke; and, methinks, people there should hold their tongs till it were done.

For the Marquis of Queensberry.

70. About paying Sir William Sharp out of the Mint fines.—Hamilton of Preston's fine to be remitted.

London, Nouember 23: [1683].

Last night late when I came from hunting I receved yours of the 15: from Edenburgh; and as to what you say is proposed concerning Sir W. Sharp's being payd out of the Mint fins, I thinke 'tis best not to thinke of disposing them to any body or any use till one sees what they will come to. As to the fishery, you see what you proposed is done. I thought to haue answerd all your letter now, but hauing been interrupted by businesse I could not avoyd, I must deferer doing it till next post having not tyme now. Duke Hamilton has prestt me that Sir W. Hamilton of Preston's fine of one hundred pounds, which was layd on when I was there, might be remitted, which pray lett be done.

For the Marquis of Queensberry.

71. Submission of the Duke of Monmouth.

London, Nouember 24: 1683.

I haue had yours of the 15: and haue had an account of what has past where you are. As to the prisoners sent downe to you, and what we know of them here shall be sent as is desired. This evening I am to wayte on his Majesty with the two Scots Secretaries and Lundy, to settle all things for the treasurer deputs' dispatch. As I had written thus far, I was called for to attend his Majesty downe to the Secretaries w[h]ere the Duke of Monmouth was come to surrender himself. He desired to speake to his Majesty and myself alone. He asked the King's pardon as became him, confest himself guilty of the plot in generall, and owned all but the knowing of the designed assasination; asked me pardon also, and owned his hauing been faulty to me, and made all the professions man could make. He is now in the custody of a sargent at arms; and to-morrow morning his Majesty has appointed a meeting to consider what to do with him. I have not tyme to say any more.

For the Marquis of Queensberry.

72. The Duke of Monmouth's affair had revived the Whigs and troubled the Tories.—The letter sent by Sir James Dick.

London, December 1: 1683.

You cannot imagin what a noise and fermentation this affaire of the Duke of Monmouth has made, and how it has encouraged and revived the Whiggs and troubled the Torys; the former of which according to their wonted coustume of lying for the good of the cause, haue done and do it most impudently now upon this subject, and report every where the Duke of Monmouth has not owned the Plot, and that what was in the Monday's Gazette was false. What incouragement he has given them to talke so, I will not yett take upon me to say, but by my next I may; and shall now only say I hope good use will be made of the extrauagance of that rebellious crue.

I thought to haue sent this by the post, but this bearer Sir J. Dick telling me he will be soner with you, I send it by him. He talked to

me of some proposals he has to make to you for the improument of his Majesty's reueneu in Scotland. When you heare it from him, you will sone judge if it be so, or fitt to be done.

For the Marquis of Queensberry.

73. Recommending a Lady, who bore the letter.

London, December 2: 1683.

The faire Lady that will give you this, being going back into Scotland, to her husband, I could not refuse hir, to recomend in generall hir concerns to you, which I do. She will be so long on the way that I shall say no more now.

For the Marquis of Queensberry.

74. Earlston's madness feigned—effects of the Duke of Monmouth's being at court.

London, December 6: 1683.

I had this day yours of the 29: of last month, by which I see Earleston is sent to the Castel, and I cannot help thinking his madnesse is fained. I see you were all of you surprised with the newse of the Duke of Monmouth being at court: at which I do not wonder at, since here it had the same effect, and upon it the Whiggs are growne very insolent, and the more since they see he, the Duke of Monmouth, has not behaved himself as he aught, and not owned his knowledg of the conspiracy as he promised his Majesty to do. But tho this has done some harme at first, yett now that Algernon Sidney is to be beheaded tomorrow, and some other things will be done, they will not be so high; and the Duke of Monmouth will only have done himself harme by his behavior, and will satisfy the world he has not deserved such fauor from the King as he has had. I haue charged Lundy to speake with you, and to lett you know how necessary a thing it is for his Majesty's seruice, that the Chancelor and you should be upon good terms. I haue writen to the same purpose to the Chancelor and to the Archbishops of St. Andrews to speake to you both about it, who I hope will bring it about; which is all I shall say to you now.

For the Marquis of Queensberry.

75. The Duke of Monmouth banished the Court.—Algernon Sidney beheaded.

London, December 8: 1683.

The Duke of Monmouth's being banished yesterday the court, will, I beleve, be no lesse surprising to you then his coming to it was; and tho he has gained his point in getting his pardon and keeping his credit with his party, yett I am confident it will haue no further ill effect, and will haue this good one, of taking away that tendernesse which moued his Majesty to do what he did in his fauor: for now, he, the Duke of Monmouth has satisfyd the world he can neuer be trusted, and was neuer a true penitent; for he would not owne under his hand what he sayd to the King and myself, when he saw us first, and told some of his dependers that what had been put in the Gazette was not true; which so incensed the King as obliged him to send him out of court. But of this no more at present. Yesterday Algernon Sidney was beheaded; he died stoutly and like a true republican. I have not time to say more.

For the Marquis of Queensberry.

76. Sent by Colonel Gage.—The Duke of Monmouth's knowledge of the conspiracy.

London, December 13: 1683.

This bearer, Colonel Gage, gos downe with a letter from his Majesty to haue leawe to raise recruts for his regiment; so that I need say no more as to that, only to desire you he may be sone dispatched by the Councell. He can tell you what his Majesty declared here in Councell concerning the Duke of Monmouth, and the reasons which obliged him to banish him so sone from Court againe. He ordred also the letter which he would have had the Duke of Monmouth signed, but to owne what he, the said Duke, had sayd to him as to the conspiracy, to be entred in the Councell Books, with what he had then sayd upon that subject, that it might remain upon record for the satisfying of all loyale men, who gett hart againe now that the Duke of Monmouth is removed. I have not tyme to say more now.

For the Marquis of Queensberry.

77. Sir William Scott's fine.—Algernon Sidney's speech come out in print.—The Duke of Monmouth's connection with him.

London, December 20: 1683.

I have now yours of the 11: and 13: to answer, by the first of which I find Sir William Scott shuned paying his fine, but I am apt to beleue he made not such difficultys when he heard of the Duke of Monmouth being banished the court, which I see by your last you had then heard of. I long to know what Earlston will confesse now that he is in his witts againe. Algernon Sidney's speech is come out in print, and his tryal will I beleue be out this weeke; by both which you will see what a fine princepeld man he was, and of the same trampe are all those the Duke of Monmouth was to have headed; and I thinke 'twas a great mercy he discovered himself so sone not to be a true penitent. As for foraine newse, the Gazette will tell it you, and I would have sayd more of our home concerns if I had tyme.

For the Marquis of Queensberry.

78. Jerviswood had received his punishment—Earl Tarras pardon to be made out—not satisfied with Clavers' behaviour to the Treasurer.

Whitehall, New Years day 1684.

I receued last night yours of the 25: by which I find that Jeraswood has receued the punishment he and all traitors deserve; and by what you and others haue writen to me, find Earl Tarras by his being now so ingenious dos deserve his pardon. I spake with his Majesty last night concerning him, the two Scots Secretaries and Lord Middleton being by, and Lundy has order to signify his Majestys pleasur, so that I need not repeat it to you; beside, I have not tyme to do it. When I come downe to you, Claueros shall know I am not satisfyd with his behavior to you, which is all I haue tyme to say now.

For the Lord Tresurer of Scotland.

79. Pensions for Lady Lucy Hamilton, and young Ardross.—The Duke of Monmouth out of favour with the King.—Death of Lord St. Albans.—River frozen that it is passable on foot.

London, January 3: 1684.

I haue had yours of the 22: of last month, and do not at all doubt but that you will do your part in what I recommended to you concerning the Chancelor, it being so necessary for his Majestys seruice. And

now, tho I see by your letter you complaine of new pentions that are giuen, I must mention two new ons to you, which I haue been very much prest about; and in which I would do nothing till I had had your opinion concerning them. The one is for the Lady Lucy Hamilton of one hundred pounds. They tell me she realy wants it very much, and is so old she cannot enjoy it long. The other is for yonge Ardrosse, whose father had a pention of 300 pounds, and I am told for valuable considerations; now, one hundred is all is desired for him; pray, lett me heare from you as to both these two. By letters from Edenburgh of a later date then yours I heare that seuerall drafts of remissions ars sent up hether, by one Sincler, for to be presented here, for the Duke of Monmouth: but his Majesty will do no such thing; and I wonder after that Dukes behavior any could have the impudence to send those remissions up hether; for who could thinke the King would do such a thinge for him now. As for newse, what is from foraine parts you will see in the Gazette, and for here there is none but that Lord St. Albans is dead; and that the riuer has been so frozen over these two days, that people go over it on foott.

For the Marquis of Queensberry.

80. Protection for the Earl of Annandale—forfeitures to be applied to repairing the castles of Stirling and Kirkcudbright.

Whithall, January 6: 1684.

I haue had yours of the 30: and as you desired haue given order for the protection you desired for Earl of Annandale, which if I can help it, shall be the last of that kind shall be grauted. As to what horse and dragons shall be raised with the mony of the severall districts, no resolution will be taken till I come to you; and as to any of the forfiturs, none will be disposed of, as his Majesty declared yesterday, till a sufficient somme be raised out of them for the fortifying of Sterling and Kereubray. The Duke of Gordons signatur will be past. I haue not tyme to say more to you now, being to play with his Majesty.

For the Lord Tresurer of Scotland.

81. About pensions, suggesting one for Lady Largo—a parliament in Scotland.

London, January 19: 1684.

I haue had yours of the 8: and you may be sure 'tis in no body's power to do you ill offices with me; and for what concerns Lady Lucy Hamilton, since you aproue of it, I shall gett it dispatched. As for the remissions I wrot you word were sent or to be sent up hether, I heard of it from Edenburgh, and that 'twas on Sinclere, who is secretary to the Duke of Monmouth, which gott them prepared there, but I do not here they were ever seen by any here. As for what concerns Earl Ancrum, I beleue he would not willingly compound as you propose; but for others, if you can agree with them, you may. As for what you propose concerning a Parliament, I am of your mind it would do good there, but that must be governed by affairs here, so that yett it is not proper to call one; for tho things go well here, there are some things necessary to be done here before that would be aduisable. I had almost forgott to tell you that as to what you say as to Ardrosse, I acquiesse in it, and thinke the resons very good why he should haue no pention, but haue been prest by the Dutchesse to write to you in fauor of his sister, the Lady Largo, who is a widdow, and in a very ill condition, that she might haue a pention of one hundred pounds only. The Dutchesse tells me she had desired the treasurer deput to speak to you about it,

who gave hir hops it should be done; therefore, pray, if you thinke it may, send me a draft of such a gift for the Lady Largo. I thought to have sayd more, but have not tyme.

For the Marquis of Queensberry.

82. More about pensions—care of the Countess of Dalhousie.

London, February 9: 1684.

What you say in yours of the 26: concerning the Lady Largo is very resonable, and as for Lady Lucie gift of pention, it shall be sone sent downe to you. I heare that the Countess of Dalhousi is procecutet by hir late husbands relations for the mony she had receued as part of the arrears deu to him for his company. I remember when 'twas given hir, it was done to help to suport hir: so that it seemes to me very unresonable for them to pretend to it. Therefore, pray, do your part that she be no further tormented about it. I thought to haue sayd more but was inturrupted, and now 'tis so late that I must end.

For the Marquis of Queensberry.

83. Letter by the Earl of Perth—nobody had done him ill offices with the Prince.

London, March 4: 1684.

This bearer, the Earl of Perth, is so well informed of every thing here, that were it not to lett you know that no body has gone about to do you ill offices here, I should not have writen to you by him; and had it been endeavored, it would have signified nothing. What els I have to say I refer to him, being just a going to take coach for Newmarkett.

For the Marquis of Queensberry.

84. Renewed confidence in the Lord Treasurer—Sir William Scott's fine of 1,500*l.* not to be remitted.

London, March 22: 1684.

I arriued here from Newmarkett on Thursday and found yours of the 15: so sone as I came, by which I see you had receued myne by the Earl of Perth; and that you are satisfyd 'tis not in any body's power to do you ill offices with me, should it have been gone about, which it has not. I wonder to heare Sir William Scot should make any dificulty of paying the 1,500: pounds. He aught to be satisfyd with having had so much abated, as has been of the fine, and I cannot immagin why he should flatter himself so as to thinke any part of the 1,500 will be remitted, for it will not. I have had no account of what past when Smith and Earlston were confronted together. As to yours and the treasurer deput's coming, you know by the letter already writen upon that subject when it is like to be, for you know what is to be dispatched before any of you can come; and when that is over, you must have a fortnight or three weeks tyme to gett yourselfs ready and to come at your ease hether. His Majesty arrived here this afternone, and God be thanked all things are very quiet, and go very well here. We expect every day Lord Dartmouth with the troupes from Tanger—the Gazettes will tell you the foraine newse.

For the Marquis of Queensberry.

85. Recommending to him an affair of Lady Marischal when he should come up—arms being bought by Scots at Utrecht.

London, April 5: 1684.

I had not tyme the last post to answer yours of the 27: of March, but before I do forgett it, I must recomend an affaire of Lady Mareshal's

to you. 'Tis that you would, before you come away for that place, speake to the Lord Mareschal, that he would satisfy hir in hir just pretentions, for otherwise she will be forced to move his Majesty to give his helping hand towards it, who will hardly refuse hir that justice; and against the tyme you come hether, pray, informe yourself so of that affaire that one may the better know what to do in it. I wonder what should encourage Sir William Scott not to pay his fine, being sure the 1,500: will not be remitted him. As to the Lord Ballantine, the warrant was already past his Majesty's hand, and I engaged in it, so that it must be continu'd to him till his nephew shall be of age; if he misbehave himself, upon complaint what is fitt, will be done. As to your up coming, I am to go on Monday to Windsor, and shall from thence send you word when it is to be; and by yours of the 29: of March thinke the soner will be the better, for severall reasons. My next will tell you the very day I would have you all here. By letters which I have just now had from Holland, I am informed that the Scots which are at Vtrecht are about buying of arms there, to send into Scotland. By the next post I expect a further information of it. In the meane tyme, I thinke it would do well to have those ports watch'd, where 'tis likly they may be sent, but that with the least noise that may be.

For the Marquis of Queensberry.

86. Death of Lord Montrose to the King's great loss, and disposal of his troop—was glad he had put some money up in the Castle — Holloway, the conspirator hanged.

London, May 1: 1684.

I have had seuerall of yours to answer, the last of which is of the 25; and shall only tell you now that I was very much trouble[d] to heare by it that Lord Montrose was dead; the King has had a great losse of him. As to his troupe, his Majesty has been pleased to confer it upon the Lord Lewingstoune, that is the lieutenant, the cornet, Murray, will be advanced; and I intend to desire his Majesty to give the cornet's place to Captain Hume that commands the Grenadiers, and his company to Meldrum's brother, that is now in Dumbarton's regiment. I am glad to heare that you haue put up some mony in the Castel. What els I have to say in answer to any of yours, I shall defer till I see you. Yesterday, Holloway, one of the conspirators was hanged, and died with little concerne for him self; and tho' he owned the conspiracy, continu'd stuborne as to his factious princeples. As for foraine newse, you will find it in the Gazette.

For the Marquis of Queensberry.

87. Was glad to find that most loyal men were pleased at Perth's being made Chancellor.

Tunbridg, July 22: 1684.

This is only to tell you that I haue had yours of the 15: by which I am very glad to find that most of the loyal men are pleased at Lord Perth's being made Chancelor. I haue not yett seen what past at the Secret Comitty, but beleve I shall when I am at London, where I intend to be to-morrow. I came yesterday from Windsor, and when I returne back thether, which I intend on Thursday, shall answer more particularly your letter, hauing not tyme to do it now.

For the Marquis of Queensberry.

88. Was pleased with the good understanding between the Chancellor and the Marquis of Atholl—Kind usage of the Duke of Monmouth by the Prince of Orange scandalises all honest people.

Windsor, July 25: 1684.

Since I wrot to you from Tunbridg I haue had yours of the 17: and two from the Secret Comitty; and am absolutly of their opinion as to the parliament, and thinke their reasons good for the not calling it any tyme this autum. I am very glad to find you have made so good an understanding bettwene the Chancelor and Marquis Athol—'tis a very good service to the King. The Secretary shall be sure, as you desire, to give speedy and full answers to all that the Secret Comitty writs; and I shall be sure to follow the aduice you give me as to seuerall things in your letter, which I need not repeat. Your brother, Colonel Douglas, is here and has given me a full account of all things have past from whence he coms, and the kind usage the Duke of Monmouth and Lord Brandon haue had from the Prince of Orange scandalizes all honest people here, as well as where you are, and encourages the factious party. If Smith be here, I shall send him downe to you. I have not now tyme to write to Lord Kintore, but will do it; and you may be sure shall remember to moue in your concerns, when 'tis a proper tyme. I have not tyme to say more now.

For the Lord Treasurer of Scotland.

89. The "Boots" had done no good upon Spence—proposed match between the Countess of Wemyss and the Treasurer's second son.

Windsor, August 5: 1684.

This morning I receved yours of the 29: of last month, and at the same tyme had a freind of Mr. Marr's with me, who had also receved a letter from him, in which he, Mr. Marr, gave him an account how kind you had been to him, for which I thanke you very hartely. I find by yours the Boots had done no good upon Spence, and beleve him so stuborne he will not owne what he knows. As to what you mention concerning a proposal hauing been made to you for a match bettwene the Countesse of Weems and your second sonne, I do approve of it very much: for, besids that it will be of advantage to him, I do realy look on the lady as a very good yong woman, and one that I have a very good opinion of, and one that I am very confident of will neuer go about to endeavor to alter your sonn's princepels; and if she should, would I am sure never be able to alter those he has had from you; so that I thinke you cannot do better then to accept of the offer. I have sayd nothing of it to no body here, nor shall I till I heare it is concluded. I have not tyme to say any more to you now, but that all things are very quiet here.

For the Lord Treasurer of Scotland.

90. Spence was begun to speak—Duke of Hamilton should be added to Committees.

London, August 15: 1684.

When I came back from a little voyage I had made to Chatham, Sheerness and Tilbury, I receved yours of the 7: by which I was glad to find that Spence began to speake. I hope to heare sone he has been engenuous and will discover all he knows. As for your owne concerne, you may be sure I shall move in it when the tyme will be proper. I shall be sure to be very cautious as to what you mention concerning Tom Gourdon. As to Duke Hamilton, you will see by what the Secretarys wrot what his Majesty has ordred concerning him; since when Lord Dumbarton shewd me a letter from his brother, Duke

Hamilton, in which he complains that he has not been named of any of the publike comittys since the new Commission of the Councell has satt. How it comes he has not been named of any of them, you know best; and I do not see that there can be any harme of his being of any of those committys he was formerly of. I have written the same thing to the Chancelor only; and, if you two thinke there is no inconueniency in it, would have you name him of such of the committy as you thinke fitt, and what is to be done is best without noise. I have not tyme to say more to you now.

For the Lord Tresurer of Scotland.

91. Changes in the Government.—Suggestions as to new Secretary in Lord Middleton's place—names Lundy as a suitable person.

Windsor, August 25, 1684.

You will have heard from others the alterations his Majesty has made here, of a new President of the Councell, in the Treasury, and Secretary of State, so that I need not repeat them to you; and only tell you that I thinke his Majesty has made a very good choise, and that Lord Rochester has long desired to be removed from the Treasury. By Lord Middleton's being aduanced, there must be another Scots Secretary to supply his place. There are three have been named for it, which are Lundy, Lord Register, and Drummellier; but I have desired his Majesty not to come to any positive resolution till I heare from you and the Chancelor upon it. I confesse if Lundy think it better then the place he has, I am for his being it, and have written to the Chancelor to that purpose; but if he should rather chuse to keep the employment he has, then I would be glad to know your opinion, which of the other two or who els you thinke properest for it; or in case Lundy should chuse to be Secretary, whether you think Drummellier would be fitt to be treasurer depute in his place; or if you do not like him, who you would propose. Pray, speake with the Chancelor upon these affairs, and lett me have your opinions on these affairs as sone as you can. To-morrow we go to Winchester. I have charged Lord Morray to write to you about somthing Sir Archibald Stuart has spoken to me about, having not tyme to do it myself, and shall only say I look on him by what I heare of him to be a loyal man, and one that deserves to be countenanced, but of that you are a better judg than I am.

For the Lord Tresurer of Scotland.

92. Successor to the Archbishop of St. Andrews—Leave to Lord Lauderdale to come to court.

Winchester, September 1: 1684.

I haue had yours of the 21: of August, which I haue not tyme to answer now, but have yett had none from you by the last post, which brought me the newse of the death of the Arch-Bishope. I immediatly gave his Majesty an account of it, and desired him not to dispose of it till I had written to the Chancelor and yourself about it, to have yours and the Secret Comitty's opinions who you thought fitt to fill that important place. I told him that amongst the bishops, I knew none so proper as the bishop of Dunkell, but that I would not take upon me without advising with you to recomend him or any one els to him; therefore, pray, lett me know as sone as you can your opinions upon this matter. That which fortifys me in my opinion of the fitnessse of the Bishop of Dunkell is, that when I named him to you and other of the Secret Comitty at Windsor, there was no objection then made by any against him. However this does not hinder your proposing any one who you may thinke fitter for it; and I shall take care nothing shall be resolued

in it till I hear from you. Lord Maitland is come here to propose a letter to be written to you from the King about a decret past against his father; but Lord Morray not being here, I am not fully informed of it, and so have sayd nothing to his Majesty of it. Lord Maitland prest me to gett leaue for his father to come up for a few days to court only to kisse the King's hand. The answer I gave him from his Majesty was that he did not know how matters stood, bettwene that lord and you of the exchequer; that, therefore, if he would, he could not answer him now. But his Majesty bad me tell you, that, if such of you of the Secret Committy that shall be togather think there may be no inconveniency in letting Lord Lauderdale come up, you may lett him know he may come when he pleases.

September 1, 1684.

93. Successor to the Archbishop of St. Andrews.—Lundy to be Secretary.

Winchester, September 8: 1684.

The same day Dr. Fall arrived here I had written both to you and the Chancelor, to haue had both yours and the privat Committy's aduice who you thought the fittest to succede the late Archbishops of St. Andrews. But he, bringing from you what I desired, I did not thinke it necessary to send on that letter, and to stay answering yours till the bearer was dispatched, which had been soner done if Lord Morray had been here when he came to this place; for his Majesty dos approve of the persons named by the Secret Committy in their letter to me, being fully satisfyd with the reasons for their proposing those removs to him. I confesse till Dr. Fall gave me the reasons which prevailed with all of you to propose those you have done, I was in my owne mind for the Bishop of Dunkell's being at least one of the Archbishops, but the reasons were given me outwaiged the partiality I had for him, and convinced me that what you proposed is most for his Majesty's service. The long narritive, and the copys of Argil's decyphred letters you sent up will be printed, as was desired; but whether by its self, or in the generall account of the late conspiracy, which is now ready to come out, is left to the consideration of the person that writs it. I received two days since yours of the 31: of August, both by which and the Chancelor's letter of the same date I saw Lundy liked what was proposed to him; of which I immediatly gave his Majesty an account, and desired his Majesty would be pleased not to dispose of the treasurer deput's place till I heard from you againe upon that subject. Lord Morray has order to prepare the necessary warrant for Lundy's being in Earl Middleton's place, which will be dispatched so sone as his Majesty returns from Portsmouth whether we are just now agoing; but as you desired I have written to the Chancelor, should not come till they had dispatched the Clidsdale Commission, and then he might come up and take possession of his place of Secretary, and giue his Majesty an account of it. When I began to write I did not thinke to have sent you the enclosed, but not hauing tyme to write over the later part of it, I send it to you. I feare I left the paper Lord Dumbarton gave me from your brother about the regiment of Gards, in a cabinet is gone to London. Lett your brother giue you another to send me, and then I shall giue you my opinion concerning it. What els I have to say I must refer to this bearer, Dr. Fall who I find to be a very ingenious man, and will deserve to be aduanced.

I have not heard who besids Drummellier are pretendrs to succede the treasurer deput.

For the Lord Treasurer of Scotland.

94. The Duchess pressed him for the pension to Lady Largo; Lundy to be Secretary, &c.

Winchester, September 12: 1684.

I came back hether from the Portsmouth voyage yesterday, and found here yours of the 2: which before I go to answer, I must tell you, that the Dutchesse presses me so much to haue the pention of one hundred pounds past for the Lady Largo, that I can no longer put it of, she telling me you had assured here, when she spake to you at Windsor about it, it should be done. Therefore, pray, send up the draft of a warrant in the right forme, that I may gett it signed here, and I shall defend myself well enough from others solicitations. I am glad to heare by your letter that all things have gone so well where Marquis Athole is; and I remember very well 'twas not your fault it was not soner gone in hand with. As for Sir Archibald Stuart of Blackhall, he took his leave of me when I came from Windsor, and you are sure nothing of that kind that he came to solicit here will ever be done without aduising with you first; and I find by a letter I had from you of the Secret Comitty, that they had been allarmed also upon the same subject; but you see by what I have sayd, that neither he nor any other shall impose on me in matters of that nature. As for the Secretary's place, you will have seen by myne which I wrot to you by Mr. Fall that Lundy was to haue it, and that he is not to come from thence till his Clidsdale voyage was over; so that all other proposals which were made are out of doors, and you may be sure nobody shall know what you have proposed concerning it, nor do I ever read or shew any parts of your letters to any, but such parts of them as may be seene; so that you may continu still writing very freely to me, as you do. And tho' it would not have been proper for Lord Middleton to haue kept both places, yett he shall be aduisd with as much as euer in all Scots affairs. As to a new treasurer depute, you are sure nothing will be done in it without consulting with you. You see I named Drummellier to you to know your opinion of him; if you thinke of any fitter for it then he, and of as good quality, (for the treasurer deput being an officer of State, must be given to one that is so) lett me know it, that I may mention him to his Majesty. I find the Lord Angus has no mind to go for Scotland yett, and is desirous to go abroad to improve himself. He is certainly in the right, and I commend him for it; and thinke he aught to be gratified in that point; and you may take care to send a discreet man with him.

For the Lord Tresurer of Scotland.

95. The Treasurer Depute's place—Duke of Hamilton in good temper.—Designs against the Treasurer.

Newmarket, October 19: 1684.

I haue had yours of the 3: from Dumfreis, but before I shall answer it must say some thing to another of yours of an older date. I see by it there are many pretenders to the treasurer deput's place. I confesse I am of your mind, and thinke Kintore the fittest for it; however, shall not absolutly propose him to his Majesty till I heare from you againe; only I will take care he be not engaged for anybody els. I shall not tell any you haue named him to me or recomended him, tho' I find some here beleve you will be for Lim before any els, knowing the kindresse you haue for him. As' for yours of the 3: I find by the account I haue had from Duke Hamilton and the rest of the comitty was with him at Glasgow, that he was in the temper you left him in, and has behaued himself verry well. And now that he is so far dipped in the King's service, I hope he will start no more. I thinke the Earle of

Tarras petition needed not to have been sent up hether, but it shall not hinder his tryal; for 'twould be a strang thing that none of those who were taken, and found to have been in this damnable conspiracy, should be brought to their tryals, and suffer for it. Scot of Ancrum is not yett come up; if he dos it will signify little. As for a Parliament in Scotland, I am of your opinion that it will be necessary some tyme in March, and shall see to order my affairs so as to be able to be there about that tyme; but shall not speake of it here as yett for some tyme. I had heard before from others of the designe some of the rogus had against you; you will do well to have care of yourself; for now that they see they cannot bring any rising in arms about, they will endeavor such kind of assassinations. I am very well pleased with what has been done by Marquis Athole and others in their severall districts, as to the getting wherewithall to raise more men for his Majesty's service. When one sees what the whole will come to, then it will be proper to consider which will be best to turne them to, horse, foott, or dragouns; and besids what is given by the severall shires for that purpose, I have spoken to his Majesty that the fins and forfiturs may be added to it, to make these new raised forces be the more considerable. As to your owne affaire, I have againe spoken to his Majesty about it, and may tell you it will be dispatched so sone as ever we come to London, where we shall all be by the end of this weeke. As for Salton, care shall be taken to haue him insisted against. I intend to go from hence for London two days before the King.

For the Lord Tresurer, of Scotland.

96. The King pleased with his success in Kirkeudbright.

London, October 25: 1684.

On Thursday night when I arrived here from Newmarkett, I received yours of the 10: from Kireudbright, by which I find you have had very good successe in the King's service, and have brought that country into very good order, and have brought them to make his Majesty a very handsome present. I have given him an account of it, who is very well satisfied with that, as well as with your other services; and now your warrant will be sone dispatched. As I had writen thus far I was interrupted so that then I could not make an end of answering all your letter; which now, it being late, I must defer till next post.

For the Lord Tresurer of Scotland.

97. His second son should have a troop in the new raised forces—His warrant and Huntly's would be signed in a day or two—information against Lord Stair.

London, October 28: 1684.

I told you in my last of the 25: that I had not then leasur to answer all the parts of yours of the 10: but I have, and to begin do thinke it very resonable that when there are any new forces raised your second sonne should haue a troupe; and I am of your mind that they aught to be all horse and dragoons. And, pray, so sone as you shall be at Edenburgh, and are informed of what the severall shirs have giuen, and what prospect you haue of what forfiturs are likly to be made and they may amount to, lett me know what number of horse and dragoons may be raised. As for what you mention concerning Lord Secretary Lundy's pention, I must look over the establishment, which I have not just by me here, before I can say any thing to it, but by the next I shall. I assure you what was reported about Craigie hauing a promise for a troupe is a mistake, for neither Lundy nor any body els ever spake to me

for him; and till I know what troupes can be raised, I will make no other engagment but what I have done now to you for your sonne. I had almost forgott to tell you that the Chancelor, Lundy, and others of the Secret Committy, especially the two first, haue in seuerall of their letters haue done you justice in letting me know upon severall occations how well you serve his Majesty, and how industrious you are in it. I say this to do them right, for you know already how satisfyd I am with you, and so is his Majesty. As for your concerne, both your warrant and Lord Huntly's will be signed within a day or two; but his Majesty will haue them kept here till Lord Huntly's returne to Scotland; but if that be not sone, I shall presse his Majesty that the warrants may be sent downe. As I had writen thus far, I receved yours of the 18: from Wigtown, by which I see you have brought that shier also to do as well as Kircubright had done. I see by [it] also you had gott good information against Lord Staire, which I hope you will prosecut when you come to Edenburgh. As for what you propose concerning Lord Secretary Lundy's staying till Christmas in Scotland, I shall consider of it; and as to the Parliament, I am still as I have already writen to you, that it will be proper for me to go downe to you to hold it in the spring. As to affairs in England, they go all very well; and tho' there has been some changes made of late, in the Tresury and els where, there is none in any of the mesurs layd downe, and all things go as well as can be desired. I haue not tyme to say more now.

To the Lord Tresurer of Scotland.

98. Parliament of Scotland, to sit in March—the Duke to be Commissioner, and not to be long detained.

St. James's, Nouember 8: 1684.

I thought by this post to haue answered both your letters—the one of the 27: of October from Dumfreis; and the other of the 28: from Newbie; but businesse intervned, which gaue me not leasur to do it now, but intend to do it by the next; so that now I have only tyme to tell you, that his Majesty, in persuance of what you of the Secret Committy aduised, has resolved the Parliament in Scotland shall sitt in March; and by this post there gos a letter to them about it, with one enclosed to them for the Councill, which the Secret Committy is to deliver when they thinke it proper. And I hope you will prepare things, so as when the Parliament sitts and I am with you, I may not be obliged to stay long from his Majesty, which is all I have leasur to say now.

For the Lord Tresurer of Scotland.

99. A Declaration put up by "rebels" on the church doors—His son's commission for a new troop sent down—Roswell a Presbyterian minister found guilty of treason for preaching sedition.

St. James's, November 18: 1684.

I haue now yours of the 5: and 9: to answer. As to what you say in the first concerning some officers that are not thought fitt to be continu'd in the seruice, 'twill be tyme enough to speake of that when I shall be with you at Edinburgh. As to yours and Lord Huntly's warrants, he intends to go from hence next weeke, so that it is not worth the speaking to his Majesty to haue them sent downe soner to you. I see by yours of the 9: that another declaration has been put up by some of the rebels upon some church doors, one of which has been sent me by the Chancelor; 'tis well they can do nothing els but that, and rob poore ministers' houses. Either you or I have been very

much misinformed as to L: O: Wachop, for Mr. Chudleigh, Captain Ramsey, Captain Maxwell and others who have knowne him in Holland give him quit another carracter of him; and you see the regiment is not yett given him, which had he been in favor would have been done long before this. I heare that Meldrum is dead, and Earle of Earley is to haue that troupe againe, which he has very earnestly desired; and indeed it was but resonable, he hauing never desired to part with it. Your sonn's commission for a new troupe shall be sent downe to you, so sone as you send to me the names of those you would haue to be his lieutenant and cornett. For the lieutenant, it is fitt he should haue seen some service, so that either one Crighton, who you mentioned formerly to me, or one Lieutenant Sturat (*sic*, Stuart), who is now in Dumbarton's regiment, would be the fittest; and for disposing of any other troupes, there is tyme enough to consider how to giue them to, when one know how many can be raised; which is all I shall say now, but that one Roswell, a Presbyterian minister, was this day at the King's Bench found guilty of treson by the petty jury, for preaching seditiously at one of their meettings.

To the Lord Tresurer of Scotland.

100. Lord Meldrum's troop.

St. James's, November 20: 1684.

The last post brought me yours of the 12: and before this gets to you you will see by myne of Tusday last how Meldrum's troupe was disposed on. As for the pention he had, 'tis but resonable it should be continu'd to his lady, therefore, pray, send up such a draft as is necessary for that purpose. I haue not time to say more now, but by the next post shall answer what you mention concerning Lord Kintore.

For the Lord Tresurer of Scotland.

101. The Duke of Richmond and Bishop of Edinburgh—The Earl of Kintore to be Treasurer Depute.

St. James's, Nouember 22: 1684.

Since my last to you of Thursday I haue receued yours of the 13: and to what you say concerning the Duke of Richmond, it will be tyme enough to speake with you of it when I shall be with you; and then also it will be tyme enough to talke with you about the Bishope of Edenburgh, whos letter I send you back here enclosed. As to the tresurer deput's place, his Majesty is resolu'd Earl of Kintore shall haue it; therefore, send up a draft of the signatur to Lord Morray for that purpose, and propose what you thinke fitt he should haue altogather, which must not excede what others in that place had before him. I haue not tyme to say more now.

For the Lord Tresurer of Scotland.

102. Two gentlemen of the Guard murdered by fugitive rebels near Blackburn.

St. James's, November 27: 1684.

This I hope will find you safly arrin'd at Edenburgh; and by the letters which came from thence of the 20: and 22: yesterday, was informed of the murther was comitted by some of the fugitive rebels, upon two of the gentlemen of the Gard neare Blackburn, in persuance of their late declaration. It shews of what abominable principles they are, and what all loyal men are to expect from them, for now they are not in a condition of doing the government any harme, they will vent their malise upon privat persons; so that all you, that haue so great a

share of the affairs there, aught more particularly to have a care of yourselvs. You will see by his Majesty's letter, which is to go by this post, that he aprovs of the methods proposed, for the finding out and punishing such desperat villans. I haue not tyme to say more now.

For the Lord Tresurer of Scotland.

103. The Earl of Kintore's commission to be sent down—movements of the Duke of Monmouth very secret—He came over in the same boat with Lady Henrietta Wentworth.

St. James's, December 8: 1634.

On Friday last I had yours of the 29: of last month, but had not tyme to answer it till now. As to the officers of both your sonn's troups, their commissions are sent downe conforme to the list you sent to Lord Dumbarton. As for Earl Kintor's commission, it will be dispatched in the common forme, the pention and fees as you proposed. I wonder Lord Tarras his tryal is not gone on with. I will writ by this post to the Chancelor to put them in mind on't. I do not thinke strang that where you are people have been allarumd at the Duke of Monmouths being priuatly here in England, since many many loyal people have been so here upon that account; but there is no real danger of it, his Majesty hauing no inclination to receve his deceiving submissions againe. He has kept himself very close here, so that we could neuer know certainly where he was. I have been positivly assured he came over in the same boat with Lady Henriette Wentworth; but whether he be yett here in England, I do not know. Whether he be or no, that will not hinder my being with you in March; which is all I shall say now.

For the Lord Tresurer of Scotland.

104. Pleased he was satisfied with Orbistoun—Shepherd to be sent down—Clavers not master of himself at the Council. Had received a letter from him excusing his warmth of temper on that occasion. The Duke of Monmouth and Lady Henrietta Wentworth—movements of Monmouth.

St. James's, December 18: 1684.

I haue now only yours of the 6: to answer, by which I see Lord George Drummond was gone westward with some of the troups with him, and as you do, hope it may have good effects. I am glad to find you so well satisfyd with Orbistoun; 'tis a signe he dos his duty well. Sir J: Scott of Ancrum has been here seuerall days, but has yett sayd nothing to me about Earl Tarras nor nothing els. As to Sheepherd, Lord Chancelor by the last post wrot to me also about his being sent downe to you. When you there thinke it tyme for him to be there, he shall be sent; but, pray, order it so that he may be obliged to stay as little as may be, he being a marchand, and it would be prejudicial for him to stay long away from hence. I am sorry to heare that Clavross was so little master of himself the other day at councill; both the Chancelor and Lundy gave me an account on't, and of your temper not to take advantage of it. I had a letter from Claurous by the last post, who endeauors to excuse his warmth by saying he took what was sayd as leveld at him, but of this more when Lundy shall be here. As for a paymaster for the army, I have heard of it from nobody but yourself; if you approve of it, and that it be of no charge to the King, nor the troups, I am for it. As for newse, the Duke of Monmouth arrived at Bruxelles, I thinke the same day the Lady Henriette Wentworth did. They came over hether together, and I beleve and I am confident returned so to. What his businesse was here I do not know; 'tis sayd

'twas to gett Lady Henriette Wentworth to settle her estate upon him. I am sure he has had no other advantage by it, and all things go very well here.

[Address wanting.]

105. A minister murdered in Galloway—Lord Breadalbane's protection—Prince George and his daughter not to go to Scotland, &c.

St. James's, December 22 : 1684.

I had last weeke yours of the 13 : but not tyme to answer it by the last Saturday post ; by which I find that some of the fugitive rebels had murthred a minister in Galloway ; by which one sees that those desperat villans will lose no oportunity of doing what mischief they can, and would spare no body, and do more were it in their power. And I am sure you of the Secret Comitty will continu your care and vigilancy to secure the government from such bloody principled villans. Lord Leuingston arrived here last weeke, but has yett sayd nothing to me about any thing ; when he dos I shall agree to nothing hastily ; and if any other applications be made to me for any thing, I shall put them of till the Parliament, and I upon the place. As for Lord Breadalban's protection, as he represented it, I did not thinke it would have made so much noyse, and if he uses it no otherwise then as he assures me he will, it cannot be of prejudice to any. I have told him he must be carefull not to abuse it, for if he dos it will be the worse for him. As for the affaire of the estate of Argile, such a letter shall be writen to the Secret Comitty as you propose. As for the newse you had of Prince George and my daughter's being to go for Scotland, 'twas neuer thought on here ; and, God be thanked, she is not in a condition to make such a voyage, being fower months gone with child. As for a man of war to transport some of your prisoners, besids the charge it will be to the King, till March be over, 'tis not safe sending a ship to fetch them ; but by April I hope to contrive it so as to gett one for that purpose, and will settle that matter when I am with you. I find by your letter, as well as by others I had from where you are, that Marquis Athole has serued his Majesty very well in those disaffected shire[s] to which he was sent, and was at some charge in doing it. You may lett him know I have given his Majesty an account of it, who is very well satisfyd with him for it ; and when I come downe, care shall be taken that he be no loser, out of some of the casualitys that will come into his Majesty's hands from some of the disaffected shirs ; which is all I have to say now.

For the Lord Tresurer of Scotland.

106. Earl Tarras's confession—countenance to "rebells" in Holland—Lundy's pension.

Whithall, December 30 : 1684.

The last weeke I had yours of the 20 : by which I find Earl Tarras has confesst all and throwne himself upon his Majesty's mercy ; 'twas the best thing he could do. As for what you say concerning the countenancé the rebells gett in Holland, and the pretended judicator they have sett up there, I gave his Majesty an account of it, who spake himself last night to the Dutch Embassador about it ; and Lundy has directions to write downe to you there, that all the information can be gott of that affaire may be sent hether, and you may be sure we here are very sensible that it is necessary to do what may be to gett those desperat villans driven out of Holland. I have not heard any thing of what you write concerning Lord Aran, and cannot beleve it to be true, since I know, not the least ground for such a report. As to Lundy's

ption, since Lord Middleton's was continu'd to him when he was Secretary, the same must be done now. This is all I haue tyme to say at present.

For the Lord Tresurer of Scotland.

107. Sentence on Earl Tarras—Orbiston had met with a party of "rebels" in the West—that villan Oates to be tried for perjury.

Whithall, January 13 : 1685.

I haue receved yours of the 6 : and by it find Earl Tarras had receved his sentance of forfitur in the common forms ; and as you say 'twill be tyme enough for his Majesty to signify his pleasur concerning him, when come downe to you. I see that Orbiston has meett with a little party of the rebels in the West, which with what had been done before and the settling the garnisons you ordred Lord George Drummond to do, will I hope keep all those fugitive rebels quiet. As for all things here, they are very quiet and go very well. That villan, Oats, is to be tryd for perjury next terme, which begins on the 23 : of this month. I heare Lord Arran intends to come from France to be here tyme enough to go along with me for Scotland. I shall then easily see whether there be any thing of that you once mentioned concerning him. I have not tyme to say more.

For the Lord Tresurer of Scotland.

108. The Treasurer's brother sent towards Wigton and Kirkcudbright with foot and dragoons to protect honest people against fugitive rebels.

Whitehall, January 22 : 1685.

I had yesterday yours of the 15 : and as to what the Secret Comitty haue writen to the Secretarys, you will have an answer from them. I see you found it necessary to send your brother towards Wigton and Kirkcubright with some foot and dragoons, to prevent the honest people being disturbed by the fugitive rebels. It is so late that I have not tyme to say more now.

For the Lord Tresurer of Scotland.

109. Affair of the Duchess of Lauderdale—Castle of Blackness—Favours to some Catholics—no indulgence to "phanatiks."

Whithall, January 29 : 1685.

I haue had yours of the 24 : by the flying pacquet ; and as to what the Secret Comitty has sent up, you will have an answer of it from the Secretary, so sone as his Majesty has tyme to look over and consider all the papers they have sent ; so that I need say no more as to that. I see by it that your brother was a settling the garnisons in Clidsdale and Galloway. As to what you say concerning the sommer sessions, nothing has been sayd to me of it here as yett ; if any dos, you may be sure no resolution or encouragment shall be giuen to it from hence, and the Parliament will know in that what is best for themselves. I have not yett had tyme to look over all the papers and letters have been sent up from the Lords of the Sessions and others concerned in that affaire of the D^e of Lauderdale. You may be sure it will be well considred before any resolution be taken in it. As to what you say as to Blacknesse, 'twill be tyme enough to speake to you of it when I see you. I am glad to see that Lothien and Fife haue done so well. As to the noise was made where you are, as if a new Indulgence was intended here, there is no such thing ; the report was

raised by some who haue a mind there should haue been one, and to hinder some fauors his Majesty intends to some of the Catholiks, who either themselvs or relations haue serued and sufferd for our family; but the King knows to well both the princeples and practices of the phanatiks to well ever to give them any indulgence. I never shew your letters to any body and haue not tyme to say more now.

For the Lord Tresurer of Scotland.

110. The change in the Prince's condition had made no alteration in his kindness for him. (King Charles died on 6th February 1685.)

Whitehall, February 16 : 1685.

I haue receved yours of the 10: by the flying pacquet, and haue now only tyme to tell you that the change of my condition has made no alteration in kindnesse to you, having the same esteeme and concideration for you I had before; which I am sure you will give me no reason to alter; so that you may be at quiet in your mind, and shall find I haue the same trust and confidence in you I had, and am sencible none has serued me better and more faithfully then you, and do rely on the continuance of it. As to other things, you will know my pleasur from the letters I haue signed, and what the Secretarys will say to you.

J. R.

For the Lord Tresurer of Scotland.

111. Recommending the Bearer of the Letter.

Whitehall, July 1 : 1685.

I would not lett this bearer returne back to you without a letter from me, tho' he going back by sea, is not like to be so sone with you as the post which gos tomorrow; so that all I shall say to you by him is that I am well satisfyd with him, and look on him like an honest man; and shall be glad that some thing may be found to shew him a kindnesse.

For the Lord Tresurer of Scotland.

112. Recommending Robert Barkley, a Quaker, as well affected to the King.

Whithall, July 16 : 1685.

Tho' I haue not great reson to be well satisfyd with the Quakers in generall, yet I look on this bearer, Robert Barkley, to be well affected to me; so that I would have you shew him what countenance is reasonable, and not lett him suffer for the faults of others of his perswation, which is all I shall say now.

For the Lord Tresurer of Scotland.

SECTION II. Eighty-one Letters from William Douglas, third Duke of Hamilton to William Douglas, Earl, first Marquis, and first Duke of Queensberry. 1676-1685.

113. Defending himself from a charge of unkindness—Queensberry's children at Glasgow.

Craford, 1 September 1676.

Since I write to you from Edinburgh, I received yours of the 26 of August. As to publict matters I shall leave debating about them till wee meet. But for the ill usadge you say you haue mett with, in particulares both of my ouen concern and my nevoy, Annandales, I know

them not; and if any have reason to complean, I have it; and give me leave to tell you I thinke they ar not matters of that concernment that should ether occasion unkindnes or lessen frendship. And if yow judge of your frends at that rate, cartenly you must thinke thier frendship litle worth, and I beseech you tell me these persons of discretion that takes notice of my carriage to you to be unkind or with want of respect, and I shall fully referr to them the decession of all the particulares they conclude it by; so much so I desire to satisfie you. And it seems as to these litle particulares of Whitcampe Teinds they had best be so decided I cannot att present lett you know when or wher I can waite on you; if your occasions bring you to Glasgow to see your children and then in passing I should expect to see you at Hamilton; or it is not much out of my sisters way to Edinburgh, if you wold do me the honor to bring her that way, wher you shall be very heartly wellcome to your most humble and faithfull servant. Adieu.

I did not hear of your brother James being killed, but Robert, of which also I know no cartanty. They say your brother James was sicke of an ague the time of the seige—The eagle ston was returned. My humble service to my sister.

114. Wishes for a perfect understanding—tryst of Marriage between Enterkin and Bargany's sister—Kincardine's account of his meeting with the King.

Hamilton, 19 September [c. 1676].

I did not think to have given you this trouble untill my return from the West, wher my wife and I am goeing to morrow to see Cassilis and Cochran, nor did I think you had been returned from Galloway till I received yours this day. I shall not insist further this way to debate the reasons of mistakes, ather as to publick or privatt concerns; that will do best at meeting; and if wee cannot accomodate matters our selves, ther is no friend I will decline to be judge in it, and ther is no advances you can make towards a perfect understanding that shall not be equally mett with [wishes a meeting at Edinburgh]. I haue taken all the pains I can about the election of Galloway, and I hope Bargany will be ther; you have done all that can be in it. Cochran and Sir John Cuningham was here this day with me about a tryst of marriage, betuixt Enterkins son and my neice Kat; Barganys sister, which is agreed. They told me Cragy and Blair was doeing what they could to make friends to gett them selves chosen for Air at the next headcourt, but I hope they will not come speed. I saw an account of what past betuixt the King and Earl Kincairn at first meeting. Ther was nothing of me in it; the King only told him he had warned him to be warre of those people and he had not done it. He told the King he knew not what he meant. The King sayed he meant by those who had been lately so trublsome and who he thought once so himself. He said he could answer for the company he had kept as was as loyall subjects as his Majestie had; and besought his Majestie to condessend on particulares which wold clear the truth best, which the King promised and went away. I find as you say he is not without hopes which a little time will clear. I hear my brother, Dumbarton, is at Paris and is ordered presently over about more levies here, which is suposed that they may be gote befor the parliament of England meets least they might hinder it. When any thing els worth your knowledge comes to me you shall have it. My wife presents her service to you and both of us to my sister, and I am very really your most faithfull servant.

115. Had met with the Sheriff of Galloway—Kincardine's meeting with the King.

Hamilton, 6 October [1676].

I received yours by the bearer. If I had had anything worth your trouble, you should have heard from me before this. I met with the sheriff of Galloway when I was in the west. He told me the Precedent said to him he would not be at the head court in Galloway, and that they needed no election, and that he was to be at the next council. However, the sheriff was advised to make the election, and there's some gentlemen in the shire of Air that has relations there that gives some hopes that the Precedent shall not be chosen, and I never saw a man more generally hated than he is there. I had the fortune to see Cray on the high way as I was at hunting. I challenged him for subscribing the letter against us which he fairly forswore as he does to everybody else. However, I talked very briskly to him of it. I have not heard anything of Kincarn since his first meeting with the King, but from second hands I find it reported the King should object his conversing with the Chancellor and me. The conversing with me I think not much, if it be; but it is a pretty odd thing to challenge his converse with his own chief minister of State; and if it be true, it seems the Chancellor is ill enough stated there; but its like you may hear more of it from himself. You challenge my telling James Carruthers what you write concerning him. Truly, I told him nothing but what I thought was in obedience to your commands, and what I told him I think deserved not the term of ill usage. I am sure I designed it not so, nor did I think you would taken ill what could have been told him of that nature. I am sure if it had come to my ears any of your servants were reported guilty of such things, I would very freely tell you I heard so, and not think you injured me in telling your servant so much, and putting it to the tryal. I did not hear anything of the Duke of Munmouths ordering the keys of his charter chest to be given the Lord Melvill, tho I saw both Dumfries and Cochran in the west; either it is old or had not reached their knowledge. I do not resolve to be in Edinburgh before the Session and am not certain when there. So soon as I am resolved I shall let you know; or if any thing call me sooner as I desire to know your going if it should be before mine; and when any thing worth your knowledge comes to me you shall be acquainted with it. So, heartily, adieu.

My wife remembers her humble service to you, and both of us wishes you would cause my sister return home this way and meet her here, when you shall have hearty welcome.

116. Kincardine's account of his interview with King Charles the Second and the Treasurer of England.

Hamilton, 15th November 1676.

I was at Kinneill when your last came here, where I met with Kincairn; and all I could find more by him is that he gave the Treasurer of England and other Ministers their full satisfaction in that business wherefor we were turned out of the council, of which they were mightily misinformed. But for the King, it seems he was resolved to have no satisfaction in it, he was so prepossessed; and albeit the King would trust nothing was told him, yet I find Kincairn thinks his journey may be to good purpose, having given satisfaction to those Ministers who manages all affairs; and beside gave them other full accounts how L[auderdale] and his relations governs here, which he thinks may in time have its own weight. Its not doubt but the parliament of England will meet; the effects of that time must tell, and he says the

prejudice against L[auderdale] is higher than ever. I think it wer very fitt now frends mett and understood other ; and I hear many of our frends will be in Edinburgh about the end of this month ; so I wish you wer ther again that time or the first of the next month, wher I shall meet you and I hope putt things in some better way then now they ar. So I beseech you not to fail to keep punctually, for I must return here befor Crissenmase ; and then also I hope any of our particulares may be putt to end, which I am sure shall be my indevore as in every thing els that may remove all grounds of mistake, that our frendship may be suitable to our relation and interest. Adieu.

For the Earle of Quensbery.

117. About their meeting at Edinburgh.

Hamilton, 28 November 1676.

I have not seen nor heard of the man your last said should call here, so I give you this trouble by my nevoy, Forfar, who intends to waite on you. It was your ouen desir I should lett you know of my goeing to Edinburgh, which I intend this weeke, els I should not troubled you with it ether then or now, but that you said you wold keep that time both on the account of publict and private concerns, and that all grounds of mistakes might be removed, which you seamed as desirous of as I am. But since it seams now you intend it not without my Lord Chancellor advertisement, you may take your owen way for that ; for you must excuis me not to trouble him in it, since I remember how litle succes my indevores had last sumer. So if you find it not fitt or convenient for you to come, I beseech you impouer some to satle with me concerning your teinds of Whitecamp, which at your desire and the expectation of meeting with you I delayed till now ; and so loth am I to be heard in any law pursuit with you, that I am content to submit to any indifferent parsons, advocates or others. So name you one and I shall another. Thus you see every way is proposed that may fix and continue the frendship our relation and interest should lay us in, what ever may be the acceptation it may meet with. Adieu.

For the Earle of Quensbery.

118. He had observed a difference in his deportment to him, since his last visit to England.

Hamilton, 25 December 1676.

On Saturday last at my return to this place I received yours of the 23rd, whereby I perceave the misunderstanding of letters is not to be reconcilled this way ; so I shall forbear the enlarging, and onely tell you that I am not conviuced that my deportment to you ether in Anandales busines or the teinds of Whitecamp could justly be constructed as a decey of my frendship for you. What other grounds you have I know them not, nor was the indevores or malice of any possible to do it with me. I confes I observed a vissible change in you since I went last to England, both as to me and other concerns ; but this is not to impose upon you. I know you can best judge what is fittest for you, and if you desire att meeting more freidome in this I shall not decline it, being unwilling to intertain any mistakes of you, and I shall be glade they be so ; and as your frendship and kindnes for me did allways meet with as equall a return as was in my pouer, so I assure you it shall be so still, and is not in the pouer of any other to alter it. When I shall be in Edinburgh, I am uncartane ; when I come from that, it was belevied ther that the Parliament of England wold sitt. Other newes I heard

none worth your trouble. So shall onely add my wishes for a happy New Year to you, and adieu.

For the Earle of Queensbery.

119. Sorry he had changed his purpose of coming to Edinburgh—oversight of Queensberry's children.

Hamilton, 1st February 1677.

I am sory you have again changed your resolution of being in Edinburgh, which your last seemed so positive in, and by it I am out of hopes of seing you ther, wher onely I can give you best satisfaction in these grounds you seem to take ill from me ; for elswher and without the assistance of some friends that wee will hardly gett in the countrey, I intend not to indevor itt, least our self conceit of our ouen opinions may widen mistakes, which you may see by this I am as desirous may be removed as you ; knoueing it is none off our interests, itt be otherways, by which our enemys may have more advantage ; and that they continew fixedly so, the measoures both of us mett with this session may convince us, and off the necessity off our being in other tearms then wee ar. For my Lord Anandales concerns, I judged them of that consequence with you, that I could never undertake to settle them, when his father and you for so long a time could not do itt ; and now he being 13, I hope you will wave it on year more, and then I shall be as ready as any off his relations to concur to settle with you, and give you the thanks your generositie to him, a minor and your kinsman and relation, many ways shall disairve. For Maxwell, you long ago know my thoughts off him. If I see him I intend to speake freely to him ; and for Galloway, iff you be as far disapointed off him as off his relations befor, I am sory for itt ; but ther's litle to be trusted to foolles, knaves and beggers. I did not hear anything of your sons go[v]ernour till I received yours. Its strange he flies for such a falt in this age and may be layable to other constructions. I write to Glasgow, as you desired, to Mr. John Bannatyn, as your servant will give you an account ; but that man recomended to you to waite on your sons, I can hardly so soon give you an account off him ; and unles they wer in the house with Mr. John Bannatyne his oversight of them signifies litle. For my Lord Anandales pedegoge, I have been at the turning him off for drunkenes, a falt a'most as unpardonable as your sons pedegoges ; yet I have been prevailled with to keep him till the tearm. I intend to be at Edinburgh next weeke to stay a fortnight. Iff you will reconsider the reasons for the fittnes of your being ther, you will find befor the session rises, when friends without jealousy will be ther, wher wee may have occasion to meet and consider things much more proper then afterwards, unles you do of purpose for that reason shun itt, wherby I shall haue the les oportunetie to give you these evedencis off my desires to be thought as formerly your most affectionate brother and humble servant.

I have spoken at more length with your servant concerning your sons, to communicate to you, and shall give directions for the overseeing them as much as can be in the place they ar in.

120. Settlement of the affairs of the Estate of Annandale—To have a meeting at Edinburgh before the Duke of Lauderdale came down.

29 May [1677].

Iff any thing worth your knowledge had occurred to me in Anandale, you should have heard from me. All I mett with was clamour and noise of tenants pleading to keep down ther rents, and to have settled with them might have kept me ther till now ; so I tooke a short way by

the best advice I could gett, to lett down rates upon them, and left it to James Carruthers to execute. When they saw me so peremptorie, the most considerable come greater lengthes then I expected; so you may see how great trust James Carruthers has yett, and I could hear nothing of him that he may not desairve itt; nor is itt ordinar to make discoveries of servants so long as they ar much trusted. I used Elsheills as you desired, and Hay is very unjust in what he says of me as those present can wittnese; and had it been my ouen bussines, he had got more reason to complean for his peremptorines, which was more then any creaditor I ever mett with of my nevoys, as you shall know at meeting. Your relation, Kelhead, fled his house, and caried his wife with him, which I will not forgett; Maxuell excused himself by the death of his father. I have not yett had occasion to meet with Anandales governour to gett an account of that letter, but James Carruthers foresucars any accession to itt, but I shall discover all that was in itt. I am glade Dumfries recovers. Till Saturday last I did not hear the certainty of L[auderdale] and his Dutches comeing down, which now I can assure you off, but to what end or in what character is yett a mistery to me. But that friends should meet and understand other and be on our gard is most necessary, and that wee can out of Edinburgh conveniently and without making noise is impossible; so I intend ther the next weeke, and to write so much to Cochran and Cassillis that wee may meet befor they come and so have time to come out again, iff itt be thought fitt wee disipate befor ther arivall, for to meet when they ar ther will not be so fitt. Therfor, I beseech you fail not to keep the next weeke, wher you shall find me, and if I find any ground to alter this resolution you shall be timeously advertised. I have heard nothing more of that affair of the Marquis of Douglasses, nor is it possible to make conjectures of Hattons interrest or Atholls which shall cary, or the Precedents condition now, till wee see the great man here, which will be once in June, and the south apartment in the Abbay, which is that nixt the Chancellor and thought the worst, is preparing for him

121. Not to send his horses to the rendezvous—Queensberry's sons two fine youths—His wife ill of the jaundice.

10 July [c. 1677].

I come from Edinburgh on Thursday, and since parting I heard nothing worth your trouble. I think it is not much materiall whether to send our horses to the randevous or not. I think for the first time not to send mine, because it is like I will be absent so making use of my horses; for to oblidge me they have apointed the randevous here. Your sons are tuo very fine youths and I hear nothing of them but good. It had been an easie enough jurney to have gone from this to-morrow, but I wold not contradict your comands. Cassillis come here on Saturday, and went home yeasterday, but I spoke no more to him since parting with you. He seams not resolved to return to Edinburgh; he left his lady here with my wife, who is very ill of the jandies. I am not easly by insinuations or stories made to distrust my friends, and you as litle as any; a litle time clears allways these things, so ones actions ought onely to be considered. My ouen resolutions ar what I told you at parting, and the more I think of affaires the more remote one keeps themself from them the better; so I hope fair pretences shall not catch me. Mortons geldin I did not like, and now I am provided another way, so does not resolve to send to Malton this year. I never made any such bargan with wrights as you write of; I agreed allways by days wages or for a peice of work in bulk, so cannot advice you. My

wife returns her humble service to you and both of us to my sister. When any thing of consequence comes to me you shall hear it, as is expected from you, so, adieu.

For the Earle of Queensbery.

122. His wife was recovering—Lauderdale's arrival—the Chancellor (Rothes) was expected next.

21 July [1677].

My wife on Wednesday last got a great sweet, since which I think she grows dayly better, but continues very weak and extenuate; yett I hope in God she shall recover this siknes, which has been a very sore one. She thanks you kindly and my sister for remembering her, and presents her service to you both, and wishes my sister a happy delivery. I have heard nothing of consequence since L[auderdale] arrived, els you should had one express with itt. He keeps the Session punctually wher Tweedale and Calanders bussines is now in, and the Chancelors expected next, and its thought all of them will meet with the like favor. I am glade you ar now of the opinione I gave the Chancellor, and I thinke it is much to his advantage he did as he did, the malicious people atrebutts itt to the litle desire L[auderdale] has to be in new friendships with him, which I wish he may make a right use of. I find every body in astonishment what has brought him down, since nothing ather at Council or elswer has appeared of consequence, and as litle appearance of desings to settle things in any such fair way as men of honor can accept off; so I think iff ther be no parliament or convention, wee ar very happie to looke on. Argile and Hatton they say are the favorits, tho Atholl is as weell with my lady as formerly, and her pike continues to Hatton, which is beleived she may fale from. The McLeans bussines they say is submitted to the President and Hatton, for Argile and Atholl, and Sir John Cuningham for them. Twenty more litle stories ther is which is not worth your trouble, but when any thing of consequence comes to me or that I think of any new measors, yow shall know itt as wee left att parting, not doubting off the like from you, and that as I burne your letters you do mine. So wishing my sister a happy delivery, I am with great truth as I profes very reall in my friendship for you. So adieu.

I had a line from Dumfries wherein he profeses much otherwayes then you write; but whatever is in itt, this is an age I beleive litle more then what I see and feu by trinqueting gains att long run. Dounright honesty, the esteemed foolish in this generation, is still the best, and men will have most satisfaction therein att last. I beseech you remember to cause putt an end to the teinds of Wheitcamp; the longer itt runs on itt will occasion the more trouble to your tenant.

123. Thanks Queensberry for naming his daughter Anna after the Duchess—Lady Rothes' visit—Lauderdale's proceedings.

25th July 1677.

My wife, I thank God, continues to recover, but very weakly. She is very glade to hear of my sisters safe deliverie, and wishes you both joy of your young daughter, and thanks you for the favor you intend her to call the child after her; and hopes she may be as well named as any of the Dutches L[auderdales] daughters with les noise, for I doubt not but you will provide the main ingredient, mony. My Lady Rothes come here last night. She had a letter this night from her lord tells her had he lost (*sic*) his cause yesterday morning. Since it is gone, I wishe it had been so a year ago, and then it is like L[auderdale] had not had so great satisfaction in his traine, for its much doing things in

time. I think strange Hatton appeared so little for him; either his friendship is not worth the value the Chancellor put on it, or else he has little interest with his brother, which I can hardly believe. You need not doubt but I am very sensible how nobly the Chancellor carries at this time, and the more to be valued that it is so much contrary to former practise, seaming, resolutions, and advices; and I hope you are juster to me than to believe me capable to be influenced by any to his prejudice. I pretend without vanity to judge of my friends by the little since I have of their deportment to me, and not be bayesed by any, and you know allways how much I have been obliged to my lord Chancellor; so you need not fear any bodies influence over me on that head. I can give you no particular account of any thing L[auderdale] is doing, but what is publick. Nothing yett appears as to the other designs; he minds so closely to attend the Session to oblige his friends, which no doubt he will do to purpose, and I wish that may be all he has to do here, and then wee are well delivered. I do not intend to Edinburgh or from this in hast, unless it be a day to be absent from the rendezvous here the 3rd of August. I had your letter safe from one of the gentlemen come with my sister. She says little of her lord or what he does in Edinburgh. I know not nor do I much care. Particular interest is a generall excuse, and must be borne with, tho it is like may not be forgotte. My humble service to my sister, and I wish both of you much joy of your young daughter, and on all occasions you shall find me very real and faithfull to your interest and families; so, adieu.

I have ordered Robert Kennedy to do what he can to provide you with room for your coach, and acquaint William Douglass with it, but it could never been done in a worse time.

124. The Chancellor—offices during the King's pleasure—Duke of Buccleuch at Court—Earl Marshal of England to visit Scotland—Hatton refuses title of Dundee.

22 August [c. 1677].

I do as much regrave any ill usage the Chancellor may meet with as any, but if he and other officers of estat that are now layed aside had appeared in what they saw wrong, neither they nor wee had been at this pass; and I confes I attribute much of our misfortuns to their deportment, yett I do not hear the Chancellor is in that hazard you are informed of, and iff such a letter should come from his Majesty that all offices of stat should be layed down and taken during pleasur, I thinke before he do it, he has a fair rise to waite on his Majesty and do it personally; and iff then he will appear to purpose, no doubt but he will gett those that will concurr with him, but longer few will be jugled with half games. Ever since I come from Edinburgh I have been troubled with a hurt in my leg that I could not put on my boot, so that I have not been from this since, and it still continues ill, so that I can make no appointment with you at present, neither hear I any thing of great moment to need it. For L[auderdale's] threatening language, I do not much value it, being resolved to cary my self as an honest man; and iff in doing he fall on me I am satisfied to suffer. For this proclamation against phanaticks, I thinke it hardly practicable, considering these people are more troublesome since nor before; however, I resolve to order my deputs to do their indevore. I thinke Nithsdales way is not worth notice. When he thinks it his interest, he will act just contrary to what now is his carriage. I have not heard any cartuntie of what is said of the Duke of Buccleuch being at Court, and I believe there is little in it worth noticing; nor can there be any thing

of the Earl Marishall of Englands comeing to this kingdome but a vissit to his daughter. When you hear he is come the length of Carlile, I intreat you give me notice, for I have heard nothing of his comeing. I confes I can not understand the intrigue of L[auderdale]s carriage betuixt Atholl and Argile and Hatton, for, as you say, Argile seems to have the greatest interest, and yett Atholl haveing matched his son with the Dutches daughter seems much to ballance the other; and Hattons refuissing to be Earl of Dundee, tho his brother pressed itt, and his cajolling Yeasters children is all mistries which no doubt will clear shortly, and on side will mise their aime. I put no doubt the quarrell was good company, and will cartanely increse prejudice, and our best at present is to looke on and have a care of Michallmase elections which I thinke all our task att present; and shall be carefully looked, after wher I haue interest, so far as is in my pouer, and iff betuixt and then any thing fall out may occasion the fitness of our meeting, you shall be aduertised as I expect in like. I must tell you it is given out at Edinburgh, that L[auderdale] has sent you a kind comission both by the archbishop of Glasgow and Justice Clerk; but this I did litle notice, you haveing said nothing of it, and considered it an artifice to divide friends. Their is no dout of my brother, Dumbartons, embracing that offer of that gentlman for raising a company, and will give him a comission, but at this time it is to no purpose to write till the campagne be over, and beside I do not incline to medle in these matters. My wife remembers her service to you, and both of us to my sister, and you shall find me very sincerely yours as I profes. So, adieu. Your letters I assure you ar burnt as I expect the like. Your old friend the Countes of Eglinton is dead.

125. Heritable Sheriffship—proclamation against Conventicles—Lauderdale and Cassillis.

30 August [c. 1677].

I received last night yours of the 29. I wold be glade to hear what it is the officars of Stat ascriveis ther misfortuns and ours to, since you say it is much contrare to what I do itt. I never remember ther was any courses folloued that was contrare to some of their advices and knowledge. I thinke none that has heritable rights to the shirifships can be put to quite them, unles the King pay them the true value; but I am not in that caice, for mine is but dureing life, and yett I am not resolved to part with itt till I know upon what account; but wee will, I suppose, have time enough to speak of this matter befor it come to the push. Notwithstanding all this nois against conventickles and the sever proclamation, yett it is whisperred ther is some underhand treaties betuixt the phanatiks and those in pouer, and how far it will do the nixt Councill day may clear; and that itt will be possible to reclame the people from conventickls or gett them to take this bond I much doubt of itt. Lett us all do what wee can, so what may be the isheiw if other measurs be not taken that ar not yett tryed, God he knowes. I think it is very happie for us how much the difference contineus betuixt Hatton and the Duk L[auderdale], and betuixt Argile and Atholl, from whom I did not hear since I saw you, so my correspondance is no more then what you know; and I told you how litle I layed hold what was saied of you. I shall send for James Carruthers and speak to him concerning the elections as you desired, but I do not think itt convenient to write to him of that subject. Cassillis both come and returned this way as he went to Edinburgh; he did not see L[auderdale]. He told me he was pressed to go to Laithington, with

hopes that he should not only be civilly received, but be in a fair way to get his lady's pension again; yett he withstood the temptation, but I think wold be glade differencis wer over amongst us. For Earle Craford, you know what a man he is and his necessities; iff the Chancellor interest with him keepe him not right, I do not expect any others will. As you say I think it very fitt wee mett, and it's like after this Council day wee may see more reason for itt; but the stroak I got on my shine is not yet so well as I dare put on a boot. If I can, I intend to be att Kinneill next weeke, wher it is like I may meet with some that may giue me fuller accounts of matters then any I know. If I find any thing considerable you shall hear itt; and wher to apoint a meeting with you, I know not; for the days ar now so short it wold be inconvenient for you to come to Craford and return att night, and I cannot accomodate you with lodging. I cannot desire to give you the trouble to come this length, but if you did you should be heartie wellcome, being very really yours; so adieu. My wife remembers her humble service to you and both of us to my sister.

126. Sir George Mackenzie appointed Lord Advocate—offices of State to be held during pleasure.

6 September [1677].

I received yours by your footman Teusday morning, and then having one att Edinburgh I thought it convenient to delay this till his return, that I might let you know what I heard and be more clear as to our meeting at Edinburgh. All I heard was att Council was tuo letters from his Majestie, one apointing Sir George McKenzie in respect of his great integrity and abilities his Advocate dureing pleasure, the other declaring all offices of State dureing pleasure and that such as had them dureing pleasure, and that such as had them dureing life might subscribe a paper declaring their acquiescence to his Majesties pleasur, which the Chancellor did very frankly; tho many wished he had delayed itt, and layed hold on the occasion and gone to his Majestie and offered a demission, since it is supposed that is the drift of all this; and it is feared what he has done will not do his turn, which I shall be sory for. Ther was not an word concerning the phanatiks the first Counsell day, but it's thought some enlargement of the Indulgence is designed. St. Andrews was not their, which I think strange off. I hope iff their be a new Indulgence our bishops prejudice against me will lessen for what I sayed to the King of that subject, since certanly itt will be with their good likeing, els they ar not so much oblidged to L[auderdale] as they think. Atholl, Argile and Hatton ar reconciled, and Argile the great favorite. The marrage of Atholls son is to be presently, tho itt was thought within a day or two befor almost off again, but for any thing I parceave it is a forced cast on Atholl. I find the ground of that story of L[auderdales] sending a compliment to you was occasioned upon his saying befor Glasgow and Cragy, that your famelys had allways been in great friendship together, and that he did not know any prejudice or disobligation he had ever given you, but refusing to procure a patent for your second son to be Earl of Torthorl. You may see the jealusie of this world upon so small an occasion to make stories, and you see how friely I give you an account, being so desirous that no occasion of jealusie may be betuixt us. I hope their is no fear of Bargany, for I never see a man more discontent than he was when he came from Edinburgh. I beleive he is in Irland befor this, for I have not heard any thing of Earle Montalexanders being in Scotland, or off their being at Cassilis. I intend (and pleas God) to be att Kinneill on Monday next, and iff L[auderdale] be out off Edinburgh, I

shall meet you their on Wednesday, els it is inconvenient wee meet their, and I am not of the opinion you will prevail with the Chancelor to st[a]y for us. I intend to say nothing to any of our meeting att Edinburgh, that itt may apear as you say to be accidentall, and att present most wee have to consider is the Michalmase ellections. I hope that report of my brother, Dumbartons, being wounded is false, els it is like Rosline wold have heard of itt, who hears sometimes from some of the officars of that regement, but my brother is so kinde to me that they have write none to me this sumer. My wife desires to know how my sister is recovered and how her god-daughter is, and remembers her service to you all, so does he who is really yours: adieu.

127. Meeting at Kinneill with Perth, Callander, and Kincardine—the elections—Glendoig made Clerk Register.

20 September [c. 1677].

As I promised I shall give you an account of all I heard at Kinneill, when I mett with the Earles of Pearth, Calander, and Kincairne. I found Pearth had been mightly courted and great friendship promised him, but all did not prevail to make him change his former principles or friends. I assure you he is a man of much worth and vertue. I did what I could concerning the elections of Stirling shire and Lithgow: for the last, their is no fear of itt, and I hope the other shall be better then last year; for this shire, Renfrew, and Dumbarton, I am doeing what I can that ther be no hasard in them, and I doubt not but friends in the west will secur Aire, so must lay to your part Dumfries and Galloway. I have not seen James Carruthers yett, but I shall instruct him as you desired. The Bishop of Edinburgh came to me att Kinneill; he wold gladly been at making overtures for removeing differincis betuixt L[auderdale] and me, but they wer not such as I could lay hold on for myself or friends, and I think any that trusts to that way will meet with disapointments; for I find many of those of his partie begins to be disgusted; and for the affair off the Indulgence, he keeps them all strangers to itt, and they dare not ask questions. I believe the archbishops ar ill pleased with him, iff they knew how to helpe itt. Atholl is now mightly exalted upon getteing Sir William Sherp out of the collection of the exise, and Baillie Baird and his partners has taken itt at a half les then Sir William had it, and they have a promise of a letter to take of their incapacity. This was so closely caried that Hatton knew nothing of itt till itt was proposed in Exchequer by Atholl, and caried, notwithstanding of all the oposition he could make. They say Sir William is to lose the signet also, itt being farmed with L[auderdale] private estat. They ar in some disorders amongst themselves as you may perceave by this; what it will come to, time must show. As I write to you in my last I shall meet you on advertisement att Lanerke, for I can not att this time come the length of Craford, wher wee shall have more occasion to speake of matters then it is possible to write and shall be glade to understand the meaning of your last; for you shall never have ground to beleive me other then what I have allways professed to you; so, adieu.

Glendoig is Clerk Register, but must count for the profits to the Duk L[auderdale], and gits a pension for his pains.

For the Earle of Quensbery.

128. Sir John Harper—Scuffle at a Conventicle—noise of an Indulgence—the bishops lose their good opinion of Lauderdale.

6 October [c. 1677].

I received yours by Samuell Menzies and another this day from a bearer I know not, so can hardly write so friely as otherways I might.

I am of your opinion as to Earl Nithsdale. Iff Sir John Harper be to gett any of the vaccances of the Session, he keeps it up from me, for I hear nothing of itt. There was litle ground for what was talked of a scuffle betwixt the soldiers and some countrie men att a conventickle, for there was onely thrie soldiers that wer beaten and disarmed, who had gone from the rest of there partie and wer very rud. The Master of Atholl is well again and att Edinburgh. The Counsell sits againe on Teusday nixt. The late noise off an Indulgence is as much denied as is the authors of the remonstrance; yett they say the Counsell is resolveing in more moderat ways in putting the laues in execution then formerly, and in order to that 40 horse as [ar] aded to the gards: but these misteries of stat I understand not, being out off the road off these things. The bishops good opinion for L[auderdale] decays, and increses mightly for the Chancellor, for he apears a great enemy for any faver to the phanatiks; itt easly apears that they ar all in great devissions amongst them selves, so what will be the isseu time must discover; and befor wee meet its like wee may discover more nor now wee see. So what time you apoint at Lanark, give me notice (with your sons who shall be wellcome to me) and I shall punctually keep itt, and on all occasions give you just ground to beleive that I have euer been faithfull and just to you as I professed; so with my wifes humble service to you and both of us to my sister, adieu.

For the Earle of Queensbery.

129. The Chancellor not well used by Hatton—Elections for Angus and Mearns.

11 October [c. 1677].

I had just such a letter from Bromhall as yours, except as to the stories he tells you of Hatton, by which it seems the Chancellor is not well used by Hatton, and I wish he wold think so in time. To give advices you know I have been frie enough, and how litle they wer followed, yett when my Lord Chancellor desires my thoughts in any thing they shall not be wanting, if that can serve him. I am told he expects you this weeke at Edinburgh, so its like you will be ther, but I can not so soon, so our bussines must delay a litle. I have sent you a letter I had from Mr. Forbes that is with my son in France, by which you will see an account of affares ther. I find some thinks the apearing breach that is like to be with France but a trick, houeever, a litle time will clear it; what comes to my hand you shall be acquainted with it as I expect from you; and if you go to Edinburgh, or if this find you there, I shall expect you lett me know what pases ther, and the Chancellors thoughts of affares. Boniemoon has been with me these tuo days. The election in Angus is Egell and Inerwharity. Pittarro has got himself one in the Mearns. Stirlingshire has double elections, Ava and Polmais, and Keir and Touch; ther last tuo will lose it, if it be judged in Parliament according to law, for they have many voices that was not capable to choice. This is all the account I can yett give you; so, adieu.

I can not give you an account what my son, William, gives his regent, but I shall write to his governour to lett your sons governour know it. For the furnishing of his chamber with coall, they were our servants that the children are boarded with, so does not follow the exact ruelles as if they wer with a stranger. My eldest son I remember gave his regent 30 doll.

For your self.

130. No new Indulgence to be granted—Broomhall to be dispatched to London—to meet at Lanark next Thursday.

12 October [c. 1677].

I hear of litle of consequence past last Counsell day, only D. L. and the Precedent tooke a new occasion to vindicate them selves of any intencion of granting an Indulgence, or that they did by them selves or others ever treat in any such thing, and with deep aseveration they did affect this. I confes it is a strange confidence to men to act at this rate, and to thinke to cheat and befooll every body; but it is no more nor what I understood of them befor, so it is no surprise to me, for I have seen that way the constant practise off all that partie, and I assure you Hatton is as metled this way as any off them. I am very glade that it is not in L[auderdale's] power to medle with the Chancelor, and I wish he may fixe his interrests with such as former principles and friends be not deserted. However I think iff right mannaged, ther is a fair oportunetie to try what can be done against L[auderdale], for I suppose the bishops will not befriend him so much as formerly, els they ar strange kind of men. I had a letter last night from Sir George Lockhart, wherin he is very earnist for the speedy dispatch of Bromhall to London, as it seams he has wrote to you. But he presses itt the more that he be presently dispatched because of my Lady Kincairns going up the begining of the nixt weeke, with whom he may go with least suspicion, fearing iff he go by himself L[auderdale] might faucie his errand, and gett the King to send him bake, but going with her as a friend cannot give jealusie. I find one hunder pound sterling is presently desired and another afterwards. I do thinke him indeed a very fitt parson, and I thinke itt very necessare his going and resolves to send my 25 lb. on Monday; and it is expected you do the like, and write to Sir George, who will lett itt be knouen to those you send how itt shall be delivered. I have also advertised Cassillis and Cochran, and the soum being so inconsiderable the feuer is acquainted with itt the better; and no doubt itt will be off great advantage wee understand how affaires goes above att this juncture. It is not beleived L[auderdale] will go soon up, the Precedent being gone west and not to return till November. I am told Sir James Stainfeild is become a prosilite to him, which I thought fitt to acquaint you with that you may be on your gard, supposing you may have some dealing with him. I do not hear anything of what you write concerning any intencion of more troops, nor have any thing els at present worth your trouble. I shall be ready to give your sons the best advice I can, and shall have an eye over them, tho I think ther is litle need, they being hopefull and well inclined youthes, and I hope you shall be very happie in them. I shall not fail to meet you at Lanark on Thursday next. I wold have you come somewhat early that wee may resolve whether to stay in the town or go to some friends house about, iff you ar not to be persuaded to come this length, wher I can promis you nothing but hearty welcome, and the continuance of the faithfull respects I have allways had for you: so, adieu.

My wife remembers her humble service to yow, and both of us to my sister.

131. Tarbet trinketing—his opinion of Sir Andrew Ramsay—was not inclined to go to London.

[c. October 1677.]

I heard Tarbet was trinketing, but did not absolutly beleive it, till what you tell me. I hope at long run he and all that folloues these

measures shall have ther reward, houever unhappy honest men may be at present. I confes I can hardly have a good opinion of Sir Andrew Ramsay, after what I have seen of him, and how much he has ingratiate with L[auderdale], even since the professions you have heard him make; and that he seams otherwayes now is because he has not come speed in his courtships, as he hoped for. Yet as you say, the best use that can be is to be made of him, tho he is no farther to be trusted than it is his interest, and men, that prefers that above every thing els, as he does, may mis ther marke sometimes; and I thinke he is a nive example how insecurr those ar that trusts to L[auderdales] friendship. If ther was any whispering of my goeing to Laudor [London?], I beleive it proceeded from you, for I have not any such thoughts; but I heard that you wished I wold undertake the jurney, when some wer of opinion that it wer very adviseable that some or other of us wer ther. I shall only say, that as I think I have indevored as much as another in this publict affare wee are ingadged in, so I shall be ready to concurr with others, but I do not love to be made a pack horss; and I am resolved to be very assured of the resolutions of friends hereafter befor I be determined as to any publict concern. I have mett with so many alterations and some disapointments, and that which you now tell me, that many friends you mett with at Edinburgh wer against elections at Michalmas wher shires wer not in use, seams very od to me; for all I mett with then, except Gosfoord, was very much of a contrare judgment; and any that I yet corospond with seams not to have observed but that it's onely those who may be elected that has places, that ar against it; for loosing ther places, and that you wer against it, had altered resolutions. Its like you may be right, but I wish wee be not to much put to an aftergame by it, for if a parliament should be called, it will be an easier task for them to make elections then to have observed those that had been made; and if giveing way and being altogether remise be an aduantage, time will show. As for the election of Gallaway, you know I have no interest ther but by Bargany. When he came from Edinburgh I intreated him to do what he could in it, and I have write to him againe to Irland about it, that tho he be a new married man, which I suppose he will be very quickly to my Lady Clanbrassell, yet that he may come over ther about that time to looke to it, but if you take a litle pains in it with your brother in law, and get the Chancelor to secur Balduin, or that he lay by, I am told the Precedent may meet with a disapointment; and tho we be shy in elections, yet you may see by this if they can cary elections to ther minde, they will indevor it. But I shall say no more of this, being resolved to follow the resolutions taken, and that I have never failed in my professions to you, but on all occasions has indevored to serve you faithfully, whatever you may otherways think or do in return thereof; so, adieu.

Your letters shall be burnt, as you desire, and I assure you they shall not be made ill use of by me.

For the Earle of Queensberry.

132. Bargany not in Galloway at the elections—meeting with Queensberry and the Chancellor.

20 October [c. 1677].

I was as ill satisfied with Barganys not being in Galloway at the election as you can be, tho all his friends I hear was right ther, and my Lord Galloways friends wrong, which I was much surprised at, supposing you had secured them; but ther is no help for what is past, and you say true wee act like mad men, and at this raite must ruen our

selves, and I wish wee wold consider it in time; and I shall when the Chancelor and you thinks fitt, waite on you. I hear he is not so aprehensive of himself as formerly. I wish his confidence may be on good grounds, but you will know this from himself, and I wish you may go to him as he desires. I find by what you write you have heard all I can tell you; so I have litle more to say at present, but to assure you that you have very good ground to believe that I have ever been and am very just in my professions to you; and when you examine my actions more narrowly, you will find you never had ground to think otherways: so, adieu.

Lieutenant General Drumond is here with me. He tells me Kincairn is expected dayly. When I have any thing of consequence you shall have it. I intend next weeke to send my ditcher to your countrey to look for thorns. I desire the faver of letting him try in your woods for them.

133. Earl of Eglinton with him last night—building at Kinneill.

24 October [c. 1677?].

I am very glade to hear the Chancelor is so fixed and I wish the contineuance off it, and am of your judgement both as to our meeting at Edinburgh and about the sending up, since the last opportunity is lost. I have not heard from Edinburgh since I saw you, having a servant now there. Earl of Eglinton was with me last night, but I could learn nothing from him worth your trouble. Dumfermline is dead and Atholl and his famely gone home as he says. Sunday last was an ill day here, so wee heard litle of conventickles hereabouts. I believe you geuse Earl Nithsdales bussines, which I thinke scarce worth much pains the trying after itt. I can not till I be att Kinneill give you the account of the agriement I made for the last peice of building there, which you shall have, tho I beleive it will be no reull to you. My wife remembers her humble service to you and both of us to my sister, and I am with all sincerity yours; so, adieu.

134. Dragoons marched from Glasgow to Stirling—apprehensions of Highlanders.

27 October [c. 1677].

The inclosed is a copy off a letter I had this night from a friend that lives near Stirlin, whom you saw with me, by which you will perceave what was Nithsdale's great hast and errand to Edinburgh; and I hope (that I have heard nothing off that nature from you) that he is as great a lyer as a fooll, for I hear nothing in this countrey tending to such disorders; yett itt seams our statsmen has the allarum so hott that the horse and foot ar all marched from Glasgow yesterday towards Stirlin to the great surprise of the Archbishop, as he pretends, and there is no small fear amongst the people for haveing Highlanders comeing down amongst them. For my part, I thinke itt a device to engadge the people to disorders, but I hope they will be wiser. I thought fitt to lett you know what I hear, tho really I do not know what to advise. I thinke wee wer happie iff wee wer in England, till wee see what setlment our statsmen makes in this countrey; for I conclude itt dificult iff not impossible so to cary here as to be without a snare till these concussions be over. I have thought off goeing to Kinneill the next weeke, so hast bake the bearer with your thoughts, and I thinke you should acquaint the Chancelor with these things and aske his advice, for I dout not but he will be in Edinburgh next weeke; and my writer, James Johnston, will lett any you send know iff I be att Kinneill; and what you may

have occasion to send here, iff I be not att home, my wife will send it safe, so I shall expect to hear frequently from you iff any thing occurs off consequence to you, as you shall from me. Our interest and relation tys us to looke [to] our selves more nearly then others, and it's like we will not willingly give up our interestts to Highlanders; so without further ceremony, adieu.

135. False alarm at Edinburgh—the Council order a levy of Highlanders against the West.

Coppy of L. G. a letter to D. H. mentioned in this. [c. 27
October 1677.]

Ther wes a greatt allarom att Edinburgh that the West wes aboutt rysing in arms. The bishops bleu the coill, and Earl Niths[dale] wes cheaff informer, for he said ther wer conventickels kept consisting off over 3,000, wheroff 1,000 als weall mounted and armd as any in the nation to his certen knowledg. Some others told that some gentelmens houses wer provyded with arms far abov the condition off pryvett fameleis; that in some wer 20 pair off pistols, 20 carbyns, besyd musquetts and fyerlocks. Bott the principall poynt wes moir considerable, which is, that within this year or therby 7,000 horses ar transported from Irland: hitherto non can geit account off them bott that they ar in the hands off disaffected persons in the western and suthern shyrs. Heirupon the Councell resolit that the 3 cassels bee weell looked too, and provyded off all neecessors for ther seceurety, that all Guards, hors and foott bee sett att Stirling, that 2,000 arms, 9 piece of canon for the field and plenty off amonition bee careid from Edinburgh to Stirling cassell. The Dutch pyeneir wes ordorit to attend E. Mar, and to appoynt what wes needfull for the forther strenthening that place. All that accordingly wes doon, and the wholl nobility who hav any interest in the Hylands, as Huntly, Atholl, Argyll, Marshall, Moray, Mar, Kintoir, Caithnes &c ar ordered instently to hav all the Hylanders in reddines upon a march to Stirling, wher they shall receiv arms and amunition for all that went; and itt appears ther ar non invyted hether, militia or Lolanders, bott Hylanders only, McDonalds, McCleans, McGregors, McEntoshes, McClouds, McForbesses, McCouls, &c. the rest of that sort. Earl Pearth gaitt a pertecouler letter from the Councell to hav his Hyland men in reddines, the postserip wes with D[uke] L[auderdale]s oun hand, that his men shood bee furnisht att Stirling. This day Earl Morray rendevous his att Doun. Atholl, Marshall, Mar and all the rest hasted north for the same countrie. Itt wes talkt in plain tearms, that iff the Hyland men wer forst to march to the west to suppress a rebelleion off the Uigs, they shood not only hav frie quarter bott liberty off plundering, and, iff they pleased, to settell themselves ther as a new plantation and posses the countrey for a reuard. The Councell hav also ordeined that in caice ther bee one suspeition, then a proclamation shall bee published requyr all fensible men off whatsoever qualety in ther best appoyntment to repeir to Stirling within a certain tym under pain off forfating off lyff and fortoun.

For the Earle of Quensberry.

136. To go to Kinneill next week—Chancellor's daughter ill at Tynningham—Prince of Orange's marriage—a meeting at Edinburgh.

10th November 1677.

I delayed my goeing to Kinneill upon the account of what you write formerly off the fittnes off our meeting att Edinburgh, which I find also the opinion off those friends there who was for Broomehalls jurney, and

that they do not take itt well it was not more frankly agreed to; so I intend to Kinneill the nixt weeke, and be in Edinburgh on Saturday or Monday after, wher I shall expect you without fail for I intend my stay there a[s] short while as I can. I have sent you a copy off the letter from the councill to be comuniated to the gentlemen off the shire of Aire and Renfrew conveyed at Irwin, and a copy off what I heard was there answer, att which there is great offence; but what the counsell did last Thursday on it I have not heard. The Chancellor was returned from Tiningham haveing been with his daughter, who was in a dangerous condition, and yett not out of hazard, after being brought to bed off a son that lived but few houres. I heard nothing relating to the Prince of Orange marriage but what was publict. Ther was not such rejoicing att London as was for itt since the Kings restauration, and onely the Papests, they say, not pleased with itt, as I believe is our great statemen here are, for all the apearance of joy they made for itt. But how far itt will influence affairs will hardly yett apear, considering the new ajurnment is given the parliament of England; yett I thinke it is high time wee should consider what wee can do for ourselues, both on that junctur as well as in others which cartanely will occur to us againe wee meet; so I pray you fail not to be in Edinburgh, Teusday come eight days, att furthest. I hear Southesk will be there, and so is Kincairn, and I shall advertize Cochran, and I know few others wee need but those will be on the place. Glasgow has had so great a lose by the fire, not only of there houses but goods, that it's thought itt will not be able to recover itt in our age. I haue sent you a draught off the Touer of Kinneill with the two new pavillions I have builded to itt, and ther is a scale will lett you know the measures. That with tuo stares was dearer than the other, being 1,000 merks Scots for the workmanship of the ston worke onely. The particulare agreement I could not send you, itt being att Kinneill, but itt can be litle reull to you. If you will bring with you a draught of what you intend to build, with the measures and proportions off itt, will be the best way how to advise you in itt. My shirriffe deput says you must bring these prissoners to Lanark, and deliver them att the tolbuith there, which is the constoume; for wee must carry them to the tolbuith of Edinburgh, for it is not the way to receive them at the borders off the shire, but at the prisson house of the heid brugh. So on Teusday next or Teusday come eight days, Carfin shall waite at Lanark, and cause recieive them; and iff you think fitt to alter these days, lett your deput advertize him and he shall attend. Till meeting I shall ad no more but my wifes humble service to you, and both of us to my sister, and that I am really yours—adieu.

You need not doubt of L[auderdale's] stying all winter, but for what end time must discover. They cary fair with Atholl still, and Earle Murrays son is to have that daughter, and himself to get the Chancellors place iff it be in there power, but is kepted secreet; I do not hear it confirmed. The patent of Earle of Monteath to the Precedent.

137. Cochran's abrupt departure — His brother Dumbarton at London—the shire quite peaceable.

31st December 1677.

I received yours of the 28 by the bearer, and can give you no other account of Cochrans abrupt parting nor I did when I saw you, not haveing heard from him since. At first I thinke sufficient to concurre in Mr. W. P. despatch, and after to consider of his pension. I have not heard any thing of consequence from Edinburgh since parting, but that my brother Dumbarton and his lieutenant colonel was att London, and that recruits was refused him; so he had countermanded his officars

from coming home, and was himself quickly to return to France. Things in this shire are as has been severall years past, and all very peaceable and quiet, and scarce is it possible to persuade people off the sever things that is said to be intended against them. I allways thought Broughton and such as he that loves to fish in drumly waters magnified the noise off disorders, and such are not to be countinanced unles some thing extraordinary fall out. I do not intend to be in Edinburgh till the middle of February, and then I shall be prepared to traite with you in that difference betwixt you and Anandale, and shall have there the papers and parsons as you desire. My wife returns you her humble service and both off us to my sister, and is glade to hear your daughters recovered, and wishes you all a good New Year; so, adieu.

For the Earle of Quensbery.

138. Required to attend the Council at Glasgow — proclamation against leaving the Kingdom.

Hamilton, 9 January [1678].

Haveing my chamberlane of Craford here I have apointed him to send ane expres with this to you, tho I have litle to say of consequence, but to lett you know I had a letter from the Council signid by the Duke of Lauderdale in their name requiring my attending their Comitty the 26 instant att Glasgow. I confes I thinke itt of that concernment, that iff I get my self frie of a litle fitt of the seatike I now have, I have thoughts befor that to go to Edinburgh that I may both understand what is there to be done, and advise with friends how to cary. If you have got such a letter I dout not but you will find this your concern also, for it is hard to take measures att distance; and I find euen friends are shy to write friely in these things. I doubt not but you have seen the proclamation discharging all noblemen and heritors to departe the kingdome without leave: what your thoughts and resolutions are I expect. Not haveing any thing els of consequence to imparte, so with the former kindnes, adieu.

I heard this night from Glasgow that your eldest son these two days past had been a little ill of a cold.

For the Earle of Quensbery.

139. A fit of the "seatick"—could not be at the meeting of friends in Edinburgh.

14 January [1678].

Last night the fitt of the seatick came so violently on me, that I am forced to make vse of my wifes hand, not been able to writ myselve. I thought my chalmerland as sure a bearer as any I could send, having given him strict directions to send my last safe to you. I have the same thoughts and apprehensions of affaires that yours mentions, and did before I received yours writt to Cocheran of the fettnes of our meting att Edinburgh, which I thinke most fett you resolute to doe, that you may haue the full and free aduises of frinds how to carry. And since itt has plessed God that I am not able to be with you, I shall haue on to attend there for receueing your thoughts after you haue spoke with frinds, that we may take joynt mesures in the maner of our goeing to Glasgow, and our department thare, hoping by that time I may be able to uenture so farr in my coche; and fearing to wearie my secretar to much, haueing kept her wakeing with my indisposition last night, I ad no more. But to suply itt, I haue sent you the copie of 3 papers to peruse, and both of us presents our affectionate and humble serues to my sister and you, not forgetting your littell daughter, adieu.

16.—About 11 forenone, your seruant returned from Glasgow and gott this; my seatick still continues.

For your selfe.

140. Expected Cassillis and Callander to go to Glasgow—design of forces called together at Glasgow.

18 January [1678].

I am not yet able to return an answe with my owne hand, so you must excuse if this be not so full, and itt bein latt to make hast to dispatch your man. I expect Cassells and Callander heere to goe to Glasgow, they haueing gotten letters to the same purpose which I think is not fett to shun. So if itt please God, I be able, I resolute to goe down on Friday; for itt is not posseable to goe and returne in a day without geueing offence. I intend few more with me then my owne saruants. I heare of no more of these ouertures that was made to my Lord Cocheran, and I am apt to be of your judgment that the calling of these forces together to Glasgow is more for perticular prejudices to some of us, or upon some designes we understand not, then for what is pretended. Sir John Cocheran was heere last night and he tells me the West Cuntrie gentellmen gott nothing done; all resolues to suffer patiently the worst. I send you the copie of a leter from a friend att Edinburgh, which will giue you an account of all I shall troble you with till metting, which I shall expect on Thursday. So ads no further but a kind and hartie adieu.

For the Earle of Qwensbery.

141. The Earl of Perth's visit—meeting of gentlemen of Lanarkshire—only two would take the Bond—Highlanders quartered on heritors.

2 February [c. 1678]?

Earl Pearth was here with me, but there passed nothing of consequence more then you know. I indevored by him to securr the corospondence with the other person in the tearms you did advise me. Yeasterday the gentlemen of our shire mett prety frequently, and onely Hags and Walstain tooke the bond. The rest desired to consider it till this day, and then they did not meet so fully, and yett no more wold take it but desired a new delay till Teusday; wherupon I tooke instruments of my dilligence in offering it, so wee parted. All I can give you more an account off is the sad and greivous complaints off those that has the Hielanders quartered on them. I can not in this lett you know iff I shall be able to prosecutt the jurney intended when wee parted, but iff I do you shall be advertised of itt. All I shall ad is the more unanimous things is done amongst friends it will be the way to unite us the better, and prove greatest advantage to all ends—so without further cerimony, adieu.

I shall expect to hear what passes amongst you.

For the Earle of Quensbery.

142. Earl of Carnwath had taken the Bond—many had refused it—would not trouble any friend to keep his arms.

8 February [c. 1678]?

All the account I can ad to my last of what has been done in this shire is that the Earl of Carnwath and some few gentlmen and pittie feuers has taken the Bond since, and many of the burgeses of Glasgow; but I hope the refusing of itt will be made no test of loyalty, for I am sure there is that has refused it, has and will be as ready to venter their lives and fortunes in the King's service and mentinance of the laws

as any that has taken itt. And tho all have not the like freedom to take bonds they thinke not warranted by law, tho by itt they might save them selfs and interest from present trouble; yett in chirritie I hope they may expect not to be so severly dealt with, as it seems your gentlemen warrands yon to offer to the councill, for securing the refusers, which I thinke no good preprative and I beleive is more nor was desired from you. If I be not able to presairue my arms my self, I do not resolve to trouble any friend to keep them for me. However, I thanke you kindly for the offer, and shall waite on you att Edinburgh as soon as I am able; but att present can not determine the day; but thinks it very convenient you hast there, suppoesing at this juncture you may be able both to right your self and help your friends. I shall give the advertisements you desire, and contineu fixt to the principles and friendships I have allways professed to you; so, adieu.

143. Mistake in what Sir David Carmichael told him—reply to Queensberry's offer to keep his arms.

[c. February 1678]?

I will not giue you the trouble to ansuer particularly yours; time will cleare all things. You are much mistaken in what you say Sir David Carmichell and I told you, for I assure you that you will find our great scruple lay not in what you mention. One step in these things does clearly draw on another. You are likeways much mistaken that I tooke ill your offer to presairue my arms. I thinke I thanked you for itt, and that I told you that iff I could not be as frie to presairue them as any other subject in the kingdome, I thinke was no cause of mistake. I shall allways be much satisfied how much your enemys are disapointed, and I am very apt to believe it was so by your report, but all our reports was sent to Edinburgh as well as yours; and I thinke I haue reason to believe thaire malice is as much against others as against you, and our interrests are considerable to us as others are to them; but I haue gone further on the subject then I intended, so will stop till meeting. Albeit I be not yett very strong I intend to Kinneil next weeke, and from that to Edinburgh if I be able; and on all occasions you shall never have reasan to complean ather of the uneasines or unfixednes of my friendship, which few hitherto has had occasion to do, whatever be my other faults; so, adieu.

144. Asks him to haste up to London—Bishop Paterson of Galloway.

Penrith, 28 March [c. 1678].

I have received two of yours one by Jeriswood and the other by the expres I sent from Craford. I am still of the opinion I was off in earnestly desiring you to hast up, whereby you will not onely do service both to your King and cuntrey, but a great dale of right to yourself and put kindnes upon your friends, which cartanely will remove all jealousies and mistakes; and you can be in no greater hasard then others of your friends with whom you have been all alongst engaged in the late publict transactions. For what you say B[ishop] P[aterson] of Galloway told you, my actions I hope you will beleive better then what he says of me. Till I be at London I can not giue you an adres to write to me, but you may find severall merchants in Edinburgh under whoes cover you may write safly. I have brunet your letters as you desire and has no more to ad, but that it shall be your falt and not mine, iff I be not as really and faithfully your servant as ever; so adieu.

You may send your letters to my wife, for you may remember except with my wife I told you I wold corespond with none by the post but by expreses.

For the Earle of Queensbery.

145. Removing the forces that were on free quarter—not admitted to kiss the king's hand &c. 15 May—Complaints required to be given in in writ.

May 9. [1678].

Yours by Sir G[eorge] L[ockhart] and Kin[cairn] I received. The accounts I can give you of our affaires here are not much more then what you may perceave by the removeing of the forces that wer on frie quarter and the present stop of these things was pressed on us, and that His Majestie has called up some of the counsellors, but till they come no further proceedor is in our affaires; nor are any of us that are plentifes to be admitted to kis his Majesties hand till then, least it may discourrage the Counsellors and seam in so far to condem them unheard. Tho this be hard measure, yett wee cheerfully submitte to itt. I marvell how you can expect I should aske leave of the King for you to come up, since the doeing so wer to condem many that have done otherways. It wer more generous to do as your friends has done, but I will pres itt no more since I find you continew so positively resolved on the contrare. It was scarce worth your pains of wishing joy to my friendship with Kelhead at this distance, but I do not repent me to be civill to any that is so to me; and if he find it his interest, no doubt his professions will be reall, and more I do not expect. It was an advantage to you that I did not acquaint you with my corospondance by Carlile since it is discovered; but why you need say any thing in vindication I do not understand, for sure I should never suspected any thing that is so mean from you; but I hope any discoveries they may make that way will nether advantage them much nor prejudge me. I am sory yours or my nevy Anandales men should come to oppress me or any of my friends, but I know wher to lay it; and I hope never to live to be so unhappy as any particulare interest of mine should rander me in a condition to opres my neighbours and friends or be assisting it itt; but I hope to live to wether all these misfortunes. I hear of your being to be att Edinburgh, and I wish with all my soull you and your friends their may take right measures. Those of late has been taken I am sure has been highly prejudiciall to those that may justly pretend to be your friends, and perchance at long run may be found to be so to your selues. There is an expres sent down with this who can tell all particulare stories, so I shall not need to trouble you with them, and shall onely ad that in my friendship for you, I have never come short in sutable returns to what I have mett with. But I will leave all reakinings till meeteng, and wish you may prefer mor the publict interest to your ouen particulare one; and then I am sure you shall neuer haue reason but to beleive me as I have all ways professed to you; so I beg of you lay aside all different methods and ways, and unite close with your friends and do some thing that it may apear so to the world, wherin as you will do the best service yow can to the King and the cuntrie, so it will remove all mistakes, which I am sure I wish heartely, being very desirous to continew in the reall friendship our relation and interest tyes us to, which I shall never fail on my part; so, adieu.

My humble service to my sister.

15 May.

This expres should have come long agoe by this bearer, Mr. Bannerman, who is instructed to give you full accounts of all that has past since wee come here; and you need not thinke it strange, if I must contradict some things I have write in the begining of my letter, for measures does change here almost every day. Now the King is resolved as wee are told not to call up any counsellors till our complaints wer given in write and subscryued. Our advocats thought that of dangerous consequence, unles the desires of this paper herewith sent wer granted, which is a copy of what was given in to the King. The ansuer is that the first artickle as to the advocats should be granted; but as to the 2d he wold judge what was law by the advise of his judicatores there, but wold not grant a parliamint, which wee thinke is to make our parties our judges; so wee thinke it not safe to give in subscryved complaints untill wee hear the advice of friends, seeing all the question seams now to be whither these late proceedings of the Councill and there Comitties be conform to law or not, since its now possitively averred all has been done conform to law, and the matters of fact not denied, as was at first. This is of so great a consequence to our liberties and properties, that wee judge it of dangerous consequence that the determination therof should be to any but his Majestie with advice of his parliament; and I doubt not but you will consider it of that importance as to be worth your pains to go to Edinburgh, iff this find you not there, and seriously advise with friends what is now fitt to be done; and hast ether the bearer or some other fitt parson bake here to us with your thoughts and advice; and I could wish yow wold yet come yourself, which wold be of great advantage many ways, and oblige and take off all mistakes amongst friends. What has been the publict votes and adreses here by the parliament, I shall not trouble you with them because it is like you will have them befor this; and whither this ten days prorogation of the parliament will take them off from being so ill natured to the ministers and particularly to our great man, time must discover; as it must whithir wee shall have peace or war, for none yet can give a judgement in these things. So you may see the French King has a fine time of itt, who is now with a great army lying betwixt Ghent and Bridges, expecting the Hollanders' ansuer whither they will accept of the project of peace he has made to them, and they have now but thrie days to do it in, and no armie able to opose his; so Flanders is thought lost. But I shall say no more of these unpleasant matters; so hartely, adieu.

My humble service to my Lord Chancelor. What I write to yow I desire yow may communicate to him, so will not give him the trouble.

146. Representation by Scottish nobles to King Charles II. against the government of the Duke of Lauderdale.—To have a care of elections.

May the 28th [1678].

Since I write to you by Mr. Bannerman all I can tell you more is that these foure of us, that were befor admitted befor the Cabinet Counsell, was on Saturday admitted befor his Majestie, there being present the Duke, the Duke of Monmouth and the Treasurer. Wee had a full hearing and represented all our complaints to him and did very casely answer these arguments had been suggested in diffence of what was done by the Counsell. But when nothing could be further sayed to justifie these actings wee were pressed to give it in write by way of complaint and subscryue it. This wee told wee well understood to be but a snare, and that his Majestie did now well enough understand the whole affair, which was our only earand to him and to beg his

protection, that wee might have liberty to posses our own conform to the laws, and beseched his Majestic to take it to his serious consideration and allow us to kis his hand that wer come here, and have acces to him as his other subjects, and all his ansuer was he wold consider on it; but the particulars of this conference the bearer hereof, my nevoy, Carmichaell, can give you a more full account. I dont not befor this reach you but that you will have notice of a Convention of Estats that is to be called. I confes my deficulties are great how to come down as I am now stated, and considering the season of the year, which calls me to go to the Bath for my health. I have write to my wife to advise with you and other friends what is fitt to be done, and what you advise me I will follow it be the hasard what it will, ether as to my health or other things; but I hope friends will be juster then thinke to expose me in any thing they will not adventur on themselves; and what is your advice must be quickly sent, that I may have time to be there after it comes to me, if you advise my coming down. I pray you have a care of elections. I have write to my wife to apoint James Carruthers to be carefull as to right parsons for the litle broughs in Anandale, by your advice. So with my most humble service to my sister, I assure you I am very really your most affectionat brother and humble servant.

For the Earle of Queensbery.

147. [The Duchess of Hamilton to the Earl of Queensberry.]

Report of the Duke's meeting with the Duke of York and the Treasurer of England.—Was to go to Edinburgh.

18 June [16]78.

This day I gott a letter from my Lord, daited the 13, which day he touk jorny with Earle Perth and Sir John Cocheran. He thinks to be att Edinburgh on Saturday, and desiers to mett with you, and that I should lett you know so much. He has had severell mettings with the Duke of Yoark and the Tresurer and much faierer wether then formerly but the Archbishop of Glasgow and Earle Morray undertakes so highly that Duke L[auderdale] shall cary what the King plesses in this convention makes what he has said lesse lesened to then other ways itt would have ben; and my lord is confident, if freends act there part att this convention, our bussines will be done and those ruined that other ways will ruin us and enslau the natione. His not haweing a chipr is the reason he writts not to you, for these things to writt in plain writt weer not att this time convenient; and I hope youre metting shortly shall suply all that has ben wanting this way. I intend to goe to Edinburgh to morow and meanes to send a led horse to James Cruthers, that so my lord may come ether way; friends at Edinburgh ar in debait which way he should come. Orbiston is gone to him and I expect to heere againe from him of which I shall acquaint you as sone as I can. I am sure I haue reason to desire your burning this as I did yours, for I haue ben so tyered that what I writt is hardly legeable; but I presume you will pardon me, who am both yours and my Ladys humble and faithfull seruant.

148. [The Duke of Hamilton to the Earl of Queensberry]. Burial of Gosfoord's uncle—Company that might meet him on the way.

Tiningham, 22 Jun, 7 at night [c. 1678].

I was very glade to receive yours from Edinburgh, for from none I could here you was come there. That invitation from Gosfoord to his wnckles burriall is not to be expected from so catious a man, but I haue desired Earl Hadinton to write to him to hast the buiriall as much as he could, for I wold keepe none from itt, tho some inclined to waite on

me; but I wold rather choise to stay at Preston and lett every body go. This was the nearest I could go; there is no fear of any offence that wold be taken aboue at any numbers of company should meet me, and I should be glade with all my heart they wold send me any message to discharge the company with me to come in to the Abbay court, as I hear is talked, but I do not beleive itt. It is not an houre since I come here, so has hasted bake the footman to lett you know that I will be att Preston about 2 o'clock; so till meeting I onely ad a hearty adieu.

149. Lauderdale's pretensions checked—Of hawks to be sent to his Majesty.

Hamilton, 31 July [c. 1678].

At my return from Craford I found your Lordships by James Johnston. The Earl of Lithgow is very happy to be still so kindly remembered by his Majestie, and you will have the advantage of haveing of your friends in place of others aded to the Exchequer; and now I hope Lauderdale's pretensions will trouble you no more when he has been so severly chequed; and I doubt not but so soon as the report comes to his Majestie, his brothers affaires will have the same succes. I can not at this time be with you being ingadged in many privat affaires; and beside I find it not very convenient to make so frequent jurneys there, especially when it signifies so litle, but may rather have occasion to give offence, which I will shun all I can. Iff you have no commands for me I am uncertaint of my time of being at Kinneill; however, the mears shall be sent to you, Edinburgh, or to the Sanquhair, as you think fitt. For hawks I have none worthy sending to his Majestie; tuo tersells of falcon I have, the one I got from Earl of Airly, which I never saw fly, and is sitting in the cott. You may try at him, iff he be fitt for your purpose, and you shall have him; the other, I pouted him this sumer, and all his fathers are in blood and many broke. I have a red hawk also, but it seams it is none of those you desire. The bearer will give you an account of what company I have here, and to morrow I go to Glasgow with my nevoy, Anandale. Your commands shall be very wellcome to me and shall meet with all the ready performance in my pouer. My wife remembers her humble service to you; so with all kindnes, adieu.

150. His citation before the council—Hallyards denies giving information.

Edinburgh, 9 November [c. 1678]?

I had the honour of your Lordships of the 2^d since I came here. I am very sory to find you are so apt to mistake me, for I suppose my last letter did not infer that I thought your lordship privie to the citation I had befor the Council, but that you knew of it befor I got my citation; which I thought wold the rather a hasted your comeing here to haue been a wnesse to haue seen what was in it; and I doubt not but you wold haue been convinced, as all the world that heard it is, of the wnkindnes of those that occasioned it, and I wish they may be more just to the friendship I hear your Lordship has now struck up with them then they have been to me. I can not but regrate that your lordship thinks I minde of you of things you sayed to me that you do not remember of. Whatever my failings are, none can justly charge me with makeing storys; and I am very sure I have never made use of any thing you euer sayed to me to your disadvantage, but you may excuse me to remember your self of things when I meet with the contrare affects from you. But being just now going out of the toune, I shall say no more till meeting; and then using friedom is the best way [to]

clear mistakes amongst friends; onely I shall tell your Lordship that you may know how to consider him hereafter, that Haleyeards before witnesses denys he gave you any such information, and says you have mistaken him and allowed me to write so much; and so hartely, adieu.

151. A paper by the Marquis of Douglas.

[c. 1678.]

My Lord, ther is nothing new since my last. It is belived the parliament of England will adjourn till October. So soon as the bill of money is past, Duk of Clogne is coming over to our King to give an accompt of the King of France his affaires. My Lord G. was yasterday, surprysed with a paiper, all writt and subscribed by the Marquiss of Douglas, which is to be presented to the councill, wherein your lordship is verie particularlie mentioned. I thoght it my deutie to acquaint you with it and should be verie sorie your name wer brought in publick on such accompts. The Chancelor, I should judge the fittest person to interpose and to endeavour to prevent all hearing in these affaires. I should not haue interested my selfe in such things wer it not something extraordinarie, that you may resolue what is fitt to be done, or how full you concern yourselfe in it; and withall I hop you will not misconstrue me who have no further designe but to acquitt myself, my Lord, your Lordships most humble and most faithfull servant. Adieu.

For the Earle of Quenisberrie, these.

152. Was unable to visit his Lordship before his departure to court—villainy committed in the country.

Hamilton, 23 Aprill [c. 1680].?

This morning I received the honor of your Lordships, and as I told you at parting I intended to have waited on your Lordship before you had begun your journey to 'court. But, since I came out, haueing been under a litle course of phisike, and haueing since I came here taken blood, and resolved to continew some more days under phisike, finding still the pains of my head and bleeding at my noise continew, makes me fear I dare not adventure to be there so soon as your Lordships intends to begin your journey, to haue the happiness to see you; therefor, shall in this wish your Lordship a good journey and a safe return, and shall not doubt, iff anything occurr wherein I may be concerned, but that I shall meet with your Lordships justice and faver, haueing never done anything to desairue the contrare, and being still desirous of giveing you proofes that I am your Lordships most faithfull servant and most affectionat brother.

I wish with all my heart you may make full discoveries of all the villany that has been committed in thir countreys, not onely at the late circuite but befor and since, that you may be the more enabled to give his Majestie and Royal Highnes a trew account of the condition thereof. My wife has her most humble service presented to your lordship and both of us to my sister.

153. Tenants cited to the justice courts because they would not give money—recommends Robert Blake, his chamberlain, charged with reset of a preacher.

Hamilton 11 March 1681.

My Lord, the tenants in this inclosed list being citted to be witnesses befor the justice court, I do intreat your fauer to cause dispatch them for the pooer people can very ill waite there; and I am informed they are rather citted, because they wold not give mony (as many in this countrie has done) then for any thing they can prove. I must also recomend to your Lordships fauer one Mr. Robert Blake, who was my

chamberlane here so long as infirmittie wold permite him to serue. He is citted as a reseter of a preacher was in the Rebellion, whereof I believe he is very inocent. I am sure his principles was and is much contrare, and he has allways liued uery orderly, as our dean, I beleieue, has testified and I shall remite to himself to inform more particularly his caice, hoping you will not see him the worse used that he is recomended by my lord, your lordships most affectionate brother and most humble servant.

Hamilton.

For the Earle of Quensbery.

154. To wait on his Royal Highness.

Hamilton, 12 June [1681].

10 a'cloake in the morning.

My lord, it was this morning befor I received yours and shall make all the hast I can to waite on his Royall Highnes; but being at present troubled with pains of the seaticke, and haueing been all this year much disordered with pains in my head, I dare not make so great a jurney as to come there to morrow on horse bake; and my chariot being at Kinneill will force me that way; so it will be Wednesday befor I waite on you; and I beg the fauer you will excuse my not coming sooner to his Royall Highnes. My wife thought to haue come, but not knowing wher to get lodgings, being disapointed of some she expected in the toun as well as in the Abbay, has forced her delay her comeing till she see what conueniency I can provide for her; for she is not yet so well recovered but on nights disturbance by a bad lodging may endanger her health. She does remember her humble service to you and nothing shall be more acceptable to me then your friendship, which as I euer haue, so I shall ever indeuore to desairve, by being very really my Lord, your Lordships most affectionate brother and most humble servant,

Hamilton.

Since under your cover I received one, you will pardon me to put you to the trouble to deliver the ansuer.

For the Earle of Quensberry.

155. Dangerous condition of his son William—capture of Mr. Donald Cargill.

Hamilton, 13 July [1681].

My Lord, Last night I received your lordships with an account from Mr. Fa to you of my son, William. I see his condition very dangerous and fears the worst. I have write this inclosed to Mr. Fa, which I have left open for your perusall, and intreats you will send it under your cover as soon as you can, and I hope you will allow him to do me the fauer I have desired of him. My wife has seen his letter, for I durst not longer keep it up from her. Wee go to morrow to Kinneill, and on Monday or Teusday to Edinburgh. Lee and Sir George Lockhart are chosen for this shire with onely 4 contrare votes. No doubt you will have heard that Sunday last the Chancelour was so dangerously ill that no body expected his life, occasioned by a relaps of his former distemper, in company with my Lord Hatton at Leith on Saturday. Ill-natured people says he did on desing, with eye to his place. Shaftsbury imprissonment no doubt you have itt, but I must tell you another. Cargill and two more preachers, on Smith and Broun, were taken last night at Covington Mill by a party of Captan Stuarts dragoons, whoes Lieutenant was just now with me. I shall ad no more to your trouble, hoping to see you at

Edinburgh nixt weeke, but that I am very really, my lord, your lordships most affectionate brother and humble servant,

Hamilton.

My wife remembers her humble service to you and both of us to my sister.

For the Earle of Queensbery.

156. His Royal Highness to visit Bothwell-bridge.

Kinnell, 1 October [1681].

I was much surprised this morning to hear of his Royall Highnes going west on Monday to Glasgow, but what way I do not yet know, tho I hear he is to be at Bothwell bridge to see the ground wher the rebels was beat, so consequently at Hamilton. I should have takin itt as a great dale of honor, if I had been acquainted with his resolutions sooner, that I might haue been prepared to haue entertained him there as well as I could, which on so short advertisement is not possible for me; especially since my wife and servants are here, whoes stay has been longer then I intended, occasioned by the neuces she had of the death of my son, not being desirous to stir from this for som days, she being unfit for travell. But it seams this journey has been kept very close that you sayed nothing of it in your last, by which it seams his Royal Highnes thinks not fitt the countrey gentry should atend him, which putts me in great doubt what to do; therfor I have given you this trouble to know your advice, which I expect this night by this bearer who am, my Lord, your Lordships most affectionate brother and most humble servant,

Hamilton.

157. The keeping of the King's house of Holyrood—General Dalzell's visit to Hamilton.

Hamilton 26 May [1682].

I received yours of the 21, wherein it seams you expect that I should haue write to the Duke the prejudice the Kings house may sustane by Hattons going so abruptly away. I did indeed thinke to have done it, but when I reflected that I had not the right to concern my self, untill his Majesties letter come doune restoreing me to the keeping of it, and my other jurisdiction, I did forbear, untill I receive that letter which the Advocate says is sent up; and so soon as I receive it, iff you thinke fitt, I then write it shall be done. I am extreamly pleased with the assurance you give me of your Lordships kindnes and friendship which I shall indevore to desairve all I can; and since you resolve to do me the honour to call here in your return to Edinburgh, I beseech you a weeke befor lett me know that I be not out of the way. My wife remembers her most humble service to you and both of us to my sister, and give me leave to returne my humble service to my Lord Chancelor, and so without cerimony in the old manner—Adieu.

I had almost forgot to tell you Generall Dalzell was here this day, where he mett the gentlemen of this shire pretty frequently conveened. They seamed all very frank and willing to do all they could for the security of the peace, and fell on some overtures which will be better digested against this day eight days that he returns from Aire. I do not hear of any disorders or fear of disturbance in this countrey; and I hope gentle methods may prove as well as the rud ones wee have mett with some times.

158. Hatton and the copper coin—the project of Carolina—making court to Shaftsbury.

13 July [c. 1682].

I had the honor of yours yesterday by my footman. I did imagin Hatton wold give in some such thing as he has. I am sure what he clames so fully on the act of indemnity he has acted much other ways in the caice off others, and iff he has gote so litle of the copper coine, iff there be so much coined, as is sayed, the rest of them has made a great dale and much more of the silver coine, iff they haue gote all the remeads ; for iff I understand itt, the standard ought to be 11 denier fine out of the fire, without remedy and not with it, as he calls it in his paper : and iff so, some has made a great dale of the remeadys ; but no doubt this mistery (which in my opinioun is the great matter) the commission will discover ; whereoff iff he be innocent (as I can hardly thinke), I atrobutie it more to his ignorance then honesty ; for I can hardly thinke he wolde lett such profits go without a share, and iff he come off by the act of indemnity and his exonerations, he has very good fortun. I cannot imagin what of our country men are makeing court to Shaftsbury, unles it be those that are about the project of Carolina, wherein they say they are not like to agrie, because they will onely grant Presbyterian Government, but durring pleasour. I thought the Chancelor and you had been so well with Morray that he wold haue done nothing without your knowledg, and I mervill what the bishop of Edinburgh can haue to pretend now as to Church affaires ; iff things be not now done according to his hearts desire, he is ill to pleas, and I wish indevorng so much to pleas them, things be not made worse as to our peace and setlment. The frieut dish is sent, and any thing els in my pouer your Lordship may very friely command ; so in the old manner, adieu.

159. Resolutions of the Heritors of Lanarkshire, in concert with General Dalzel for securing the peace of the shire and reclaiming "rebells," 2 June 1682.

At Hamilton, the twentie sixt day of May and second day of June, j^m vj^o eightie two years.

His Grace the Duke of Hamilton and the Commissioners and heretors then and there mett by appointment of the lords of his Majesties privie councill, having spoke with his Excellencie Generall Dalzell, did take in consideration the means and methods for securing the peace of the shyre of Lanerk allready fallen upon by the secret councill, which are so full that litle can be added : only they doe humble conceive, that it may probablie proue effectuall for reclaiming many of the rebells, if there were warrands and allowances giuen to some persons resideing at leist for sometime within the shyre, to hear and receive addresses from any of the rebells, who are willing to submitt themselves and give the satisfaction required, and security for their good behaviour in time coming.

They humble moue for taking away all pretext of harbouring or resetting rebells, that true and exact lists may be made of all such of the rebells as have not accepted of his Majesties gracious pardon, and are either forfaulted or declaired fugitives within this shyre, and haue not yett obtained their discharges or given securitie for their good behaviour in time coming ; and in so far as the said lists and rolls may be deficient they are willing to concur in giving up the list of any omitted, to be returned to the lords of councill, to be by them appointed to be printed and published at the mercat crosses and paroch churches that none pretend ignorance. They haue offered advyce to Generall Dalzell anent the places most convenient for lodging such forces as may be thought necessary for apprehending skulking vagabonds and rebells, on the confynes of the shyre and elsewhere and for securing the peace.

As to their keeping of their paroch churches, it is conceived that the putting of the laws in execution as well against heritors as others by those to whom the execution of the law is committed, viz. the sheriff and deputs and magistrates of burrows, may proue effectwall. To which all the heritors mett are ready to giue all concurrence.

As to the rebels estates, rents and moveables, the meitting know nothing but that the samine are possess by the rebels themselves or their wives and children, or others to their behoue, except where the samyne has been transacted for be those who were authorized by the lords commissioners of the thesaurie or councill; and they humblie think there can be no great difficultie in dispossessing of them, and calling to ane accompt the intrometers according to law. Wheruntill they will be ready to give all concurrence: and they hear nothing of any such abuse as illegall taking back the goods of such as has been fyned or sequestrated upon the accompt of the rebellion, and who threaten these who buy any such goods.

As to the nameing the commissioners of the militia and under officers, it is humblie conceived they cannot so well be condescendit upon untill such time as the captains be named, by whose advice it may be more effectwally done, and to the better purpose. The hail gentlemen did elect the Duke of Hamilton president, and desired his Grace might be pleased to subscriue this in their name.

160. Account of the meeting of the Heritors with General Dalzell—the country very free of disorders.

Hamilton, 5 Jun. [1682.]

Hearing your Lordship will stay at Edinburgh till after the councill day; and that by your last you was desirous to know what wee did here with General Dalzell, I have sent you the copy of a paper he has from us to present to the Councill. The method he tooke was onely to show us the counceills instructions to him, and desired our answer to them. It was not easy to get answers well digested in such meetings, nether does it signifie much the calling of the heritors together for such a bussines, tho I am confident all meaned well enough, and I hope our countrey shall continew very frie of disorders, as now it is; wherein my indevores shall not be wanting. There is a petition given to the Generall from tuo that was in the rebellion, which I am confident will giue satisfaction, and iff leaue be given to receave more, I doubt not but many will come off. I am very glade to hear my son has parted with you to your satisfaction. I am sure he shall have my commands to do every thing that may expres his gratetude for your Lordships fauers; for I shall not doubt of your kindness to us all, which I hope you shall neuer have ground to repent; so shall onely add my wifes most humble service to you and both of us to my sister. Adieu.

161. Thanks that the council had noticed his endeavours to serve the King on General Dalzell's visit.

Hamilton, 20 June [c. 1682].

Finding the occasion of this bearer, James Weir (who I hear is to come to your service, and whom I am confident you will find a very honest and good servant), I could not but give you this trouble, tho I know you are much taken up with bussines, haveing been long from home and but short while to s[t]ay; however, I could not but by the first opertunety thanke you as I have taken notice of it to the Chancelor, that the counsell was pleased to notice my indevores to serve the King when General Dalzell was here; which I assure you I did on no other intention but out of the duty I owe to his Majestie, and the good wishes

I have to the peace and quiet of the countrey; for I assure your lordship I am very well satisfied with a countrey life and covatts no more but his Majesties protection therein. I was resolved to have been in Craford nixt weeke, partly about bussines and partly for sport; but hoping for your good company about the end off it, I am resolved not to stur from this till I see you. I shall not this way make reflections on Hattons affaires, onely I am apt to thinke he has better fortun then honester men had; and so I am of the opinion it will continew, which which will be but small incuragement to some others; but more of this at meeting; so shall onely ade my wifes most humble service to your Lordship, and both of us to my sister. Adieu.

162. Lodgings for the Earle of Linlithgow in Holyrood Palace—custom house at Borroustonness.

Hamilton, 7 Agust [c. 1682].

It was yesterday after sermons befor I gote your Lordships of the 3d. The letter from his Majestie, commanding and requiring me to take care that the Earle of Linlithgow be settled and possessed in the lodgings to be apointed by your Lordship or the treasurer deput for him, I received the day befor. You may be assured I can not be pleased with a letter of this stile; for beside that its contrare to what his Majestie determined upon former aplication, and dedercted all letters onely to my self since, untill these of late for your Lordship, my Lord Chancellor, Justice Generall, and Regester, as I did make apear to you; so that this peremtoe requiring me to posses him was as I remember never in any befor, but that second letter for giving Hatton those lodgings you now possess. So what has occasioned this I can not imagine, but rather expected the former letters should be helped, and particularly a new one gote for the Regesters lodgings to be a reull in time comeing; which iff I be not mistaken was promised, and now its like you may have a good occasion to minde it, hearing the Regester is going up; and I wish it may, that I may be fried from debating with the Kings officers for procureing letters to take away rights under the great seall, ratified in Parliament. But iff this way be not done, I must petition his Majestie againe, and show my wifes right, for I cannot be put out off it this way, which debate I hope your Lordship will preuent; and pardon me that I can not obey in putting Earle of Linlithgow in possession of any lodgings untill his Majestie be acquainted with itt; nor do I know what lodgings there is to give him, unless he haue those the Dutches had, since you say the Duke was so kind as to remember my conveniency to allow me to keep those my Lady Pettebrough had. It is no small trouble to me to be in perpetuall debates about the keeping of this house: so my wife and I beseechs you to think on some way that wee may have a reasonable satisfaction for our right, or otherways that wee be allowed to posses itt as our predecessors has done befor; so untill I know your resolution I shall say no more of the matter, nor will make no aplication to court about it, hoping you will preuent itt; nor shall not ad any other thing to this long letter, but hopes you will minde the changinge the customehouse to Borroustones, wher it has been past all memory, untill within this few years. And I am sure the toum of Lithgow can never make it apear, but that its a lose both to the Kings customes and a prejudice to the leidges, its being at Blaknesse, as your oun collectors who has interest in nether places can make it apear. Thus you see I make use of the friedom you allow me in what is the concern of this famely. All in itt is really your faithfull and humble servants; so, adieu.

163. Linlithgow's lodgings in Holyrood Palace—Marquis of Douglas going to France.

Hamilton, 17 August [c. 1682].

This morning I received your Lordships, and thinks strange that you say my last seemed to blame you for Lithgows getting lodgings. I am sure, if it did so, it's what I did not intend; for I have no such thought, and told you that I would not obey in giving any lodgings you should appoint for him, a purpose to prevent your ordering any for him, and that you might have it for a reason to give in answer to the letter you had for the doing so. I return your Lordship hearty thanks for writing to his Royal Highness about it, and I have write to my son also, and if this do not do I must submit: and now when I am troubling you about the house, I must tell you that Robert Kennedy writes he is like to get none of his pension, for he says you told him he was not in your list. If it is so, its impossible for him to looke after the concerns of that employment, and the house will suffer by itt, which I intreat your Lordship to represent that I may be excused if the house be not so looked after as it should be; for in no time was the under keepers allowance kept off him, but within this few years by the treasurer deput. I do not know what you mean by the great neues here and the greater expectations you say is about. I have heard of nothing considerable, nor what is the favor intended for Sir John Falconer; all is misteries to me, so I beseech you unriddle them. The Marquis of Douglas did not me so much favor as to lett me know in the least of his intentions, either as to himself or son. I did hear of his going to the wells in England, but yours is the first of his going to France with his son; so I assure you directly nor indirectly I am no adviser of him, but am much in my judgement against both his and his sons journey. If you do not concern your self for that famely, I see cartaine ruin to itt; and I shall be ready to concurr with you, if it be possible to presairue yet a memory of it. I shall not trouble you concerning the affaire of Borroustones untill your return in November. My wife is your most humble servant, and I besech you do not easely belieue storys to lessen the good understanding betuixt us, for I assure you it's not in the pouer of any to alter me from what I haue told you; and so long as my service can be usefull to you, you may command it very friely, and I am sure there is none liveing you may more really confide in; so, adieu.

164. He had received notice from the Duke that His Majesty was to bestow the Garter on him—Lodgings in Holyrood Palace.

Hamilton, 6 September [1682].

I received your Lordships this night and was to have dispatched one to you to morrow, to have wished you joy of the Castle and given you an account, that this morning I had a letter from my Lord Chancellor, by his Royal Highness command, to give me notice, that his Majestie had bestowed the Garter on me; and with it I had a letter from my son telling me the same, and how much I was obliged to his Royal Highness for itt; and except by a letter from my son the post befor, that told me the Duke had proposed itt for me, I never heard any thing of the desing of putting that marke of his Majesties favor on me, for which I shall be very thankfull to both the King and Duke. My son write also to me that he had spoke to the Duke concerning the lodgings appointed for Lithgow, and concerning the stile of the letters, and that they wer not now as formerly, as I had made appear to your Lordship; so the Duke told him when he heard so from you they should be altered by which it would appear what you told me you had

write to the Duke to that purpose has not been come to his hand, or forgott by him; so lett me intreat the faver, iff you haue not already upon my sons giving you an account of this, that you will lett the Duke know what I produced to you as to the old way of derecting letters to me and my predecessors for lodgings, and how Lauderdale did enroach on me, and how it was once againe rectefied by his Majestic, that what is gone wrong now againe may be helped, which now it seams depends on the report you make of that affaire. As to these roomes you wer pleased to allow my wife, you need not doubt butt you shall command them when you thinke fitt. I thought to haue waited on you shortly at the Sanquhar, but hearing that you are so much taken up with bussines, I will delay untill your bussines is over. I am very sory to heare my sister is ill. My wife presents her humble service to you and her, and has sent her by your footman a litle freuit, and both of us wishes her perfect recovery and much happienes to you both. Adieu.

165. About a seat in the Abbey Church.

Hamilton, 13 September [16]82.

I was much surpris'd to hear this day that one David Maitland, a servant to the late treasurer deput, without acquainting ether me or my underkeeper, came to a seat in the Abbay church possessed by my wife and me aboue this tuo and twenty years, and offered to take of the lock was on itt and to make some alteration, pretending you had ordered him, which I can not beleine, neuer haveing heard in the least of itt from you. So I ordered to stop him, and hopes for reparation against this fellow by your putting him out of the Abbay (for it is not the first time I haue mett with his rudnes) and that you will not countenance him to follow the foot steps his old master taught him, since your Lordship knoues I wold not differ'd with you about any such thing. The late Chancelor had a minde once to haue possessed that seat, but after further consideration nether he nor his lady made use of itt when my wife was in toun; and euen when the Duke off Lauderdale was Commissioner, his Dutches was satisfied to sitt by my wife in it, and sure you or my sister might with more fredome haue done itt, and there need be no debate about itt. So I beseech your Lordship lett not any whisperings or storys make mistakes or occasion debates, which perchance is done on desing to stop the good understanding that is betwixt us, which shall be unchangable on my part so long as you ouen the same friendship for me; so, adien.

166. Match between Atholl and the Duke's daughter—Keeping of Palace of Holyrood—Lodgings to the Earl of Linlithgow—To go to be invested with the Garter.

Holyroodhouse, 30 Sept. [1682].

My wife and I has been here since Fryday was eight days about ending that match proposed by the Marquis of Atholl for his son to my daughter; but finding some deficulties in ending secreties at this time, wee have delayed itt till our next meeting at this place, being to go from this on Monday. I have received a new letter from his Majestic for lodgings to my Lord Regester, and because it is of a new stile and which he says is to be the method of drauing of such letters hereafter I have sent you the copy off it. The lodgings he was in possession of befor, except the kitching which my Lord Perth had, which he says he gote by his consent. Now that I am speaking of the house, I shall tell you that I find itt in a uery ill condition and such stealing and pikeing about itt, that I never knew the like; and there is great suspition of

the soldery them selues or by there conueiuaunce. I haue giuen order that all the people that has the litle dale houses about may provide them selues, and that there houses be pulled down, and other methods must be taken then euer has been for lookeing after this house, els it will go to rewin or be stiiil on unnecessare charge on the King, as at meeting I shall more fully speak of to you. The lodgings that my son by your lordships assistance got the Earl Linlithgow put by from getting them, is now procured by Lundy, the treasurer deput, and as my son writes there is a letter to come to me about them; but with difficulty he has gote aded to itt, iff I be otherways provided. So you may sie what trouble I still meet with to gett lodgings keepled for my self in this house, and it is such a vexation to me, that I must indevor to be at an end off itt some way or other. Iff your lordship find an absolut necessity for haueing these tuo rouses you once intended to part with to me, I will upon hearing from you rather presently part with them then hereafter; for I find they are reckoned upon as belonging to me, and so its thought I may the better part with those my Lady Peterbrough had to the treasurer deput. I am told the seat in the church that Roxbrough possesses was the seat the King sat in in 1633, and that the pulpit then stood nearer the east end of the church, and that Roxbrough got onely possession of itt when he was privie seall. This your Lordship wold cause try, that the King lose not his right to itt.

1 October. Last night I write this length. This day I haue receiued a letter from the Duke telling me its thought fitt I come up to gett the Garter, and that the sooner the better. Albeit a winter jurney is very inconvenient for me, yet I am resolued to aduentur on itt, and thinks within a fortnight to return here so far on my jurney. I shall be in Hamilton on Wednesday or Thursday next, wher I am to enter on a litle course of phisike to prepare me for my jurney, finding some pains of the seatike now sturring on me; which, and some urgent affairs I have to dispatch so preesses me for time, that it will be great difficulty to me to come the length of Sanquhaire, to waite on you befor I go; and I wold very gladly see you. So iff your convenieney can allow you to meet any where betuixt Sanquhaire and Hamilton, where wee can be a night together nixt weeke, upon your aduertisement I shall punctually keep time and place, and I hope you will pardon this freedom.

This bearer, William Cunningham, late proveist of Aire, has been shoueing me how much that place is wronged by the present proveist in the election of magistrats for this nixt year; and as he represents itt there is great incroachments used on that touns frie liberty of election; and since he and others are willing to do every thing the law requires, and cary as becomes good subjects, bypast miscariages shuld be forgote, and every body received that will do what is fitt for the King and Dukes service, as he proffeses he will very sincerely do; and also desires to be beholden to you for to see that toun gett right done them; and therfor desires you wold call both parties and see iff you can reconcile differences; and iff you can not, that you will befriend the toun when they make their aplication to the counsell, as himself will more fully inform you of the justice of their demands; and I am confident they will serue you more faithfully, and I am sure are more able then the others. I shall say no more but that I fear this long letter will weary you, and that I am very sincerely yours; so, adieu.

My wife remembers her humble service to you and both of us to my sister. I trouble you with no neues knoweing you haue better accounts then I can giue you.

167. Custom-house at Borroustounness—Hallyards commission to seize estates of persons accused of rebellion—Hamiltons remonstrance against such a commission.

Edinburgh, 19 October [c. 1682].

To morrow I go to Tiningham so far on my jurney. Hew Wallace tells me that your Lordship remembers Borroustones bussines, tho I forgote to speake of itt, for which I thanke you ury heartly, and intreats itt may be done when you come here; for you will find it is an advantage to His Majesties customs the customhouse be there. I forgot also to tell you that Halyearde, who you write to me to continouie in the employment he had of lookeing after the rebells estats in our shire, was in the country but did not come near me and onely tooke the advise of Sir John Wheatford; and as I am told resolues the methods he proposes to him which will prove great trouble to the country and litle advantage to the King. At Kinneill on Tuesday he come to me and shew me his commission, wherin there is a clause impouering him to sease the goods of any he shall be informed was in the rebellion. If this latitude be left to him, I am sure he will abuse the country, for I hear he is a very profligat man; so I intreat your Lordship to reconsider his commission, and iff you will restrict it onely to forfeit parsons and those denounced fugitiues, there may be better ways fallen on hereafter to discover any others that are omitted. I shall onely ad (being much taken up) to beg you will not giue ear to stors that may be on intention to lessen the good correspondance that is betuixt us; and it's probable when you come here, you will know some of those you told me off was very great mistakes, and I assure you that you shall never have reason to doubt my friendship both to your parson and famely. So with my humble service to my sister, I am very really your Lordships most faithfull servant and affectionate brother.

168. Instalment as Knight of the Garter—Sir William Hamilton of Preston's fine—Dumbarton's affairs.

London, 23 November [1682].

Last night at my return from Windsor I received your Lordships. If I could have sayed any thing to you with [worth] your knowledg, I had not been so long silent. All the while till my goeing to Windsor I was in a perpetuall trouble with receiving and repaying of vissits, and preparing for my instalement; and now being resolved to return very quikly, I shall be in the like trouble of vissits and preparing, for I fear a very cold and ill jurney; so you may see I have not much time to enjoy the pleasures of this place. As to that bussines of Borroustones, my servants does complean extreamly of the minister, and that he was very unjust in that complaint he made, but I will trouble you no more with it untill meeting. His Royal Highnes haveing at my desire promised to write to your Lordship in favers of Sir William Hamilton of Preston for a discharge of his fine, I intreat you will befriend him in itt, for euen that fine tho it be no great soum can not be payed by him without almost breaking of him, his condition is so ill, occasioned most by his fathers sufferings for the King, as himself will more fully inform your lordship. If any thing occur here worth your trouble, you shall hear againe from me; so wishing you all happienes and a mirrie meeting, adieu.

My most humble service to my sister and my sons to you both. My brother, Dumbarton, says he will write himself, his affairs goes not well hear which disheartns him.

169. In favour of remitting Hamilton of Preston's fine—Custom-house at Borroustouness. [From Anne Duchess of Hamilton on behalf of the Duke.]

30 November [c. 1682].

My Lord, I did writ to your lordship before intreating your favorable assistance in Sir William Hamilton of Prestons conserne; but he was so hotly perswed that he thought the flying mans part was best for him, and so brought back my letter. But now, since His Royall Highnes has ben pleased to recomend him, as my Lord writs he has both to your lordship and to my Lord Chancelor, for a discharg of his fine, which that he may obtaine I beseeche your lordship to direct him what methods to follow; and did not my lord and I know the gentelmans principalls to be uerie loyall, we should not interceid for him. His father was well known to the King, who gaue him some mark of his fauer, which by his not being countenanced so much as he deserved rendered that gift of uerie littell benefitt, and far short of what had ben his lose in his Majesties serues; and for his brothers unworthynes, I hope that cant be obruded against him, who has on all ocaisions euenced his abhorance of the others ways. So presuming I haue said innough to inderduce him, I leave this subject and goe to another of my owne perticular concerne, of which I doubt not but your lordship has heard of, and I also wrot to you of in the letter I haue mentioned, of a foolish bussens at Borowstones being brought before the counsell, whare my Lord and I wanted your presence, tho I cant complain of the counsells fauerableness, the bussenes not being examined. And now since my Lord is so neare coming home, I earnestly intreat your lordship that there may be no thing done concerning that place while his return; and if I weer not uerie confedent there can be no prejudices to his Majesties affaires by this, I should be far from making this suit, which I beg as a fauer to, my Lord, your Lordships most humble servant,

Hamilton.

170. Protestation made at Lesmahagow—donator to the forfeitures in the shire.

Hamilton, 5 January 1683.

I haue apointed this bearer to give your Lordship and my Lord Chancelor an account of what I haue done in discovering the authors of that protestation was made at Lesmahagow, and of some other disorders, which wold haue been to long to troubled ether of you this way. After you haue heard him, I shall expect your advice how to proceed in these matters. I hear also that there is a donator in this shire to looke after the goods of forfeit and fugitiue parsons. I intreat your Lordship to consider his comission and leaue him no latetud, under the pretence of makeing discouerys, to opres the countrey, as you know on of that kind did befor.

Now I must trouble you with some particulars. There is a vassall of mine dead that holds some lands in Dalsferfe ward, and holds also some ward of the King, as the bearer will more particularly inform: all I desire is that the ward and gift of tutory that is in the Kings hand may not be givin untill I be heard; and I also intreat your Lordship will order the repairing of my lodgings, which now stops for want of some materialls the bearer will acquaint you with, and will be but a very small charge to the King; and wntill it be done, I can not bring in my wife, who presents her humble service to you and my sister, as I do mine to you both, who is really yours in the old manner. Adieu.

I expect, when you write, your neues.

171. Sir John Harper staged—plea for consideration.

Hamilton, 10 February 1683.

My Lord, Sir John Harper being staged, which I hope will appeare on misinformation, I cant but doe him the justice to informe your Lordship that his compliance in the vserpers time was of a more innocent nature then meny others weere of; he being put in that employment of a trustie by Collonels Lockharts means, as on that would be seruesable to me in getting better payment of that small allowance was appointed me out of my estat, and in that time did not as meny others renounce the King; which may plead for fauer in his behalfe, and is the suit of your lordships most humble seruant.

Hamilton.

For the Marques of Queensbery, Lord High Treasurer of Scotland.

172. A garrison for Straven or Blackwood—capture of Captain John Wilson by Lieutenant Creighton.

Hamilton, 14 April [c. 1683].

I have litle to trouble your Lordship with from this. I hear these rebells I gave the list of are s(k)ulking up and down in thries and foures, and one of them broke a tenants head of mine very ill this weeke for haueing taken his rounge; and the said tenant, haueing been at Lanark at a faire, knew one of them that was in the rebells company that broke his head, and discovered the same to the lieutenant that comands the dragoons there, who has taken him. I write to the said lieutenant to send parties out to looke for the rest, and gote my tenant to go with them to some suspect places, and I have also from this sent out a partie last night to search other suspect places, and got a countrie man that knoues the country to go with them to guide them. What succes they have my nixt shall acquaint you. Itt will be absolutly necessare that a garison be putt in Straven or the Blackwood, to banish them (iff they can not aprehend them) these muires, where no doubt there haunts will be this sumer, and these muires would be searched by parties every weeke. Lieutenant General Drumond I doubt gaue an account that the Blackwood may hold 24 dragoons and as many foot, which is abundance for this purpose; but iff Straven be thought fitter, I thinke there is no hasard in there lying in the toun, iff it be not thought fitt to reparaire so much of the house as will lodge them.

My Lord Murray has been here and told me his father had been very ill since I came outt. Wee have agried on Tuesday the 24 instant for his mariage, so without cerimony I am really yours. Adieu.

After I had write and closed this, Lieutenant Creighton, that comands at Lanark, came here, to giue me an account of his last nights succes, and, tho he has missed the rebells I write to him to catch, yett he has gotten on Captain Wilson who comanded the Lanark company off Rebells, a maine ringleader amoungest them, and by some letters taken on him you will see he can, if he will, discover more then any yett has been in hand of late. He has been correspondng with Laurie, that was lately reprived, even since that time, and some of the letters relates to things I do not well onderstand. They are worth your ouen peruseing, and pains wold be taken to find out the person that writes these letters. I find this Lieutenant, whom I neuer saw befor, a prety sharp man. He says, iff he had a company of foot to ly at Lanark with him, he wold hope to catch them all in time, and thinks that place fitter then ether Straven or Blackwood, and has convinced me of itt, as I

haue advised him to be frequently out with small parties, which in all probability will be the way to do their bussines, for great parties coming from afar makes but a noise; and he will need foot to help to search the woods, wher most of them shelters and wher this man was taken, and had most gote away. So iff you will order ether the company that lys here or some other may go to Lanarke, it will be most fitt, and they shall haue all the advice and assistance I can giue them; and I hope a litle time will clear this country of these rogues. The prisoner is an heritor in Lanark and my fathers old tutor, Alexander Wilsons son, and to incorradge the lieutenant he wold haue some thing given him, which will make him and others the more dilligent. Pardon this friedom, my zeall for the King's service makes me medle this far. The prissoner with the letters will be sent to morrow from Lanark. You may communicate this as you please.

173. Consternation about the Justice Court—Eleven men in arms seen near Glasgow.

Hamilton, 1 May [c. 1683]?

Your Lordships servant, James Weir, was here on Monday, but the Marquis of Atholl being to go away that day I had not time to write to you by him. I did take a copy of these papers concerning the Marquis Douglas his estat and shall so soon as I haue time to peruse them tell you my thoughts, which I am affryed is to late to do any good.

The people in this cuntrye is in great consternation for the justice court, and its hard to persuade them to apeare that is citted, tho' neuer so inocent; and as I hear many of the gentry is as aprehensiuie as the commons, so by apearence the numbers of the absents will be great. I confes I can not find out the advantage of this circuite court, ether to King or cuntrye, for it is not to be expected after the former exact inquiries that has been made by donators, officers of the army and others, that any considerable discoveries off rebells that has not been heard of can be made and what other thing they haue to do does not occurre to me. I am sure iff the Clerk and others be not very discreet, itt will be a great charge to the cuntrye; but no doubt your lordships that are at the helme will haue a caire that the cuntrye be not harased, which is already at the point of reuine. This day fortnight there was eliven men in arms and a woman seen go by within tuo miles of this on a high way to Glasgow, and was mett within a mile and a half of the toun about day light goeing. I haue caused examine seueralls that saw them, but not a man knew one of them. Wee aprehend they were rebells, but some others thinks because they went so near Glasgow and on the straight road to itt in fair day light, that it was a partie of foot disguised sent out for some end. I hear my Lord Chancelor had notice of itt long befor I had; but you may be sure if it had been any thing of consequence I wold acquainted him with itt, which I desire your Lordship to show him.

I heard about a month ago from my eldest son, that I was to haue the Lithgow shire regement, and he was to haue the Militia Troop I got a comission for in this shire. I pray you lett me know what is in itt (for my son write Claverhouse told it him) befor you leaue that place. I find the gentry and leaders of the militia grunbles much to be at the charge of bying new armes, since ther former armes was taken from them by order, and the clerke of the melitia has the officers receipt of all the armes, who was Captan Scot, one of the brigadiers of the troop of Gaurds. I shall be glade to know your Lordships thoughts, how aplication shall be made for them; and iff you thinke itt fitt, adres

shall be made to the Chancelor. You need not take notice of what I haue write to you. So expecting your ansuer and your neues, I am very sincerly yours, adieu.

174. The Porteous Roll—prisoner rescued at Inchbellie Brig.

Hamilton, 8 June [1683].

I come from Edinburgh on Teusday last. I shall not trouble you in this with any thing passed there wherin I was concerned, but that I had some frie comuning with some parsons, wherin I was told that no body need take itt ill there being in the Porteous Roll; for the Treasurer might be in one, and it wold giue but honest men an occasion to vindicate themselues. I sayed I did not like the method of vindication. I gotē our randevous putt of till the 2d Wednesday of Agust; but the occasion of this letter is to tell you that this day the Marquis of Montrose, being at dener with me, an expres followed him from Glasgow, to lett him know that at Inchbellie-brige a partie of fiue of the Gards bringing a prisoner from Edinburgh, that they call Smith, was sett on by 12 of the rebells, who rescued the prisoner and killed 2 of the Gards on the place. I am affreyed this shall not be the last of these disorders, iff wee haue many declared fugitives. I haue giuen directions to all my concerns hereabouts, to inform themselues of any rebells that is seen, and giue me notice; and wee shall haue a great number here on Monday of the heritors of this shire to go to meet the justices at Glasgow, wher your comands, iff you haue any for me, will find me for some days. I haue ordered my sheriff deput to send an expres to you with this. So with my humble service to my sister, adieu.

175. Rescue of the prisoner at Inchbellie Bridge—Risk of being in the Porteous Roll—The circuit courts at Stirling and Glasgow.

Hamilton, 9 June [1683],

9 in the morning.

Last night after ten I received your Lordships. I had that afternoon write to you and ordered my shirriff deput, who was going to Ouer Ward, to send it by an expres, which I hope is with you befor this. The allarum the Marquis of Montrose gote here of a partie of his troop being beat and a prissoner releiued put us in some confusion, then supposing the partie of the rebells had been greater then they wer that had done itt; but as I write to you, haueing sent out seueralls to try about it, I find they wer but 7 foot men of the rebells, who had darned them selues in a house on a strait pass on the high way; and, when the 5 of the Gard come by with the prissoner, they surprised them and shot on dead, hurt another, and releiued the prissoner. This you will thinke pretty bold for 7 foot to attake 5 of the Gard and come safe off without any loss. The[y] disepat at a moss a little on this side of the place, and 3 of them come touards the south and 4 went westward. Of the 3 that come this way some of my people had the good fortun to catch tuo, who was broght here last night, and the insolent rogues that euer I spoke to. When I examined them, they wold scarce giue me civill ansners, lett be to confes a word. I sent immediately to Glasgow for a partie to cary them away, which came this morning by 5, and dispatching them is the reason I haue been so long in doeing so to your footman. When I was at Edinburgh, I asked the parson that write to me how he heard of my waiting on you, and I find it was from the Chancelor, so you may know if you told it him. As to what I heard of Claverhouse concerning you, it was from my son, and he writs but generalls; but no doubt you will hear the particulars, and then you can best judge how

fitt it is for you to challenge them. There was nothing sayed to me in particulare by the Chancelor of my being in any Roll for resetting rebels; but my last told you what was sayed in the generall, and that you might be in the same caice. I heard nothing of these good instructions you say was resolued upon befor you parted to give the justices; but that morning befor they went away, the Chancelor called a counsell at his ouen lodging, to which I was a litle long a comeing; so onely heard some instructions read ouer, in which I find heritors tho not rebels in worse condition then the rebels; for rebels, and the reseters of them, iff not heritors, can come of upon takeing the Test, but heritors has not that fauer allowed them; but to the contrare are not onely lyable for reseting their tenants, that was in the rebellion, whither in roll or not befor, but are also lyable for there tenants, cottars and servants. So that it is in the pouer of any tenant, by resetting a cottar or a servant that was in the rebellion, to make his master lyable, and they in a capacity to come of them selues; which I thought was very unreasonable, and tooke the friedom to speake against itt, but to litle purpose. All heritors, I find, must once find cation, whateuer there caice is, and then your lordship that is att the helm will consider how far to proceed, and in the mean time this finding cation will be charge beside other inconveniencies in itt. The first tuo days at Stirling many wer declared fugitiues, euen those that wer then and ready to apear, but by confusion gote it not done; which the lords indavored to help afterwards, and apearng moderat, it's hoped many will apear that it was feared wold not; and according as things are caried there, I find people resolues to take measures here. This long letter will trouble you, so I ad no more to itt but my humble service to my sister and my wifes to you both, and heartely, adieu.

I intend to be at Craford after the circuits is over, and from that I will send to know if you are at home and then wait on you.

176. Justice Court at Glasgow—Claverhouse and the Justice Clerk, chief directors—Perth going to Hamilton—less trusted than before he took the Test.

Glasgow, 14 June [c. 1683].

Your lordship will get so full accounts from others what is the proceedor of the justice here, that I will not trouble you with itt; onely, I see Claverhouse and the Clarke are the cheife derectors; and I am affreyed wee shall haue in this shire many fugitiues, and euen mony inocent, who are not to be persuaded to apear, fearing nothing will bring them off but takeing the test, which their foly will not allow them to do. So our deficulties will be more after this then befor, for it will not be possible to liue in this cuntry without hasard of convers and resset with fugitiues; and it will be a hard task to take them all, iff the Kings forces do it not. Perth is this day going up to Hamilton to diner there, and I do not intend to return. At meeting you shall haue full accounts of what has past and does pass here. I haue heard of that story you mention concerning my sons complaints of the ill usage I meet with from some here; and was told that it was understood it was but trike your being named, but that the intention was to load the Chancelor; and I find Claverhouse is the informer and of other things of greater consequence. But, however, I shall say to you, as I did to the parson told me the story here, untill I hear particularly what my son sayed, I can not answer. But, sure, euery body sees that I haue not been well used euen since I tooke the test, but les trusted then befor; and how my tenants has been harrased by the late rebellion and since, it will easely be made apear; and iff I had been trusted to overseen Halyeards

and Miltons carriage in giueing informations, as you know I desired, the circuite had been to better purpose and les charge to King or countrey, and as good service done; of all which I did giue my son an account, but I am very sure not with the least reflection or complaint of you; nor do I beleieue he has sayed any thing by which it can be inferred; but himself is the best can clear you. I am of the opinione you had best delay saying any thing to Claverhouse, and a litle time no doubt will clear you more iff you have reason to distrust his kindnes; and as yitt I have heard nothing from my son that he has made any such complaints. What you write concerning the abuses in the Abbay, I wish you had told me the particulares, for I heard of none when I was last there. Iff servants be put upon me, I haue mett with as great injuries; and its like, if it be so, they will be better payed then those I employ, and then they may looke better to the house; and unles the underkeeper get his pension or some allowance, its impossible for him to keep servants to looke after the house as it should be done. I am so straitned with time and cruded with company, that your lordship must excuse the errors of this, for I haue scarce time to read it over; and so onely ads that I am really yours, and humble seruice to my sister. Adieu.

I have desired your son to lett me know when the Colledge rises and I shall send horses for him; so you need but send to Hamilton for him, iff you allow of this.

177. The circuit court at Glasgow—many declared fugitives—many took the Test—Five forfeited.

Hamilton, 19 June [1683].

This bearer, Walter Sharp, who was my page, being now preferred to be an ensing desires my recommendations to your lordship for entering him to his pay, which I know was a needles trouble, not doubting you will not the les consider him that he once served me. I hope befor this you have had mine from Glasgow, wher I was necessitat to return, my tenants haveing all come away when they saw me leave the place, but my goeing bake made most of them return. It is not in my pouer to expres to yow what I saw and heard there; which I shall do the best I can at meeting, so soon as the circuite is past you. I can not tell you how many are declared fugitives, for the Clarke himself could not tell when he left Glasgow, and denounced onely the absents in generall, so I hope the leidges are securr untill their names are knouen. Many more bothe of gentlemen and tenants tooke the Test then I expected, none assoiiled how innocent so euer, but all bound over to ansuer at Edinburgh the 24 of July nixt, which has been chargable to them; those 5 forfeit, wherof tuo of them are Hamiltons, Mr. John Hamiltons of the Greens son, and the other a nevoy of the late Lord Belhavens, whose absence through foolish fear rather then their gilt did forfeit them. Their estates will not reimburse the Kings charge at Glasgow, but they say that will be well made up at Edinburgh, where I hope your Lordship will be a wittness to itt. My wife and all here remembers their most humble service to your lordship and my sister, and I am really yours; so, adieu.

178. About a meeting—the remark that the Treasurer might be in the Porteous Roll &c.

26 June [c. 1683].

This morning I received your Lordships letter, and doubts not but these conjectures wold be made you write of, but am sory to have the

least apprehension they wold haue weight or impression with the Duke ; for if so, wee can meet no where but the same may be sayed ; and iff our enemy has so much pouer, I am sure my condition is ill. Houeuer, I shall do as you advise, and make the best excuse I can for the change of my resolution of waiting on you, and none from me shall know the reason, as I am sure I haue not to any sayed a word of what you desired I might not notice of our correspondence. But itt seems you haue not done so to me, or those you trust has not answered your expectations ; for since my last I haue notice that the Chancelor has spoke to a friend and challenged my haueing write to you, that he should haue sayed you was in the Porteous Roll, which he denys. So I was forced to write the whole story of itt, which I thought not to troubled you with till meeting, for I do not love to be thought a lyer or maker of storys. And its thus, being befor the bishop of Edinburgh, argueing with the Chancelor the vnreasonablnes of puting in the Porteous Roll heritors for haueing on their grounds tenants, servants, or cotters, who perchance might haue been in that rebellion, and was never heard of befor or declared fugitiue, the Chancelor sayed it wold be but one occasion to men to vindicate themselues and do their duty, and an occasion to show their loyalty, and he wold thinke nothing to be in that caice himself ; and the bishop of Edinburgh aded, and it might be the Treasurers caice ; and I sayed, be whoes caice itt wold, I did not like itt, nor such ways off expressing loyalty. And iff you will consider my letter, you will find I did not say the Chancelor sayed you was in the Porteous Roll, tho I considered this being sayed befor him, and he saying nothing to the contrare, was as much as he understood your being in that caice. And since it has come aboue board, I will abide by what I here write to you. But I can not but thinke you had better haue made other use of it ; for tho you may be able to withstand the prejudice he may haue at you, it will be a harder pull for me to do itt ; and I wish this had not come abroad, but you will know how it is, and I shall be glade to know it to. My wife presents her most humble service to your lordship, and both of us to my sister ; so heartely, adieu.

I had almost forget to tell you, iff I be att Edinburgh at all, it will be the 23 of the next month for any thing I know or I be there ; but I intend to be at Craford nixt weeke some days.

179. Asking that the day for his tenants to appear before the Justices should be delayed.

Hamilton, 19 July [c. 1683].

Iff your Lordship had keepled the Marquis of Atholl, I had been with you there next weeke, but now I am ingadged to go to Tilbarne then with my daughter, which has occasioned the Chancelor the trouble of a letter to intreat him to get my people that are to apear befor the justices the 24 delayed, and a new day given them ; for I am affreyd my not being there make many not apear that other ways wold, and I should be sory many of mine wer declared fugitive. This fauer can be no prejudice to his Majesties seruice, since I am sure the justices has so much greater worke to do, that it wer not possible to dispatch them in a fortnight, and they are not able to attend ; so I shall hope for your assistance herein, and what day is giuen them, I shall be sure to be there and indeuore to cause as many apear as I can. James Johnston will inform who are those I desire this fauer for ; and what you think fitt to transmit of your neues, he will send safe to your most affectionate and faithfull servant and brother. Adieu.

180. Credentials given to Claverhouse—resetting of rebels—rendevous of militia and Justice Court.

Sunday, 6 at night [c. July 1683].

Within this houre I received your Lordships, and has dispatched the bearer as soon as I could. I shall obserue your commands, when I come to Edinburgh, in being as cautious as I can that nothing of our correspondence may appear. I had it write to me that I was to waite on yow at Sanquhair, and I am sure I shoud my letter I write last to you to no body but my wife, nor did not speake of it to any; so you may know iff it has come any way from you. I can not but tell you also that I heard you had giuen Claverous when he went up absolute credentials, and that he had not used them much to your advantage, especially in the debate you haue with the toun of Edinburgh; so does not admire if he is in resairue with you now. I do not thinke of waiting on you untill the Justice Court and the randevous of the militia be ouer; and befor that its like you may haue the trouble of hearing from me oftner then once. The place of rendevous of the militia regement of Lithgowshire being nearer Edinburgh than any other place I could well lodge at that night, made me resolve to go there, haueing likeways some litle particulare to do. As rolls are made in this shire of rebels, it wer impossible but some must be on my wifes land and mine, when 5 parts old toun of Hamilton are citted; so it seams all that saw and spoke with them are gilty, and iff resetting such be a cryme, I know none in this countrey inocent; but I am sure, first and last, I haue done as much against rebels as any that will accuse me of resetting them; and no doubt iff those in the Government haue a minde to pike quarrells with any but they may easily do itt; and how far this in [is] intended, as some expect, you will use freedom; for I aprehend some peoples prejudice may prompt them all they can, and it is better preventing a storm then scattering it out. I pray you lett me know how far its fitt for me to meet the lords of the justiciary, and what you intend when they come to that countrey. It seams you thinke the mears I gave you will be understood a bribe; I intended them none, so you need not send them bake. My wife presents her most humble service to you and both of us to my sister. I am very sincerely and really yours; so, adieu.

My service to the Barron and his lady; and tell him, iff he is forfeit, I hope he will allow my son to beg his estat, since he has already so good a claime to itt.

181. Meeting of the troop of militia.

9 August [1683].

I haue sent this bearer for the halk your Lordship promised me, and has sent to James Johnston an estimat what I think may do these roomes my wife desired to be altered to show your Lordship, and hopes you will giue order for itt. Our Militia mett better then I expected they wold haue done for the first time, and the Leard of Lie very fine in tuo led horses full of ribons, as if he had been riding the parliament, which I hope the Councell shall get an account of, that his zeall for the Kings service may be again recomended. He proposed in our meeting that the officers might haue puer to call the troops together, when they thought it conuenient for the Kings service, which wee thought not in our pouer, the act of parliament haueing limit the days of randevous; so if your lords of the councell are pleased to grant it, no doubt he will haue them well disciplined, and you must haue a horse allways ready in your lands in Craford, for that was another desire of his, thatt all the Militia horse might constantly reside in the place they wer put out, for els the Kings service wold be disapointed when he had them to call out. This and seuerall other propositions not worth

your trouble here, I doubt not will be represented in Councill. My wife has her most humble service presented to you, and I expect your neues, who am most affectionatly yours. Adieu.

For the Marquis of Queensbery, Lord High Theasurer of Scotland.

182. Had received a tersel—repairs on Lodging in Holyroodhouse—requests the gift of Monkland's forfeiture.

Hamilton, 14 August [1683].

Yeasterday I received your Lordships of the 11th with the tersell you apointed Posso to send me, for which I thanke you; and if he proue a good one you shall have him for the King, or any other I haue, which at present are not fitt to be sent. My wife thanks your lordship for ordering that reparation she desires in our lodgings in Holyroodhouse. Iff materialls wer provided and layed to the place, I thinke I could get massons and wrights to vndertake the work; but these being to be provided, and workmen here being unknouen how to provide such materialls there, it is not to be expected they will vndertake that worke, especially it being so small a piece of work. So your Lordship must lay it on James Smith to see it done, who is fittest, since you imploy him in other things about the Kings house, and all is to be looked to is to see it will be done for that price. I told you all I knew of Sir G[eorge] L[ockhart] meddling in any thing betuixt the Chancelor and me, and I am confident what you haue heard is but storrys, for I haue heard nothing of Sir G[eorge] L[ockhart] goeing up to court. If he has not other bussines nor what concerns me, it will not be worth his pains. I haue had a letter from my son, telling that our bussines as to the gift of Monklands forfeitur lays onely at your door; for both King and Duke has told him it was at your desire they promised it to Lundie, so I hope you haue write in our behalf, at least in so far as the soumes in our proceses comes to, that wee be not put to the trouble to debate our interest with the Kings donator; and tho wee got the gift of the barony of Monkland, which wee disponed to him, being but about 3,000 marks by year, and will be litle more worth then our clames against him, I thinke needs be grudged by none as an extraordinare fauer; and I hope you haue spoke to Lundy and disingadged yourself in so far, since you knew not our interest in that estat, when you ingadged for him, and that you will interpose with the Duke it be given to my son, which all of us shall ouen as a fauer from you; and it will looke very unkind, iff you refus this, and our enemys will take advantage of itt, and indevor to make ill uses of itt. So again I intreat you lett my son see you will be friendly to our famely in itt. Both secritaires haue seen our caice and is friendly to itt, so iff it miscary, it will lay onely at your doore. I haue ordered James Johnston to show you our proceses and the grounds of it, and the copy of the paper wee sent up, by which you will see our clame is founded upon very just grounds, so that I needed not fear our plea, iff wee had to do onely with Monkland. But in any thing wherin the King has a concern I desire not to be heard to debate against it, which you onely can prevent—so leaues it with yow, and doubts not of your kindnes, who am very sincerely and really yours.

183. The affair of Munkland—his house in Avendale—irregularities of Captain Meldrum.

Hamilton, 17 October [1683].

Albeit the affaire of Munkland be but ill adjusted betwixt my son and the theasurer deput, yet I shall not trouble your lordship with any thing about it, till I haue the honor to see you at Edinburgh, hoping

then to find your fauer that my wifes famely shall not suffer for Munklands falt, especially since the occasion of it was her famelys forfeitur for his Majestie. When I was at Edinburgh, there was litle done in that reparation your Lordship 'ordored James Smith to do in these lodgings I posses; but I hear it is goeing on now, and I doubt not but that apartment will be found so much the better that there will be no reason to grudge the expence, if the workmen do their dutie. I was lately at my house in Avendale, where I was not this 6 year befor, and found it in a much worse condition then I expected. I have ordered some reparation of the roofe, but I am affreyed ether that, or what you thinke to bestow on it for the conveniency of a garrison, will hardly be gote done befor the spring. I hear Captain Clelands troope is to be there this weeke, wher I thinke they may lay in the toun with as litle hasard as they did in Douglas. Meldrum has been in this countrey some weeks past, and they say his bussines is some ordors from your lordship. He has comitted severall irregularities, which when I did acquaint himself of them, I mett with scarce civill returns. I should haue expected, haueing the honor to be a privie counsellor and shirriffe of the shire, befor any had acted within my jurisdictions, to have been acquainted with it, and I should have been ready to have given my concurrence, that his Majesties service might have been done and the countrey not so much abused as they have been by him. The particulares I shall not trouble your Lordship with till meeting, which I intend shall be in November next; and untill then, if your Lordship will be pleased to recall him, it will put a stop to abuses comitted and shall be no prejudice to the service you haue trusted him with, and so frie this countrey of many opressions committed. I return my thanks for the fauer of seeing your son in passing, and from my eldest son I did hear of your sons aryvall at London, whom he commends extreamly. My most humble service to my sister, and my wifes to you both; so, adieu hartely.

184. Health of the Earl of Nithsdale—new donator to forfeited estates.

[c. 1683]?

I received your Lordships and heard also more fully from James Johnston as to those particulares you spoke of to him. I am sory to hear that Earl Nithsdales health is so dangerous, and I wish his famely very well, but untill I be fully extricat of Earl Anandaes tutory I will not easely ingadge in another. I did see the new trust given to your donator; iff Dumfries shire wer in it also, I doubt not but you wold haue my thoughts of itt. Iff your pouer in the gouernment wer as litle as mine, I am apt to think that his task will be much more to find out rebels then looke after those already forfeit; for I am sure some that are so are not so much as inquired after by him, which I told him. I shall be glade to hear you are well recovered of the indisposition you last mentioned, and my wife and my daughter remembers there most humble service to you and all of us to my sister; so, adieu.

Tell Drumfries I find his charity as litle as his other devotions, and that my wife desires to know what he means by bitch foxes it being a new word to her.

For the Marquis of Queensbery, Lord High Treasurer of Scotland.

185. Disadvantages of pressing the Test.

Glasgow, 8 October 1684.

Your Lordship has so full accounts of our proceedings by our journalls and letters that I can ad litle to it. Our gentry has been very franke in

their offers, thinking there was no more to be sayed; but now hearing the Test is to be put to them makes some I believe repent what they have done. There is days also appointed for our small heritors, who are very numerous in this shire, to come in and take the Test, and I wish there be not to many that refuses it. However, since its thought fitt that the parsons be knowne that refuses it, and great marks of distinction put on them, I haue no more to say but my ouen fears that there may be more disadvantage then advantage in pressing of it so uneversally at this time; for many that wold very heartely concurred to reducing the people to ordor and conformitty, and seasing of the rebels and fugitiues, has now nothing under their ouen prospect but suffering on the head of the Test; but since your Lordships in the government has thought it fitt for his Majesties service, my indevores to concurr therin shall not be wanting, as they shall on all occasions be to expres that I am, my Lord, your Lordships most humble servant and affectionate brother,

Hamilton.

186. More had taken the Test than he expected—prisons full of small heritors—rumour of a conventicle at Crawford—Lists of commons not keeping the church.

Hamilton, 20 October [c. 1684].

I come here on Saturday and am to return tomorrow, the other tuo lords being to dine this day at Halket. I received the honor of your Lordships of the 12 and did not thinke it necessary to trouble you untill your return from Wigtown; nor shall I trouble you with particulare account of our transactions, since I know my Lord Secretare will do itt fully, whoes dilligence and indefatigable pains is to be admired. I will not debate with your Lordship what cuntries has been most gilty or are ablest or least able to giue. I am sure I can say, I and my interest has suffered most, and are like to do so still; however, iff wee haue come short as to our purse, wee have out done all in our undertakeings, and I wish wee may be able to perform. More has taken the test then I thought wold; there is no considerable persons has refused it in this shire but such as you know. Our bond considerable heritors apprehends the danger of much, tho in obedience most has adventured on itt, trusting rather to the discreation of the government then give present offence, and indanger imprissonment by the refusissing, for none refuses both bond and test, but to prisson they most go; and on Saturday all our prissons wer full, generally of the small heritors, and because severall of Evandale litle heritors did not appear they wer fined in 100lb. scots a peice, and a party of dragoons sent to quarter on them untill they eated up the fines, and sent the persons prissoners to Glasgow. I confes I did differ with this maner of bringing in the fines. I am very senceable of the toill your Lordship is at that has such jurneys in this ill weather to make; and I assure you iff I had not thought it my duty to serue his Majestie, no other consideration should ingadged me to this trouble considering my circumstances which I will not trouble you with in this. Beside I shuld haue been at a course of phisike sent me by Doctor Short, which this bussines has forced me to delay, but if wee come not to an end this weeke, I must for this reason excuse myself from longer attendance. This morning I had a letter from the Secretare with an account of a Conventikle that hath been given notice of by some from the Sanquer, to have been keepon Wednesday last on the march betwixt that parish and Craford, where they write that there was 300 well armed men, and a party of Dragoons are sent to Craford and Crafordjohn to looke after them, the same information bearing they wer comed into that country: whereupon I

ordered our militia and the gentry and people of that countrey to conveen, and to do all they could in obedience to the laws and proclamations. Since the march of the dragoons and these ordors given, Gilkerscleugh, Litlgill, Alershaw has been with me, and tells me that they drew together on Fryday night and severall of my tenants with them, and made all the search they could, and in Crafordjohn they could hear tell of none; and in Craford all they could hear was that on Thursday or Fryday morning 7 in arms come to a roome of Hoptons called Pedwan, and stayed a while, and tooke meat and drinke. This far I thought fit to giue your Lordship an account of, and when the parties returns and heritors of these parishes comes befor us, you will no doubt get from us a more full account of this matter. My tenants in Craford thinks it is a hard caice for them to be called out to take these rogues, and not suffered to cary their arms to defend themselues; and our people in this countrey are in such disorder and consternation, there being (beside heritors apearng befor us) many hundreds of the commons for not keeping the church given up by their ministers, and who generally say, tho they could not depon they had kept church in strict tearms of the law, yet they had frequently done it, and was willing to haue ingadged to their ministers to have kept it in the future as much as they could. I confes I wold gladly had commissions sent to the seuerall parishes to haue taken these ingadgments to saued the poore people the pains of comeing to Glasgow, but it was not judged fitt. So by these things wee shall have ill payed rents this year, but if it proue an advantage to the Kings service, none shall les grudge at that then, my Lord, your Lordships most humble servant and most affectionate brother
Hamilton.

187. The Cess granted at Glasgow for Lanarkshire—taking of the Test.—His house in Crawford not fit for a garrison.—His daughter Susan to be married to Lord Cochran.

Hamilton, 3 Nov. 1864.

This night I received the honor of your Lordships by this bearer, Doctor Fall, by whom I need say litle since he can giue you so full an account of all our proceedings at Glasgow, and how wee parted, and with whom I have used some freedom to safe you the trouble of a longer letter. If the shire of Airs offer as to the cess be more then ours, wee I thinke are more then severall others, and I am sure as much as wee are able to bear, at least as I am able to bear, and have withall to intertain my famely, considering the other inconveniences has fallen on my estat, and still lyes on itt, which your lordship shall know more fully at meeting. There was some noise indead amongst us about some vassalls of mine in Evandale that did not apear at first, and for there not apearng they wer fined in 100^{lib.} a peice, and a troop sent to eat it up, if they did not apear; and most did apear, and wer such as wer not worth the 100^{lb.}, being heritors onely of houses in the toun of Straven, and most of them beggers; and I heard of feu others of my vassalls that wer absent, and most of them in Lesmahagow tooke the test. I haue not yet heard what Drumfries shire has given of cess. The way your lordship has taken as to the binding them to acquies to what the councill shall thinke just and practicablen for their orderly and regular leiving is much the best, and is what I wold gladly had done; and I wish with all my heart that some cess and bonds was that which was intended; that on form and the same quantity of cess had been given in the instructions, which wold haue prevented much trouble wee have mett with and may meet with hereafter. And for my part, untill I heard it pressed at Glasgow, I did not understand any such things was to be done,

since they wer not in the Kings instructions, by which I was put to some deficulties, not knoueing what your lordship and others intended. But this affaure was so quikly pressed, to giue good example to others, as was thought, that to have put any demurr in itt one should have been judged a great enemy to the King and the Government, which I hope neuer to do any thing may give any ground to thinke so of me. I am sory you should be so far misinformed as to Craford, for I haue taken all the pains I could to try iff any of my tenants there had resett any of these rogues, and I cannot find that on was resset by any of them; but to the contrare about 20 of them did rise with Litlgill and some of the melitia in search of them. And after all the tryell was made, both by a party of dragoons and the melitia, and seuerall prissoners broght down to Glasgow, all that was fund was the day after their meeting 8 of them stayed in Pedwan and 3 in Glengonar a part of a night, which lands you know are Hoptons and the tenants in these rooms tooke the test befor us, and wer so ingenous in the confessions that they wer set at liberty. So I beseech your lordship be not sudden in resolueing on a garison there, for I can not agrie to on in my house; and iff there be an necessity for it (which I do not see) other houses may be found more fitt, as you shall know at meeting. I was sory to hear of Earl Cassillis unhappienes. He has neuer favored me this seuerall years with much of his corrossondance, so I medle litle in his affairs; but I hear his wife and all his other friends are very sencable of your kindnes to him, and my wife particularly is so, who has her humble service remembered to your lordship and both of us to my sister, and I am, with great reality, my lord, your lordships most humble servant and most affectionate brother.

Hamilton.

My daughter Susann is to be maried on my Lord Cochran the 13 instant, at which wee shall drinke your health; and I hope, iff I do not waite on you till after Crisstenmasse, you will excuse itt.

188. Horrid murder at Swine Abbey—for garrisons in moorish places.

Hamilton, 28 November [1684].

I am glade to hear your lordship is safe aryued at Edinburgh, and I hope you will excuse me if I do not waite on you there till January; my affaires here is in so much disorder, and mony so ill to be raised amongst my tenants, that I can not well leave this place sooner. People here abouts are much alarmed since the hearing of that horride murder at Suine Abbay, and they say the fugitives has been seen more publickly in the remote places of this shire since the forces went out of itt then befor. Where euer I heard of any, I sent and made search for the resetters and has seuerall prissoners. As I write to Generall Dalzell and now to the Chancelor, without placeing small garisons in the moorish places of the countrey, it will be hard to catch or banish these rogues or find out their resetters; and for my house of Craford, iff there be not other houses in that parish more fitt, now that the on half of it is unvaulted, I am much mistaken. Howeuer, it and all I have shall still be ready at the Kings service, who am very sincerely, my lord, your lordships most affectionate brother and most humble servant,

Hamilton.

189. Wishes him joy on his new title of honour—rebels tilling a room at Lesmahagow—garrison at Crawford—John Lukprivike, the fowler, caught.

Hamilton, 7 December [1684].

Giue me leaue first to wish your Grace much joy of the new title of honor the King has bestowed on you. I receiued this day yours. I do

not hear the rebels are come to that boldnes to take horses in this countrey; but last weeke I had notice that 3 or 4 of them come to a roome of mine in Lesmahagow, called Underbank, (out of which I had ejected a widow, and taken her and most of her family and caryed them to Glasgow, where they wer banished) and tilled for some houres; and so frighted a new tenant I had got to haue gone to itt, that it will lay wast this year; and my servants haueing no minde to go to take fitt tryell of the reseters or assisters without force, there being none then in this countrey, I ordered my sons militia troop to meet here tomorrow to haue gone about it, that I might haue given the councill a full account of the matter; but hearing this day from Lt. Generall Drumond from Lanark, I haue sent him the depositions I had ordered to be taken in that bussines, to putt it to further tryell, who no doubt will giue you a full account of itt. He sent me the councills letter, in obedience wherto I have apointed a meeting of the shire here on Thursday nixt, and shall report there ansuer and do all I can for setting the garisons, so as they may be servicable to the King in secureing the peace of the countrey, and without putting us to more charge, which I hope is not expected, since for this end wee gaue the last cess at Glasgow. As to my house of Craford, forrage will be as ill had there as ether Newton or Leadhill, for it must be broght from other parts to what euer place they lay in that parish; but I am sure foot wold do more service amongst these hills then horse can. But iff no place can serue the turn but Craford, I shall order some litle furnitur and matterials I had provided for further reparation of that house to be removed; and I might haue saued 2 or 3 hunder pound sterling I haue of late bestoued on itt, and it wold haue been better for a garison of horse as it was, there being much les roome for stabling now in itt; and since it seams your Grace has so good accounts of the disaffectednes of that place, I beg you wold order your informers to giue me particulare notice iff any of my tenants be gilty; for I haue giuen all the strict order I can to my servant there, and he informs me I haue not one disaffected or disorderly parson in that parish, and the minister giues me the same account; and iff it be well considered, there will be found neighbouring parishes as ill and houses in them as fitt for a garison. But I ask your Graces pardon for this long trouble on the subject, and am very sencable of the kind expressions in your letter, and shall indeuore on all occasions to giue you all the just returns in the pouer of, your Graces most affectionate brother and most humble servant,

Hamilton.

My wife returns her most humble service to your Grace and also wishes you joy, and will be glade to hear my sister is well and safe come to Edinburgh.

Tuo days ago young John Lukpirike, the fouler, being seen here with a gun, and neuer befor since he was at the rebellion, and being without a pass, I caused securr him. He pretends he come to get his gun mended here, and that he has made his peace, and has a warrant from a servant of yours to cary it; so giue your directions as to him.

190. Found a cave with bed in it in Lesmahagow—garrison should be placed near Muirkirk.

Hamilton, 16 December 1684.

In my last I gave your Grace an account of one of the rebels haueing ploued for some houres in a roome of mine, that I had turned out his mother, since which time I haue used my uttmost indeuores to haue catthed him; but it is not easy to be done by servants or militia men,

which are all the tooles I haue to worke by. Houever, I made so narrow a search that I found out a cave near that place where it seems some of the rebels used to shelter in; it had a bed in itt and could hold foure. There was found some bed clothes and wearing cloths and some other trash, and a bundle of papers, which I haue sent herewith, and this inclosed paper was amongst the rest which seems worth your Graces ouen reading. I doubt not but you do me the justice to belieue that there is nothing in my pouer that I will not do that is for his Majesties service, and the peace and quiet of the goverment; and I thinke I may without vanety pretend to know what is fittest for that end to be done in this shire; and you know I proposed the placeing of some garisons, and particularly at Avendale, as the fittest place in all this shire, and it seems hard that the shire shall be at the charge of providing a garrison where it is not att all usefull for the security of the countrey as that of Craford, being within a feu miles of Leadhill garison, and remote from all the places of greatest danger in this countrey. Therefor allow me to desire your Grace to reconsider itt, and iff you thinke not Avendale fitt, I shall propose the Hiselside, a place much fitter then Craford, for to hold a garison of 25 dragoons and 12 foot. It lyes as near the heads of your countrey, to scoure the feilds, and lyes you know within a feu miles of the Muirkirk and those heads that goes into Galloway, and which is near the worst places of this shire, Aire, and your shire, where you know there meets a great tract of hills at Carntable, that runs in to Galloway, about which are the most disaffected people in the kingdome. When you consider this, I doubt not but you will prevail with the Council to alter that of Craford, and I haue write to my Lord Chancelor, who I hope will be convinced of the reasonablnes of the desirre, if your Grace is pleased to communicate the reasons offered to you by, your Graces most affectionate brother and most humble servant,

Hamilton.

I haue write to my brother, Dumbarton, to know at the Duke what lodgings he can spare, and then he may command any in my pouer.

191. Would trouble no more about the garrison at Crawford—could not attend the Council on Tuesday.

Hamilton, 28 December [16]84.

I received the honour of your Graces of the 20. I shall not trouble you no more concerning that garison of Craford. Iff my health had not been so ill that last weeke I was forced to lett blood, I should have obeyed the Chancelor letter in being at the councell on Tuesday, tho it seems by your Grace that the bussines is not so urgent, that it needed a letter under such a certification. Houever, as soon as I am able, I shall make all the hast I can there, and in the meantime wish your Grace a happy New Year. My wife presents her humble service to your Grace, and both of us to my sister and am sory to hear she continues ill, who am with great sincerity, your Graces most affectionate brother and most humble servant,

Hamilton.

For his Grace the Duke of Queensbery, Lord High Treasurer of Scotland.

192. Bad state of his health.

Kinneil, 13 January [c. 1685].

I received the honor of your Graces letter from Doctor Fall at Glasgow. Being in a day or tuo resolved to waite on you, I shall

only in this return my humble thanks for your kind concern in my health, which I find yet not good; so makes slower jurneys then I intended, who am with great sincerity, your Graces most affectionate brother and most humble servant,

Hamilton.

My wife has her most humble service presented to your Grace and both of us to my sister, who I hope by this time is recovered.

For his Grace the Duke of Queensbery, Lord High Treasurer of Scotland.

193. Was going to Tunbridge Wells—afflicted with the gravel.

London, 11 July 1685.

If I could have write any thing worth your Graces trouble, I had not been so long silent; nor had I now adventured on itt, had not my son, Aran, told me you expected to hear from me. The neues wee have here I know your Grace has them from better hands, and for bussines I nether know them nor medles in them; and as to my ouen litle privat concerns, I have given his Majestie litle trouble in them, nor intends it not vntill my return from Tunbridge, where I go nixt weeke to drinke the watters. Since I come here I have been much troubled with fitts of the gravell, a disease I neuer had or feared befor; and in this 2^d fitt I haue had of itt I haue been under much pain vntill I passed a ston. Your Grace will pardon that I trouble you with such stuffe, but that you are pleased to concern your self in me, gives me the confidence to do itt, and to assure your Grace I shall be very fixed to what was sayed to you att parting by your Graces most humble and faithfull servant and most affectionate brother,

Hamilton.

My wife has her humble service remembered to your Grace and both of us to my sister.

SECTION III. Thirty seven Letters from Captain John Grahame of Claverhouse, afterwards Viscount Dundee, to William first Marquis and first Duke of Queensberry. 1682-1685.

194. Details his proceedings and proposes a garrison at Kenmure—informs on Lord Kenmure for conversing with rebels—his plans to ruin the 'rebels'—forfeitures for payment of expenses.

Newtoun of Galoway, February the 16, 1682.

My Lord, I hope you will pardon me that you have not heard from me till nou. I send your Lordship here inclosed a copy of what I have wryten to the generall, which is the first account I have given to any body of my concern in this contry. I shall not need say any thing of the general of affairs here, having, may be, given but too long an account alraidy; however, I thought better say mor then anogh then omit any thing should be sayd. As I came from Stranrau about Glenluse, I maite with Castlestuart and his brother, to whom I gave all the assurance imaginable of my caire of their concerns, as I did to my Lord Galoua, whom I had the honor to see at his owen house; and loot them knou that it was particularly recomended to me by your Lordship; they seemed very sensible of your faueur and satisfied with it. I had the good fortun to see Bruchten, Baldun and Ylle, who offer their assistance in all may concern the King's service. When I was at Dumfries

severall of your Lordship's friends did e the faveur to see me and assure me upon your Lordships account of their friendship. I waited on my Lord Nidsdell and wee have established a corespondence. Stenes did me the faveur to call here yesterday as he went to see som of his relations. He told me Craigdalloch and Maxwelltoun and severall others waited at Maxiltoun for me, thinking I would pass that way, so that I am here resolved to lieve in parfait friendship with all that ar your friends; and I must acknowledge I fynd them extreainly disposed to it; which I atribut to your Lordship's influence. I was last night to wait on my Laidy Kennmur, my Lord being from hom, who she said kneu nothing of my coming. I told her what peins your Lordship had been at to keep her house from being a garison, and she seemed very sensible of it. I am sorry that I must acquaint you, but I shall doe it to no body els, that I am certenly informed my Lord Kennmur has conversed frequently with rebelles, particularly Barskob. As to the Treasury Comission, I fear I shall not be able to doe what I could wish because of the season, for of their corn and straw their is not much left, and their beasts this tyme of the year ar not worth the dryving. The rebelles have lieved, I fynd, peacably here till nou and their wyfes ar still in their houses, and takes it worse nou then they would have don at still to be ruined; for then they expected it, and nou after so long forbearance they wer becom secur. The contry hereabouts is in great dreed. Upon our marche yesterday most men wer flaid not knouing against whom we desseined; but the act of counsell about the saif conduct amuses many, and will be of use to make them mor unexcusable in the eyes of the people, if they make not use of it, which I am feared feu will doe. My humble opinion is, that it should be unlawfull for the donators to compound with any body for the behoof of the rebell, till once he have made his peace; for I would have all footing in this contry taken from them that will stand out. And for the securing the rents to the donators and the King, it is absolutly necessary their be a fixt garison in Kennmur instead of Dumfries; for without it I am nou fully convinced wee can never secur the peace of this contry, nor hunt those rogues from their hants. It is a mighty strong pleace and propre above all ever I sau for this use. I shall give this advise to no body but your self, and I doe it the mor friely that my Laidy told me, if the King would bestow two or three hondred pounds to repair the house, she would be very well pleased his souldiers came to lieve in it. Doe in it as you think best; but if it could be don with their satisfaction, it would be great service to the King; for having that post secur I might with the party I have answer for the rest. I have taken out the half of Captain Strachans party from Dumfries, not seing what they ar good for their, unless it be to lay secur and doe nothing. I sent yesterday tuo partys in search of those men your Lordship gave me a list of; on of them to a buriall in the Glencairn, the other to the fair at Thornhill; neither of them are yet returned; but Stenes tells me that the party at the buriall miscaried; that he pointed to them on of the men, and they took another for him, tho I had choysed a man to comand the party that was born their about. They shall not stay in this contry but I shall have them. The first thing I mynd to doe is to fall to work with all that have been in the rebellion, or accessory their too by giving men, mony or armes; and nixt recetts, and after, field conventicles; for what remains of the lawes against the fanatiks, I will threaten much, but forbear sever exciution for a whyll, for fear people should grou desperat and increase too much the number of our enmys. My Lord, their is on faveur I must deseir of you and I believe when I have got it I will not by land with it; which is, that your Lordship would

be pleased to consider, that having business in so many places and with so many people, I will be put to great expence; and there is no doing business without being open handed; so would desyr your Lordship would speak to the Deuk and represent the thing to the Lords of the Treasury, that I may have the gift of any that ar not yet forfeited that I can fynd probation against. I mean only of their movables; and shall with it suport all the expence of the government, as mantinence of prisoners, witness, speys, and all other expence necessary in this contry; for your Lordship would lait them knou that I have many things to doe extrinsik to the office of an officer. Your Lordship will doe me ane other faveur, which is, that the Lords of the Treasury lait me not suffer in my absence, that I be payed the three moneths pay we ar in areer. I would not, my Lord, take this friedom if you had not aloued me to doe it. If there be any thing you would have me to doe, or any thing I doe amiss, you will doe me great kyndness to tell me. I shall wryt often and much. I am, my Lord, your most faithfull servant,

J. Grahame.

195. Congratulation on new title of Marquis of Queensberry—A letter from Lag—He had seized Williamson of Over Caitloch, &c.

Dumfries, February the 22, 1682.

My Lord, There is no body has mor raison then I to rejoyse in evry thing that contributs to your Lordships honor and greatness; and I can not forbear to congratulat this leat marke of faveur the King has put upon you, and perswade my self he will not stop there. I wish he may always confer his honors on such persons as your Lordship, whose merit and fortun will adde lustre to that dignity.

My Lord, I had a lettre from Lague by your Lordships comand, wherin he told me the Deuk compleaned I had been so long a wryting. I sent ane express on Friedy morning with lettres to your Lordship; nor could I wryt sooner, for it would have been to no purpose to doe it befor I cam to Stranrawe, and from thence I could not have given any acount of the contry; beseids, I marched hither almost as fast as any body I could have sent; so I hop he will [not] atribut it to neglect in me. The other pairt of Lagues lettre was for remouving the garison from this; which I should imediatly doe, wer it not that I perswad my self that your Lordship will think better, what I am to propose; and in the mean tyme the contry suffers no prejudice; for I have discharged calling for any mor locality till I knou your Lordships pleaseur, there being anogh till then. My Lord, your Lordship would see by my letter to the generall hou I have provyded for my party, 2 weeks provisions at Stranrau, 3 at Wiguetoun, 3 at Kilkoubrie, 3 at Dumfries, from the ten parishes in the Steuartrie, and 2 at the Neutoun, which will serve us till the grass. There remained Captain Strahaus troupe to provyde for, and befor I cam hither there was a meeting apointed of the Comissioners, but they mait since. I was not present nor kneu I what they wer to doe but I am informed they have contineued the former raits, which wer very reasonable; and apointed a locality for three scor of horses or mor, as the comanding officer should requyre, to be layd on upon Nidsdeall and Anandell, and that imediatly ther should be a moneths provision broght in, which was done by some parishens befor I came bak or kneu any thing of all this; which I see proceeded all from their not knowing my dessein, which I supose has been the raison why they have addressed themselves to your Lordship, thinking it would fall heavy. My Lord, you would see by my last that I remouved the half of the garison then. I purpose not to keep any here but twenty, and that

provision, which was layd on for on month for thriescor of horse will serve twenty horse for three moneths ; so that wee need no mor from this contry but that on moneth for threescor of hors ; and they have not furnished any befor. I am informed it will be hardly worth the noticing. If you doe not approve of this, lait me knou, and I shall imediatly remove them, but I will have difficulty to reach with partys this contry from Kilkoubrie ; beseids the generall will be mad. My Lord, I caused sease on on' in your Lordships list at the Thornhill hill fair called Williamson of Overcaitloch. He is a tenent of Craiguedallochs, who has wryten to sett him at liberty upon his promise to produce him, which I bygued his pardon for, till I should hear from your Lordship. My Lord, you desyr by your memorandum that I should send to Edinbourg any of those persons I take. I can doe any thing with them your Lordship pleases here, by vertue of my Comission ; but lait me knou if you dessein to have them there it shall be don. I have spok with most pairt of the forfeited heritors wyfes at their owen houses, but see litle inclination in them to compound with the donators, or mak their peace with the King, save only Machremors brother. I have so far prefered the publik concern to my owen, that I have not so much as called at Freuch, tho I passed in sight of it. I can catch no body, they are all so alarumed. My Lord Deuk Hamilton was pleased to tell me befor I pairted, that I would doe well to lay closs in houses, for he would make it so uneasy for the Whigs to lieve in the West, that, he would send them all in to me ; but by what I see yet, I send mor in on him then he does on me. My Lord, I have a proposition to make which would secur the peace both of the West and this contry, and I am perswaded will seem reasonable to your Lordship, and I wonder no body has thought on it yet ; but I will say nothing till I have put things to som order here, and I will bygue lieve for three or four days to com to Edinbourg and give you ane acount of it. My Lord, be pleased to lait me knou if your Lordship desseined by your deseiring I should doe nothing here till you com, that I should not medle with rebells and recetts, or only the lawes against fanatiques. I hop your Lordship has mynded me for the movobilles of any ar not yet forfeited. If I give you the trouble of long letters, remember your comands at pairting to your Lordships most humble and faithfull servant,

J. Grahame.

Since the writing of my letter the provist of Wiguetoun cam to me and compleaned of my Lord Kenmores deforcing a messenger first ; and then the second tym his factor robed the messenger, and would force him to swear he should not reveal that he had taken the letters from him. This is a hygh misdemaieur, and it is fit your Lordship make him sensible ; for this and other things might hailp to ruin a man had no friends. Your Lordship may see by this hou necessary a constant force is here for the excicution of the lawes in ordinary cases betuixt man and man, lait be in the concerns of the goverment.

196. Lord Kenmure not unworthy of his protection—His address to the people in church—thinks he could get the people to go to church—project for raising a new troop by selling the Bass, as there is nobody to guard there, only “Solen geese” and ministers.

Neuton of Galouay, the 1 of March 1682.

My Lord, I received your Lordships of the 21 at Kilkoubrie on the 26, and the other of the 25 I received just nou, and am very sensible of your Lordships care of the publik concern, and goodness to me in giving me so particular and exact returns, which others neglect to doe, and

especially my good friend, the Advocat, who wreats to me very kyndly; but very litle in return of any thing I desyr of him; but I knou he ordinarily loses the letter, and forgats the business befor he have the tyme to make any return. My Lord, I am very happy the Deuk is pleased with my procedeurs. I knou much will depend upon your Lordships testimony. I shall be carefull of all your Lordship recomends to me in your letters. For my Lord Kenmur, I have taken information of his business, and he will not be as yet onworthy of your protection, as my brother will tell you, and as you will see by my letter to the generall; so I need not trouble your Lordship with any particulars. I wish the Gordons here wer transplanted to the north, and excheanged with ane other branch of that family, who ar so very loyall there and so disaffected here. Mr. Alexander is here and I shall follou his advyse: that gentleman in the Glencairn shall have the honor of frequent visits, and all other faveur I can shou him. Craigdallochs man upon his letter, which I have received, I shall lait ut upon caution, and all other things in either of your letters I shall faithfully observe. The proposal I wrot to your Lordship of, for securing the peace I am seur will please in all things, but on, that it will be som what out of the Kings pokett. The way that I see taken in other places is to put lawes severly against great and small in excicution; which is very just: but what effects does that produce, but mor to exasperat and alienat the hearts of the wholl body of the people; for it renders three desperat wher it gains on; and your Lordship knous that in the greatest crymes it is thocht wyse[s]t to pardon the multitud and punish the ringleaders, wher the number of the guilty is great, as in this case of wholl contrys. Wherfor I have taken ane other cours here. I have called two or three parishes together at on church, and after intimating to them the pouer I have, I raid them a libell narating all the acts of parlement against the fanatiks, wherby I made them sensible hou much they wer in the Kings reverence, and assured them he was relenting nothing of his former severity against dissenters, nor care of mantening the established goverment, as they might see by his doubling the fynes in the late Act of Parlement; and, in end, told them that the King had no dessein to ruin any of his subjects he could recleam, nor I to inrich my self by their crymes, and therfor any who would resolve to conform and lieve regularly might expect faveur, excepting only recetters and ringleaders. Upon this on Sunday last their was about three hondred people at Kilkoubrie church; som that for seven year befor had never been there. So that I doe expect, that with in a short tyme, I could bring tuo pairs of three to the church. But when I have don that, it is all to no purpose; for we will be no sooner gon but in coms there ministers, and all repents and fall bak to ther old ways; so that it is in vain to think of any settlement here, without a constant force pleased in garison; and this is the opinion of all the honest men here, and their deseir; for there ar som of them, doe what they lyk, they cannot keep the preachers from their houses in their absence: So made ar som of their wyfes. So the thing I would propose for remedie for all this, is, that their be a hondred dragoons reased for this contry. The King may give maintenance to the men and the contry to the horses; which I shall answer for they shall doe, because they or all in our reverence; and is it raisonable that this contry should be at less expence then other well affected pairs of the kingdom? Doe not we pay the suply for there follys? Have we not mor then they the expense of the militia? Their disaffection is a good raison why they should have less trust, but their trouble and expence should be equal to ours; so when the Steuartry and shyr of Galoua giue maintenance to a hondred horses, which is the on half of

the wholl expence of the troupe they ar but equall with others, considering their want of militia and their disorders; and if the King will doe his part, I shall undertake for the contry as a Galoua Laird. The ways I will propose will lessen the expence extreamly; first, if the Deuk pleases, I offer myself to take the surintendency of them with out any pay; and for the nixt officer who is to be the drudge, he may have six pounds a day by taking tuo men of evry on of our troupes of horse. We wer sixty and ther is on taken of for the artilleri, so there nou^l remains 59 which does not well: but if these 2 were taken of, we would be just the establishment of Holland which is 57, and with the corporalls in rank as they oght to be maks just 20 in each rank, which is right. For the cornet, I must be excused if I propose to destroy a goverment was made for the governors cause. I think the pay would be as well bestowed this way, seing he has no body to gaird but solen geese and ministers; the first will not flee away, and the others would be as well in Blakness or Dumbarton. Nou for the hondred men at sixpence a day, I would first mak use of the four and twenty ar in the Bass, remains 76 which would amount to about seven hondred pounds a year; and for that your Lordships of the Treasury might fynd a way to cut of som ydle pension, and I hear my Lord Newark is dead, which is four of it; and if it could be got no where els, it were better sell that rok, and the money of it would serve both here and in the West, for I could undertake the same thing might be don there. I will assure you there has been no mor faisable project, tho I say it myself; for, first, it would secur this contry, then if those of the West wer frustrat of this retreat, they would be easiler found. Then this might in all occasions be a brave troupe of fuseliers or granadiers, when iff euer the King had occasion; for I should bread them to either or both, as the Deuk had a mynd; and I would desyr lieve to drawe out of the tuo regiments a hondred of the best musketiers had served abroad, and I should take horses here amongst the suffering siners; and I will take the liberty to say, that what ever way be taken to doe it, we need we need mor horse and dragoons. If this doe not, I may brake my head to no purpose; for I knou after that no other way but to doe as others, and gate as much mony as I can, which I have not thoght on as yet, by puting the lawes in exeicution. I desyr, if your Lordship lyk it, you may late the Deuk hear it, as I propose it, and speak the Generall, and the Advocat, and my Lord President, and the Register about it. I am, my Lord, your Lordships most humble and faithfull servant,

J. Grahame.

197. Wishes to make the people secure—Would soon set to work— all who had not left the country should have a test of loyalty &c. Wigtoun, 5 March 1682.

My Lord, you needs not expect great things from me on heast as to the seasing any considerable rebelles; for I never mak so much as the least search for them, knouing hou much they ar upon their gaird, if they be not out of the contry; and by this I desein not to harass the troupes, till I have made them secur. Old Craichley cam yesterday and got a saif conduct for his son and an other heritor called Makgie that has not yet been heard of. Here in the shyr I fynd the lairds all following the exemple of a leat great man, and still a considerable heritor here amongst them, which is, to lieve regularly themselves, but have their houses constant hants of rebelles and intercomed persons, and have their childring baptyssed by the saim, and then lay all the bleam on their wyfes, condeming them and swear ng they can not help what is don in their absence. But I am resolved this gest shall pass no longer here,

for it laghing and fooling the goverment; and it will be mor of consequence to punish on considerable laird then a hondred litle bodys. Besuids, it is juster, because these only sin by the exemple of those. I have not fallen yet to work in good earnest in any pairt, because I thought best to understand the steat of the contry befor I layed down my measeurs; but am now ready to make it in a feu days to goe all of a piece over all this contry. My Lord, there will [be] a necessity befor I can setle this contry, that I have lieve yet to give the bond to litle people, for there ar a great numbre guilty especially of the second rysing and mustering; for which your Lordship remembers I was sent hither; and all people that went not out of the contry, I think there should be som test of loyalty put to them, and so many years rent taken af them; and then secured of their lyfe and fortune: and if the Counsell thought fit, with som instructions I might doe this. I forgot to give your Lordship account last tyme about the rents of the rebelles. I fynd it the hardest thing in the world to make a rentell of those lands wer never sett; hou ever I am taking all the peins I can, and in a feu days will be able to give your Lordship account, but I am informed by all the gentry that it will be as good a way as any to take the valeued rent, and ad som what mor, as a fourt pairt, as for exempell a man of three thousand pounds of valued rent^{is} worth neer seven. In heast, I am, my Lord, your Lordships most humble servant,

J. Grahame.

Wigtoun, March the 5, 1682.

I have again waited on my Lord Galouay, and seen his brothers here; and Mr. Alexander and I have confereed and fynd him very frank.

My Lord, I hear you have taken on Mr. Patrik Verner at Edinbourg, and fearing he might be represented as no dangerous man, I have thought fit to send your Lordship this information, which may be all proven. I have it from a very vorthy man who desyrs not his hand be seen. I have not the tyme to copy it over. I shall say nothing but desyr your Lordship to remember that from such men flous all our evils.

To be shoune to the Duke.

198. His tutor, Labé, had taken Drumbui, and "that great villain Mk Clorg," smith at Minnegaf &c. Stranraer, 13 March [c. 1682]?

My Lord, I am sorry that their comes such alarums from the West. I can hardly believe that things ar com that lenth yet. I am seur there is not the least apearances here as yet, and if any thing give them couradge it will be the retyring of the forces. I think it is very just we should be on our gaird; and I am resolved to keep closser, tho I should loss the movibles and take feu prisoners. I was just beginning to send out many pairtys, fynding the rebells becom secur and the contry so quyet in all apearence. I sent out a pairty with my tutor, Labé, three nights agoe. The first night he teuk Drumbui, and on Mkelellen and that great villain MkClorg, the smith at Menegaff, that made all the clikys, and after whom the forces has troted so often; it cost me both paines and mony to knou hou to fynd him. I am resolved to hang him, for it is necessary I make som exemple of severity least rebellion be thought cheap here. There can not be alyve a mor wiked fellow. The pairty is not yet com bak, which makes me in hopes there is mor taken. I am to meet to morou with all the heritors of this shyr, to see how they ar inclyned as to bringing their people to church and securing the peace of the contry, that I may be favorable to them. I fynd it no hard work to conform this shyr, had I but tyme anogh; but I bygue your Lordship to believe there is no fear of this pairty, for tho all

Galoua would ryse I would fynd a way to gett by them. Nou when your Lordship is to see the King and that the state of this contry is to be considered, it wer necessary to lait him knou that we have not forces anogh for all the work we have. It wer no great business for the King to send as much mony as would mantain fyve or six hundred mor dragoons; and in tuo or three years this contry I am seur would be broght to forgett all there follys. I knou I need not recomend to your Lordship to doe me good offices about the King and Deuk; only remember it is inabling to doe you service on, who is so sincerely, my Lord, your Lordships most humble and faithfull servant.

J. Grahame.

Stranrau, Mairch the 13.

199. Had come to Edinburgh with Barscob as his prisoner—Queensberry's brother. Edinburgh, 25 March 1682.

My Lord, I have taken the occasion to com hither with Barscob and other prisoners, that I might give acount to the general and those of the goverment of my proceedings; for I begood to aprehend that in your Lordships absence som people might take the occasion to misrepresent me. I have informed them fully of all my measurs; and I am so happy as that they all seem satisfied, and particularly the general; hou long it will be so, God knous. I was very sorry at my aryvall here to fynd your Lordships brother, the Collonell, ingaidged in an unluky business; but am extreamly pleased that he is nou com af so much to his honor. I shall not give your Lordship the trouble of particulars, but I must say that I was asheamed to see hou unkynd people wer to him. I have broght in your man, Nilson, who is a great villan, and shall be kepted till your Lordships return. My Lord, believe nothing of any alarums you may gate of rying, for I dar swear there is no dessein, and the Whigues wer never louer. I must bygue of your Lordship the faveur to doe me what good offices you think propre about the King and Deuk; in doing of which your Lordship will inable for your service on who is intirly yours, my Lord, your Lordships most humble and faithfull servant.

J. Grahame.

Edinbourg, March the 25, 1682.

200. The country in perfect peace—rebels seized, fled, or making their peace—many conformed—an Indulgence would be mad. Kirkcudbright, 1 April 1682.

My Lord, I am very happy in this business of this contry, and I hop the Deuk will have no raison to bleame your Lordship for advysing him to send the forces hither; for this contry nou is in parfait peace. All who wer in the rebellion ar ether seased, gon out of the contry, or treating their peace; and they have alraidy so conformed as to going to the church that it is beyond my expectation. In Dumfries not only almost all the men ar com, but the woemen have given obedience; and Earngray, Welshes owen parish, have for the most pairt conformed, and so it is over all the contry; so that, if I be suffered to stay any tyme here I doe expect to see this the best setled pairt of the kingdom on this seyde Tay; and if those dragoons wer fixt, which I wrot your Lordship about, I might promise for the continuance of it. Your Lordships friends here ar very asisting to me in all this work; and it does not contribut a litle to the progress of it that the world knous I have your Lordships countenance in what I doe. All this is don without having received a farthing mony, ether in Nidsdell, Anandell or

Kilkoubrie, or impresoned any body ; but in end there will be need to make examples of the stubborn that will not complay ; nor will there be any denger in this after we have gained the great body of the people, to whom I am becom acceptable anogh having passed all bygons upon bonds of regular cariage hereafter. Your deputs wer lyk to have taken measurs that wer not so secur nor exceptable ; but I have diverted them, and they ar to take the course I doe, and I have prevented all other jurisdictions by attaching first. My Lord, we hear noyse here of ane Indulgence. I hop no body is so mad as to advyse it ; but Lord Tuedell could not goe up but it would be thocht ane Indulgence would com doun with him. The mor I consider the business of this contry the mor [I] see hou ill the King has been served. My Lord, you have nou the occation to put things in the right chanell, and I am perswaded you will make use of it. Barsecob is very penitent, and offers if he could gate a remission he would be active and usfull to me in the business of the Glenkens. A word to the King or Deuk would doe the business, but in this doe what your Lordship thinks fit. I have Stenes with me, and we ar about your brother the Colonell business. I can fynd nothing almost of the movibles, for I am unwilling to devyd in small pairtys, and, beseids, I prefer the setling of the contry. I shall not trouble your Lordship with particulars, because I knou you ar taken up nou with other things. So I am, my Lord, your Lordships most humble and faithfull servant.

J. Grahame.

Kilkoubri, Apryl the 1, 1682.

Since the wryting of this I have been at church, where there was not ten men and not above thretty woemen wanting of all the toun ; where there used to be ten, I sawe six or seven hundred ; and amongst others there was on Gordon of Barharou, to whom being a rebell heritor I had given save conduct to com and treat his peace apeared in testimony of his sincer conversion.

201. Lists of parishioners read after sermon—Queensberry's bailies—had fixed guilt on almost every man in the shire and stewartry. Moffat, 17 April 1682.

My Lord, All things ar here as I could wish in parfait peace and very-regular. Barharou has assurance of his peace from the Counsell. Bar has given me a declaration under his hand, as full as I could desyr it. I have spok with a brother of Sir Robert Maxwells, who was out, and Litle Park and Glenkaird ar in terms with me, and severall others of less not. I must say I never sawe people goe from on extremity to another mor cavalierly then this people does. We ar nou com to read lists evry Sondag after sermon of men and weomen, and we fynd feu absent. Mr. Alexxander does very well at Dumfries, but I have heard that the shyr does not conform so well, and I have heard the menisters complean of the baylys of your Lordships regality ; what ground there is for it I can not tell. I told Stenes and offered troup to bring the people in awe. I have examined every man in the shyr, and almost all the Steuartry of Galouy, and fixt such a guilt upon them, that they ar absolutly in the Kings reverence, and I shall give them no discharge, would they give me millions, till I have bond from them for their regular cariage, and maintenance for those dragoons, if the King think fit to raise them ; and if I doe this, I think it is not ill use of that comission. Did the King and the Deuk knou what those rebellious villans, which they call minesters, put in the heads of the people, they would think it necessary to keep them out. The poor people about

Menegaff confess upon oath that they wer made reneu the Covenant, and belieue the King was a Papist, and that he desseined to force it on them. But I shall tell your Lordship mor of this when the Deuk comes down. I am, my Lord, your Lordships most humble and most faithfull servant,

J. Grahame.

Moffat, Apryll the 17, 1682.

202. A party of Whigs in arms at the Bille.

Dumfries, Jun the 17 : 1682.

My Lord, I thocht to have waited on your Lordship befor this, but I was stayed at Edinbourg tuo days beyond what I desseined, which has proved favorable for me. Yesterday when I came at the Bille, I was certenly informed that severall pairtys of Whigues in armes to the number of six or seven scor wer gon from thence but six hours befor. They came from Clidselle upon Mondays night and passed Tueded at the Bille going towards Teviotdelle, but went not above three mylles further that way. They stayed there about devyded in small partys, most all on foot, Teusday, Wedensday, and Thursday, till Frayday morning, when they passed the lilles towards Clidsdell. Som say they had a meeting with the Teviotdelle folks ; others would make me believe they had a mynd for me. They did ask in severall places what they heard of me, and told they wer seur my troupe was far in in Galaway ; others say they wer flaying the West for fear of the diligen[c]e the gentry is desseined to use for their discovery. I could believe this, wer they not returned. I spok with the minister and severall other people in whose houses they wer, but he kepted himself out of the way. They did no prejudice in his house further then meatt and drink : they gave no where that I could learen any acount of there dessein there ; only I heard they said they wer seeking the enimys of God, and inqyred rooghly if any body there kepted the church. The contry keeps up this business. I heard nothing of it till I was with in tuo mylles of the Bille ; and that was from a gentleman on the road who had heard it at a buriall the day befor. Ther was a dragoon all Teusdays night, at the change house at the Bille, and the mester of the house confessed to me he loot him knou nothing of it. They pretend it is for fear of bringing trouble to the contry. I sent from the Bille ane express to acquaint my Lord Chancelour with it ; for I thocht it fit the quarters should be advertised not [to] be too seur, when those rogues had the impudency to goe about so. If your Lordship be at hom on Monday, or lait me knou where you will be, I will have the honor to wait on you.—I am, my Lord, your Lordships faithfull and humble servant,

J. Grahame.

203. Earlston before the Council—Mrs. Rothead's business—question of his going up.

Edinbourg, October 2, [c. 1682].

My Lord, I came here on Saturday's morning in tyme to the Councell, when Earlston was delayed till the King should see the answers he had given to the interogatorys ; nor was there any shuning of it, most persons being of opinion that he had no mor to say, tho' he said almost nothing neu. Ther was nothing els of consequence brought in save a remission for Moncland which I got stoped and he contineus in prison, because he refused to give up upon oath all his wryts and peapers. On Sunday morning Mr. Rothead's wyf sent to me to knou where she might see me. I told I should see her at her owen house

either after sermons or on Monday morning ; never the less Mr. Rothead waited my out coming from the Tron Church and invyted me to super, which I refused ; but Mrs. Rothead sending again this morning I went to her, when she told me the history of the family and that of the government of the good toun, and after asked my advice if her husband should goe up, and begood to propose that I would doe them kyndness if I went up. For the first, I told her that I might safly tell her my opinion in it, that they who had the interest to procur that letter would be able anogh to gate him sent hom with out a hearing ; and for my owen pairt, in all apearance I was not to goe, but if I did, I would not undertake for no man to maidle in any of my Lord Treasurers concernus without his lieve and that I thought they had taken wrong measures from the beginning in not puting themselves in your Lordships reverence, but that at present I could give them no advice, till your Lordship was com to toun and these returned that kneu the Kings mind in that mater. I fynd they think Colin Makenzy is at London for to procur that place. I send your Lordship here inclosed the treasurer deputs letter, by which I see the Deuk will not lait me up. I supose he has no mind the thing should be heard by the King, because it would load a certain person. They seem satisfied that the Deuk promises he will see it don, and that my lord Maitland shall not have lieve to speak of it. But I am of a quyt contrary opi[ni]on, for I knou hou much ons presence prevails with the good natur of the King and Deuk. Besoids, if the explanotary letter be not signed, I see by this suspension I will have a very evill game. But I have wryten positivly either that I have lieve to come, or that the explanotary letter, which I have sent up be seigned ; otherways, I have raison to believe that evill offices have been don me from this to the Deuk. It is thoght very strange that the lords should have supended fourty thousand pounds with out a cautioner, besoids other things ; but I never can complean of the Kings judges. I expect to knou mor by the nixt post, if I goe up or not, I shall not fail to acquaint your Lordship in tyme. I am, my Lord, your most faithfull and obedient servant,

J. Grahame.

204. Repairs on Straven—Captain Strachan's troop—Claverhouse's troop to remain at Dumfries. [No date, circa 1682.]

My Lord, The Generall is satisfied with the reparations of Streven as they ar intended in the paper he received from your Lordship, and desyrs your Lordship will be pleased to order it be gon about as soon as can be. The compaignie of foot is marched with the enseign. The Lievtenant has been with my Lord Perth, and is nou going after it. He has comanded them to receive orders from your Lordship, hou they shall dispose of them self. I spok to him that Captain Strachan might be waranded to quarter them by your Lordships advice, but he would not. He will give no orders concerning my troupe till the first of November, that every body be com to toun, but that they continen at Dumfries. I hear the comitty at Edinbourg has called a councell and have found difficultys in Earlstons business. This letter about Bayly Drumond and Rothead opens the eyes of people mightily, and gives good hopes of success of all other things. I hop your Lordship will not neglect to give advyce hou you would have all things goe, especially as to the Juncto, for that is the great point. I dout not but they ar able to doe all that can reasonably be desyred. If I goe I shall acquaint your Lordship that I may receive the honor of your comands. I am with all respect, my Lord, your most faithfull and obedient servant,

J. Grahame.

205. The Duke had much esteem for Queensberry—the writer walked out nine miles with the King this morning, besides cockfighting and courses.

Neu Market, March the 9, 1683.

My Lord, I shall not trouble your Lordship with any thing of business, seing I knou my Lord Chanceler will shoe you what I have wryten to him, which I think will please, for I fynd all in a very good temper here. I spok to the Deuk concerning what your Lordship gave me in comission, and he desyred me to assure you that he had all the estime imaginable for you, and that no body had offered to doe you ill offices with him, and, if they had, they would not have succeeded; and expressed him self very kyndly and francelly of you. It is hard to gate any business don here. I walked but nyn mylles this morning with the King, beseds cock faighting and courses. I have not spok as yet concerning the muster maister but I shall. I am, my Lord, your Lordships most faithfull and humble servant,

J. Grahame.

206. A commission to Kelhead—To pay Earl Middleton's debts out of the fines—The house of Dudhope—The Duke considers the army his own province, &c.

London, March the 20, 1683.

My Lord, We have all raison to complean that you did us not the favor to comunicat to us your dessein to have the campagne of dragoons for Kelhead, for it had almost gon wrong. The Deuk thinks the army his owen province, and that he understands both the men and business of it better then any body, and he has his owen maximes that it is hard to put him af; and I am seur had the Councell desyred him to put that troupe by the Captain Lievteuent, he would hardly have don it; he told me it was his deu, and having received wounds in the service he could not put it by him, and the mor he would doe it that he was recommended by no body. My Lord Deuk Hamilton wrot for ane other, and was certainly seconded by his friends here, but to no purpos. However after both secretarys had been refused and I toe, we made a second atake, wherin they both sheu themselves mightily concerned, and we prevailed with him that Kelhead should either gate that campagnie, or English immediatly turned out, and he gat that. The Deuk, I believe, was not pleased that Kelhead refused the cornets place, after he had soght it; and I am informed that the Deuk asked my Lord Dumbarton if Readhouse had served in his regiment, and he said not, which wronged his business, and had not the Deuk been aprehensive that you might have thocht this refusall had been the effects of the ill offices you suspected, I dout if it would have don. But I shall tell both your Lordship and the Chancelour what the Deuks method is as to the disposing offices in the army at my return. There was a litle debate about Stenhouse business; why he needed a presentation from the King, if the Chancery could not have given him a brief for it; but it is ordered. My Lord, I am mighty glad to fynd the Secretarys so much your servants. They have no less kyndness for you both then you have for on ane other, and taking them along facilitats mightily affairs here. My Lord Midletoun particularly thinks himself obliged to serve you, and has assured me of ane intyr friendship and corespondence with you; so lait there be franc dealing on both seids. He tells me your Lordship has generously offered your assistance to him, and given him lieve to talk to me about his business. I fynd he has run himself in debt by this mariadge and furnishing himself of necessarys for a family, to about tuo thousan pounds; and I think less nor three thousand cannot be offered him; and seing the fynes ar

coming in, tho he got fyve, it wer well bestowed. This would be generous in you; all honest men would comend you for it, and it would secur you a friend here for ever, that has' great interest and is a firm and reall friend, where he professes it. My Lord Ch.: I am seur, will approve it upon many accounts, and particularly seing he is so concerned for his business here. I dare swear nothing in my Lord Midletouns pouer here, but he would doe for your Lordship as for himself, and it is wyse to oblige airyly. Lait me hear from you with the first in this particular, because my Lord Midletoun is impatient. My Lord Ch.: will sheu your Lordship myn to him by which you will see all is don, saive only my Lord Chancelours business; which is resolved, and only is delayed, till the state of the mint com up. It is not saif I pairt, till it be secured: so, my Lord, I expect to have the account of my Lord Lauderdells business shortly and your pleasur in it. My Lord, I have written to my Lord Ch.: about a business concerns my self, of which he and I talked befor I pairted, as my Lady Aroll will tell you. I must bygue your Lordships assistance in that business of the lands of Didop. My Lord Ch.: deseins nothing but to sell it, and bay land in the north, seing he is to gat Stirling Castle to duell in. Wherfor I desyr lieve to ask the house of Didop and the Constablerie and other jurisdictions of Dondie belonging to my Lord Lauderdelle; and I offer to bay fourty chalders of victuall from my Lord Ch.: laying about it, tho I should sell other lands to doe it. I have no house and it lays within half a myl of my land; and all that business would be extreamly convenient for me, and signify not much to my Lord Chancelour, especially seing I am willing to bay the land. I would take this for the greatest faveur in the world, for I cannot have the patiance to build and plant. But, my Lord, I should raither make use of this occasion to thank your Lordship for what you haue so generously proposed for me to the Deuk then ask neu faveurs. I hardly could have thoght you could have remembered that of the tuo years purchass. The Deuk asseured me he should have that, and what you Lordship recommended about my being on the council don befor I pairt. My Lord I am sensible, as I oght to be, of so much goodness, and losses no occasions here to doe you any litle service you allowed me. I am sorry that you honored me with no greater things, for I think nothing could nor should be denyed you. I am, my Lord, your faithfull and most humble servant.

J. Grahame.

207. The Duke's high opinion of Queensberry—the good results of Claverhouse's commission into Galloway. Friendship with the Lord Chancellor.

Neumarket, March the 13, 1683.

My Lord, Last night, so soon as I received your Lordships, I went to the Deuk and acquainted him hou much you wer concerned to knou his thoghts of you; upon which he very kyndly and franclly told me so well he was satisfyed with you, that he had that very afternoon been making his vant to the King of having made choyse of so good a man; and that the King was very sensible hou good service it was; and I may assure your Lordship upon all occasions you will fynd the effects of it. The Deuk is so proud of the success of our affairs, that he very justly atributs to himself the ryse and bigining of all to his sending me, contrair to the opinion of most except your Lordship and a feu others, with those comissions in to Galloway; and the King is very resolved that it shall be followed; and all here magnify what you doe, and says it is a good copie [for] them, and the noyse of it helps to keep there affairs right. Lie: Gen: Drumond has pressed his affairs here, but the Secretarys ar

not pleased with his usadge of them; he treats them cavallierly. My Lord, I have assured my Lord Muray here and my Lord Midletoun of your Lordships friendship and the Chancelors, and they ar both mightily inclyned to lieve in ane entier correspondence with you. If they have anything to doe, I hop your Lordship and my Lord Chancelor will assist them, and I am seur they will doe the lyk to you both; and I bygue your Lordship to tell my Lord Chancelor that it will be both your advantage and theirs you lieve well together, and I see it is the King and the Deuks inclination. I hear the rest of the people of the government ar alarumed and think I will represent them as usless. I can not imagin hou they com to think so. It is very hard to doe any thing here either with King or Deuk, for the Deuk hunts, beseids going where ever the King goes. I bygue your Lordship will speak to the Advocat, or any uses to wryt here, not to disconcert our affairs by writing things I knou not of; but nothing as from me. My Lord Chancelor, I know, will comunicat all I wryt to him to you. Tho there be no need of doing you good offices here, I doe as I oght your Lordship all justice where ever I com. I am, my Lord, your Lordships most humble and faithfull servant,

J. Grahame.

My service to my Lord Kinaird. My Lord Tumont is ill; he cannot be here. My Lord, I had forgot to tell you hou sincerly Sir Androu Forester is your Lordships servant.

208. Interview with the Duke of York about a Viscounty for the Lord Register (Sir George Mackenzie) and other business.

London, March the 29, 1683.

My Lord, I was at my Lord Mideltons dining, when your last came to my hands. Imediatly after diner, notwithstanding of all the orders of secrecie you have so stricly giuen me, I ventured, talking of the state of things, to tell him hou necessary it was that som persons, whom I named, should have equals; and fynding he intered in to the same sense, I pousted it further, and told him that I had alraidy sounded the Deuk and had not found him averse. But, with all, I told him that my lord treasurer, when I partied, had not given me the least order to that purpos; but, on the contrary, when I told him that it was prope for him and offered him my service, he positively desyred me, if I tendered his interest not to maidle with it; but that my Lord Chancelor had laift me Cristian liberty. After having reasoned the business, and prepared against all difficultys might be objected, we went to St. James, when we desyred of the Deuk to speak with leaseur with him; upon which he teuk us in to his closet, and having for introduction begun with the Mint business and my Lord Maitland, we fell imediatly on your affair. The Deuk proposed difficultys. We discussed all, and convinced him and made him acknounge it, after having given many arguments from different heads; and then we tossed the business from hand to hand, that we broght him quyt about. Then it was concluded my Lord Huntlie must also be. Then my Lord Midletoun spok of the Register. It was not my pairt to opose any thing that was proposed for a man hade often don me kyndness; but on the other hand I will take on my salvation that I never heard of it till that afternoon, nor believe I the Register expects it at this tyme; but it seems there has been sumthing betwixt them when the Register was here. The Deuk seemed very inclyned and said "Is it ane Earle?" and would have late it pass, as I thought, but my Lord Midletoun said, No, but a Vyscount; upon which the Deuk underteuk to indevor it all with the King. We

had the frauncest conference that I believe ever was, and his Hyghness expressed a great deall of kyndness to you all. My Lord Register is to be made friends with your Lordship, and I am to bring orders about it. You will have no raison to complain of the way; and that business of Maitland is to lay over till then. My Lord Midletoun and I wrought all we could at the muster maisters business, but never neamed the desseined successor, but it would not doe. He told us laghing that we would all be as great tyrants as my Lord Lauderdelle was, and lait you alon. He has his owen maximes and politiques, but all was very friendly. He said English business will doe but with all he would not hear but Clieland should be the first captain. We shall not give over till we have brought it to a cloase, or it will feall at the King, which I hop not. My Lord, I hop you will pardon me for puting my Lord Midleton on the secret. It does not concern you, seing he thinks it is with out your knowledge what we doe; and that it is mainly on the publict account we doe it. My Lord, it hade been better for me to have had all the honor of doing it alon, as by my last to my Lord Ch[ancelour] you will see in all appearance I might have don; but if your business be don, I shall be content with out considering who gate the thanks. My Lord Midletoun is most sincer both to your Lordship and to the Cha[nceour]; wherfor, I think, you have thought of to litle for him and on ane ill fonds, seing my Lord Ch[ancelour] is befor him. The fynes and forfeitures, if your Lordship pleases, will doe better. My Lord, I promise to my self that you will perswad my Lord Ch[ancelour] to consent to my gating Didop and the jurisdiction, which can not wrong him, seing I am willing to buay a pairt of the land. My Lord, I have wryten this in great heast. I dout if you will be able to read it. I am, my Lord, your Lordships most humble and faithfull servant,

J. Grahame.

209. Had conferred with the Duke upon Queensberry's business, but the King would not consent to it—The King wished to know about Mar's heritable right to Stirling Castle.

London, Apryll the 10, 1683.

My Lord, I delayed giving any answer to yours of the 29 of March, wating for ane oportunity to speak with the Deuk, or rather to see if he would say any thing to me concerning your Lordship. But having yesterday received yours of the thrid of Apryl, I thought not fit to delay it any longer. I went imediatly to the Deuk, who gave me occasion to speak too him at full lenth. First, I shoud him that peaper about the feu deutys, which he raid all over. I told him that if there was any persons concerned therin, to which there needed be any regaird had, it was for so inconsiderable sums that it would be no ground of complaint; beseids, that it was all the Kings right, tho neglected heretofor by those intrusted in the Treasury affairs. I raid som pairts of your letters I thought propre for seuerall subjects to the Deuk. He aproved of what was don; desyrs your Lordship to goe on, and looks on it as good service. After that I told him that I had given your Lordship account of what had passed betuixt his Hyghness, my Lord Midletoun and me, concerning your affair, and that I had received a return full of gratitud, and the sense of so great ane obligation to his Hyghness. I hoped he had not forgot to press the King to it. He told me he had used all the arguments he could to perswad the King; but that he could not move him to it. I did aledge that I feared the King or he must have been diverted from it by English counsell, and there upon took the liberty to tell him in a respectfull way hou unsaive it wer to take measeurs from people that could not knou our business nor the

circumstances of our affairs. The Deuk very fairly denyed all, but told me the King had been so vexed with the nobilitating people here (for when the door was once opened all would be in) that he could not willingly hear any thing upon that subject. I will say without vanity that nothing was unsaid that could make for the purpose ; but the Deuk in end told me it was impossible. I told him then, that in all this I had only raison to complean ; for I was very seur that both the King and he would be at last convinced hou much it was there interest, and would certenly doe it ; only I would be so unhapy as not to be the bearer ; upon which the Deuk told me that he thocht some tyme after the King might be broght to it. I desyred he would be so good as to wryt to you or the Chancelour to that purpose. He told me there was no need nou, but that he would doe it when I went down. I think I need not tell your Lordship hou concerned I was ; if it had been for my lyfe, I could doe no mor. But, my Lord, I hop you will bear patiently a litle delay ; for if I understand any thing it will certenly doe ; and at meeting I will tell you mor fully my owen thoughts, which will fully convince you. I shall doe my best . . . [torn] Deuk to wryt as clear and plain as y not this litle stop in ill pairt for the gr[eat]est men in England ar glaid to gate it after many pulls. Therfor, contineu cheerfully your indevors in the Kings service, and it can not fail. The Deuk told me that he found my Lord Chancelour mightily inclyned it should be. He may reneu the attaque when he please ; my Lord Midletoun will be always ready, who is of the same opinion with me in all this affair. I have not spok to the Deuk concerning the blank comission, but I fear he will be unwilling to give a comission without he be seur to whom. If you desein any body els that he declynes it, we will gate it in any bodys name you please. The comission anent the excyse is gon severall days agoe. The Deuk had ane account by my Lord Advocat of what passed in exchaiquer concerning the touns business, which he raid all over to me. It was fair enough, raitler desseined for to magnify his ourn pairt then wrong or lessen others. I sawe nothing that the Deuk suspected the least diffirence betuixt the Chancelour and your Lordship. Somthing he understood concerning my Lord Tuedaill, and I said what I thocht propre to hold him at that. It was only from the Deuk himself that I kneu of your Lordships recomending Kelhead. The Deuk told me yesterday that you hade recomended my Lord Ross for to be Lievetenant Coll : to my regiment, and that he had given you answer that there oght be non in horse, which I told my Lord Chancelor befor I came away. I fynd the Deuk will be content he be Major, and I did not at all opose it, because recomended by your Lordship ; tho I have some raison to take a litle unkyndly in my friend, my Lord Ross, that he should indevor any alteration in the regiment without lating me knou it. My Lord, I think I gave your Lordship account hou that the King had comanded me in his name to wryt to your Lordship and my Lord Chancelour, that he might have from you a particular account of my Lord Mars right to the Castle and Lordship of Stirling ; for he is resolved not to suffer any heritable comand there, if there be any way in lawe to hinder it. There is nothing I see the King so concerned in as in that place. Wherfor, my Lord, I bygue you will heasten up the account of it, seing it is the only thing the King himself has desyred of a long tyme. The peaper you sent up I shall take cair to keep till meeting. I am, my Lord, your most faithfull and most obedient servant,

J. Grahame.

There will be wars imediatly bettixt Swaid and Danmark, which will draw in all the rest. Conte de Roy goes generall for Denemaak.

210. Kelhead's business.—Sir John Cochran at London &c.

London, April the 12, 1683.

My Lord, I hear nothing mor of the toun of Edinbourg business, nor nothing that folloued on it. So I say nothing aither; but if I doe, I'll knou hou to give things a right turn. Nor is there need that you take so easily alarmes; the Deuk will not so easily alter the opinion he has of you. I told him what diligence you wer using concerning the excyse comission. I cannot yet give answer as to Kelheads business. I suppose there will be nothing don in it till Captain Inglish either demit or be trayed. I fynd the Deuk thinks Meldrum most propre to be Major; but will not condeshend to put him over ane older Captains head, that is a man of quality: tho I indevored to perswad him to it. In these things it is hard to impose upon him. Wherfor, I told him it would be best to lait it alon all together, that we may see if tyme can bring it about. I knou not well what he will doe in it, but I suppose he may take advyce. I spok to him also about Gilcryst, and told him that befor I receaved your Lordships I had persons in search of him. I was this morning by the Deuks order at Sir Leonald Jenkins about that affair. When I learn any thing of it, I shall give you notice. Sir John Cochraine treated both Secretarys, my Lord Aran, and Lord Charles Murray, yesterday at the George and Volter, but I fynd neither of the first have any kyndness for him. I have receaved from my Lord Chancelor the state of Stirling and have given him account of our opinion here, which I suppose he will acquaint your Lordship with. That will be a mighty augmentation of the customs you speak of. I shall lait the Deuk knou of it. All other things in your Lordships letters I take cair of according to directions. I am, my Lord, your Lordships most faithfull and most humble servant.

J. Grahame.

My Lord, the inclosed papere I desseined to have kepted till meeting conform to your first letter, but nou I send it down as you desyr by your last.

211. The affairs of the mint and of the Castle of Stirling.

London, Apryll the 26, 1683.

My Lord, The Provist of Edinbourg has wrytent to the Deuk and sent up a memoriall, ane information, and petition to the Councell anent the Mint, recomended by the Bishop of Edinbourg. I suppose, my Lord Midletoun will send your Lordship all those peapers. I told the Deuk that it was not propre, without better recomandation then what he had, to take any resolution in the thing; and that I supposed what was don was for the Kings service. So that there will be nothing don here, till the Deuk hear from your Lordship and the Chancelor; nor doe I see that the Deuk blames as yet your Lordship in the least. We all here will take speciall cair that he understand the business aright, nor can I see hou it is possible to suspect any other dessein then pearly the King's interest in what you doe. There will be a letter to your Lordship in a feu days for securing the lordship of Stirling for the Kings use, and ane other waranding you to treat with him for the heritable right of the Castle and lands anexed there too. As to the Mint, there is a letter ordered for your Lordship telling that the King pleaseur is that my Lord Lauderdeall dispon to the Chancelour the lands about Dondie, and to me the house and jurisdiction, for which I render your Lordship most hairy thanks. Sir John Falconer is to pay four years and one half purchass of all his estate and the rest six years purchass of theirs, but the King has ordered nothing be said of this till the letter com to your

Lordships hands. My Lord Maitland knous nothing what is don. I will have the honor to see your Lordship before you goe from toun. I am to pairt next week. I am, my Lord, your Lordships most faithfull and humble servant,

J. Grahame.

The seasing the Lord Mair will doe mor ill then good to the disafected pairty. All is very well here and the King firm.

212. Lord Middleton and he were to go to Windsor on Monday about the town of Edinburgh's business. 28 April 1683.

My Lord, I have not seen the King and the Deuk since my last. So I have no neu thing to wryt. My Lord Midleton and I goe on Monday for Windsor, when we will be seur to doe what we oght. As to the toun of Edinbourgs business, I am sorry to see that the world is not wyser, and I must say that I think your Lordship gats hard measeur; however, I am glaid to hear from the honest Advocat that both the pairty and the Advocat ar ordered to cray pecavi. Who ever does not give your Lordship all incuradgement in the work, you goe so frantly about, does you not justice, nor serves the King aright. We are all her extremly convinced hou well you deserve of the King; and non can knou it better then, my Lord, your Lordships most faithfull and most humble servant,

J. Grahame.

London, Apyrll the 28, 1683.

213. Business of the Town of Edinburgh.

Windsor, the 3 of May 1683.

My Lord, you need not be in pein about that business of the toun of Edinbourg, and the Bishop had better laiten that affair alon; for the Deuk has been better informed of him then I believe he was ever befor. The peaper concerning my Lord Lauderdaill is sent down by this post as I informed by my last. My Lord Muray and Midletoun will be provyded for out of the rest. The quo quarante will succeed. I pairt the next week. I am, my Lord, your Lordships most humble and faithfull servant,

J. Grahame.

214. Circuit-Court at Stirling—one man condemned to death—many heritors take the test.

Stirling, the 9 [June] 1683.

My Lord, Tho I can not dout but severall others give your Lordshipe particular accounts of all that passes at this court, yet I would fall in my deuty, if nou at the closs of it here, I did not give you som account of it. There has been three letters wryten to the Chancelour, giving account to him of all and asking advyse in som particulars. Of the first, I cannot have the scroll, but I send your Lordship a copie of the answer. The second was sent last night, and the scroll is also lost, but it was only giving notice that there was a fellow being called in the Porteous Roll appeared, and pretended he had taken the bond; and for proving it produced a false and sham certificat; but being suspected and asked upon oath if he had seigned it, refused to swear it, and refused to say, that Bothellbridge was a rebellion, or the Bishops murder a murder; upon which the Lords, after he had refused to take the test, put him to the knowledge of ane inquest, who broght him in guilty. Then he thought fit to recant, and offered to take the test, but the lords refused it upon good grounds, and condemned him to dey on Wednesday at Glasgow, as your Lordship will see by this scroll of the thrid letter to the Chancelor,

which pairs tonight, and this bearer going just a way I have not the tyme to transcrive it. I have wreaten to the Chancelor my opiniun upon many reasons that the man should be hanged. This Justice Air has succeeded mervilusly. Many gentlemen of good quality, that wer in the Porteous Roll upon mistake, after they wer assolyed teuk the test. Above a hondred and fivety rebelles comoners have here taken the test, and I believe almost all will; so that the number of fugitives will be feu. The judges goe on very unanimously, and my Lord Advocat does wonders. This murder they have comitted gives us all neu'vigueur. From Glasgoe your Lordship will hear from me, for there will be the scene of the most considerable things. I am, my Lord, your Lordships most faithfull and humble servant.

J. Grahame.

215. About Garrisons in different places.

Edinburgh, August the 28, 1683.

My Lord, Heu Wallace comunicat to me what your Lordship gave him comission, and since I have had the honor of your letter to the same purpose. I have spok to my Lord Chancelor severall tymes about those garisons; but he refuses to doe any thing till the councill day. I told him that if I could gate the consent of those to whom the houses belong, I would venter to garison them with out any other warand but what I have to quarter these troupes where I please in that contry. But, since, I am informed the generals troupe is ordered by himself to march to Kilmarnock; so that there can be no mor don as to garisons except what I have alraidy ordered about the Kaitloch; only if your lordship can have the consent of the maister of that house near Drumlainrik mentioned in your letter to Heu Wallace, Captain Strachan may alou ten or fyveteen men, which will be anogh in that pairt of the contrie. I have given him advice about it. I have spok to the Chancelor that the generall might be called for against the councill day, and all things concerning the disposing the quarters for the troupes might be adjousted. He seemed to inclyn that I should give a sheam (*sic*) of it in wryting, which I am unwilling to doe in the terms we ar in, not knouing what use might be made of it. Houever, befor the Kings service suffer I will ventur on it. It is not possible for me to leave this place nou that I have wryten for lieve to goe up, till I knou the Deuks pleaseur; besids the necessity I have to atend the poursuit about the decret of the mint, which makes slou progress. If your Lordship have once to wryt to Heu Wallace, he would needs be put in mynd, for as yet he has don nothing. I shall not feall to give my Lord Midleton and our other friends there franc acount of the state of things here, particularly those your Lordship wryts of. For that Highland project, the Register and I both have refused to maidle mor, and we have signified that it braid not in our breast. As to the bringing bak the Advocat, the councill understood no such thing, and I have asked the Chancelor about it. He says so, but that he knous not hou the clerks may have drawn the letter; he seigned it on the comon faith. I shall wryt to the generall about Streven. I had alraidy heard how extravagant the expense was desseined. Houever suspects me of having given advice to the Deuk to lait things be governed by the chief minister alon, wrong me mightily. I can apeall to the Deuk and my Lord Midleton, if I did not always say that things by cause of secrecy oght to be manadged by you tuo; and if you could not agree, by a Juncto; and I think I was right. When I hear from London, your Lordship shall knou. I am, my Lord, your most faithful and most humble servant,

J. Grahame.

216. Proceedings in council—whether he should go back to Galloway—clothing for the troops &c.

Edinbourg, September the 13, 1683.

My Lord, I thocht I had prepared that affair of the garisons so well that there could not have been the least difficulty in it; for my Lord Chancellor seemed satisfyed and made me wryt about it to the Generall, but when it came in councell the Ch[ancellor] refered all to the Generall. I sustined with all the might I could; but was not able to bring about the Generall nor perswad the councell to doe it of themselves. The Ch[ancellor] is nou resolved to please the Generall by all means; but he seems not to cair for it. The Ch[ancellor] will never give him all he deseirs. Houver, the thing being so reasonable, and a proposell of your Lordships and sustined by me, who they had raison to believe understood that contry, your Lordship may easily guess I was not well satisfyed; and I took the liberty to tell my Lord Ch[ancellor], that if the Deuk had been at that boord, as he was when I was first sent to Galloway, I would have been believed in maters of that contry, especially when I was but seconding my Lord Treasurer. The Ch[ancellor] then desyred the Gen[eral], my Lord Linlithgou and Livingston and I to confer about it nixt morning, which would have turned to nothing, had not your Lordships letter com to my Lord Chancellor; which pleased him so well that there was not the least difficulty thereafter. He made speaches both in councell and to me in pryvat of your Lordships great cair and vigilence for the peace of that contry, and the Kings interest, and comended mightily your giving your owen houses and provyding them with out any expense to the King for to be garisons; and fynding him in that temper, I told him that your Lordship had a mynd to have Capt. Dallyells compaignie if any was sent, which he also undertook cheerfully; and accordingly all was don in councell with great elogys. The generall said nothing. I then asked whither or not I should contineu my former cair of that contry or not. The Ch[ancellor] shuned to make answer; but being pressed, all he answered was that they took nothing from me. After I asked hou they would dispose of my troupe. The Ch[ancellor] had a mynd it should lay here for a tyme; the generall was for sending it to Fyfe. I told it was usless to the King[s] service here, and would be so in Fyfe. I desyred it might be sent to Comlok, Maybolle or som place near Galloway; that in caise there be need I may mak inrods nou and then. It was refered to the Generall. So I knou not hou it will be, but I am seur I am very indifferent; for I told in Councell that wherever it went I thocht may self no ways oblidged to march with it, because that was the Cap. Lieutenents business. I shall indevor to be with your Lordship again that compaignie com in. I spok to my Lord Ch[ancellor] about my Lord Kenmors business, and he seemed resolved, but nothing was don anent it yesterday in Councell; I shall put him in mynd of it; he can always call a corum. My Lady Aroll and I approve mightily of your Lordships way with the Ch[ancellor], not to stand upon the cerimony of writing first, when the Kings service requyrs it, and I am glaid to see hou pleased he is with it. It seems he would be better pleased with mor corespondence which I should be glaid to see in such terms as would be acceptable to your Lordship. I have received a very kynd letter from my Lord Treasurer deput, wherin he gives me good hopes of my affairs and great assurance of his assistance; and with all laits me knou that besids his owen inclination he has your Lordships comands to sustin all my concerns. If it wer not that I dessein rather returns of services

then speeches, I would imbrace this occasion to say somthing to your Lordship on the head of obligation and gratitud. I hop your Lordship will believe me sensible of both, and that I will not forgait my deuty. I shall never forgait hou generous it was in your Lordship to alou me your friendship in a tyme that you was offered concurrence of persons who oght to have been my friends. There ar people who think I have lost by the change, but I am far from it, for they knou not so well as I what I had or what any man can have there to loss. But whatever there had been in it, I would not have regraited it, and I think my self very happy whyll I am assured of your Lordship protection and friendship. On Fryday last I was told by the Bishop of Galloway that by a letter from my Lord St. Andreus he understood that the Bishop of Edinbourg was asking his lieve to goe up, and that he desyred no comission and would goe on his owen expence; but that my L. St. Andreus had assured him that he would by no means consent to it. I soght for him to give him my opinion, but could not fynd him as yet. The Archbishop of Glasgow has assured me he will employ his interest against it, and if the primat should com to be abused in it he will protest against that jorney. The Bishop of Edinbourg seems a little out of heumeur, and he told me yesterday he would com and see me and talk of many things, which is no sign things goes to his mynd. Whyll I am wryting I just nou received a letter from my Lord Advocat telling me my business is don, and on from my Lord Middleton giving me account of his diligence, that the Deuk had promised no remission should pass till I was satisfied. Colin wryts that ane explanatory letter is to com down that will leave no ground of debeat. The Advocat says he has been received to admiration.

Your Lordship may remember I got licence to import read cloath for my troupe, and so much gray cloath for the trompeters and ketledrumers. The cloath being imported I presented to my Lord Ch[ancelor] in councell a declaration under the colectors hand that it had been visited and the deus payed, and therefor desyred up my bond of 500 p. st. My lord was pleased to refer all to your Lordship. I also informed him that the gray cloath was not of the right color, and therefor desyr I might have lieve to cary it bak to England and bring other in the place of it, or els that those of the manufactory might have it, and I aloued to bring in as much, which was also refered to your Lordship. I was content thinking myself in good hands; so must expect your Lordships faveur in both; for I desyred the Clerk to mark it was refered to your Lordship; the thing is mightily reasonable. My Lord Glasgow was very earnest that I should assure your Lordship of his service, and he swears he will be most firm to your interest. My Lady Aroll is still where you laift her. I see not that the Court grous much here. I fynd myself worse there evry day but I take no notice of it. I goe thither as I used to doe, but only when I have business of publik concern; and however things goe am resolved to doe as a good subject oght and a man of honor. I will by no means prejudice the Kings service for my interest, nor will I doe mean things to insinuat myself. If I have forgot any thing here, I shall mend it by the nixt. Heu Wallace will give you account of the toun of Edinbourg business and that of Air befor the Councell. I did all I could in both. Your Lordship may consider both and doe what you think proper, for I should be sorry it went so. I am, my Lord, as I oght to be most franchly, your Lordships most faithfull humble servant,

J. Grahame.

217. Things past recovery at Ayr—Brisben was to carry it—Lord Montrose to go up. Ayr, 27 September c. 1683 (?)

My Lord, Before I came to this town things wer past recovery, so I thought it not fit to make use of your Lordships name at all. I only, fynding Brisben would cary it, advysed him to take on the counsell and make magistrats as many as his interest could alou, that the heats and animositys among them might in som measeur be alayed; and he promises so to doe. I fynd they perswad them selfs they will be suported in all they doe. I am glaid to hear of the defeat of the Turks. I am informed my Lord Montrose is to goe up, and is to wait on your Lordship; but I begg I be not neamed in this. This contry believes a certain man caryes all, and that every body els will be destroyed. I shall wryt to your Lordship from Edinbourg. I am as I oght to be, my Lord, your most faithfull and obedient servant.

J. Grahame.

Air, September 27.

For the Marquess of Queensberry, Lord High Treasurer
of Scotland.

218. The Duke did not wish him to come up—Business of the town of Edinburgh—Monklands remission stopped &c.

Edinbourg, October the 12 [1683].

My Lord, There has nothing occurred here worthy your Lordships noticing since my last. I fynd by letters from my Lord Treasurer deput, my Lord Advocat and Colin that the Deuk has no mynd I should com up; but gives all assurances that he will have the thing performed with out fraud or trik. The Bishop of Edinbourg did me the faveur to com and see me yesterday, being under fisik, when he took occasion to tell me all had passed betuixt your Lordship and him as to the business of the town of Edinbourg; and made shou of great grief that he had had the misfortun to incur your Lordships displeasur, but desyred nothing of me neither to represent it to your Lordship nor any body els. I told him I had never been on the subject with your Lordship; but that, seing the tuo Archbishops had concerned themselves in the mater, as he told me they had don, I believed your Lordship would not be implacable; for I had always found you ready to alou people to vindicat them selfs, or to accept of reasonable satisfaction upon aknowledgement of their fault. I spok this day with the Bishop of Galloway to knou if there wer any hopes of his translatione, but he told me by what he could learn from the primat, Dumblean was fixed in Ross. I am glaid to see that the Kintyr project is blouen up, but it is to be feared that tho that esteat be anexed to the crown it may be easily dissolved. I fynd the Advocat is not satisfyed; he has got nothing, tho he says he had no dessein but to saive this contry from slavery, and honest men from ruin. He comes af the 15. The Treasurer deput has thought it worth his whyll to gate the Kings orders to stop Munglands remission. Great pakets in great heast com from my Lord Maitland to my Lord Chancelor. Things seem to goe very right; but if the Juncto be not fixed again winter, all will yet goe wrong. I am going for Angus where I will be till the Advocats return. Som folks here ar in great apprehension. I wish it may be well grounded. I am, my Lord, your Lordships most humble and faithfull servant,

J. Grahame.

I am glaid to hear your Lordships sonns ar com to London and so much esteemed there.

219. The Lord Advocate very useful notwithstanding his infirmities—
 affair of the Junto.

Edinbourg, October 30, 1683.

My Lord, I had not been so long without assuring your Lordship of my respects, had I not been always since my last in Angus, where I could neither fynd occasion nor business to wryt. Since my coming here I have had severall letters from London, wherby I learn my Lord Advocat came af the 24 and pretty well satisfied; of which I am extreamly glade for many raisons; for he is very usfull in many things; and his friends must resolve to hear with his litle infirmitys as long as he holds right on the main. My Lord Maitland is to be sent imediatly doun to attend the Justice Court, and has don nothing. I have here from good hands that his great masterpiece was to perswad on of those two above to cheange with a certain man here; which indeed would have don a deall of mischieff, but I supos it is above his reach; and L. M. is advertised of it by a good friend of his, to look to it as a thing that concerns him as much as any other. I have still neu assurances that the Deuk will not see me wronged. I hear the B. of Edinbourg has changed his ton since he thinks the storm is over. The affaire of the Juncto is no secret here, and evry body thinks it was the only thing could have keepeed people with in bounds; but by what I can learn, if it be at all it will turn to the old Juncto, or to the officers of state only. I hear D. H. has been traying to be of the nombre, but was refused as being officer of state. I fynd my Lord Register as your Lordship left him. I am glaid to hear by Heu Wallace that you desseine to be hear on the sixt, which will be about the tyme of the Advocats arryvall; when, after hearing all has passed at London with the circumstances, your Lordship may mor saiffly take your measeurs. I have a great deall to say to your Lordship in faveurs of Colin Makenzy but shall delay it till I have the honor to see your Lordship here. I fynd M. L. Mid. is greatly his friend, but all is expected from your Lordships goodness. I shall wait on your Lordship som mylles from the toun and give you acount of all I can learn again that tyme, and shall nou only begge your Lordship to believe me still as much as I realy am, my Lord, your Lordships most faithfull and most humble servant,

J. Grahame.

For the Marquess of Queensberry, Lord High Treasurer
 of Scotland.

220. He had called on the General who could not see him—Orders
 about troops for Clydesdale. No date, but *circa* April 1684?

My Lord, I called at the Generalls this fornoon, and he was gon out to diner. Som time after he sent the order to counsell to me without any order from himself, and sent me word by his servant that that was all he hade to say. I told his man I would wait on him imediatly after diner, and, when I cam to his lodging, his man told me he was layen doun, and that he had not been well for som days. I offered to stay till he was awak but his man told me I needed not, for he would give me no other orders. I can doe nothing without his orders, for act of counsell says the Generall is to comand my Lord Balcares troupe and mine and Cap. Clielands to Clidselle; and that he should give orders to Coll. Bouchan and me to comand there. Houever, least the Kings service suffer in the time, I will goe and join my Lord Ross troupe, till the half of the Gairds and the other troops com. I hop your Lordship

will cause dispatch them. If the Generall will not, the counsell may give the orders imediatly to the respective troupes. I am, my Lord, your most faithfull and most humble servant,

J. Grahame.

For the Marques of Queensberie, Lord High Treasurer of Scotland.

221. Had been at Ayr and Dumfries—Duke of Hamilton's scruples about alliance with Dundonald's family—His own marriage in that family. Edinburgh, 19 May, 1684.

My Lord, Tho I got all the assurances imaginable from the Generall that day I parted with you, that his orders for me should be as soon at Glasgow as I; yet I waited at the Haket and there about for fyve or six days and heard nothing from him. So I was forced to wryt to him, as I did to the L: G: Drumond and the President of the Session, that if the Kings service was retarded the blame should not lay on me; upon which he sent me orders; but he is in a terrible huff. I marched to Air with Coll. Bouchan and the fyve compagnies of foot, and the half of the Gairds with my Lord Ross troupe. After which I went in to Galloway, and visited the houses apointed for garisons, and I fynd them very propre so soon as beds and other necessarys ar provyded the troupes will enter into them, which will be imediatly. I was at Dumfries and gave all necessary orders for those that lay there, and I sett the commission to work; after which I went into Clidsdelle, and considered the houses apointed for garisons there. They ar propre enough for the use, but by what I can perceive they will not be provyded on a sudain with necessarys. I am nou com in to give the Comitty account of this, and to knou if there be any thing further to be don in those contrys for the Kings service. I fynd the want of the garisons in Galloway, and the withdrawing the forces from the shyr of Air has occasioned all the insolency that appeared in those rogues this last winter, and nou that the troupes ar so posted I shall answer for the peace and good order of all those contreys which in a maner is all the fanatik part of the kingdom, and I must say that the neu alleya that I am lyk to mak is not unusfull to me in the shyr of Air and Ranfrou. They have the guyding of those shyrs and they doe strenthen my hands in the Kings service, particularly my Lord Montgonrie, whom I recomend to your Lordships faveur. I will answer for him that he will be very forward in the Kings service, and very sincer in his friendship and deuty to your Lordship. I have wryten to his Royall Highness anent that match, hearing that Deuk Hamilton had scrupulled to allaya with that family without the King and Deuks lieve. I feared that this might have been advysed by som persons to load me that had not been so circumspect. For my owen part I look on myself as a cleanger. I may cür people guilty of that plaigue of presbitry be conversing with them, but can not be infected, and I see very litle of that amongst those persons but may be easily rubed of. And for the yong ladie herself, I shall answer for her. Had she been right principled she would never in dyspyt of her mother and relations made choyse of a persicutor, as they call me. So who ever thinks to misrepresent me on that head will fynd them selfs mistaken; for both in the King and churches interest, dryve as fast as they think fit, they will never see me behynd. However, my Lord, malice som times carys things far; so I must begg your Lordship will defend me if you fynd any thing of this natur sturing. The Bishop of Glasgow, when I waited on him at his house desyred me to assure your Lordship of his respects and put you in mind of what he spok to you concerning Mr. Ross being principill of the Coledge of Glasgow. I had a letter

from Sir John Falconer, wherin he tells me he waits your Lordships up coming, and that he expects you will be generous when you have him at mercey ; and I hop your Lordship will shou him faveur after my Lord Midletoun is satisfied for his concern in that affair. We ar all very impatient to hear such newes from your Lordship as we wish, and your cair and zeall in the Kings service deserves ; and there is non has so good raison to wish you succes as, my Lord, your most humble and faithfull servant,

J. Grahame.

Edinbourg, May the 19, 1684.

Mr. Colin Makenzey desyrs to assure your Lordship of his respects and begs your assistance in the Clerks place, for Minzies will dey ; Sir John Gordon is gon up for it. Sir William Peterson desseins the wholl office, and many pretenders there ar.

222. More about Lord Dundonald's case—Sir John Cochrane was a madman—Sir George Lockhart, a resetter of rebels, &c.

Edinbourg, May the 19, 1684.

My Lord, I have been in the West and posted the fyve compagnies of foot at Air, and the half of the Gairds with my Lord Ross troupe there about. I have visited the garisons both in Galloway, Dumfries, and Clidsdelle, and every thing is ordered conform to instructions ; and nou you will fynd by the sucesse the reasonableness of this advice. The contry is much disposed to peace and order ; and I will answer for both in all those contries as long as the forces continue thus posted, and Ingland keeps quyete. My Lord Deuk Hamilton has refused to treat of giving his dochter to my Lord Cochrane, till he should have the King and the Deuks lieve. This I understand to have been advysed him to load me, wherfor I have wryten to the Deuk and told him that I would have don it sooner had I not judgd it presumption in me to trouble his Hyghness with my litle concerns ; and that I looked upon myself as a cleanger that may eur others by coming amongst them, but can not be infected by any plaigue of presbitry. Beseids that, I sawe nothing singular in my lord Dundonalds caice, saive that he has but on rebel on his land for ten that the rest of the lords and lairds of the south and west have on theirs ; and that he is willing to depon he kneu not of their being such. The Deuk is juster then to charge my Lord Dindonald with Sir Johns crymes. He is a mad man and lait him parish. They deserve to be danned wouid owen him. The Deuk knous what it is to have sons and nepheus that follou not advice. I have taken peins to knou the state of the contries guilt as to recett, and if I make it not apear that my Lord Dindonald is on of the clearest of all that contry, and can hardly be reached in lawe, I am content to pay his fyne. I never pleaded for any, nor shall I here after ; but I must say I think it hard that no regard is had to a man in so favorable circumstances—I mean considering others, upon my account, and that nobody offered to medle with him till they heard I was lyk to be concerned in him. They have flaiged him ; so that he has not given me so much as he would have given to any body that could have don him no service. And since faveur might have been shouen him without prejudging the Kings service, considering his aidege and the employments he has had, it was not friendly to fall upon him to my prejudice ; but mor shall goe with him, or manifest partiality shall apear. I hop Sir George Locart will be used according to lawe. Tuo or three days agoe, there was on Scot, a declaired rebelle, seised on his lands, who has deponed that he has lived there ever since Bothwell, but did not pay the rent out of his owen hand, but caused a brother in lawe of his doe it. I have raire causes prepared, if it be the Kings interest the rigeur of

the lawe be used against all. On man may cast in the myr, as we say, what ten will not take out. After all, I am very indifferent whether my Lord Dindonald be fyned or not; it will concern my Lord Cochran, not me. I will gate no mor nor I have got, unless it should be signified from above that he has got faveur on my account, which I would not despair of if I wer at London; and my friends, if they lyked might doe; which would put D. H. made; for he thinks to doe all for them or not maidle with them. I will make ane other use of those people then is expected. They offer me all asistance in those shyres, and my Lord Montgornie is very fordward in the Kings service; he will wryt to you when I return to the West, and Bouchan will give you account of all at the same time. If there be a necessity of having mony, I can give lists, and prove them, of persons ten times guiltier then Dindonald and able to pay. What ever com of this, lait not my enymys misrepresent me; they may abuse the Deuk for a time, and hardly; but or long I will in dispyt of them lait the world see that it is not in the pouer of love, nor any other folly, to alter my loyalty. My Lorde, pardon this idle letter, and believe me your faithfull servant.

Be kynd to Sir John Falconer.

I spok to Dindonald about giving sumthing and gating his grand chylds forfitur and sons cheat: but he will not maidle with them, and will stand his own tryall.

223. Chiefly recommending his private affairs to Queensbery when at Court.

Edinbourg, May the 29, [c. 1684].

My Lord, I would have been gon to the West or nou; but that I was desyred by the Comitty to stay till the Councell day, and I was desyrous to hear what newes came from London. It is no small joy to all honest men, who ar your Lordships friends, that the King and Deuk ar lyk to understand so well there interest. I knou certainly that the Ch[ancelors] friends wryt that he will demit, and thinks he does not his business right at Court. It is very wysly don in your friends, not to bragg too much of your affairs, hou ever succesfull, for they wryt very modestly, yet so as they ar understood. I hop when your great concerns ar over, you will mind your friends. The two years purchass lays still over my head, tho I have the Kings promise that I should pay nothing, and the bond for the superplus of the fynes of Galloway, tho' the King ordered a letter impouring your Lordship to give account of what we should have, both for expence and reward; and this I may saiffly say was spent. I can doe nothing but recomend all to your goodness, for I need not wryt to the Deuk; a word from your Lordship will doe it. I hop my lord Middleton will doe me that justice as to give you account how sincer I was for your service when I was there, tho I was not able to doe any thing, and that your Lordship did not need me. I flatter myself with the hopes that you will doe me such good offices with his R. H. as you have often don heretofor to so good purpose; so that I will not need to fear any misrepresentations can be made against me. I am, my Lord, your most humble and most faithfull servant,

J. Grahame.

Mr. Menzys can not lieve many days, and honest Colin and his friends relays migtily upon your Lordship.

224. Had come by Douglas and Mauchline—intelligence of the country people.

Streven, August the 5, 1684.

My Lord, I came by Douglas and Ocheltrie, and by Machline and Neumilles, which is the muir contrey, and from this I am going throu

Ranfrou and through the laigh pairts of the shyr of Air up to Drumelington. The foot is marched this night from Air to the Foggy Road, and from that they goe east al the way throgh the hilles to Moffet. I have writen to the garisons of Galloway to drawe out and march al along on the right, and I with the troups I have here will march on their left on this seid the hilles. I caused make a search throu there muirs a purpose to chease them from this to the hilles, and make them think themselves secur there, but they have such intelligence that there is no surprising them. When we cam here, they told they heared of my coming; and last night I was asking if there wer any troupes at Neumilles as I came from Machline, and tho it was undernight and no body but my owen servants, they told me my lcrd Ross troupe was there and that I was expected. I fear we doe nothing, for so soon as I com I fynd they acquaint all the contrey expecting a search. I shall be with your Lordship on Monday, and give you my opinion of the state of things here. I am, my Lord, your most faithfull and most humble servant,

J. Grahame.

For the Marques of Queensberry, Lord High Treasurer of Scotland at
Edinbourg.

225. Willing to do him service. Dudhope, 25 August, 1684.

My Lord,—By a letter from Mr. Colin Makenzy I hear your Lordship will advertise me when you have any service for me. Houever, I thought it my duty to lait your Lordship knou that whyll I enjoy here the fruits of your faveur, I am not unmindfull what I awe you; and tho your Lordship have nothing to comand me, I will wait on you at Edinbourg befor you goe hom. Tho I stay a feu days here, I hop no body will reproach me of eating the bread of ydleness, seing no body has and will goe mor cheerfully about any thing that concerns the Kings or your Lordships service, then, my Lord, your Lordships most humble and obedient servant,

J. Grahame.

Didop, August 25, 1684.

226. Meeting with Queensberry's friends—Supply offerèd by the shires.

Bruntelin, October 30, [c. 1684].

My Lord, That day I pairted from Sir Robert Dayells I came to Edinbourg with clear day light, and your letters were delyvered to Heu Wallaces wife in good time. I souped at Blairs with my Lord Balcares, Drumeller, the Advocat and severall others. Nixt morning I sawe our friends saive the Register, who was not com to toun. I spok about Fyfe and the Lauthians joining in this suplie. Many thinks it reasonable; but Balcares told me friely that he durst not undertake it; and when I spok to him that others would, that pretended to mor interest in that contrey, he laghed at it. Yesterday I dined at Blairs with the Chancelor, Secretary, and all the good compaignie in toun; and it was said that Nidsdelle had given nothing, because it was left to the Councell to impose, which they in all apearence would not doe. I doe not knou if it was heard by all, but I said out, that I believed those of the secret comitty would not refuse to tell their privat opinion, and without any act of Councell my Lord Treasurer would cause these shyr make offer accordingly. I told that the raison why the offer was in generall terms was, that they thocht the government would not think it reasonable to take so much af them as af Galloway, and yet they thocht it might seem not loyall anogh to offer less. I am informed that it is said that

we ar far short of Clidsdelle in the Bond of Peace, and that Clidsdelle could have been broght to twenty moneths suplie, if the Bond had been in the terms Galloway or Nidsdelle took. As to that, I said that befor we sawe that draught, we had proposed all we thought reasonable or practicable; but we could have easily broght them to seign the other, if we had thought it good for any thing, but to insnair people. However, I fynd it is the opinion of your Lordships friends, and the President tells me he desyred Heu Wallace to wryt so to you, that it wer good to cause the Bond be seigned acording to their draught of Clidsdelle, and after it might be explained and restricted here. If your Lordship think fit to send it to my brother with order to see it seigned, I dout not but it will be don, and Lagg may doe so in Kilkoubright, in Niddelle (*sic*) and Anandelle. Your Lordship may doe it being on the place; after which they will have nothing to say, and when it is don, I think it should be altered, for it is unjust to desyr of others what we would not doe our selfs. For I declair I think it a thing not to be desyred, that I should be forfeited and hanged, if my tènents wife, twenty mille from me, in the midst of hilles and woods give mate or shelter a fugitive. The Register I could not see, but I have writen from this my mind to hime. All your Lordships friends ar very desyrous to see you soon at Edinbourg, for things will take no settlement till then. I dessein to be over again the end of the nixt week. My Lord Lauderdaille is com doun, and desseins, as I hear, to goe briskly on and lait lay the submission in my affair. But in this and all other things, I rely upon your Lordship intyrlly; and, tho I can not make so many compliments as others doe, yet I am with all sincerity and respect, my Lord, your most humble and faithfull servant,

J. Graham.

My Lord, excuse this way of wryting for peaper is as ill to be hade here as at Kilkoubright.

227. Lady Erroll, the Chancellor, Sir George Lockhart etc.

Edinbourg, November 4, [c. 1684].

My Lord, Last night I had the honor of your Lordships, and this day after sermons Heu Wallace told me he was just going to dispatch your servant. I begged him to delay so long as I could see my Lady Arroll, because the Ch[ancellor] had been there. She bids me tell your Lordship that there passed a great deall betuixt them: but, because he compleaned that things he had only told to your Lordship and her wer com abraad, she thought best to forbear giving you acount of it till meeting. I hear he is mad against me, tho I have mor raison to be so against him. He and all his people, seem very confident, and they say talks briskly. However, by all I have yet heard they have no very solid foundation. Sir George Locart is com home, who it is thought, has been a considerable agent, and has got a neu light, for as I hear he stood to Glory to the Father with the Ch[ancellor] to-day. My Lord Lauderdell came up in the coach from Lieth with the Ch[ancellor] and was above ane hour closs with him imediatly after he came up, and Sir John Dalrimple is assidous there as he used to be. It is said here the Treasurer Deput. is coming doun, but my Lady Arroll bids me tell you not to lait him stur till my Lord Pr[esident] be com aff, for it is thought things will be as hot as ever, and that this man has wryten up having nou heard all that they alleadge has been said against him, and will be vindicat. He and I fell fool in councill yesterday about the fanatiks bakslyding and the causes of it. I told that we wer interrupted by his telling that those who had taken the test could not be fyne, and that there wer abundance had

taken it, as I was informed, and yet would not lieve orderly. Little or nothing of moment was don. Deuk Hamilton is to be in on Wednesday, and that business of his will turn to nothing, for Meldrums will not be heard of, he being gon north. And for the other about the conventicles, he will say he did all diligence so soon as he was advertised, and it will be taken of his hand. Mr. Johnston, my Lord Deuks writer, was this day wait on the Ch[ancellor] from his Grace, and the Ch[ancellor] bid him assure the Deuk, that he should not be wronged where he sat. It is said here that your Lordship stays out of the way a purpose because of that business. I am to goe out and meet the Advocat at Musselbrogh, that I may prepar him befor he com in. I am mighty glaid to hear he has got; it will be a great mortification to som, for they deseign his ruin by all imaginable means. I long to see your Lordship, and am, my Lord, your most faithfull and most humble servant,

J. Grahame.

For the Marquess of Queensberry, Lord High Treasurer of Scotland.

228. The shooting of John Broun; confession of John Brounen.

Gaston, May the 3, 1685.

May it please your Grace, On Frayday last amongst the hilles betuixt Douglas and the Plellands, we perseued tuo fellous a great way throu the mosses, and in end seised them. They had no armes about them and denyed they had any, but being asked if they would take the abjuration the eldest of tuo called John Broun refused it, nor would he swear not to ryse in armes against the King, but said he kneu no King; upon which, and there being found bullets and match in his house and treasonable peapers, I caused shoot him dead, which he suffered very unconcernedly. The other, a yong fellow, and his nepheu, called John Brounen, offered to take the oath; but would not swear that he had not been at Neumilles in armes at the rescuing the prisoners. So I did not knou what to doe with him. I was convinced that he was guilty, but sawe not hou to proceed against him; wherfor after he had said his prayers and carabins presented to shoot him, I offered to him that if he would make an ingeneous confession and make a discoverie that might be of any importance for the Kings service, I should delay puting him to death, and plead for him; upon which he confessed that he was at that attake of Neumilles, and that he had com straight to this house of his uncles on Sunday morning. In the time he was making this confession the souldiers found out a house in the hille under ground, that could hold a dusen of men and there wer swords and pistolles in it; and this fellow declaired that they belonged to his uncle, and that he had lurked in that place ever since Bothwell where he was in armes. He confessed that he had a halbart and told who gave it him about a month agoe, and we have the feleou prisoner. He gave account of the names of the most pairt of those that wer there. They wer not above sixty and they wer all Gaston and Neumilles men, saive a feu out of Streven parish. He gave also account of a conventicle kept by Renek at the bak of Carantable, where there wer threttin scor of men in armes mustered and excersised, of which number he was with his ballard. He tells of ane other conventicle about three moneths agoe kept near Louden Hille, and gives account of the persons wer at both and what childring wer baptised, particularly that at Carntable which was about the time that Liev: Muray and Crichton should have laitened them eskeap. He also gives account of those who gave any assistance to his uncle, and we have seised there upon the good man of the upmost Plellands and ane other tenant about a myll belou that is flaid upon it. I dout not but if we

had time to stay, good use might be made of his confession. I have acquyted my self when I have told your Grace the caise. He has been but a moneth or tuo with his halbart; and if your Grace thinks he deserves no marcy, justice will pass on him, for I having no comission of justiciary myself have delyvered him up to the Lievetenent Generall to be disposed of as he pleases. I am, my Lord, your Graces most humble servant,

J. Grahame.

229. Sorry to have offended his Grace—had used his tenants well—disposal of troops.

Johnstoun, Jun 16, 1685.

May it please your Grace, I am very sorry that any thing I have don should have given your Grace occasion to be dissatisfyed with me, and to make complaints against me to the Earle of Dumbarton. I am convinced your Grace is ill informed, for after you have raid what I wrot to you tuo days agoe on that subject, I dar say I may refer myself to your owen senseur. That I had no dessein to make great search there, any body may judge. I came not from Air till after eleven in the fornoon, and went to Bellagen with fourty heritors (*sic*) again night. The Sanquair is just in the road, and I used these men I mett accidentally on the road better then ever I used any in these circumstances, and I may saively say that as I shall answer to God if they had been lieving on my ground I could not have forborn drawing my sword and knocking them doun. Hovever, I am glaid I have recaiued my Lord Dumbartons orders anent your Graces tenents which I shall most punctually obey, tho I may say they wer saif as any in Scotland befor. Your Grace may remember you signified your opinion to me that the heritors of Nidsdelle would be better in the centricall pairts of the shyr then at Dumfries, and the generall persones have given orders they should be assisting to the Highlanders at the Leadhilles, which I have signified to the Earle of Anandelle. Nevertheless he wryts to me, that he is to march to morou by four a cloak in the morning to Anan, and tells me that he expects that therupon I will stop the march of the troopes that I had ordered to Anan or Canapie parishens for the gaird of the Border. I have writen to my Lord my opinion, and with all told him that if he be very positive in the thing, I am not to hinder him. I am unwilling to shok any body that serves the King in such a time, tho I think it not just that my lord or any other should think to exclud the rest of the forces from doing their deuty in any pairt they ar comanded too. If he come to Anan, Drumeller to Canapie, and Kilsieith at Ewes, they will be too thik. I am, my Lord, your Graces most humble servant,

J. Grahame.

My Lord Anandelle wrytes to me, that he has got of late instructions from the secret comitty to act with his heritors for the security of that contrey; by which I perceive he concluds he is to take his measeur by himself, and therupon has taken that resolution to goe to Anan contrary to what I had wryten to him was the Generalls mind.

230. The Movables of rebels.

Thorleshope, July 3, 1685.

May it please your Grace, Some time agoe I hade ane order seigned by your Grace and some other of the lords of the secret comitty, to apley the movables of rebelles for the maintenance of the forces; and accordingly I gave to them all the sheep and couse wer eatable; these

hat wer not I caused carry in to England, and make mony of them, of which I have recovered fourty pounds sterling, which I desseined for the Highlanders of Leadhilles; but seeing they ar gon home I have sent it to the Earle of Homes regiment; for Sir William Douglas has got for his a'bove a hondred pound sterling of the mony of the 'D: of Monmouthes regiment as they call it here. There is a hondred pound sterling owing by bond for mor of the rebelles goods by persones in England, but is not payable till Lambas. So your Grace will be pleased to lait me knou if you aprove of what is don, and what way you will have me to dispose of that mony when it falls deu. I am, my Lord, your Graces most humble servant,

J. Grahame.

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HER MAJESTY has been pleased to appoint under Her Sign Manual certain Commissioners to ascertain what unpublished MSS. are extant in the collections of private persons and in institutions which are calculated to throw light upon subjects connected with the civil, ecclesiastical, literary, or scientific history of this country. The present Commissioners are:—

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HISTORICAL MANUSCRIPTS COMMISSION.

REPORT
ON THE
MANUSCRIPTS

OF

THE DUKE OF BUCCLEUCH & QUEENSBERRY,
K.G., K.T.,

PRESERVED AT

DRUMLANRIG CASTLE.

VOL. II.

Presented to Parliament by Command of His Majesty.



LONDON :

PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE

BY MACKIE & CO. LD.

And to be purchased, either directly or through any Bookseller, from
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THE MUNIMENTS OF HIS GRACE THE DUKE
OF BUCCLEUCH AND QUEENSBERRY, K.G.,
K.T., IN THE CHARTER-ROOM OF DRUM-
LANRIG CASTLE, IN THE COUNTY OF
DUMFRIES.

FOURTH REPORT.

The three Reports on the Muniments at Drumlanrig already presented to the Commissioners on Historical Manuscripts were dated respectively 24th December 1895, and 10th April and 29th October 1896. Since the last of these dates, on 13th March 1898, the death of Sir William Fraser, K.C.B., who presented these Reports, has taken place. At the time of his death Sir William had made considerable progress in the preparation of a Fourth Report upon the Muniments at Drumlanrig. He also left what he had overtaken of the Report in such a state as to render it possible to complete it upon the plan which he had mapped out for himself. Shortly before his last illness, feeling himself unequal to continue the preparation of the Report, as he was then fully occupied with the completion of his last Family History, he requested me to undertake for him the finishing of the Report, as soon as I could find time to do so; a request which he repeated during his illness. Subsequent to his death, James Balfour Paul, Esq., Lyon King of Arms, and James Craik, Esq., W.S., the trustees of Sir William Fraser, asked me, if upon the necessary permission being obtained, I would undertake the completion of the Fourth Drumlanrig Report. Thereafter they communicated my willingness to do so to the Commissioners, when the Master of the Rolls, on behalf of the Commissioners, authorised me to complete the Report upon the Drumlanrig Muniments.

The Report which follows is classified under two sections of Correspondence. The first of these consists of letters from Alexander, fourth Earl of Moray, Secretary of State for Scotland, to William Douglas, Marquis and Duke of Queensberry. These are holograph of the Earl, and comprise in all 167 letters.

The second section consists of letters by the Hon. John Drummond of Lundin, successively Treasurer Depute and Secretary of State for Scotland, afterwards Viscount and Earl of Melfort, to William Douglas, Marquis and Duke of Queensberry. These letters, also holograph, are 114 in number.

The more important of the letters in these two sections of Correspondence are given at length in the Report. There are other letters, however, which are not so important. These are given in the Report in abstract form, the salient points being retained in the exact words of the writers of them, which are distinguished by quotation marks.

SECTION FIRST.—Letters from Alexander Stewart, fourth Earl of Moray.

The Stewart Earls of Moray are descended from James Stewart, prior and commendator of St. Andrews and Pittenweem, afterwards Earl of Moray, and better known as "The Good Regent." Although the Regent Moray is the illustrious progenitor of the Stewarts, Earls of Moray, he did not at his death hold either his title or territorial earldom so that they could derive either of these from him. Twice the Earl of Moray made resignation of his earldom to the crown. Upon the first of these resignations he obtained, on 22 January 1564, a regrant of the Earldom to him and the heirs male of his body. The second resignation was followed by a charter by Henry and Mary, King and Queen of Scots, of the earldom of Moray to him and his wife, and the heirs of their bodies, whom failing to the Earl's nearest heirs or assignees whomsoever. The charter is dated 1st June 1566. On 19th April following, the Earl obtained a parliamentary ratification of the charter of 22 January 1564, and this ratification was subsequently confirmed by Queen Mary in a charter to the Earl dated 9th June 1567.

When the regent Earl of Moray was assassinated at Linlithgow on 21st January 1570, he left issue two daughters, Lady Elizabeth Stewart and Lady Margaret Stewart. Lady Margaret married Francis, ninth Earl of Errol, and had no issue. Ten years after the death of the Regent Moray, or in 1580, King James the Sixth granted the ward and marriage of the Earl's two daughters to James Stewart, son and heir of Sir James Stewart of Doune, who immediately married Lady Elizabeth, the eldest daughter. Directly upon his marriage, James Stewart assumed the title of Earl of Moray, apparently upon the ground of the alleged right of his wife, in virtue of the charter of 1566. This alleged right could not be said to be a well founded one. As the charter of 1st June 1566 to heirs general, which would have conveyed the title to Lady Elizabeth, the Earl's eldest daughter, was superseded by the later ratification and confirmation of the charter of 1564, which was to heirs male of the body, the dignity and earldom of Moray, upon the Regent's death, of right reverted to the Crown.

The assumption of the dignity of Moray, upon the part of James Stewart and his wife, notwithstanding the peculiarity which has just been stated, was acknowledged by the King, and

his council and parliament.¹ This Earl, who is the first Earl of Moray in the present male line of Earls, is historically known as "The Bonny Earl of Moray." Elizabeth Stewart, Countess of Moray, died on 28th November 1591. The death of the Earl, her husband, which took place a few months later, like that of his father-in-law, the Regent, was a tragic one. He was murdered by the Earl of Huntly, at his own residence at Donibristle on 7th February 1592.

James, second Earl of Moray, their eldest son, succeeded his father in his title and estates. He was the grandson of the Regent. Realising that his title to the dignity of Earl of Moray was unsatisfactory, on 5th June 1592, he obtained an Act of Parliament in his favour confirming the charter under the Great Seal of 1st June 1566.² He died on 6th August 1638.

James, his only son, the great grandson of the Regent, succeeded him, and became the third Earl of Moray. He died on 4th March 1653.

Alexander, fourth Earl of Moray, whose letters are here reported, was the eldest surviving son of James, third Earl of Moray, and Lady Margaret, eldest daughter of Alexander, first Earl of Home, after whom he appears to have been named. He was the great-great grandson of the Regent Moray. He succeeded to the title and estates of Moray upon the death of his father, on 4th March 1653, and was retoured heir to him on 23rd June of the same year.

The Earl of Moray continued to enjoy his title and estates for the long period of forty-seven years. He held several important offices of State, including the high office of Commissioner to the Parliament of Scotland. He was immediately after the restoration of King Charles the Second, on 13th October 1660, made Sheriff of Inverness.³ He thereafter served on several parliamentary commissions. Falling in with the policy of the Government, he was employed by the Privy Council in suppressing the Covenanters. For this purpose he received various commissions to fine, apprehend, and imprison them. But it was only after he had held the title of Earl for twenty-two years that he was called to hold any office of State. On 1st June 1675, he was made Justice General in room of John, second Earl of Atholl.⁴ With this appointment the Earl of Moray received, on the 22nd of the same month, a pension of £200.⁵

In the Extracts of the Diaries of Alexander Brodie of Brodie, printed for the Spalding Club in 1863, there are numerous references to the Earl of Moray, with whom Brodie was on terms of intimacy. By Cromwell's Act of Grace, in 1654, the Earl had been fined to the extent of £3,500. Although the sum was

¹Register of the Great Seal, Vol. V. Nos. 426, 1604: Register of the Privy Council, Vol. III. p. 450; Vol. IV. pp. 307, 464, 494, &c. Acts of the Parliaments of Scotland, Vol. III. pp. 230, 276, 290. ²Acts of the Parliaments of Scotland, Vol. III. p. 629. ³Register of the Privy Seal. ⁴Ibid. ⁵Ibid.

subsequently reduced to less than a third of that amount, some of the references made to the Earl in the Diaries of Brodie in adverting to the fine mention the straits and distress to which the Earl was reduced in consequence. This state of matters did not continue, however. Under date 1672, Brodie records that he heard the Earl of Moray had got sentence against his mother for 12,000 merks a year of her life rent.¹ In 1676, shortly after the Earl's appointment to be Justice General, Brodie again speaking of him says he is "swimming in welth and honour and increas and does what he will."²

The Earl of Moray was one of the Scottish nobility who was considered to have interest and influence in the north of Scotland, and who, along with Huntly, Atholl, Argyll, Mar and others, towards the close of 1677, was employed by the King and Council in levying the Highland Host with a view to let it loose upon the tranquil West of Scotland. After this Host had overrun the country and had committed the most barbarous outrages, so that representations were made to the King by the suffering noblemen and gentlemen of the West, Moray and Colington were the persons sent to Court with a letter from the Council craving the royal approbation for its proceedings. In these ways the Earl of Moray continued to be forward and zealous in the work of the Government. This secured him Court favour.

In 1677, and again in 1678, Moray received, under the privy seal, grants of pension. In the former case, on 26th February, the amount of the pension bestowed was £400.³ In the latter instance, on 2nd October, it was £500.⁴ He had other rewards also given him. He was made a Commissioner of the Treasury on 27th September, 1678,⁵ and an Extraordinary Lord of Session, in room of the Earl of Kincardine, on 17th July, 1680.⁶

Another and greater honour was conferred upon Moray in 1680, when, in that year, Lauderdale, the prime mover in all the violent measures of the time, being stripped of his offices, Moray was appointed Secretary of State in his place.⁷

It may not be inappropriate here, although it does not form one of the series of letters included in this Report, to give the letter which Lauderdale upon hearing of his dismissal wrote to his friend and relative, Sir Thomas Craigie, of Glendoich, a Lord of Session and Clerk Register. In the letter Lauderdale affects satisfaction and contentment with what had taken place as regards himself, and also with the appointment of the Earl of Moray as his successor. It is as follows:—

“Ham., 13th September, 1680.

“Monday, late at night.

“My Lord, Having now at last by God's blessing and the King's goodness, after long and earnest pressing obtained his

¹Diaries, p. 332. ²Ibid. p. 356.

³Register of the Privy Seal. ⁴Ibid.

⁵Senators of the College of Justice by Brunton and Haig, p. 411. ⁶Ibid.

⁷Register of the Privy Seal.

Majestie's leave to demitt my office of Secretary ; and his Majesty having been pleased to fill that place with a most worthy, loyall and able man (the Earl of Moray), you may be sure my mind is, God be thanked, very much at ease. Upon this occasion, I doe desire your lordshipe, with the advice of Sir George Lockart to draw up a patent for the Earle of Moray to be sole, and only Secretary of State, &c. I doe also desire you with the same advice to draw an ample and full exoneration and discharge from his Majesty to me for my actings, omissions, commissions, and others, whatsoever, in the said office, and in all and every of the other offices and stations wherein I was entrusted by his Majestie ; and for this effect you may show my last exoneration to Sir George, because I remember that I was told he was of opinion that there was *some defect* in it ; if so I doubt not but you and he will take care that nothing be amisse in this my *new*, and, I hope, my last exoneration. These two papers I doe *earnestly* beseech you to send to me against my returne from the Bath, &c.¹

“ It was my right arme wher I was bled this day, which makes [me] use another hand. My service to Sir George Lockhart. This must serve you both. I am, your most affectionate servant,
“Lauderdale.”²

The letters of the Earl of Moray included in this Report embrace the period from 11th May 1682 to 1st August 1685—a period covered by the Second and Third Reports upon the Muniments at Drumlanrig Castle. While the letters in this Report to some extent deal with the same subjects as those in the two previous Reports, they do not always do so from the same point of view, nor yet do they present them in the same way, nor express the same opinions regarding them.

About thirty of the Earl of Moray's letters written in the years 1682, 1683, and 1684 to George, first Earl of Aberdeen, Lord High Chancellor of Scotland, have already, in 1851, been printed for the Spalding Club, in a volume entitled “ Letters to the Earl of Aberdeen, 1681—1684.” These are not reported here, but a much larger collection of his letters is now made available for the public in this Report.

The period from the Restoration to the Revolution is one of great historical interest and importance. Much has been done in recent years to elucidate the history of it. As a further contribution in this direction, this and the two immediately preceding Reports upon the Drumlanrig Collections are not without value.

The letters of the Duke of Hamilton and of John Graham, of Claverhouse, already reported, were for the most part written from Scotland. The Earl of Moray, as Secretary of State for Scotland, was resident at Court, and his letters written from

¹Inquiry into the law and practice of Scottish Peerage, &c. by Mr. John Riddell, Vol. I. pp. 216, 217. ²Ibid. Mr. Riddell states that this concluding paragraph is written by the Duke himself in a feeble and tremulous scroll the rest of the letter having been written by his secretary.

England therefore form the complement of the others. They to some extent furnish details of letters sent to Court by the various government officials in Scotland, give an insight into the influences brought to bear upon the King in regard to public affairs, and contain the sentiments and instructions of the King and the views of Moray himself upon Scottish affairs. In short they supply a daily or weekly record of much of what passed at Court with reference to Scotland.

William, Marquis and Duke of Queensberry to whom the letters were addressed, was, during the period in which they were written, Lord High Treasurer of Scotland. The first letter in the series is dated 11th May 1682. The date of the commission of the Marquis to be Treasurer is a day later, or 12th May 1682. Besides holding this important office, the Marquis, now Duke of Queensberry, was Commissioner for King James to his first parliament which assembled at Edinburgh on 23rd April 1685. It was only to be looked for when the Duke became the representative of the King in parliament, and held the office of Commissioner in conjunction with that of Treasurer, that the Earl of Moray, as Secretary of State, should have occasion to write a greater number of letters to him than when he was only Treasurer. This accounts for the fact that more than half of the letters of the Earl of Moray in this Report are addressed to the Duke as King's Commissioner.

Although the period is subsequent to that of the letters in the Report, it may be noticed here that in the second session of the first parliament of King James, the Earl of Moray was appointed Commissioner instead of Queensberry. There was much in common, in disposition and character, between the Duke of Queensberry and the Earl of Moray. But in regard to principle the event showed that the Duke had the advantage of the Earl. Previous to his Grace being made Commissioner he had intimated to the King that he would not be a party to any innovation in the church. Moray, on the other hand, finding it to be the way to preferment, abjured his religion, declared himself a Roman Catholic, and was appointed Commissioner in room of Queensberry. His commission is dated 19 March 1686. It was predicted that as the regent Earl of Moray had made the penal laws against the Roman Catholics, the Earl of Moray, his descendant, should remove them. This, however, the fourth Earl of Moray did not succeed in accomplishing.

Several of the letters (Nos. 67, 83, 84, 92, 99, 104 and 107) included in this Report either at length or in abstract, were, in 1862, printed in whole or in part by the late Mr. Mark Napier in his *Memoirs of Dundee*.¹ Sir William Fraser has already pointed out in the Third Report upon the Drumlanrig Collections that in printing the letters of Claverhouse in the same work, Mr. Napier had altered the spelling of the original letters.² A collation of

¹Vol. I. pp. 347, 348; Vol. II. pp. 369n, 424n; Vol. III. pp. 435-437, 438-440, 441.
²Third Report p. 166.

Mr. Napier's print of the letters of Moray with the print of them in this Report will shew that not only is the spelling modernised, but also that Mr. Napier has by mistake in some instances, fortunately not very numerous, omitted words in the original letters, and in others inserted words not in the original letters. In other cases still, mistaking the writing, he has given words not used by Moray.

After the accession of King James the Seventh to the throne the Earl of Moray made large use of a cipher in his correspondence with the Duke of Queensberry. The cipher and key to it (No. 94) were sent by the Earl to his Grace in a letter (No. 95) written on the day of the King's coronation.

SECTION SECOND.—Letters from the Hon. John Drummond of Lundin, afterwards Viscount and Earl of Melfort, to William Douglas Marquis and Duke of Queensberry.

The Hon. John Drummond, who was afterwards created Earl of Melfort, belonged to the noble family of Perth. He was the second son of James, third Earl of Perth, by his wife Lady Anne Gordon, eldest daughter of George, second Marquis of Huntly. James, Lord Drummond, his elder brother, on the death of his father, on 2nd June 1675 succeeded to the family title and became fourth Earl of Perth. The two brothers were both advanced to positions of high distinction in the government of their country. But they were as unfortunate as they were distinguished. James, Earl of Perth, the elder brother, became Lord Chancellor of Scotland, and had the chief power in that kingdom during the reign of King James the Seventh.

John Drummond, in 1680, had the two appointments given him of General of the Ordnance and Deputy Governor of the Castle of Edinburgh. Being handsome and of pleasing manners, he became a Court favourite. In August 1682, when Queensberry was appointed Lord High Treasurer of Scotland, John Drummond was made Treasurer Depute. When he received this appointment, he wrote to Queensberry (No. 180), and having informed him that the Duke of York had procured him the office, he adds, "I assure your lordship, I hav no greater satisfaction then that I shal hav the oportunity to show how obsequious I shal be to your lordship." His duties in this office appear to have fully occupied his time. In another letter to Queensberry a year later, on 25 August 1683 (No. 196), he says his time is "extreamly precious" to him. "I doe nothing but attend, speak in our affairs, or ureat, since I cam hither. I hav not hardly taken time to eat my meat; for the one half being at London, and the other at Windsor maks the mater mor difficult." Although so much occupied, John Drummond's letters are frequently long, for which he apologises (No. 214) "once for all," craving "pardon for the leinth, confusedness and other errors of my letters, seing they are wreaten in such haste that I am not able to get them mor correct."

His letters are sometimes unsparing in their reflections upon others. Of the Bishop of Edinburgh (John Paterson) he says (No. 196), "He is the most impudent of mankinde, for he attests me as a wittness of his litle meddling, his abstractness from the affairs of the toun, &c. But I hope he shal flitt his nest." Of a letter from the Bishop, in the same letter, he says, he, and Middleton, to whom he read it, "did lauch sufficiently at it." Upon Middleton himself a few weeks later he turned the laugh (No. 210), "I told you always right of him, he is the oddest man in the world, and is now as humorsome as the winde. But he is ingadged past retreat, and just as he had done all he could for us, he so discredited himself, that I fear not his after game. . . . We take no notice of him but to laugh at him."

Evidence is never wanting of his loyalty both to King Charles the Second and his brother the Duke of York. In a letter (No. 213) he states that he purposed to have portraits of them painted by Kneller for his chambers at Holyrood, at his own cost, the King and the Duke having agreed to sit for them.

There is a hiatus of about ten months in the letters of Drummond reported upon, between (No. 229) 30 November 1683, and (No. 230) 25 September 1684. He was, on the first of these dates, on his way to Scotland, where he remained until November 1684, when he returned to London. Till the close of September 1684, he was apparently in Edinburgh or its vicinity, where he would have opportunities of meeting with Queensberry which would obviate any necessity for his writing to him. But in the beginning of October, he was sent to Glasgow, where he was for the greater part of that month, and from which place he wrote many letters to Queensberry, which shall be noticed shortly.

After the Earl of Moray had been Secretary of State for Scotland for about two years, Charles, second Earl of Middleton, was, on the 26th September 1682, associated with him in that office. But on the appointment of Middleton, on 26th August 1684, to be one of the principal Secretaries of State for England, John Drummond succeeded him as Secretary for Scotland, an office which he continued to hold till the Revolution.

Letter No. 231 is endorsed, probably by Queensberry, after Drummond was raised to the peerage, "Earl Melfort's letter when made Secretary." The enclosure in this letter which Drummond speaks of sending to Queensberry, who was Treasurer, was evidently a copy of letters appointing him to be Secretary. In the letter itself Drummond evinces solicitude upon the subject of the emoluments of his new office. The letter of appointment, he says, made no mention of a pension to be given him. But he was convinced the ordering of the matter would be in Queensberry's hand, and he makes many protestations of confidence in and regard for him, "under whoes protectione, I intend to liv the rest of my days." He acknowledges the many obligations he was under to serve him and his interests, next to those of the royal family,

and it was his wish that he might "be able to return such services, as, at least, may not make me appear ungrate, for to be able to requite them is more than I can hope for." Drummond's subsequent conduct to Queensberry two years later is an instructive commentary upon these statements.

The year 1684 begins the period known in history as "the Killing Time" in Scotland. Drummond took an active part in the severe measures adopted against the Covenanters at this time. As already indicated, he was during the most of this year in Scotland. In October, he was one of the Judges on the Western Circuit. This required his presence in Glasgow. He wrote from there the series of letters in this Report giving an account of his proceedings. His letters show how exceedingly zealous and active he was in these. Letter No. 235 gives a journal of the "Justice Raid" in Lanarkshire. He writes "Duke Hamilton and I haranged furiously and spock to all I was acquainted with to bring them to offer," mentioning their success. To enforce their schemes, Drummond says, he was resolved "to go the leinthe of the Leache." Those who would not comply, he adds, "shal repent it, or our instructions shal be deficient." His zeal was such that he and his associates had been "in constant business since 8 this morning, and now it wants but a quarter of 12 at night."

Letter No. 240 furnishes further information of the doings of the Western Circuit, and states the condition of affairs in the district over which it had jurisdiction. The letter proceeds to state that their minutes would shew if their example was followed by the magistrates of the country, "we shal see fanaticisme as great a monster as the Rinoceros."

The case of Porterfield of Douchal has been regarded as an outstanding one in the Western Circuit. Porterfield came to be known as "Melfort's Martyr." On this account, Drummond's reference to it in letter No. 240, where he states his recommendations regarding it, is of interest.

Subsequent letters in the Report continue to supply information regarding the measures adopted against the "fanatics," and the part Drummond had in them. In letter No. 242, Drummond states the difficulties they found in dealing with the heritors of Lanark and the uncomplimentary views he entertained of them. He says, "This whole country consists of a sort of mungrell currs, half heritor, half common and whole brute;" and that hundreds that might have been judged on the spot must be remitted to Edinburgh. The unsatisfactory "great heritors," "are innumerable as the rogues we hav to deal with," and he adds "aither Scotland is in ane ill conditione, or we hav more disorders then any tuo districts besides."

Towards the end of 1684, and in the early part of 1685, Queensberry and Claverhouse were not in agreement. The occasion of the breach was the part the latter took in favouring

a bill given in to the Council against Colonel Douglas, the brother of Queensberry. The Premier took the part of his brother and resented the action of Claverhouse. Drummond makes frequent mention of the conduct of the latter to Queensberry in his letters, and always in the way of denouncing it. He brought the matter under the notice of the Duke of York and states the displeasure the Duke felt at Claverhouse in the matter. In letter No. 276, he says of Claverhouse, "if he will play the fool he most drink as he breüs." In letter No. 281, the last in this Report, dated 16 April 1685, Drummond, who was now Earl of Melfort, intimates to Queensberry the King's interposition in his favour in the matter, by ordering Claverhouse to give Queensberry satisfaction.

The year 1685 opened with a display of unabated zeal upon the part of the Government and its officials against the Covenanters. Jealousy was now more than ever manifested lest any mercy should be shewn them either by the King or by those under him. Drummond's letter, No. 267, while giving an example of this, makes it abundantly evident how little leniency to the Covenanters accorded with the policy of the government. He refers on 29th January to rumours of the King's intention to adopt new and apparently milder measures and to release some prisoners. Queensberry appears in some alarm to have mentioned the rumours to Drummond, who replies, "As for new measures, fear them not; the suggestion of them is in enmity to the King and Duke, and what neuer entered in ther thought to doe. So think thes stories lyes." As for the other matter, he assures him on this also, saying it was only "some loyall subjects imprisoned by reason of Oats' plott." Of any other course, such as had been imagined, "I am sure my principalls are so farr from that, that I uold clamor higts befor thes fanatiques get any rest to truble us mor."

The first reference to the illness of King Charles the Second which terminated in his death is in letter (No. 268), dated 5th February 1685. In this letter Drummond reports that the King continued to grow better and better, and that a return of feverishness the previous night had been met by giving him "Jesuites powder" twice during the night, which relieved him, so that he was better than he had been since the beginning of his trouble. The King died a day later, on 6th February 1685, and was succeeded by his brother, King James the Seventh. Moray and Drummond, the two Secretaries, on the day of the King's death wrote to the Council in Scotland reminding them to have King James proclaimed with the usual solemnities, and enclosing a proclamation of his Majesty. This letter which is printed by Wodrow,¹ is not included in the collection of letters here reported. But it is alluded to in letter No. 269, which also gives some account of the King's death and of the proclamation of King James.

¹History, Folio Edit., Vol. II. No. ci. B. p. 141.

Particulars are given of the ceremonials connected with the succession of the new sovereign and of the arrangements for the funeral of the late King in letters Nos. 270 and 271.

The accession of King James to the throne which had been matter of dread anticipations was in its actual accomplishment a most tranquil event, everything relating to it proceeding quietly and pleasantly. Letter No. 272, written on 10th February 1685, and of which an abstract is given in the Report, alludes to this. It states, "The face of things continous so smooth, that it looks like a miracle to imagine that ther should hav bein so great fears for a thing so litle dreedfull in itself. I assur your Grace that ther is the fairest hopes that euer any King of England had."

On 14th April, 1685, King James, immediately after ascending the throne, advanced John Drummond to the peerage as Viscount of Melfort. Drummond makes no mention of this promotion in his letters. The Viscount was, a year later, on the 12th August 1686, created Earl of Melfort.

The charge of baseness has, not without good ground, been brought against Melfort by Macaulay.¹ He and his brother, the Earl of Perth, were men of towering ambition. Discerning that nothing would gratify the King so much as apostacy, they abjured the Protestant faith and went to hear Mass. To justify this proceeding, they declared that the papers found after his death in the strong box of King Charles the Second had converted them. This step secured to them so much of the royal favour that, upon the strength of it, they attempted to bring about the downfall of Queensberry as Chief Administrator of Affairs in Scotland. In this they ultimately succeeded, and thereby obtained that coveted position for themselves. The advantages gained, by Melfort at the expense of his reputation proved only temporary. At the Revolution adhering to King James, who made him Duke of Melfort, he was attainted.

The Earl of Melfort was twice married. On April 30th 1670 he was married to Sophia Lundin, and had issue. She was sole heiress of the family of Lundin, and by her the Earl obtained the estate of that name from which he took his territorial designation before receiving the peerage. He married secondly, Euphemia, daughter of Sir Thomas Wallace of Craigie, by whom he had also issue. The children of his first marriage were brought up Protestants, against their father's wish, by the family of Lundin. A clause in the Act of Forfeiture provided that the forfeiture should not affect or taint the blood of the children of the Earl's first marriage. G. H. Heathcote-Drummond-Willoughby, the present Earl of Ancaster, is the lineal descendant of John Drummond, Earl of Melfort, and his wife Sophia Lundin.

¹History of England, Ed. 1854, Vol. II. pp. 112 and 113.

SECTION FIRST.—Letters from Alexander Earl of Moray, Secretary of State for Scotland to William, Marquis and Duke of Queensberry, 1682—1686.

(I). LETTERS from 11th May 1682 to 16th August 1683.

Whythall, May 11 : 1682.

1. On Tuisday morninge I uent to Windsor to giue his Majesty account of the tumult that hapned at Edinb : on the 2^d and 3^d of this monthe accordinge to the information I reseaved from the councill the night befor by a flyeinge paket. The Kinge hes commanded me in his name to tell the Marqus of Atholl uho urot to me that he is ueall pleased uithe the counccills caer and diligens on this occatione, that he expects speedy justice uill be done on sutch as haue bene the principall contryevers and ring-leaders of it, and that th[e]y uill fall on sutch sutable messurs as may secur the peace of that citty and prevent sutch daengerous disorders in tyme cominge. I uould say nothinge publictly to the chancellor untill uee hear from Scotland of his instalment. And now I must tell you houe greatly the Kinge and uhall court uear surprysed at a letter the E. Connanny reseaued from the deputy governor of Hull that night shewinge that the Gloster Frigat in which His R. Highnes saeld uas stranded on the Lemon Sands, but that the Dwk was saefe aboard of a yaucht and holdinge on his cours to Scotland. God Almighty be prased for his saefty and uealfaer. Longedoe wee louk for the happy news of his saefe arryvall there. This uould be as surprysinge to you as it uas to us, altho its lyk you uould hear nothinge untill your coming to Edinb : or the arryvall of this post uher you ar on the rode.

I shall not trouble you now uithe any bussines, but besitch you to mynd to speke uithe the Dwk conserninge the pyment of my 3000 lib. ster. assinged by the Dwk of Lawderdall out of his pensione on the excesens of the excyse. Seinge that is now taken auay, I houp you uill fall on some effectuall uay for my pyment uich uould ruien my credit hear, iff it uear delayed. I relye on your frendship in the matter.

Postscript:—Pray remember what I spoke to you conserninge the Laird of Balnagowne.

Windsore Castell, May 30 : 1682.

2. “ I had the honor of yours of the 20th instant and delyverd your letter to His R. Highnes my self. Ther can be nothinge of bussines moved or done hear this week, for on Sunday last His Majesty, in tyme of sermone toke a shifferinge couldnes that oblidged him to come from the chapell and uas ill all that day. Yisterday morninge he driw blood, and this night rested weall, and this morninge he is, blessed be God, hearty and all simtoms over, and will ryse in the afternone. The occation of his distemper as all hear conclude uas that plaeing att Tennes on Friday last and haueinge a lousnes in the midell of his play, and in his

sweeting cloathes went up staers and stayed a quarter of ane hour and came bak and playd tuo sets mor, and so catched could : but blessed be God he is now pritty ueall, and all daenger of any furder distemper over, and the Dwk goes this afternoone to London. You may be confident I shall be verry caerfull to mynd bothe the Kinge and the Dwk that things be not granted till you be acquainted. The Dwk rede your letter when I was uithe him, and tould me you had urytin so to him. I shall tak caer when the papers you mentione come to my hand that th[e]y haue all possible dispatch."

Concerning his own particular, on the word of a gentleman he assures the Lord Treasurer that he never had any security from the Duke of Lauderdale for payment of the profits of "my office thes tuo years past, but ane assignation to his gift of the excresens of the inland excyse, to pye myself out of the first and rediest of it." He had shown it to the Lord Chancellor and he expected Queensberry's friendship in the matter, "for I am sure the Kinge and the Dwk uill tak caer of my conserne." Lord Halton had been there, but had left the previous day. "The Dwk would not so mutch as allowe me to delyver the counccills letter to the Kinge till he is perfectly ueall, so that all matters stops for some days."

Whythall, June 17 : 1682.

3. Was glad that all matters went so well with Queensberry. For the Treasurer-depute's affairs, Moray was a stranger to what was done by the Commissioners. He heard little rumour of him there. In public or private matters relating to him, "I hear so littill noice that it is my wonder uhat can occatione so mutch ther ; and to deall plænly uith your Lordship, I sie littill caus for any to brage of ather. He has bene at Ham : this week past, and aboue, and I belive is as wyse now as he was at his first goeing there." The Treasurer's commands should be obeyed when the Earl of Traquair came : the obligations between Traquair's family and the writer's were such "as oblidge me never to be uantinge in doing him all the acceptable service in my pouër." In reference to the excrescence of the Excise, "I am owinge most of the monny, and am dayly urged for pyment."

Windsor Castill, June 20 : 82.

4. Ther is a petitione presented to his R. Highnes by Charles Houp, now of Hoptoun, and his tutors, for ane exemption from the customs for his lead mynds. I tould the Dwk that it conserned the Kings revenue. I desyrd befor any thinge should be sayd in it that I might send it to you, and haue your returned which he commanded me to doe, so that I haue inclosed the petitione itself. Ther was also moued by Sir Will : Paterson to the Dwk for a gift of the esheats of two or thre persons that uear pursued in the assize of error. The Dwk desyrs your lordship uill send me informatione uhat may be the triw vaelue of them, for iff it be no great matter he inclyns to giue it, so you uill send the Returne as sone as you can conveniently. I am so straetned uithe tym that I can not possibly say more by this post.

Postscript :—Lord Haltoun is to goe to Scotland, and to be ther aganst the Councill day, the 4 of July. The Kinge this morninge signed a pension of fyffe hundred pound yearly to E. Arran uithe mutch kyndnes, and fild it up uithe his oun hand, and sayd it showld be punctually pyed him. Ther ar also others, uharof you shall haue account by next post.

Whythall, July 6th : 1682.

5. Queensberry's new commission, the private instructions and the others to be communicated to the Exchequer were "drawing out faer for the Kings hand," in the terms his lordship desired. "So is the new commisione for the Exchequer, in which the E. Bredalbine and Lord Elp[h]iston ar left out, and the Earle of Southeske aded to it." The Duke went that morning to Windsor and would not return before the following night. He had delayed till his return the adjustment of the lists of fees and pensions. Moray had also moved the Duke about his own particular, "that the assingment I had from Dwk Lawderdale for the tuo years profits of the Signet amonting to 3000^{lb} sterli: upon the excresens of the excyse might be pyed me, as His Highnes promised befor the Kinge uhen your lordship uas present. He axed me uhat I uould propos. I tould him that the current year of the excresence of the inland excyse uas the most naatural *fons*, but that I uould not offer any thinge myself but leauie it to you." The Duke was to write to Queensberry on the subject. He is sure of his lordship's favour and kindness in the matter. The King had given a call to the Bishop of Edinburgh to come to Court to inform him of church matters.

Whythall, July 8 : 1682.

6. Received his letter of the 29th of June yesterday. Last night His Royal Highness returned from Windsor. Moray had pressed to have the two Commissions and Instructions now ready for the King's hand dispatched. But the Duke said it was impossible, for he could not adjust the lists of pensions with the King till he was at Windsor. That evening the Court went to Windsor, and the Duke had appointed him to be there on Monday. "Ther ar no mor pensions past but sutch as I acquainted you of befor, viz. E. Perth, E. Strathmors, which ar 300^{lb}. a pice, and on of 100^{lb}. to E. Kintore." He refutes a story of Sir Patrick Murray's about his own particular, and had never "any transaction, right, or paper, or obligatiōe of the Dwk or Dutches Lawderdall," but the assignation of his gift of the excresence of the inland excise.

Whythall, July 25 : 1682.

7. When Moray was at Windsor on Saturday last His Royal Highness spoke to him to pass all the papers now sent by this post, viz. A Tak in favour of the Sheriff of Bute (Boote); A gift of last heir in favour of Sir John Drummond; A Warrant to pay Sir William Patersone £150 out of the escheats of Blair and others; And one to Mr. Thomas Gordon for £100 out of these escheats. The Treasurer had advised both precepts to be alike,

but His Highness "would needs haue Sir Wills 50^{lb}. mor then the other." In the packet there was a letter to his lordship and another to Duke Hamilton ordering lodgings in the palace of Holyrood house to be given to the Earl of Linlithgow. His Highness "commanded me to tell you that he wished you to giue him the lodgings that the Countes of Peterburrow had, and sayd he would uryt of it to you himself." The Secretary had informed His Highness fully of the information sent by Queensberry concerning Hopeton's petition for abating the custom of the lead mines which His Highness now thought no ways fit to be granted. A memorial had been presented to the King of some affairs between the Duke and Duchess of Monmouth and Earl of Tweeddale, &c. The Duke was willing a small gift should be given to Douglas of Stennous, sheriff depute to Queensberry, "a deservinge person," of the forfeited estate of one Gibsone of Inglistoune, which would not be above £15 or £20 yearly. Moray asks Queensberry to send the draught of such a gift.

Whythall, July : 1682.

8. Some small additions had been made to the list of pensions. £100 added for the charges of the Secretary's office. About his own concern the Duke told him he had written to Queensberry, and he doubted not of the latter's friendship and dispatch "in so conserninge a matter to me."

"The Kinge commands me to tell you that iff you can from any frends or others gett any labored hawks that ar good falcones, or tersils of falcons, that you uill send them up as sone as can be uithe a knowing and caerfull hand, uho uill be rewarded for his paens. The Marqus of Montros has a verry good torsill. E. Aerly and E. Louthian haue all hauks. But your lordship uill inform your self better on the place then I can tell you; but I assure you 3 or 4 good labored hawks uill be a verry acceptable present to his Majesty. But if you send them be sure th[e]y are good, and lett them be hear aganst the end of Agust at furdest. Besitch you lett me know uhat may be expected that I may tell the Kinge of it, for I tould him iff ther uear any in Scotland, I uas sure you would gett them for him."

Whythall, July 29 : 1682.

9. I had the honour of yours of the 20th instant, and shall as sone as I goe to Windsor (uwhich uill be in a day or two) mynd bothe the Kinge and His Royall Highnes of your presept uharof I houpe you shall haue some account by the next or follouinge post. I shall be glade your Lordship gett some good hawks for the Kinge uwhich I assur you uill be verry acceptable, and he is in expectation of them about the midill or end of Agust at furdist. The Dutches coms from Windsor on Vednesday next, and stays that night at Ritchmond on her uay to St. Jamesis. Wee ar not yit certine of the tym the court leaws Windsor.

Whythall, August 3d : 1682.

10. Various matters which the Treasurer had desired had been dispatched, among others a letter to his Lordship appointing him to qualify the signature granted for erecting the Wine Company; "to indure only duringe his Majesty's pleasur. The gift of ward and maeriedge of John Irvinge in favors of Sir Robert Grierson of Lag and the remisione in favors of Andrew McMillane." He would keep the Duke in mind of Queensberry's own precept, and also a request that had been made to the Secretary by Colonel Douglas, Queensberry's brother. "Besitch you hast the hawks to the Kinge, uith som carfull and skilfull persone."

Postscript:—Captain Straton's precept for £100 when he was sent up express with the parliament's letter to his Majesty had been renewed, not being yet paid.

Whythall, September 19 : 1682.

11. "I orderd Sir Andrew Forrester to send you full accounts of all matters duringe the tyme of my retyrment which I houpe he did. Now I haue order to draw your commisone for the command of the Castill of Edinb. which the Dwk uill haue to be as Constable and Governor. I presed all in my poure to haue it exactly as the late Dwk Lawderdale had it, but he sayd the Kinge had resolved upon it, and that Major Whyt showld be the Kings Lt. Governour, uithe full poure to command in your absence, as your self, uithe all cassualtys inioied by Lunde or any other in that statione befor, and uould haue the sutlerry exprest, nothwithstandinge that bothe Lunde and I urged it might be in genneralls as formerly. I shall, as sone as the commisions are ajusted send coppys of all to you, and iff possible Sir Andrew Forrester shall send them by the post."

Whythall, October 3rd : 1682.

12. "The Kinge hes now had a tryell of the hawks you sent him, and all of them proue ueall, and his Majesty commands me to returne you his thanks for them. Sins the E. of Midletone uas joind uithe me in the Secretary's office I haue not till now urytin to your Lordship. All I shall say is that I heartily acquess in his Majestys pleasur in that as in all things els, and uhatever capasety I am in, your Lordship shall aluays fynd me most fathefully yours." The King had written a letter to the council intimating that all papers except such as immediately concerned himself should pay fees before they were taken out of the office at Whythall.

Whythall, October 26 : 1682.

13. "Ther ar tuo or thre of the hawks that came from Scotland died, but non of the best, and the Kinge himself tould me sins he came from Newmarket, that two of them are as good as euer he saw . . . As for the Histerographers place, it is a thinge I had nather hand nor conserne in, but as I uas commanded by the Dwk to pas it uich uas accordingly done, but

uith no sallary or pensione." The Treasurer Depute's commission had been past as the Treasurer had seen it. The pensions and precepts lately passed were Countess of Casillis £300 yearly; Lieutenant G[eneral] Drummond £200 yearly; to the Lord Register and the Treasurer Depute £200 a piece; to E[arl] Perth £300 for his journey; to Countess Marischal £100. The Duke of Hamilton was expected next week. Yesterday Alderman Pritchards was declared Lord Mayor of London; and matters would now go as well as heart could wish in that city. The Duke of Monmouth was before the King's Bench the very first day of the term, "but it uill tak some tym befor uee shall know the event of that process. Ther is also a process aganst Lord Gray of bothe adultery and incest to be befor the judges this ueek for keeping his Lady sister E. Barclay daughter and detening of her: but the saents haue right to all things and can doe nothinge amisse." The King and Duke had both promised him payment of his sum out of the fines as the readiest "fons," wherein he asks the Treasurer's favour.

Whythall, October 31 : 1682.

14. About commission concerning "sumtouns" affairs regarding which it was feared there had been some irregularity, and a copy obtained from the Secretary's Office. Inquiry was to be made.

Whitehall, 7 November : 1682.

15. Moray was commanded by his Majesty to let Queensberry know his Majesty's pleasure, that on Major White's entry to his charge of Lieutenant Governor of the castle of Edinburgh, and Lieutenant of the company in garrison there, he should pay to the Treasurer Depute "so much money as remains in arrear unto him by the said company, not exceeding the daily allowance appointed for their subsistance." This money was to be reimbursed to Major White out of the arrears of their pay as soon as it was in readiness to be paid to them.

Whythall, November 11 : 1682.

16. Some days ago the Duke had ordered Moray to draw a precept for 200^{lb.} to the present provost of Edinburgh for last year, but the pension to fall in time coming; and one for 100^{lb.} to the clerks of council. "Ther is also a letter to the Lords of Sessione appointinge Wachobe of Edmistoune to be on of ther number." He had spoken to the King and the Duke of the letter Queensberry desired regarding the Fishing Company, and both the letter which was drawn as the Treasurer had advised, and private instructions for dissolving the Company were to be sent by that or the next post. He had difficulty in the business of Queensberry's cousin Murray and of Stannous's commission.

Whythall, November 14 : 1682.

17. He had that morning again spoken with His Royal Highness about Queensberry's cousin's business and urged it with all possible zeal "beyond uhat I could haue sayd had the conserne bene my oune, and yet uithout success. He sayd he uould

uilingly doe all the kindnes he could to any of your relations, but bid me tell you that his Majesty haueinge resolved hensfordward to allow no seall of military employments he could not possibly aduise the Kinge to the contraery," for if the King did it in a single case, it would destroy the rule resolved on, and others would expect the same favour, or think themselves unkindly used.

Whythall, November 16 : 1682.

18. Had Queensberry's of the 6th from Sanquhar. Letters about the Fishery Company had been sent off. "Earl Middleton told me this night that the Dutchess of Portsmouth's gentilwoman had moved the Kinge for a gift of *Ultimus heres* of on Thomsons, and that he had orders from his Majesty to mak a reference of it to your Lordship, which is all I know of that matter." The Chancellor's patent to be an Earl was drawn : but could not be expedite till advice came from himself, and what titles he would pitch upon.

Whythall, November 18 : 1682.

19. This is only to congratulat your saefe returne to Edinburgh[urgh]. I told you in my last that the Kinge had giuen orders to E[arl] Middleton to mak ane reference to your Lordship on a petitione presented to him by Mrs. Rotch, the Dutches of Portsmouthes Gentiluoman, which I haue singed, beinge yet in uaetinge. The gift of *Ultimus heres* she desyrs is certinly the proiecte of some other persone, who hes put her upon it, and certinly is to haue a snipe of it iff it be obtaend. I know nothinge les or mor of the matter then I haue told you, but it uill be no good preparative, iff sutch things be obtaend by persons not conserned in Scotland.

Whythall, November 25 : 1682.

20. Was glad to learn that the Treasurer was pleased with the choice of Bannockburn for keeping the Signet. The Treasurer Depute left the information of his business with Sir Andrew Forrester, and never spoke a syllable of it to the writer. He had a letter from him last post and the substance would be communicated to his Royal Highness, who would give orders about it to Earl Middleton, then in waiting. He intreats the Treasurer to write to the Duke recommending payment of his 3,000^l. out of the fines of the officers of the Mint or what else Queensberry thought would be a good fund for payment. "My cace is nouvors then befor, and the profits of the Secretarys office beinge devyded, it uould be a sore strok to my faemely to pay that 3000 I lived on sins my comeinge hither, and gett no repayment, and not only pye that, but spend of my oune estate to liue in his Majestys service." The King and Duke had both given him as much assurance as he could desire.

Whythall, November 28 : 1682.

21. I had the honor of yours of the 21. Last night order uas giuen for a patent of a Lord Barrone to Sir George Kinnard. Coll. Church[i]lls is also drawn, whos titill is to be Churchill of

Aimouthe. Divers complaents haue bene sent to the Lords of Tressury hear, by sutch as collecte his Majestys customs on the borders, of sum ryotus actions done by some on the Scots syde ; but becaus I hau by the Dwk's order, wrytin of this to my Lord Chancellor, and sent him the coppys of sutch informatione as he had about it which your Lordship uill sie, I shall say no more of that. The Dwk is to wryt to your Lordship himself of 1000lb. sterlinge out of Thomas Mooddies Mortefications, which he thinks fitt to bestowe upon the byeinge or buildinge of a hous for the Bishoprike of Edinb[urgh]. A letter had bene sent from his Majesty to the Councill about it, but that the Dwk thinks his wrytinge to your Lordship uill be as effectuell and les trouble: and certinly it is a very commendable thinge, specially sins it taks nothings out of the King's purs. I lowk on myself as extremly oblidged to you for the kynd expressions in your last of my particular conserns and doubts not but by your freindshipe I shall obtaen uhat the Kinge and Dwk haue promised me, which uill put ane lastinge obligatione on me.

Whythall, Desember 2d : 1682.

22. It had pleased his Majesty and the Duke to make Moray's brother Archibald Lieutenant Governor of Stirling Castle. He would lay hold of the first opportunity for Queensberry's cousin, James Murray. "The Dwke hes bene all this day at huntinge, so that I can not possibly retorne account to all the particulars of your letter befor next post, that I haue tyme to discour them uithe his Royall Highnes." Queensberry's desire about Earl Southesk's business had been done long ago.

Whythall, Desember 5 : 1682.

23. On Sundays night the Dwk orderd Earle Middleton and me to attend him at his closit in Whythall, uhare I informed him of all the particulars contaen'd in your letter, and a littill ther-after uee uaeted on his Majesty to know his pleasure conserninge them. As to the first, conserninge Mrs. Rotches gifte of *Ultimus heres*, the Dwk tould the King he uished him to grant this to her, but, as I had proposed to him, besought his Majesty that hear-after he uould giue nothings of that naetur to any uho had no conserne in that kingdome, which the Kinge promised to obserue. As for the tinds of Furnuall, you haue that matter now befor your selfe. The best uill be to accomodat it ther without sendinge it more hear which I am sure uill be to Earle Southeasks advantage. As for Chrihtons remisione I had no furdur hand in it but to obaye the command I reseaved. I finde it louks ill, but uhat uill be done in it I cannot yet tell. I urged the gift for Posso to be his Majesty's Mr. Falconer as mutch as I could. The Kinge and Dwk bothe sayd that uas to increas the charge. I tould them it uas not mutch, but that his Majesty might be ueall served. The Kinge sayd he uould think on it : uhat uill be the event I can not yet tell. The most important bussines of all uas longe debaeted, viz. :—Major Whyt's account of the differences betuixt the Mr. of the Ordinance and him conserninge reparations,

plantinge of the guns, &c. The Kinge and Dwk orderd the Lord Dartmouthe to gett in wryt the method that ue observed hear; for bothe judge it fitt that on uay be observed in all his Majestys dominions, so that I can say littill furder of it till I sie his paper, only he sayd by worde of mouthe to the Dwk that the Mr. of Ordinance had the chiffe hand in all matters of that kynd. This morninge I showed the Dwk your report I reseaved by last post, but that matter beinge now determind, I need say no furder of it. H. gaue me orders this day for drawing a commision to Lt. Coll. Buchan to be Lt. Coll. of E. Mars regement, another for Captaine Balfouer to be Majore, and a third for Captin Liuetennand Fleminge to be Captine. It is left to E. Mar to recommend onto the Captin Lts. place; so I think it would be a fitt place for your Lordship to recommend your cussinge Stennous too. Sins the urytinge of the former part of my letter, I haue bene uithe his R. Highnes representinge the reasonableness of Posso's gift, and the advantage the Kinge uill haue by it, uithe littill or no more charge, all things considered then befor, so that now I think he is inclynd to it, as I belive he uill uryte to you this night himself, as he says he uill doe on all the rest of the particulars you urote of.

Whythall, Desember 16 : [16]82.

24. The Duke told him that morning that he was to write to the Chancellor and Queensberry concerning "the 1000^{lbs.} st[erling] of Thomas Moodies mortificatione desinged to bye or buld a hous for the B[isho]p of Edinb[urgh]." His Royal Highness doubted not, but on Queensberry's representation of it to the Council, they would proceed in it according to his Majesty's inclination. Moray had moved his Highness that Mr. Hall might be preferred to the place of his Majesty's Historiographer, with the pension Dr. Craford had, and had obtained his consent to it; by next post the gift would be sent to him. If his cousin James Murray were not recommended to the Captain Lieutenant's place in Earl Mar's regiment, he should have Lauther's place when he died.

Whythall, December 23 : 1682.

25. Moray had received the Treasurer's letter of the 16th and had acquainted the King and the Duke and the Duchess of Portsmouth that the little gift of *Ultimus haeres* Mrs. Rotche begged of his Majesty was clear undisposed of, which she was to get and had sent to Scotland for the draft of a signature. It would be easy for his Lordship to find out who was her correspondent there, and by that might judge who advised her. "It is kept verry closs hear, but I shall doe uhat I can to mak some discovery of it." Posso's gift was to be dispatched. "I finde Generall Dalyell and some others haue urytin that the cornet might be preferd to L[ieutenan]t Lawthens place, and Lord Charles Murray and his allay agents it hear. The Dwk himself tould me so last night and stuk at it; but this day I reniued my address, and he hes promised it shall be done, and that he uill

uryt himself to G. Dalyell and tell him he was ingadged in it befor he sayd any thinge of it." The new instructions for the Master of the Ordnance were ready, and Earl Middleton would pass them to-morrow or next day. His Lordship on seeing them would be confirmed in his opinion that "the methods hear uill not sute ueall ther, but the Kinge and Dwk must be obeyed, uich all of us uill doe most cherfully." Papilion, Player, Debuois, and the rest of the ill men were put out of the common council and good men put in their places, so that thanks to God the city was well established. Had waited that day on Lord Keeper North to wish him joy. Pemberton, who was Lord Chief Justice of the King's Bench was brought back to be Lord Chief Justice of the Common Pleas, and Sanders, a great lawyer, put in his place.

Whythall, January 9 : 168 $\frac{2}{3}$.

26. Moray sends his sincere and hearty wishes for a good new year. "Altho' Burnet haue bene wrytine to about a draught of that gift of *Ultimus heres*, yit doe I doubt that he hes bene the informer. The Arsch-B[isho]p of St. Andrews can easily clire you of it and it uear fitt to be known," &c.

Whythall, January 13 : 168 $\frac{2}{3}$.

27. About bedding for the castle of Edinburgh, the Master of Ordnance would survey what was necessary for it, make an estimate and send it up to the King, who would thereupon give order for payment. "The Dwk hes also appointed the B[isho]p of Edinbrurhe to uait on my Lord Chancellor and your Lordship for hearinge the Countis of Sutherlands pretentions to the Dean's hous, uharof I haue by his order urytin to my Lord Chancellor."

Whythall, January 30 : 168 $\frac{2}{3}$.

28. Was extremely glad that Queensberry was perfectly recovered from indisposition. "This day his R[oyall] Highnes, Earle Middleton and I uaeted on his Majesty and all the particulars recommended in your last to the Dwk uear moved and orders giuen conserninge them." First, a letter to be written to the Treasurer that all signatures of change of holdings should be stopped, both those passed the King's hand and not expedie and in time coming "uithout a particular warrand from the Kinge." Second, a letter of approbation of Hugh Wallace as Cashkeeper and Paymaster of the Forces. Third, a commission for James Smithe to be Surveyor General. Fourth, a warrant to your Lordship to advance money to Claverhouse, Meldrum, or any other person judged fit for the service. "For intelligence, the Aed Major, Quartermaster and Martiall of the regement of dragouns ar to be discharged, and ther pay applied to mak up a Collonals pay to Claverous." The Duke had told him to inform the Treasurer to advance the money due to the gunners and officers of the artillery in the castle. Lieutenant General Drummond had written to the Duke about some lodgings in the castle for the artillery people; and the Duke was to write to the Treasurer

about it. Had heard nothing further about the Lady Ketilstone's affair. The Duke thought it most reasonable that three pence should be detained off the pound of all officers and soldiers of the standing forces, for the relief of disabled or decrepit soldiers. The Duke acquainted the King with it, and the King ordered Moray to write to Queensberry to speak with the General and consider how much would be necessary to be detained upon that account, &c.

Whythall, February 2 : 168 $\frac{2}{3}$.

29. A representation had been made to his Royal Highness by the Countess of Dalhousie of three months' arrears owing to her lord before his death ; who ordered the Secretary to write to Queensberry to cause pay it to her, " but uith all possible privacy least others may mak sutch applications altho' non can pretend to be in her condition. She is a widow, a stranger, a great charge of fatherles childrings, and I am affryed left in no plentifull conditione, which I doubt not uill be prevaeling arguments uithe you to show your favor and compasion to a lady."

Whythall, February 3 : 168 $\frac{2}{3}$.

30. Various papers were sent to Queensberry under Sir Andrew Forrester's cover. " The Dwk hes sins spokin to his Majesty in favors of one Blaer and Scot uho had pensions, the former 50^{lb.} and the latter 27^{lb.} for ther fathefull service at Worcester and other places. They uer left out of the last list of pensions, which his Majesty hes orderd to be aded by a letter or warrand to your lordship, together uithe 25^{lb.} the Kinge tould the Dwk he uould giue to Sheels, the falconer, sins he uas put out of office." On Moray's suggestion it was agreed that to save that charge Blair's pension should be brought from 50 to 27. " His Highnes hes also moved the Kinge that Claverous showld haue a Collonell's pay, so that the Aed Major, Quartermaster, and Martiall of the regement of dragouns ar orderd to be discharged, and ther pay applyed for Claverous, uho is to haue the same pye as Coll[onell] that the Gennerall hes as Coll[onell] of the dragouns, and the letters for this purpos ar also sent to your Lordship by this post."

Whythall, February 17 : 168 $\frac{2}{3}$.

31. Moray had now spoken at length with his Royal Highness about all the particulars recommended to him by the Treasurer, being about the Artillery Establishment, paying the Countess of Dalhousie as much money as the three months' pay due to her late husband might amount to " but not under that name." Earl Middleton had been that week in waiting and would be so next week, and would dispatch business including the warrant for paying the new bedding for Edinburgh Castle. " I haue as mutch as I could indevord to serve Earehall in that you proposed for him, but can not prevaill uithe the Dwk in it. He says it uas nevir heard of that any Captaine L[ieutenant] had

any other pay then a L[ieutenant]ts pay, and it would be a preparative that would incurridge all Captaine L[ieutenant]ts to desyr and expecte the lyk, which is not to be don; but he sayd he would uryt to you of it himself, and gaue me order to say nothings. I tould him it was hard that a gentelman who had done so good service as he did at Ardies Moss should not haue some sutable reuard. His ansuer was that it could not be done in this uay proposed." The Duke was to write to the Treasurer himself on several other subjects.

Newmarket, March 12 : 1683.

32. He had received Queensberry's letter of the 3d. and since then one from Colonel Graham. The Artillery Establishment would be dispatched "very sudenly," with an order to muster the Artillery Company with the rest of the forces. "I shall by next post giue you account of what you wrot to me conserning poor Earle Nidsdale, who I am heartily sorry for: he was ever my noble and kind frend. I shall be redy to doe Claverous all the service in my pouer, and shall acquaint you what the Kinge and Dwk resolves in thes things uharin he is instructed, so some as th[e]y declare ther pleasur which no questione will be as you desyr." Mentions a gift of recognition in favour of Earl Balcarres and James Preston. "I haue no news from this but of hawkinge and horss matches which I know are not maters so agreeable to you as to troble you uithe them."

Whythall, March 20 : 1683.

33. The account I haue had of my mother's deathe brought me to this place, but befor I left Newmarkit all matters wharin Claverous was instructed near discoursed of befor the Kinge and order'd to be draune and dispatched according to your desyre. The Dwk orders me to tell you that he approues of your bestouing the 100^{lb}. or therby on poor Earle Nithsdals burriall. Your Lordship saed nothings to me of your desyr to haue Kelhead prefer'd to Franc Stuart's company of Dragowns, but findinge by Claverous that the Dwk stuk at it in favours of the Captin Lt. I resolved to mak my application to his Highnes about it, so I uaeted his goinge to bed the night befor I caem away and had full discours about it, and finding he had sayd to[o] far in refusall to Claverous, I tould him I thought I could propos what would doe bothe, naemly, that some monthes agoe he had tould me that Capt[ain] English was not a good man, besyd that he was no soldier, and then was thinkinge to put him of; and so now iff he did it he could bothe accomodat Kellhead and the Captin Lt., uharuith he was werry ueall saetisfed, and so I houp what you propos will be done.

[There is another letter dated Windsor Castle, April 21, 1683, which bears that the letter concerning Sir William Lockhart was that day passed by Earl Middleton. "The hous and lands of Diddope are to be the E[arl] Lawderdals fine, and from Sir John Falconer four years and a halves rent of his estate reall and personall, uithout consideratione to any debt he may haue, and

six years rent of the wardins esteat upon the same tearms." A letter would shortly be sent to that effect, and another to take possession for his Majesty's use of the lordship of Stirling, the Earl of Mar's tack being now expired.]

Whythall, May 15 : 1683.

34. "I orderd Sir Andrew Forrester to acquaint you of uhat past on Claverous dispatch befor my cominge from Vindsore, haueinge then no possibelety of tyme to uryt myself. E[arl] Middleton coms now in uaetinge for this fortnight, and is this day gone to Windsor." Thanks the Treasurer for the kindness he had shown to his son Charles, &c. In a postscript he adds, "The Dwk commands me to let you know that the L[air]d of Drum hes sent up a signatur recommended by my Lord Chancellor: he is a most deservinge gentelman, and the Dwk inclyns to doe him kyndnes, but becaus ther ar tuo things especially exterordinary in it, he would not haue any thinge done in it till you uear acquainted and sent your oppinion about it. The first is that the tax ward diwtys may be accordinge to the retour, and not in the ordinary uay, and the next a gift of patronedge that now belongs to the Kinge. This last chifly concerns the clergie."

Whythall, July 3 : 1683.

35. Sins the discovery of the bloody and helishe conspiracy aganst the lyffe of our sacred soverange and his R. Highnes (whom God long preserve), I had no letter from your Lordship, but I orderd Sir Andrew Forrester to send you full and exacte accounts of all that pasis, beinge sufficiently employed otherwas myself, it haueing falne out in my uaetinge. This day the Kinge had account of sex more of thes bloody villans beinge takin in Essex. Ld. Russell and Mr. Fearhet ar to be tryed tomorrow sevenight, the evidence beinge clire aganst them. No news yet of D. Monmouth, Ld. Gray, Sir Thomas Armstronge, or Fergusone. As things ar furder discoverd you shall be acquen[te]d by &c.

Whythall, July 24th : 1683.

36. I haue bene ill thes ten days past, and stird no uhaer abroad till yisterday, which uas the resone that I urot not to your Lordship all last week; and I am inded yit not able to uryt so much as I uould. This morninge I past my good Lord Arch. Bip. of St. Andrews dispatches, and he is to goe from this on Thursday or Fryday morninge. I haue talked uithe him at lenthe, of which you uill haue account when you sie him. I need not repeat uhat I haue urytin to the Chancelor conserninge the omisione of the Kings letter for ajurninge the parlament, sins he uill show it you. E. Makilsfild, E. Kent, and E. Soffolke haue all kissed the Kinge and Dwks hands.

Whythall, Agust 2d : 1683.

37. By a letter I had from Bonokburne this post I am tould that Sir William Sharpe and the Cashe Keper tould him that iff the taxationes diue in this shyr of Invernes wharof I am Shriff uear not pyed a paerty uould be sent to quarter on my lands. It is ueall known I never reseaved on fardinge of thes taxationes, and it uear verry hard to treat me so. I houpe your Lordship uill giue order that nothings of that kynd be done. Had I the hapines to sie you I could easily saeti[s]fie you in a word in that affaer; and sure I am the Kinge uould redily grant uhat I could desyr upon that head, but I resolve to haue my recours to you that your Lordship may stop any sutch proseding aganst me and tell me uhat you uould haue me to doe. Iff you uill pleas to call for Bonokburne he will furder inform you of the bussines."

Windsor Castle, August 7 : [16]83.

38. That morning he had spoken to the Duke concerning the gift of Monkland's estate in favour of the Treasurer Depute. "He tould me you had recommended it to him, but that E[arl] Arrane had bene uithe him many tymes conserninge that affaer, and that he had tould him it showld not be hastily past till he had heard any thinge he had to say; but I doubt not but the thinge uill be done some tyme next week."

Lord Naper was dead and Mr. Brisban's lady had got that pension of £200 yearly: E[arl] Lothian had got a precept for as much money as 5 years of his feu duties would amount to. The haird of Drum's signature was passed, but the patronage was scraped out. Asks Queensberry's favour for Bailie Iak in Stirling, who was a poor man. A bond had been taken from him some years ago for a fine, which was not intended to be exacted. The bond was now in Sir William Sharp's hands. Begs his Lordship to cause the bond to be delivered up to Bailie Iak.

Whythall, August 16 : [16]83.

39. Moray was to go on Monday morning to Windsor for then he came in waiting, and should not fail to speak with his Royal Highness as soon as he could concerning the Treasurer Depute's signature of Monkland, as Queensberry advised. Thanks Queensberry for all his kindness.

(2). LETTERS from 11th September, 1683, to 7th April, 1685.

Winchester, September 11 : 1683.

40. Moray had arrived in Winchester on Saturday night. "As sone as I came, I uaeted on the Dwke, and tould him that, in cace the Chancelor uas to come up, it uas your desyr you showld be order'd to come together, which after some discours he said it showld be so." The Duke told him he had written to the Chancellor, "that iff he came up he had also allowed your lordship to come, and that he belived the intimation he gaue him of that uould stop him: he hes no order for cominge but the

Dwk's allowance, and you haue the same." If possible it was fit Queensberry should be there as soon as the Chancellor. He hopes to get the Treasurer Depute's business of Monkland done to his Lordship's satisfaction.

Whythall, September 16 : 1683.

41. Yesterday he had come from Winchester. Had sent before copies of his Majesty's letter in answer to theirs and that concerning Earlestoune. Since then another letter had been drawn out by his Majesty's command, signed by Earl Middleton, who was in waiting, who sent his Lordship by that post a copy of it. It related to the choosing of Bailie Drummond to be Provost for that year.

"On Sunday night E[arl] Midd[leton], Lord Tres[urer] Deput, Advocat, and myself uaeted on his R[oyall] Hig[hness], and had a longe conference. The issew of it is that a selecte number of persons shall be apponted to meet and consult of all matters, and that all publick matters shall be urytin and signed by them to the Secretarys, uho ar to acquent the Kinge and Diwk uithe them, and returne his Majesty's pleasur therupon." This was not yet fully adjusted, but the Duke was to speak to the King of it.

In a postscript he adds:—"His Majesty by ane express on Sunday night from Flanders, had certin news of the uter overthrow of the Turks befor Vienna. Tak it in short. The besedged acquainted the Dwk of Lorrان that they could not hold out aboue four days ; so that, at a grand Councill of War, it uas resolved they uould attak the Grandvisier in his trenshes, and Count Starnberge to sally upon them from the toune at the same tym, uich upon a signall from the besedged uas performed about 3 o'clock of the morninge, the King of Poll himself chargeing most valiently. The disput uas hot till the Cristians got uithin ther trenches, but then th[e]y uear quikly put to the route. The uhall janzarys ar cut in peces, 25,000 kild on the spot, 60,000 tents takin, two millions of monny in the Grand Visier's tent. Th[e]y are still in pursut of them, uharof wee shall haue account shortly. Th[e]re is only 300 kil'd on the Cristians' syde. Count Teklye uas not ther, but its lyk he uill pas his tym now as he deserves."

Whythall, September 27 : 1683.

42. . . . "Last post brought a letter from the Councill signed by the Chancelor only, desyringe that his Majesty uould grant a gift of a copper mynd in the paroshe of Currie in favors of a German named Joachum Govell, uho uas to work it on his oune charge. I uent to the Dwk and tould him of it, and how unresonable a thinge it uas for to send sutch recommendations, and that thes things ought only to be done by your lordship, uhos intrest it uas, besyd that ther uas yit a former gift standing in the uay of it ; so that by the Dwks order, I haue urytin so to my Lord Chancellor uho I am tould is now gone north."

Whythall, October 4 : 1683.

43. Last post brought me yours of the 24th of Sep^{ber}. I acquainted the Dwk that your Lordship was still of opinion that armes in the hands of thos in the West cuntry that had takin the test wer daengerous tooles, and that it was fitt thy shoulde be disposed of in some secure place, till the Militia of that country wear reconsider'd. I proposed that th[e]y might be put in on of the next adjacent garisons, which the Dwk seemed to inclyne too; but haueinge discoursed the matter with Lord Tressure Deput, he is of opinion that th[e]y may be brought to giue monny to the officers for pay, in which case good and loyally principal'd men may be found to serve, and that the takinge the armes now might discouridge them from yeldinge to that proposall. I confes I doe not expecte that th[e]y will be brought to it, uhatever houns he may haue, but tyme will tell. The Tressurer Deput is verry reserved: I might say more, but in place of it, I shall only assure you that I bothe loue and honor you uithe as much sincerety as he can doe, and iff any thinge be suggested to you wharin I am any way concerned, I will expecte from you justice and kyndnes that you will giue no credit to any misinformatione, but uss the fredom which I expect from you, by which you shall quikly come to the knowlidge of the truthe. My Lord Drumlaengrige and Lord William did me the honor to dyne uithe me this day. Th[e]y are most hopfull youthes, and worthy to be the sons of so noble a father.

Whythall, October 6 : [16]83.

44. By this ordinary I shall giue you no furder trouble then to lett you know that, uithin this hour, I past the letter directed to your Lordship conserninge the Estate of Argyle, uharof I haue orderd Sir Andrew Forrester to send you ane exacte coppye. The princ[i]pal will be also sent by this post. The Kinge goes to Newmarket on Monday, but says he will not stay aboue ten days.

Whythall, October 23 : 1683.

45. His Majesty last night caled a Scots Councill, uhar it was represented to him that it was fitt all sutch of the Scots natione as had bine seized, and now in prisone hear, should be sent to Scotland, in order to ther tryels, which His Majesty accordingly ordered. Lord Advocat kist the King's hand last night, and is to paert tomorrow, iff he change not his minde. He hes a presept for 2500^{lb}. to be pyed out of Hardins fine, haueinge giuen up the former presept he had for 500^{lb}. to be pyed out of Philp's fine.

Whythall, November 17 : [16]83.

46. Last post brought me the good news of your arryvall in uealfaer at Edinburghe, which I am much joied att. I haue nothinge of any importance to acquaint you with from this. L[or]d Tressurer Deput will haue his dispatches this insewinge weeke. Algernon Sidney will be brought to his tryell on Wedinsday next. The Dutch haue a considerable loss by the late

stormy weather: four of ther men of ware and severall mertchand ships ar shipwraakt on ther oune coasts, som say more. The Grand Segnior hes giuen a pardon [to] the Grand Vizier for his miscarriges at the Seage of Vienna, provyded he gaen it next year, and hes promised to put him on the head of ane armie of 300,000 men for that purpos, to be raesed by taking two men of thre out of all the faemelys in his dominions. The letter for putinge Gordon of Earlestoune to the tortur uas sent by last post.

Whythall, November 22 : [16]83.

47. "Yesterday morninge the Dwk cald for Earle Middleton, Lord Tressurer Deput and me, and wee discoursed all his dispatches ; and I think this night at the Kings cushee orders uill be giuen for them, uharof you uill haue a particular account from the Tressurer Depute." The Treasurer Depute and Queensberry's sons were intending to depart from that on Tuesday next. "Yesterday at the Kings Benche Algernon Sidnye uas found guilty and uill be sentenced in a day or tuo." [In another letter of date December 1st, he states that Queensberry's two noble sons, Lord Treasurer Depute and Earl Mar had set out the day before.]

Whythall, Desember 8 : 1683.

48. Sir Andrew Forrester showed me a letter of yours to him, uharin you desyred a gift of Knight Barrony for the Lord Pitmedin: I houpy by next post it shall be sent to you. The Dwke of Monmouthe haueinge refused to singe a declaratione or manifesto narraetinge uhat he declared to his Majesty and R[oyal] Highnes concerninge the consp[i]racie was yisterday morninge by a messege sent from his Majesty uithe the Vice-Chamberlin, discharged his Majesty's presence and Court, and is this day, uithe his Dutches, gone to Mooreparke.

Whythall, Desember 13 : 1683.

49. Last post brought you the King's letter for your oune 2,000^{lb.} now. The patent of Knight Barronet for Lord Pitmedin is sent to Bannokburne. Major Arnit, his Majestys L[ieutenant]t Governour of Dumbarton Castle, haueinge acquainted the Dwke that he hes no coll and candill allowed for that Garrisone, notuit[h]-standinge that all others haue, His R[oyal] Highnes commands me to tell your Lordship that he desyrs you uill giue him a proportionall allowance of Coll and Candill uithe the other Castils, respecte beinge had to the importan[c]e of the place and number of the Garrisone. Hear is no other news at present, but uhat you haue in the Gazet.

Giue me leaue to present my fathefull service to my Lord D[r]umlaengrig and L[or]d William.

Whythall, Desember 20 : [16]83.

50. There had been no delay in making Pittmedins Patent, which was sent down five days after Queensberry wrote for it. "Seeinge the Councill hes, upon good grownds, reprived

Earlestone, I houp he uill discover all he knows, and some good flow from it." A Macer's place had been given to James Irving, an old and honest servant of Morays, ere the latter learned Queensberry's wishes in the matter, otherwise it would have been given to his friend.

Whythall, March 13 : 1684.

51. Assures Queensberry that anything he had sent to be passed would not be delayed; but his Majesty's being at Newmarket would occasion the dispatch to be some days longer. He was amazed that any of the lawyers should consent to any delay to Sir John Falconer: "Sure, they haue no sutch warrand from us." He wondered that his [Moray's] brother should make any reparations without Queensberry's knowledge; it must have been done through ignorance or inadvertence, which he hopes Queensberry will pardon.

Whythall, April 1 : 1684.

52. Sir Andrew Forrester had shewn him a letter concerning the Sheriffship of Roxburgh. Before that the Duke had given order to draw a gift of the office to Lord Bellendine, which had passed the King's hand. The Duke said since it had passed the King's hand, it could not be altered. But if advertisement had been sent at once on the death of Mr. William Ker, this might have been prevented.

Whythall, April 10 : 1684.

53. By the flying packet he had received Queensberry's of the 4th, on Monday about ten o'clock forenoon, and immediately waited on the Duke, and delivered the letters directed to him, which he carried with him that evening to Windsor to show the King. "Wee uear all extremly amazed uithe the accounts of that bussines. I houp the perjured uitnessess shall reseae ther deserved punishment for ther villany, and the insolence of the jury punished as it merits." Earl Middleton, who was in waiting, was sending a letter about Queensberry's coming up.

Windsore Castill, April 24 : 1684.

54. Last post brought me the honor of yours, and I spoke to His R[oyall] Highnes of uhat you urot conserninge my Lord, your sone. He said he uas not desirous to persuade you in that matter beyond your oune inclination, and showed me your oune letter to himself. But now ther uill be peace, and sutch as uear goinge to the Campange stay at hom, uhen thy haue bine at the charge of all ther equipage; so that bussines is out of doors of itself. I am extremly glade of the happines to sie you so sudenly. We haue every post this week past bene expectinge the papers for setilinge the Shire of Argyle.

Whythall, July 12 : 1684.

55. This letter was to welcome Queensberry to Scotland, where he hoped he was now arrived in health and welfare. He had spoken with the Duke of Ormond concerning Campbell, and

told him that the Treasurer Depute long since had informed him of how great use it might be to His Majesty's service that he were seized and sent to Scotland. Ormond desired to know his personal appearance, Christian name, and place of residence; and then he would apprehend him.

Windsor Castill, July 26: [16]84.

56. I had the honor of yours of the 17th, which brings me freshe assurance of your freindship, then which nothings can be more acceptable, and you may be confident I shall imbraece all opportunitys that may convince you of my fathefull service. The inclosed from His Royall Highness uill giue you account of his complyence uithe the advice of the Secret Commyty conserninge the Parliament and other things recommended by them. Last night wee uear uithe the Kinge and the Commission, and instructions for the Marqus of Athole agried to, which are sent by this post. The Dwke of Ormond coms not abroad sins the deathe of his Dutchess, so that the Kinge order'd the Earle of Sunderland to uryt him that it was his pleasur that all sutch of the Scots, uho ar in Irland and giuen up in List to him by your Lordship, showld be seized and sent to Scotland. The Commission for the Lord Ross to be Major to the Regement of horss is orderd to be drawn and uill be dispatch uithe the first convenience.

Whythall, Agust 7th: 1684.

57. The Tressurer Deput urot to me the particular marks of John Campbell, and I haue giuen the Dwk of Ormond a copy of the letter. His Grace promises to be caerfull to haue him seized and sent to Scotland, and he uill do the lyke uithe all sutch others as your Lordship sends him lists of.

The Bp. of Edinb: uryts to me by the former post, and acknowliges thankfully the advyze I gaue him longe sins and of late, to make his applicatione to you, and acknoulege his troble that he hes not bine in your favor and good oppinion. I find him most sensible of it, and desyrous of your frendship and patronage. I am sure he may be ane usfull servant to you, and I dare anssuer uill be bothe fathefull and diligent in the obseruance of your commands. Whoever I haue any respecte for I shall earnestly desire th[e]y may be triuely yours, that I may uithe the greater fredom intertean kyndnes uithe them, for I am, &c.

Whythall, Agust 9th: 1684.

58. I shall now giue you a short account of uhat past ysterday at Hampton Court in Scots affaers, tho' the Earl of Middleton was then in uaeting uho uill intimat his Majesty's pleasur upon all that was proposed. The advocat urot a letter directed to bothe of us, and in it an abreviat of the evidence aganst Carstaers, Baelie of Jerviswood and others, which I gaue to the Dwke: Both uear rede in the Cabinit Councill uhaer uee uear present, and the cace fully debaeted; and

to the best of my remembrance, the King's resolution was, that it was by no means fitt to send up the Scots prisoners to be tryed hear, seeinge no probability of reatching them, from all that yet appired. And for sendinge doune the uitnesses to Scotland, in order to ther tryell ther, he hes no expectatione that Major Holms would be ingenous, beinge a trikey, shiftinge fellow, and the sendinge of them would occatione mutch noice, especially iff it proued to no effecte, and in that cace would be mor hurtfull then profitable to the Kings service; so that you must yit uaet till better proofes of ther villanys can be discouerd. Ther was also a letter urytin by Ld. Register to E. Middleton. This was rede to the Kinge, only in presence of his R. Highnes and ourselves tuo. The first thinge proposed in it was the seasinge and apprehendinge of sutch remarkable and daengerous persons as by ther principals and actions haue bine obnoxious to the Government, to which His Majesty agreed, referinge the persons to the consideration of the Secret Comitty, who could best iudge of it. The 2^d was for callinge together 4 or 5 of the Militia Regemints and some troups upon this occatione, which his Majesty does not at all approue of, unles ther uear mor apparent necessity for it nor he yet sees, becaus it would make great noice hear and might haue ill consequences. As to the 3^d, which is pleasinge of Liutennands on the wescuntry shyres, the Kinge desires aduyse from the Secret Comitty as to the number and placeinge the shyres in sutch proper distriks as th[e]y think fittest for his service, and then he uill giue the Commissions; only he uill haue the Dwke of Hamiltone to be Liuetenant of Clidsdeall, and your Lordship of Nidsdeall Dunfries, which I think ar on, and Gallouay. This is all as near as I can remember.

Windsor Cassill, Agust 21 : [16]84.

59. The King's letter and instructions were sent by the flying packet, with an additional instruction to forbear the execution of any of these instructions if there were just cause for it. The tack of Inverary Park and Mill to the Marquis of Athole, and other papers were passed. The 9th of September was the day to which the Parliament was adjourned, and as it was drawing near and the King was going to Winchester, the King and Duke were made acquainted with this. But His Majesty by his command had now sent a letter adjourning it till Tuesday, the tenth of March next. "I am extremely glade of my good Lord St. Andrews recovery. I pray God he may haue many days, for as your Lordship says ueall, his loss would be irrepaerable to the Kinge, Church, and all good men." In a postscript he remits his affair with the Falconers to Queensberry.

Windsor Cassill, Agust 26 : 1684.

60. Sunday last his Majesty in Councill declaerd his pleasur in the change of severall officeses of State hear. The Earle of Rochester was made Presedent of the Councill in place of the Earle of Radnor, Mr. Secretary Godolphine first Commissioner

of the Tressurry, and Earle Middleton Secretary of State of England, in Mr. Godolphin's place. Of this His Royall Highnes giues you a more particular account by this post, and the lyk to my Lord Chancellor. This makes uay for a Colledge to me for Scotland, and I belive the Duke uill aske your oppinions as to the person, and uill name three as a litt, viz. :—The Regester, Tressurer Depute, and Drumelior. I should not taek upon me to say any thinge to you on this subjecte uear it not the duty and unalterable frendship I haue for you, and what I doe say is only to your self, and uithe that frendly confidence which I know you uill communicat to no other persone. Drumelior is a gentilman of great worthe and parts, and uho I haue had intimat acquentance uithe and particular respecte for, but that which uayes mor uithe me is his intyre loyalty, and I am sure, firme and lastinge duty and frendship to you. A wrionge step in sutch ane important matter can not be easily sett right: therfor pray consider the King's service and your oune particular conserne in seruinge of His Majesty. If he and I be together hear, for your hearts uishe you can not haue this post fild withe persons on uhom you may more confide and intyrelly trust. I haue no end in sayinge this to you but my master's service, and that your hands may be strenthend by it to advance the King's service and establishe his Government on firm and lastinge foundations. I haue great honor and respecte for the other tuo: th[e]y haue alreddy mor profitable imployments, all things considerd, and may be of greater uss ther in His Majesty's service. Uhat I could say mor is I am sure obvious to a persone so wyse as you are, my dear Lord. Taek this fredome as from a sinear heart that uishes you as ueall as any liuinge, and burne this letter, uither you condemne its folly or not. Uhat I say in Drumelior's favor, I know you will not misconstrue, and I may say to you, by all the Dwke sayed to E. Middleton and me he seemed inclyned that uaye.

Whythall, September 1 : 1684.

61. Sir Archbald Stuart of Blakhall haueinge presented a petitione to his Majesty and ane other to his Royall Highness, and haueinge spoke severall tims uithe the Dwke, he uas pleased to order me to uryt to your Lordship, and my Lord Chancellor to lett you know that he is a gentilman of uhos loyalty and fidelety to his Majesty's service he is verry mutch assured, and that your Lordship uill pleas to taek notice of him as sutch in any of his just conserns.

As to his desire conserninge his two near relations Polok Maxwell and Duchill, which you uill undirstand by the coppys of his petitions which I haue sent to my Lord Chancellor, the Dwke desires that a triue state of ther cace may be sent to him, and uhat ther guilt is that he may accordingly consider uhat is fitt to be offerd to his Majesty upon the wholl mater.

In another letter of the same date, Earl Moray says:—"My other letter of this date concerning Sir Archbald Stuart was by his R[oyall] Highness' order. Now give me leave to recommend him to you as a gentleman of ane anjent and loyall faemely, of good and loyall principls, and as my relatione, uhos persone and faemely I uishe ueall." Asks Queensberry to notice him as a personal friend of Moray's, and assures him he would be sincere and faithful in the King's service and to his own commands.

Winchester, September 9 : 1684.

62. Dr. Fall had brought him Queensberry's letter on Sunday sevennight. On Monday morning Dr. Fall went post to this place, the King being then resolved to go to Portsmouth on Wednesday, but afterwards delayed it till yesterday. "I wrot uithe him to the Dwke, and at my cominge hither I found he had giuen a verry saetisfeinge account to bothe the Kinge and Dwke of all he was instructed uithe." Dr. Fall was not only well received, but was in very good esteem, as both his Majesty and the Duke expressed to the Secretary. He was dispatched in 24 hours after the Secretary came. He took everything with him done as was advised; "and when the Archbishop of Glasgow is elected and consecrat, I haue order to draw a letter for putinge him on the Councill. Lundie's Commission to be conjuncte Secretary uill be shortly drawn. I uishe him mutch joye, and as I know him a person loyall and firm to his freinds, so shall it be non of my fault, iff wee liue not ueall and frendly together."

Winchester, September 14 : [16]84.

63. Moray had been ill for several days and was not able to stir abroad. "The Dwke was at huntinge, and returned not till ten a'clock at night; yit I maed Sir Andrew Forrester uaet till he came, and delyver his letters uithe Carstaers depositions. This morninge, sike as I was, I uaeted on him, and red all to him, and tould him the great service you haue done upon this occation, uharof he is verry senssible, and the Secret Comitty uill reseae a letter of thanks from the Kinge by the next or followinge post."

Whythall, September 20th : 1684.

64. I caem yisterday from Winchester verry ill, but, thanks to God, am now better. Lord Tressurer Deput wrot to me last post in generall of Com^{sr}. Monroe's confessions, but the particular account of that matter I doe not yit know. God Almighty bringe to light the treacherous villanys of all sutch as haue bene any way in accessione to that accursed and diabolicall conspiracy. This post brings his Majesty's letter of thanks to ther Lordships of the Secret Comitty for your caer and good service uharof you haue giuen eminent proofes, and bothe the Kinge and Dwk ar verry sencible of it. I haue this night to my Lord Chancellor urytin a particular anssuer to the proposals recommended to me by the last uithe the flyeinge paket, which I need not repeat, sins th[e]y uill be instantly communicat to you. The Lord

Chancellor will also by this post reseave his brother's patent for beinge conjuncte Secretary, and you will reseave the King's presept for on hundred ponds St. to Gray of Criche. The Tressurer Deput in his last tould me it would be verry important for the King's service that on Veitch uer seased, who is judged to be hear. I haue layd out all uays for intelligence of him, and this morninge I was uithe E. Middleton, who will doe his utmost indevors also, but on thinge I intreat, that you will cause inquire of Carstaers uhar he frequented when he was hear, and uithe uhom he conversed, and send me uord of it as sone as possible, for that would be verry helpfull to us. I am not verry ueall, and ueary uithe urytinge.

Whythall, September 30: 1684.

65. Moray was extremely obliged to Queensberry for the favour he was pleased to express towards Blackhall. As for the two he called his friends, if anything were found against them relating to the Government, Moray was confident Blackhall would be so far from speaking on their behalf that he would be their enemy as much as loyal and honest men ought. He had sent down the King's letter warranting probation by oath, where other probation failed; and the remissions for Philiphauch, Gallowshels, and Carstaers, by last post to the Lord Chancellor. And now he sends inclosed a letter in favour of Sir John Falconer, and another concerning Roched, the town clerk of Edinburgh, in the very words Queensberry had desired them.

"Last night I was commanded by the Kinge, at the Cabinet Council, to ride Philiphauch's narrative and Carstaers' re-examination, which I did, but the Kinge injo[i]ned secrecie, becaus the Secret Commity in ther letter to the Dwke sayd th[e]y had promised not to say any thing of it, but to the Kinge and the Dwk, untill he showld be brought to depone upon oath. His Majesty will, in diue time, send you his thoughts of the proposall for the parlaments meetinge in March next. Tomorrow ther is a Reviue of all his Majesty's troupes, hors and foot, at Putny Heathe, which will make a verry good appirance."

Whythall, October 23: [16]84.

66. The King and Duke came that evening from Newmarket. He had received the honour of Queensberry's letter of the 10th from "Kircubright." "Th[e]y are bothe extrenly pleased uithe your great paens and succesfull good service in your distrike, uhiche is a presedent that I houp will induce the rest to come the lenthe of thos offers. Your patent had bine past at Newmarkitt, [if] the Dutchess of Portsmouthe's siknes had not kept the Dwk from moueing any thinge of bussines to the Kinge, and she continows still so verry ill that his Majesty is come hear some days soner then he intended." He would speak to the Duke about Queensberry's remaining till December for ordering his affairs. He was confident that the information about Blackhall's refusing to take the Test must be a mistake; "for I am sure he towk it befor he came hear at the last circuitts." He would speak to the

King and Duke about the Parliament, and acquaint his Lordship with his Majesty's pleasure in it. A postscript says he had spoken with the Duke about Queensberry's stay till December to look after his own affairs, which the Duke approved. The Duke had spoken to the King about Queensberry's patent before his coming from Newmarket, who said—"it shold be done sone after his coming hither; be sure I will be diligent in it."

Whythall, November 4 : [16]84.

67. I had no lettir from you now of a great uhyll. This morninge I rede to the Dwke the offer of Dumfrese and Wigton, uich your Lordship sent to Sir Andrew Forrester, uich he uas extremely pleased uithe, and you may be confident I faell not to giue accounts bothe to the Kinge and him of your great services as th[e]y come to my knowlige. The substance of all uas in your own letter to his Royall Highness. Ld. Register urote frequently to me from Edinb. of your Lordship's procedings in your distrike, so mutch beyond all other place, and of the great advantage it uas to his Majesty's service.

Now your Grace's patent as Dwk is signed by his Majesty, but I am commanded to kep bothe yours and M. Huntlye's till he goes to Scotland, for the Kinge uill not haue them diuolged so long as he is hear. The instructions for the Muster Master caem only by the last post, and shall now be dispatched verry spedily. You uill now also quikly know the King's resolutione conserninge the sitinge of our Parliament.

Whythall, November 11 : [16]84.

68. Had received Queensberry's letter of the 2^d. from Sanquhar, and was much "joied" he was safely arrived at his own home from such a troublesome and uneasy progress, "uhar your Lordship hes done so great and eminent services to the King."

"The Dutchess of Monmouthe haueing represented to the King and the Dwke that the Lord Melvill beinge now a denounced rebell, and his es[c]heat falinge to the Kinge, uas apprehensive the moveables might be instantly seased, and so her sister exposed to missery. The King commanded me, in your Lordship's absence, to uryt to the Chancellor by this post, that it uas his pleasur ther shold be an connivance at her kepinge the possessione of the moveabls untill his Majesty shall declar his furder pleasur."

Whythall, November 13 : [16]84.

69. Moray had used all possible means to know if anything had been said or written to the King or Duke to lessen Queensberry's eminent services in his district, but could find nothing like it. "I did freely this morninge discours the matter uithe the Dwk. He tould me you had urytin somthinge of it to himself, but assured me ther uas nothinge lyke : iff ather ther had or shold be any sutch thinge he uould tell me. . . . I am sure bothe his Majesty and R[oyall] Highness are verre sencible of your Lordship's great service, uich as I haue occatione I shall not fail to mind them off."

Postscript :—“ Earle Rochester was yisterday in Councill declaerd by his Majesty Lord Lieu^t of Irland, and to goe over to his goverment ther in the Springe.”

Whythall, November 18 : 1684.

70. “ The Marqus of Huntly hes beine moueing for a signatur in his favors, of the superioretie the late Earle Argyle had of Glenlie and Locharki [r]k in Lochaber. I am order’d by the Dwk to send the signatur to your Lordship, that you may consider it and returne it uithe your oppinion what is fitt to be done in that matter, uithe your convenience. Upon the death of Meldrum, the Dwk hes spoke to the Kinge that Earle Aaerly may haue the Troup agaen, since he was put from it by a trik, and beinge uillinge to graetifie him some uay, could find nothing so convenient as this. I confes I did urge to haue it otheruayes, but upon thes considerations, could not prevaell. I doe what I can, tho’ not what I uould, for uhyle I liue you shall find me,” &c.

Postscript :—“ The Advocat uill show your Lordship what I haue urytin to him conserninge Henderson and Reed, that near seased by Coll. Stuthers, which I nede not repet.”

Whythall, November 29 : 1684.

71. My next shall bear ane other titill, of which I uishe you as mutch joye as a fathefull and triue heart to your service is capable off. The Marqus of Huntly and his Lady paerted from this on ther jurnay to Scotland Thursday last, and this morninge his Royall Highness, after I had moued to him the sendinge doune of your patents, order’d me to send them by this post to the Chanceller, which is accordingly done.

The flyeinge paket that arryved hear on Wedinsday night and brought the account of that bloody and barbarous murder committed by thes monsters of Rebels on the two Gentilmen of his Majesty’s guards, had all the dispatch possible, for uithe the Thursday’s post I sent his Majesty’s letter of approbation to the Councill’s resolutions upon that exegent, and I houpe it uill pleas you. I longe to haue the naems of the officers for Ld. William’s Troup, that the letters to the Council and yourself for raesinge it, and the Commissions may be expedie, and lykuays the Commission for the Tressurer Deput, which only uaets for your returne. Lord Granard yisterday kist the King’s hand, haueinge reseaved a new marke of his Majesty’s favor of beinge made ane Earle of Irland.

I wonder the Chanceller did not acquent you of what I urot to him by the King’s command conserninge the Ld. Melvil’s moveables; he had that troble allenerly becaus your Lordship was not upon the place. I am verry mutch joied you uill be at Edinb: befor this coms to hand, specially consideringe how necessary it is for the King’s service upon this emergent, occasioned by thes bloody and barbarous monster Rebels, uhar your wyse councils uill be so leading and eminent for the good of the Government.

Whythall, Desember 2: [16]84.

72. By yesterday's letters Moray had learned of Queensberry's safe arrival in Edinburgh. The Advocate had informed him of a mistake regarding one Henderson, seized at Newcastle, but set at liberty upon a pass he had from the Advocate. This Henderson was a merchant of Edinburgh, attested to be loyal in practice and principles, and not that Henderson, one of the murderers of the late Archbishop. The King and Duke were made acquainted with the matter by Moray and were quite satisfied. [This letter is the first addressed—"For his Grace The Dwk of Quinsberry, Lord High Theasawrer of Scotland."]

Whythall, Desember 9th: 1684.

73. The Duke had received Queensberry's letter and the Secretary his, just as they rose from Council. "As sone as he had rede it, he cald me and sayd you had wrytin to him that E. Kintors commisione for beinge Tressurer Depute might be exped, and that you had tolde him a draught of a Commission uas sent to Sir Andrew Forrester, uithe some amendments proper for his Majesty's service and his." The Duke had ordered him to draw the Commission verbatim as the former one, and to pass it with the gift of pension in the terms Queensberry had sent up. A letter from the Duke to Queensberry on the subject was also sent under Sir Andrew Forrester's cover.

Whythall, Desember 13: 1684.

74. Last night laet I had the honor of yours of the 6th. The Dwk uas late at Cabinit Council, and this morninge be six a'clok uent to the Fox huntinge, so that I could not possibly haue time eniueghe to speke uithe him; only he tould me a hint conserninge Claverous. I find him displeased, as he hes good resone, at his caerige, and as freely as the short time would alow me, I tould the ill consequences of the fiery temper of yong men, uho ought to understand themselves better then to faell so grosly in ther diuety to sutch as the Kinge chifly trusts, and of sutch qualety and interst in the Kingedome, uharof he is verry sencible; but of this and uhat els your letter contaens, expect a particul[a]r ansuer by the next.

Whythall, Desember 18: [16]84.

75. The Dwke hes yit delayed to giue me his posetive resolutione conserning the lodgings in Holyrudhous. The Dutchess is not to goe, so that he uill nede but littill. He tould me your Grace's showld not be tutchet. As sone as I reseave his orders in this matter, you shall be acquented. By this post I send you, under Sir Andrew Forrester's cover, the Commissione for staetinge the constant Rentall of his Majesty's Reueniw, and a letter to the Council for reseavinge the Arch Bishope of Glasgow of ther number. The Dwk is not yit resolved whither to goe by sea or post. Some days agoe, wee had account of the Dwke of Monmo[u]the's beinge returned to Buxels.

Whythall, Desember 20th [16]84.

76. "This morninge I acquainted the King with your Grace's acknowledgments for the late honor he did you and your faemely and tould him the kind assurancess you intaell upon your posterety of duiety and obedience to his Majesty's service, which he reseaved uithe as mutch kyndness as I can express."

He had spoken to the Duke for the commission Queensberry desired to Mr. Durie, a Frenchman. It would be exped as soon as it came to hand. He was amazed at General Dalzell's negligence in losing the letter and instructions concerning the Invalid money.

"Iff any thinge be moued hear for a remission to Boyde of Troghregg, I shall not faell to stop it, and acquent the Secret Comitty therof as you desire.

"As for Earlestowne, the Dwke thinks best to delay any resolution conserninge him till his Highness comes to Scotland, since he is to be ther so sone.

"The Dwke showed me his letter from the Chancelor, uharin he acquents him of som of thes bloody rebels coming to Fyffe. Ther uill be no noice made of it, and the less the better, for all things of that kynd ar improven by ill people hear."

The Duke had not yet decided upon his Lodgings at the Abbey, but Queensberry's would not be touched. They were mistaken who thought the Duke would not go to Scotland. "He is posetively resolved in it, unless some 'exterordinary thing fall out, which is not expected."

Whythall, Desember 30 : [16]84.

77. I haue the honor of yours of the 23^d and I doe assure you the Dwk is verry sensible of Claverous caerige in that matter uharin your Grace did so generously and lyk yourself, and exprest to me as mutch as could be sayd to show his disleyke upon that occatione.

The Kinge has spoke to the Dutch ambassador conserninge that meeting at Gronigin and I houp in some littill time to giue you a good account of the effects of it. Ld. Lundine, my colleg, beinge in uaeting, hes order to uryte for sutch letters as you haue in Scotland, which may witness the truthe of ther impious proceedinges. The King's letter and list of thos that ar to be cited befor the Parlament, was sent doune some posts agoe, and now the remissions for Mr. Alex^{dr} Monroe and Spence. I acquainted his R. Highnes uithe uhat you urot conserninge Jerviswood's tryell. I houp the post tomorrow uill bringe us account of his sentence and executione. The Provest of Edinb : sent me a short account of Rocheid's beinge turned out, and the malversations that are layed to his charge. I am sure it is good service to the Kinge, and I know him to be a persone that littill deserved to be so long in sutch a trust. I uill, you may be sure, owne any thinge you finde so behooffull for his Majesty's service.

I know E. Middleton will uryt to you conserninge the presept that was granted to him and me upon the Falconers' fines. I think the Dwk will inclyne to haue it in generall terms, and wee are confident your Lordship will fauour us so far as to comply in it. As it stands, it can never be effectuell to us. I am, I acknowlig, the worst Solicitor for myself in the world, but what ever is my conserne I shall so far expecte your frendship as to lay it over upon yourself. The day after tomorrow is New Year's day, and I doe from my heart wishe you a happy New Year, and many many of them.

Whythall, January 1 : 168⁴

78. "This gentilman, Alexander Tulloch of Tannache, haueinge served his Majesty uithe the Dwke of Gordon's father, under the Marqus of Montross," and his family having suffered much for their constant adherence to the Crown in the worst of times, Tulloch had applied to his Royal Highness for some small mark of his fauour by which he might be enabled to live comfortably. The Duke interested himself particularly in the case, and obtained from the King a letter to the Treasurer for £500 sterling, "to be pyed to him out of the fynes for Church irregulareties, imposed or to be imposed, in the shyres of Morray and Naerne." Recommending him very heartily to the Treasurer's fauour, as a gentleman of "intire loyalty, uharof myself hes bine maney tims ane eye wittness."

Whythall, January 13 : 168⁵

79. Last post brought me the honor of yours of the 6th. Earle Middleton and I are much obliged to your Grace's favor and kyndnes to us, which, for him I may say as ueall as my self, you can show to non that are more your seruants. My collige seems not to be pleased uithe the proclamatione issiued for descoueringe sutch as do owne and will not disowne the traeterous proclamation of ware aganst the King. He says it is changed, and not according to that which was agreed upon when he was ther, and by the alteration is no way so usfull for the King's service. Of this I know no mor then what he tels me, but that I am sure your Lordships does things upon sutch deli[bera]tion and resonable considerations, as you, beinge upon the place, know to be most proper and condeuiceinge for the good of his Majesty's service and Government. Pray lett me haue particular accounts of things, that I may be able to giue sutch accounts to the Kinge and Dwke as I ought, and serve you as usfully as I can. This Post brings a letter from the Kinge to Lord Register, warandinge him to giue summons to Mrs. Brisbane to cite the Earle of Levine befor the Parliament, to ansswer a process to be intented aganst him at her instance.

Whythall, January 22 : 168⁵

80. Moray had never doubted but the letter sent down to the Lords of Session in the business between the Duchess and Earl Lauderdale would make a great deal of noise, "for my owne part,

I would not medill in it, nor be present at the meeting uhaer that matter uas agitat, nor did E[arl] Middleton so mutch as know of it till I acquented him of uhat I uas informed conserninge it."

"I spoke to the Dwk conserninge Earle Tarras' esteat, as you desired me, and he giues assurance he uill not meddill or resolve any thing about it till he coms to Scotland and haue occatione to speak to your Grace of it." Thanks the Treasurer for ordering the payment of his last Martinmas pension. Sorry for the Duke of Hamilton's indisposition. "I haue sent the cobby of the Dwk's instructions to the Chancelor, but ther uas privat instructions uich uas only urytin uithe my oun hand and known to non els. I send your Grace the cobby of them inclosed, to maek sutch uss of as you shall sie caus."

Whythall, January 24 : 168 $\frac{5}{4}$.

81. The Dwk forbid me to reed any part of the Letter I had from your Lordships of the Secret Commity to the Kinge, but the two proposalls conserninge the Acte of Indemnety, and the Trade betuixt Scotland and Inglande. I cannot tell you why he did so, or from uhat advice; but you ar wyse. I thought it fitt you showld know this. I haue urytin to the Chancellor uhat I could say furdur in answer to the particulars of the Letter. Pray hast the Acte of Indemnety, the draught of the King's letter to the Parliament, and the Dwk's instructions. When E. Dunbarton coms he will discours to you of all matters uich ar not so proper to be urytin.

Whythall, January 29 : 168 $\frac{5}{4}$.

82. I haue bene verry ill thes 2 or 3 days past, and am yit but littill better, and so verry unfitt to uryt, it trobles me the mor that it fals out so unfortunatly when bussines of sutch importans is under consideration. Last night the Dwk caled E. Middleton and Ld. Lundin, and discoursed the matter of the Acte of Indemnety sent up, and desired them to come to me this afternone becaus I uas not able to stire abroad to ajust the draught of it, uich th[e]y haue accordingly done. Lundin tould me the Dwk inclyned to haue it presently drawn faer, and past the King's hand. I tould him I humbly advysed the contraer, and that it showld be returned to ther Lordships of the Secret Commity, uithe the Dwk's amendementes to be consider'd, and prepaerd by you, uich is agred to. The claus apaert for exseptinge fyfty is altogither rejected, but in place therof a blank left to fill up sutch persons in as you judge fitt to be accepted. I am not able to say uhat I would on this subjecte at present. It is uithe great paine I haue urytin this short letter. This post uill bringe you a letter conserninge E. Tarris, and another warandinge the Advocat to proces Sir William Scot and sutch others as you think fitt. Ld. Lundin also red to me the cobby of the Lords of Sessions letter to the Kinge the morning it caem. He sayd it uas his oppinion the King showld returne it unopen'd. I tould him I differed uithe him *in terminis*, for that would be ane affront, the lyk uharof uas never

done to any of his Majesty's Judicators. It was a very ill taell might not be hard, and much more to this purpose, which I cannot now write. To be short, he past from that inconsiderate motion. I will give you account of the matter fully hereafter. What I say to your Grace is only to your self, as whatever you write to me shall only be, and after reding burninge of letters is most convenient.

Whythall, February 3: 1684.

83. From the time the flyinge packet was dispatched yesterday till eight a'clocke this morninge I never left the Kinge, and shall give your Grace a short account bothe of the applications and his condition all that time. Yesterday about twelf a'clocke he began to recover his speetch a littill and from that time continued still on the mendinge hand tho' sloely: every four hours he had a purge given him of Hyerapikra which had all the good effects wished for, he vomited four or five tymes, but about on a'clocke this morninge he had 3 or 4 large stools that so much relieved his head and refreshed his spirits that from that time he spoke well and as sensible as ever. Then was blisteringe plasters put to each of his legs and thyes, to every arme, his showlders and head; about five this morninge they were taken off and had done their operatione extremely well, but put his Majesty to a great deal of pain in taking off the skine, which rejoiced us all extremely that he found the pain so sensibly; he slept about two hours together before that very soundly and quietly, and about seven this morning he begune to talk of the way he took his disease very cheerfully, to the unspeakable joy of all present. The Docters then declared he was past all hazard and this morninge about ten a'clocke they drew some blood of him at the jugular vaens. Blessed be God he recovers hourly, and is in a very good condition. God Almighty make all his good subjects thankfull for so great a deliverance. I confesse I am not able to write more, beinge ill my self and overwrought which I littill minded in the time. This will certainly alter matters, but I can say nothinge yet of it. You may have your owne thoughts and communicate what you think fitt.

Postscript:—Since writing this letter the King has bine againe bled in the jugular vaens and with as good effects as could be wished, and besides, the blisters in his head and neck have rune through his night cap and his very pillow, so that the Physicians declared to us this night in Council that his Majesty was past all danger. There will be a day of publicke thanks givinge for the King's recovery heard, but the day is not yet resolved upon; so soon as it is your Grace shall be acquainted that the lyk may be in Scotland; we have not only reason to give God thanks upon this day but all the days of our lives. I was with the Kinge after Council and saw him very much better then he was in the morninge and heard him speake cheerfully.

Whythall, February 6 : 168 $\frac{1}{2}$.

84. I wrot nothinge last night by the ordinary post, fearinge, but uithe too great caus, I showld haw occasion this night by a flyeinge paket; his Majesty still growinge wors and wors, my affliction owerwhelmed me. I stayed uithe him from 3 in the afternone yisterday till uithin a quarter of 12 a'elock this day, that it pleased God to call him, and change his earthly diadem for a crowne of eternall glory, to the unspekable grife and astonishment of all his good subjects, and to non more then my sorrowfull self; but lett us reioice that God hes blest us uithe so excellent a prince as our Gracious Sovereange that now is, uho was this afternone proclaimed throw the cittie of London, and at Whythall Gate, uithe the acustomed solemnetyes. You uill haue sutch commands as his Majesty thought fitt on this occasion from Ld. Lundin, uho is in uaetinge, by this paket. I am not able to uryt mor to your Grace, uhat uithe grieffe, toile, and ouerwaeking.

Whythall, February 10 : 168 $\frac{1}{2}$.

85. Since my last I spoke to his Majesty to know his pleasur about the Reniwinge of all Commisions civill and military, and uithier he designed any alteration; he tould me he uould haue no change, but that new Comisions shold be giwin to all as th[e]y uear established befor the deathe of his late Majesty of blessed memory, and so gaue me orders for prepaeringe them which shall be done uithe all possible diligence. Tho' it uill take a considerable time to finishe them, I uas at thre hours paens yisterday searchinge all our Records for the last Commisione granted to the Lords of Sessione, but could finde nothinge lyk it. I haue urytin to my Lord Chancellor to caus send up a coppye of it as sone as possible uich I intreat your Grace uill order to be done.

Yisterday morninge the Kinge caled a Councill, uhaer Prince George of Denmark uas reseaved at the board, and the Councill thereafter uaeted on him in a body. Ther uas also a warrantt isswed by the King uithe advice of the Councill for collectinge the customs, tunadge and powndige accordinge to the former presedints in Kinge James and King Charles the First's time. Then his Majesty declaer'd he resolved to call a Parlament to meet hear agaenst the begininge of May, and that he uould giue the necessary orders about it to the Lord Keper. His Majesty's gracious spetch at his first metinge uithe the Councill is now printed, uharof I send you on inclosed. It hes giuen great satisfaction to all and occasioned ane vniversall joye in the citty. The printis inclosed uill informe you more particularly.

Postscript :—Ther is a letter to ther Lordships of the Secret Commyty by the King's command, signed by us both, for advice conserning the calinge of a Parliamtent, uich I need not repeat since you uill sie it so sudingly.

Whythall, February 12 : 1684.

86. "The flyeing packet dated from Edinb[urgh] on Setirday last at eight a'clock at night came to my hand yisterday at eight in the morning. I uent emediatly to the Kinge and gawe him the two books directed to the late King and himself conserninge the discoverys of the late conspiracy, and it is now reprinting hear by his Majesty's command. I also rede to him your Lordships of the Secret Commity's letter, to which he sayd ther uas no returne to be giuen untill an ansswer come from you to uhat Lord Lundin and I urot by last post, by the King's command conserninge the Parliament. When the bussines of the Acte of Indemnety uas ajusted, I uas verry ill and not able to goe abroad for a uoh week; but the Kinge desired E. Middleton and Lord Lundin to com to me, which th[e]y did."

There would now be time enough to set it right to Queensberry's liking, and if he acquainted Moray with his mind and reasons, he would do his best when it came under consideration.

"As to the Lords of Session's letter it uas never delyver'd to the late Kinge, nor doe I know that ever the originall letter uas opined. Ther hes bine no rounge for privat bussines since the late King fell seeke. So sone as it coms to be spokin of, I shall giue your Grace ane account."

Whythall, February 16 : /86 [1685].

87. The honor of yours I reseaved by the flyeing packet on Sunday morninge. It is great joye to all loyall good men to hear the acceptable news of our gracious King's beinge proclaimed uithe the just and diwtfull acclamations of his good subjects. The Kinge is verry sensible of the good service of the Council and ther zeall upon this, as ueall as all other occations, to promote the great and just rights of the Crowne. When your commands coms by the express you intend to send up, he shall find all the fathefull indevors in my power to serve you, in servinge our good King. I can not yit tell you uhat may be resolved conserninge the Commisioner to the Parliament. I know non so fitt as your self, and I resolve verry speedily to be free uithe the Kinge upon it, tho' I doubt not ther are indevors used, which from severall resons, I haw caus to suspek, and shall be urytin to you from ane other hand. This is of great import to his Majesty's service; God directe him in it, I shall not faell to doe my paert uithe submisione.

I haue tould your Grace formerly that the Lords of Session's letter conserninge the Dutches and E. Lawderdel's bussines uas never delyverd to the late King, and ther is yit no rounge for privat affaers; so that I judge it may be yit ten or tuelf days befor I can giwe you any resonable account of it.

As to matters hear, blessed be God, all things relaetinge to his Majesty's service goe verry ueall and calmly on, and I doubt not shall continow so. The officers of the Grine Clothe, the Chamberlin, viz^t.—Chamberline, Tressurer, and Controuler of

the King's hous ar continowed as in the late King's time. The E. Rochester had this day the whyt stafe giwin him as Tressurer of England. The Lord Godolphine is Lord Chamberline to the Quine Consort, and most thinke that the E. of Clarendon will be made Ld. Lwettenant of Irland. No doubt it will be necessar upon this change that your Grace be hear as sone as conveniently you can. I showld be joyed to see it, but that cannot now be expected befor the Parlament is over. This morninge in Councill the Kinge tould he had caled us to let us know that befor the late King's deathe ther was contracts past on the ferme of the excyss for three years, that he had caled for the oppinion of the judges iff th[e]y would be good in law, the Lord Chiffe Justice declaerd in Counc[il]l that the wholl jutges (*sic*) sayd th[e]y would, and that the Kinge would be lyable to make them good; so a warand was issiued by his Majesty orderinge all his good subjects to pay the excyse to the fermes pursuant to the said contracts. The Lords of the Clergy maed ane address by letter to the Kinge, to which I have returned them an answer from his Majesty, and in it desired that the Arche Bishop of St. Andrews might be allowed to attend the Kinge, which his Majesty hes approved off. Pray your Grace mind to haue all things exactly prepaerd aganst the metinge of the Parlamin, and that citations be instantly made at the Pire and shore of Lithe aganst all fugetive rebles and absents. E. Arrane aryved last night from France, and I saw him this morninge uithe the Kinge.

Postscript :—I haue sayd nothings in my privat letter to you conserninge the caling of our Parlament, since you haue it bothe in our lettar to the Secret Committy and the King's letter to the Councill. I haue had mutch to doe to get tyme to uryt uhat I haw sayd, tho' I know I may haue omited somethings, which shall be supplied by my next. The Kinge tould me he would uryt to you. I haue sent Sir Andrew Forrester to uaet for his Majesty's letter.

Whythall, February 19 : 168 $\frac{1}{2}$.

88. To uhat I sayd in my last, I haue littill to ade. Yisterday the Kinge caled the Councill, and befor any bussines was moved his Majesty towld us that he resolved to advance the Marqus of Halifax to be presedent of the Councill, and E. Clarendon to be Lord Privie Seall, and bothe of them took ther places at the board accordingly; so that uhat I urot last of any intentions of makinge the letter L^d. L^t of Irland sems now to be layd assyde. The Kinge hes also appointed the Chancellor of Irland and Earle of Granard to be his Justices for the Government ther till he declaers his pleasur in the establishing of a Lord Liuettenant. This afternoon the wholl Councill was turned into a Committy for consideringe of the time and maner of the King's Coronatione. It will be some time in Aprile, and uithe as littill noice and expence as possible. It will be Setirday befor thy can come to any resolutione upon it, uharof your Grace shall haue account. Ther is nothings yit sayd of the Commisioner to our Parlament. Sure

non is so fitt as your self. The Kinge is so crouded uithe bussines that uee haue mutch to doe to gett a word of him. I longe for my Lord Drumlaengrge; pray God send him a saef jurnay and happy arryvall hear.

This morninge L^d. President Halifax made a visit to the Tressurer, and th[e]y imbraced verry kindly, as is sayd.

Whythall, February 21 : 168⁴₆.

89. The hoñor of yours of the 16th by the flyeing paket, I had yisterday at noone, and emediatly Lord Lundin and I uaeted on the Kinge, and rede all the letters to him; and now by his Majesty's command, wee haue sent you a Returne signed by us both. I nede not repeat what uee haw so fully sayed in our joint letter. The Kinge was so posetive, that ther was no roume for arguinge furdre uithe him. The soner your Lordships sends up your oppinione of all matters the better, since the time of the Parliament's meetinge will be fast drawinge on, and I am sure the Kinge will be in impatient expectation for your advyse. He hes not yit sayed any thinge to me of his resolutione conserninge the Commisioner. In my last I tould you my owne thoughts, and I will freely taek the fittest opportunity to tell his Majesty my owne humble oppinion of it. I haue, as your Grace desired, acquainted the Kinge uithe the monny you haw alredy put in the Castill, and so mutch more you intend to put in it befor Wittsonday, uhaeruithe he is verry ueall saetisfied. I saw Coll. Douglass' letter to Ld. Lundin, which was this morninge rede to his Majesty. It is, inded, a verry full and good account of his progress and procedings in that cuntry, and I assure you uee did him the right that his great merite deserves. I long for Earle Drumlaengrig arryvall, but wee expect him not befor Monday or Tuesday next.

Whythall, February 24 : 168⁴₆.

90. Yisterday afternone Earle Drumlaengrige arryved in verry good healthe, thanks to God, and last night kissed his Majesty's hands, and delyverd the Council's letter. This mornninge the Kinge order'd me to aquent him, the E. Middleton, Ld. Lundin, and myself to uaet on him this afternone at 4 a'cloke, which wee did accordingly. The Council's letter was aгаen rede, uithe your Lordships of the Secret Commity's, and then his Instructions. The King's ansswer to the Councill's letter is delayed till he returns, but his Majesty declared his pleasur to every artiell of the Instructions, which you uill reseave from Ld. Lundin, who is now in uaetinge, and from E. Drumlaengrige a full account therof, which I need not repeat. The letter for the Secret Committy and to the Lords of Sessione, approveinge ther Acte of Sederunt as to all summondses and other papers ar order'd to be drawne, and the Kinge desires of new that you uill hast up your advize as to all matters to be done in Parliament, and relaetinge to the Government. I cannot this night uryt what I would, but Ld. Lundin, uho is in uaetinge, uill giwe you a full account, which I must bege pardon to refer you to this night. Just as I

am uryting this, E. Sunderland sends me a letter of the Deputy Governor's of Tinmouthe Shels, directed to Lord Dartmouthe, telinge of a persone seased ther, who is a gentilman and cals himself a Scots man, and uee judge to be Polvart, Torwoodlye, or some other of the Conspirators. The King hes signed a warand for sendinge him to Scotland uithe a guard. I haue urytin of this to Ld. Chancellor, who uill show the letters, and inform you furder of it.

Whythall, February 26 : 168 $\frac{1}{2}$.

Eleuin at night.

91. By the flyeing paket that came this morninge I had the honor of your Grace's of the 22th instant. It uas sevirin a'cloke this night befor Ld. Lundin and I could possibly haue a convenient opportunity of uaetinge on the King to reseave his commands, in returne to yours, which is now dispatched with this flyeinge paket by which you will reseave his Majesty's letter calinge your Grace and my Lord Chancellor only to attend him as sone as possibly you can, that he may speake uithe you befor the siting of the Parliament on all matters relaetinge to it and the Government. Wee houp you will be reddy to come auay on Wedinsday or Thursday next at furdest, and for your better dispatch E. Drwmlaengrige and Ld. Lundin and I shall speake of sendinge a coach or coaches to mete you mide uay, or in severall places. I am overjoied to haue the happines of seeinge you hear so speedily. Uhat I may not say furder, hapily Earle Drumlaengreg uill. I shall not now need to uryt uhat I formerly intended : it's better spekinge it uhen uee meat, and therfor shall only tutch som few things necessary for you to know.

Nothinge of Tressury matters shall be tutchted till you come. As to Lord St. Andrews, you may rest assured the King uill not put him on the Secret Commity, nor will it be in his power to doe any thinge: I say this upon certin grownds. My dear Lord, whyl I live, I doe assure you of a fathefull and fast freind, and you shall finde it intire and uithout reserve. I tould you uho I thought fitest to be Commissioner, and only fitt; and tho' I am tyed for some time to say nothing of it, yit I may say to you from certin knowlige now, that it will be accordinge to my uishe, but no mortall but your self must know the least hint of this till you come hear, not the Chan[c]elor, tho' his brother may hapily say somthing to him. The Parliament may happily be ajurned for a week or ten days at fardest, if ther be necessety for it. Pray hast hear as sone as possibly you can. All the news I shall tell you is that the Prince of Orrange will be right uithe the Kinge, and uill doe some things to convince the world that it is so, but this is only to your self, for the Kinge tould us of it this night only, and not to be maed known. I pray God send you a saef and prosperous jurnay.

Postscript :—The Acte of Indemnety is delayed till you come up.

I had severall things mor to say, but time will not allowe.

[On April 2: 1685, Moray wrote to Queensberry in time, he hoped, to welcome his safe return to Edinburgh. He addressed this letter to the Duke as "His Majesties High Commissioner for the Kingdome of Scotland."]

Whythall, Aprile 4: 1685.

92. This morninge the Earle of Sunderland sent me severall papers come laetly from Irland, informinge that severall Scotsmen, or rather rebels, uer gone from thens armed to Scotland. I sent for Ld. Lundin, he beinge in uaetinge, and showed them him, and by this post wee haue urytin a joint letter to your Grace and the Secret Commity, in which the papers ar inclosed. Upon this he towke occatione to talke uithe me on the properest means for reducinge the West Cuntry and places ajacent, and securinge the Government from ther insolent and treatcherous practises. He urged that the best expedient uas to make all heritors and others lyable to the same punishments uithe the fugetives, that harbored or reseat any of them on ther grownd or lands. In this I differ'd uithe him altogether, seeinge I towld him it uer the most unreasonablen thinge in the world to exposs honest men to the mercy of sutch barbarous villans, who uould be glade of ane opportunitie sutch as that uas to exposs loyall men to the forfaitur of ther lyfes and fortunes, uhen, without ther knowlige, on fugetives staying a night on ther land could doe it; and it uer inded a short and compendius uay for sutch villans to saetisfie ther maelice and revenge on loyall subjectes, which th[e]y could doe by no other means. I told him I uas uillinge to recommend the caer of it in gennerall, and leave the particular proposels to your Lordship, who could best doe it on the place, which your Grace will find the import of the letter; but it is really necessar you thinke on some effectuell means to doe it, seeinge you cannot belive the noice it maks hear, and the advantage the King's enemies maks of it.

Lunde red me a paert of a letter he had from the Advocat, in which he says that Coll. Douglass must command the Armeie, and the Arch Bishop of Glasgow the Church, which displeases many, and makes great hear[t] burnings ther. I uas amazed to hear sutch languitch in a letter from him, iff I could thinke any thinge a wonder he does. This I thought necessary to let your Grace know, that you may make your owne particular uss of it; for it is fitt you know men at bottome, that you be not deseaved by empty professions. Upon uhat ground he urot this is best known to himself; and consider iff it be fitt to lett it be known which uay you had this. At present, I rather think you had best observe a litill furder befor you notice it, but doe as in your wisdom you think fitt, for I uill not stand to owne it when you find it fittinge.

Last night the Kinge told me that tho' he had put Claverous off the Councill, to show him and others that he would support his ministers, and not suffer any to doe unfit or misbeseminge things, especially to thos uho served under the most eminent

characters; yit he wished that I would uryt to Claverous and tell him that be makeing acknowligment of his fault to your Grace, he would restor him to his place and favour. I told his Majesty it was in my humble oppinion most unfitt; then he sayd might he not order Earle of Middleton to doe it; I told him that was yit uors, beinge a Secretary of England; and when he heard my reasons, th[e]y would answer bothe. I told him he kniwe Claverous to be of a hye, proud and peremtor humor, and iff sutch a letter weare urytin to him he would conclud that what the Kinge had done was not his owne choice, but extorted by importunety, which would certinly blow up his humor to a greater highe of insolence then ever. Besyd that he would certinly talk of it uithe intollerable conset and vanety, which would be a greater rub on his Ministers then scraping his name out of the Commision of Councill could be to Claverous. A great deall more I sayd, which I need not trouble your Grace uithe; but at last the King was convinced I was in the right, and layd it assyde. I told him so sone as Claverous made applications to your Grace, and sutch diu acknowligments as was fitt, I kniwe you would interced to have him put on the Councill agae. This hes bine put in the King's head, but I doe not know by whom. I am under phisik, and had mutch to doe to uryt so mutch.

Whythall, Aprile 7 : [16]85.

93. Earle of Dunbartone uryts to you by this post ane account of a discours L^d. Lundin had to him, which he told E. Middleton and me. I need not repeat it, since the persone to whom it was sayd can giue the exactest account of it. By it you will see the way that is takin, and I cannot doubt but thes things may be sayd to the Kinge as ueall as to others : pray your Grace, iff any thinge lyke that past amongst you, lett us know what was sayd on bothe syds : and when you intend to have any of your letters showne to the Kinge, wryt tuo, iff you thinke fitt, a privat letter, and the other to be shown. The same persone sayd to me yisterday morning, that he was sure ther would be no oppinion given for setling the west cuntry, becaus ther could be non effectuell found out but what was false upon when he was in Clidesdell, and that behoved to be broken, becaus it could not be don in Nidesdell, and that D. Ham : L^d. Reg[i]ster, Presed[ent] of the Sessione, Justice Clerke, and all the rest who weare sent to the severall distriks weare of his mind, and declaered so to him. I driw blood this morninge, and uithe goeing to uaet on the Kinge emedeatly after, I was verry ill all this afternon, but thanks to God, am now better.

(3.) LETTERS from c. April, 1685, to 1 August, 1685.

94.—The Earl of Moray's cipher, c. April, 1685.

Z. L9: a13: the King
 Or: c8: qq: D. Quinsberry
 rh: tp: 15: St. Andrews
 fn: a30: cp5: Chancelor

100: 63: Privie Council
 42: d2p: Lord Glasgow
 12: emo: Marqus Athol
 14: fyo: D. Hamilton
 tt: 559: 07: Ld. Lundin
 hh3: oo2: m6: Lord Register
 81: pa4: K7: Earle Drumlaengrig
 49: md: L^d. William Douglass
 G: 204: sh: Earl Morray
 2: 6: Do.: Presedent Sessione
 q: 9p: 16: Lord Advocat
 W: 300: sa: Earle Tweddall
 x2: 36: f3: Earle Balcaris
 Y: 5D: 324: Coll. Douglass
 m8: ly: Gen. Dalyell
 22: pro: 30: Claverous
 120: tpx: 18K: Earle Middleton
 aaa: d30: 402: Lt. G. Drummond
 78: 414: phanatiks
 142: ya: 96: Parliament Scotland
 L05: 39: qqq: Parliament England
 ̸: 67: LLL: Town of Edinburgh
 X: 7h: Hous of Peeres
 xmo: 3a6: Hous Commons
 800: Ld. Keper in England
 802: pa5: L^d. Tressurer of England
 805: YaL: 7D: L^d. Presedent Halefax
 860: rrrh: Earle Sunderland
 807: oaq: L^d. Privie Seal Clarendon
 809: taz: L^d. Churchill
 801: fff: L^d. Dartmouthe
 171: a2: Bp. Canterbury
 172: a3: Bp. Elye
 173: a4: Bp. Edinburgh
 289: DDD: Earle Arrane
 237: RRR: Earle Dumbartone
 □: il: Troups
 U: ohk: Dragowns
 ̣: r72: Companys of Foot
 333: eee: Regements
 Brm: 7cD: Fynes
 9yo: 3ap: Forfalturs
 419: 2/: Dr Fae
 k9y: 20D: Earle Kintore
 fla: myo: iop: Secret Committy
 675: haz: D. Gordon
 zz9: 3009: L^d. Chaerles Muray

E. Morray's Cipher.

[April 1685.]

95. After a great deall of toil attendinge his Majesty at his coronatione, I was uithe him at St. Jameses at nyne a'clock this night; and now, after I was abede, he hes sent Mr. Frowd uithe the inclosed Letter for your Grace, which he orders me to send by the post. He sayd nothings to me of it, nor doe I know anythinge of its contents. I am so weary that I am able to say no mor. My college is in uaetinge, iff it be not some frek of his uhi[c]h he will not be seen in, I know not uhat it means.

Whythall, Aprile 13: [16]85.

96. Moray was forced to send the Trumpets' coats along with Mr. Deans, for they could not have been in time by sea, to attend Queensberry on the day of riding the parliament. "This day I houp ther uill be order for expedinge the Lord Register's patent. I am to uaet on the Kinge about it this afternone, so by next you shall have the certine account of it; long looked for coms at last."

On the same day was written a letter recommending the Earle of "Beridalbine," which begins thus "This is to recommend the Earle of Beridalbine to your Grace's favor and protectione. I am verry mutch assured of his foruward zeall to serve yow, as ueall as of his abiletie to doe it. I belive the Kinge hes urytin to your Grace in his behalf, and hes confidence in his fidelyty in his service: he hes bine ill used by some others, and does not spaer to let them know it." He was confident Breadalbane was his friend, and would be entirely Queensberry's servant.

Whythall, Aprile 14: 1685.

97. May it pleas your Grace, My dear Lord,—I hawe yours by the flyeing paket last night about eleuin aeloke, and this day uaeted on the Kinge and gawe him ane account of uhat it brought. I am order'd to draw the 3 Additionall Instructions, which shall be sent by next post. The Kinge hes alreddy appointed some of his troups in Irland to lye on that coast that is nearest Scotland: and a yaucht is orderd to goe to Grinoke, and ther to reseawe sutch orders as your Grace and the Council shall giwe for garding the passage. She hes no men aboard from this, but her comple^{me} of seamen for seali[n]ge; but his Majesty says you must put 20 or 30 sojors aboard her, which uill be sufficient for that service. He hes also order'd two troups of Dragowns to lye on the Caerlyle border: and Coll. Struthers hes on troupe alreddy in Northumberland to attend the motions of the rascally fugetives. I hawe sent for Zacharias Burne, to be hear uithe me tomorrow morninge, that I may interrogat all he knows of Fergussonne or others, for the Kinge says he is confident he can witnes no mor but that Fergusson was in his and his father's hous; and iff so, it uear in vaen to send him; and his Majisty says he is a very ingenous fellow, and uill consell nothings he knows. Of this you shall hawe a furder account by the next. I am appointed to inquiry' at some of the Tressury uhat expenss is giwen to witnesses

hear, for the Kinge thinks it is fitt to giue them no mor but a dayly allowance, accordinge to the qualety of the person, for ther maentenance, but nothinge on account of reward which uear in ill presedent. Of this you shall haw further information by next post also.

L^d. Lundin and L^d. Register's patents ar now drawinge: the former is to be Vicount Melfort and L^d. Drummond of Gilston. I am straetned as to L^d. Register's titils, no persone hear hawinge any information conser[ni]nge them: only E[arle] Middleton assures me he desires to be Vicount of Tarbit, and I resolve to leave a blanke for insertinge the titill of his barrony, altho it be thinge I am verry unuilling to doe; but ther is no help for it, unless it uear delyed till a retorne caem from Scotland, which is no uays to be done. L^d. Lundin's is to be of a day's date befor the other.

I rede the paert of the letters conserning Coll. Douglas' indefatigable paens and succesfull good service, uithe an audable voice; and the Kinge is verry ueall saetisfied uithe it. It was not amiss what your Grace sayd in the secret commity, and iff the Advocat took it to himself, he is concious to his owne gilt. I uishe he learns to be mor cautious, for a verry small miatter (tho as fals as Hell) may be maed uss of as a handell to serve the ends and humors of some people. The Kinge hes yit sayd nothing to me of what you urot to him for putinge the sowldiers on ane other foot. I will taek occatione to introduce that discours, and press from my self, as far as I can, that he may appoint some indifferent persone to see the conditione of the armie, and what new troops may be necessary to be raesed, and your Grace may be assured this matter shall goe no further but betuixt the Kinge and me. I wonder of Claverous insolence that maks no applicatione to your Grace. I houpe and I am confident the Kinge will not notice him till he doe it, and by your intercessione, and iff he hes not got advice to the contraer, I am perswaded he hadde it befor now. The Fallconers remissions uear sent doune some posts agoe. I shall be as caerfull as I can to keep the Kinge from disposinge any of the fynes of forfaiters till the Parliament be over. Pray tell me uho is it that would deale for Grant and thos in Morray. It can be non but Dwk Gordon, as I think, and, I doubt, he will not find it sutable to his interest to medill in it, or proper for the Kinges service. Sir Philip Howard hes bine uithe me seuerale times, and long extremly to know what number he uill gett of men out of Scotland, to caery uithe him to the Plantatione. You can never haw so good ane opportunity to empty the prisons and be rede of thos vermine. His ship he uould send to Leithe to reseave them, lyes now in the River, and is a good veshil of thirty guns. He desings to victuall her at Lethe, accordinge to the number of poeple he reseaves. I besitch your Grace that, uithe all possible speed, you may lett me know how many he may assuredly expecte, for a disapointment uould prove extremly to his disadvantage, and iff this opportunity be lost, God knows when so good a on may offer.

I must, to conclud this letter, tell you some discourrs that ^{Lundin}₅₅₉ had this morning to ^{E. Murray}₂₀₄. Th[e]y said that ^{D.Q.}_{or} caeried now mutch higher then ever Dwk Lawd[erdale] did, and pretended to be more absolut then ever he was: that it was the purs that driw the dependens, uich Dwk Leda^{ll} ueall understood, and therfor took the white stafe from Dwk Rothes, and was rather content he showld be Commisioner then Tressurer. Sh (E. M.) answerd so home, that the other insisted no furdur, and was angry uithe himself for doeinge so, it being probable he might hawe got mor of that strife iff he had bine mor (*sic*) spaeringe. ^{E. G. M.} maks no question bute sutch discourrs may be used to others, but can not yet tell. Ather ^{Lundin}_{or} thinks themselves sure to caery all befor them, or ther braens ar not solide; ther is not a thrid. Your Grace will mak your owne wise use of thes things. I haw now trobled you with a great deall of scribblinge, and since you know the hand, shall not hensforuard need to signe my letters.

Whythall, Aprile 16 : 1685.

98. The Kinge yisterday caled me to his closset, and showed me your letter to him, and uhat your Grace proposes anent the Act raetefieing all former Laws for the security of the Protestant religione. Wee discourrsed the matter a great whyl, and I convinced him how necessar it was that the Protestant religione should be exprest in the Acte, uich is not in that of King Charles the First's, uich was agred upon when your Grace was hear. At last he resolved that the Acte showld be in the verry words of that uich past uhen himself was Commisioner, exceptinge these words, (and all acts aganst Popery, uich ar to be left out), for he says that might giwe aime to the Parliament hear, and be of bad consequenss. This he is posetive in, which his owne letter he wryts to yourself uill tell yow : he rede it to me befor wee paerted. And since he will haue thes uords left out, it uill be fitt to draw a new Acte in thos terms, uithout consideringe any of the former as a presedent, to avoied debaet and prevent misunderstandings.

I hawe spokin to the Kinge very seriously that he uould not be preuaeld upon to medill uithe the fynes or forfaulturs till the Parliament be over, and your Grace attend him, wharof he hes giwen me full assurance. I hawe also spoke to him of sendinge some indifferent person to see the conditione of the armie, and to consider what new troops uill be necessare: he seemed not to understand your meaninge throwgly in that point, and uhat uear the person or persons you thought would be fittest to be employed in it: so he sayd he uould hawe his thoughts furdur of it, and when Easter was over, would talk uithe me more of it. Your Grace uould be mor particular uithe me in that proposall bothe as to the persone and method, that I may understand your minde, and I shall doe my paert as weall as I can.

I also spoke to him for Gosford, that he would end that bussines, and, sure I am, I convinced him it uould be ane advantag to Turner, as weall as his owne service. He assured me he uould doe it, but sayd his devotione days must be

first over. I have sent down by this post Lord Viscount Tarbit's patent, and the Commission for the Ex[c]hequer, which I past of new, and made Lundin, now Viscount Melfort, countersigne it, because it was to be of the date in which it past in his last waetinge. Mr. Durm's commission and letter to your Grace for his pay, with the warrands for the hoboies to reg[i]ment of Guards, I also send by this post. I minde nothinge els I have to say by this post.

Whythall, Aprile 18 : 1685.

99. This morning I spoke to the Kinge that ane order might be sent to the Lords Justices of Irland to send Cambell, alias Boltfoot and Montgomery of Langshaw, with all possible expeditione to Scotland, prisoners. And this night the Earle of Sunderland is orderd to uryt about it; but withal I desired, in regard that Langshaw is not yet in custody, as the other is, that the former might be presently sent, and the other so sone as possibly he can be apprehended. Ther was divers orders for this purpos given to the Dwke of Ormond befor, but still neglected, and he says thereseone was, that he wrot to my Lord Chancellor to know to what place he shold send him, but had no answer. Since my last E. Middletone tels me that Stuart of Causende is escaped by the knavery, or at least neglegence, of the messenger, but he will be caled to ane strikt account for it.

This day Sir Philip Howard was with me, and presents his humble service and duty to your Grace, and desires me to tell you he will, by a gentelman he is to send to you in a few days, mak his acknowlegment for all your civiletys. I refer your Grace to Sir Andrew Forrester's information of the particulars of that affaer.

Postscript :—Claverous wrot a letter to Earle Middletone, and another to me, desiringe us to move the King that he might have leave to come up. Wee compaerd nots; but thes wear only for the fashione, which we could easily observe when we considered the straen of both. The chife on was to 559, and fearing he would be first tabled, it was resolved I shold goe emediatly to the Kinge, and speke to him about it, which I did. I fownd he had bine dealt with in the matter, by his way of answeringe me at first, and therfor I resolved to speak home. I told him I was so far from Claverous freind, that, for his owne sake, I beged his Majesty by no means to allow of his coming up: But, much more was I bound in duty to represent to him, the hurt and prejudice it would be to his owne service, as weall as the injury it would be to your Grace, who served him so fathefully in sutch ane eminent statione. That his Majesty beinge sensible of his great miscaeridge had put him off the Councill as a marke of his displeasur, yit notwithstanding therof, he had hitherto made no applicatione to your Grace, which I houped his Majesty looked upon as a high agravation of his former insolence, and deserved furdur punishment rather then any thing of favour. That he kniw his temper, and that his being hear could only serve to make

noice, creat troble to his Majesty, and by his humor exposse himself; and mutch mor to this purpos. Upon which the King sayd, I was in the right, and so commanded me to writ this ansswer to him, wharof I have urytin a cobby in the end of this paper, that you may know uhat I haw sayd, and make sutch uss of it as your Grace thinks fitt. Sur I am 07 is mutch disappointed. I had severall other things to uryt of, but must defer them till next post.

COPPY OF MY LETTER TO CLAVEROUS.

Sir, I had yours of the ij, and acquented the King uithe your desire of haueing leaw to com up: and am commanded to returne you this ansswer—That, when you haw made your applicatione to his Commisioner, and by his favorable representatione is restored to your place in Cowneill, his Majestie will allow you to com up, but by no means befor that time.

Now, I shall say from my self, as your freind and wealwisher, that I am sorry you haw not befor this time addressed your self to the Commisioner, who, I daer confidently say, would very genorusly reseave it, and recommend you respectfully to his Majestie. It is from verry kynd inclinations towards you that I taek this fredome, and doe me the justice to beleve.

Whythall, Aprile 20: 1685.

On in the morning.

100. The flyeing paket caem this morning about 9 a cloke, just as the Kinge went to chapile; and as he came from it, betuixt tuelle and on, I uaeted on him; but beinge then goinge to dinner he appointed Ld. Lundin and me to uaet on him at fyffe a klok at night, which uee did accordingly, Lord Lundin comeing then in uaeting. The letter from the Secret Commity, and the Acts apaert uear rede: then my college begune to debaet on every on of them, and bothe of us beinge alike uarme upon the matter, he sayd uhat he desired was no mor but that the acts might rune according to the Instructions signed by his Majesty, and agred upon by all of us when you uear hear. This uyed uithe the Kinge, and he sayd th[e]y ought to be agreeable to the Instructions, which occasioned the observes and additionall amendements, you uill perseave on the margine and bottom of sutch of them as uear not found agreeable to the Instructions. As to the Acte conserninge religion, I tould him that uhat now you had sent was the same in matter and senss uithe that he past himself, levinge out the words uharof I acquented you in my former, and contaend in the King's owne letter to your Grace. Uithall I tould him this flyeing paket caem away befor you reseaved his Majesty's last orders conserninge that Acte, which I was sure you uould punctually observe. So the King concluded he uould haw that act in the express words of that past when himself was Commisioner, leavage out the raetefieing of all laws agaenst Popry, as it is exprest on the bottom of the Acte sent up and now returned. I see ther uill be

debate on every word that comes to us, and when he is pinshed in point-of reason, he cryes I was not upon the place to see the good effects of what was done in the districte at Clidesdeall, which iff not yet followed, he doubts ther will not be any other schem fownd to doe the worke effectually. He says your Grace hes in a maner accused him in the Secret Comitty; pray, your Grace, carry as calm and covertly as possible till you be hear. A 30: informs O7: of all thats sayd or done, and the cp 5: seems to joyne uithe m y o, yet Sh doubts not but other oppinions ar sent hear. You must be uarry of letinge any know whence you haw informations, till the fitt tym at least, or els you uill spoile all. The Kinge showed us that paert of your letter tellinge of your resolution to bring down some Hylanders, and the Chancellor's also bearing the same, but ther was nothing of it in the letter to us. But in your Grace's to me you gawe a hint of it. I toulde the Kinge it was ane excellent expedient, and I was confident uould be found the most usfull remedy hes yit bene falne upon, and the King was of that minde; but, it was agaen sayd, uhy was not a schem sent, fur that could be but a paert of it. I sayd that yow hawing now falne upon so good ane expedient, no other schem could be falne upon untill you showld see the success of this, for as circumstansis ocured, it uould certinly alter messurs. I might uryt a quaer of paper on thes alteratione, but I haw sayd to mutch to trouble you alreddy. I toulde the Secret Comity uear persons of so eminent parts and so understanding bothe in the Laws and interests of the kindome, that the Kinge could loge the trust and managment of his goverment saeffly no uhar els; and ther adyises, when followed, uould certinly haw the best effects, beinge upon the place uhaer every day might produce somethinge as a grownd to alter former messurs. I cannot possibly uryt to the Register till next Tewsdays post, it being now on in the morninge and ouertoild all day uithe uaetinge, speking and urytinge: your Grace will mak my excuss till then.

I am glaed of the account you giue me of the storry E. Dunbarton urott to you, as I shall be able now to say what is fa[lse] in it. What you say to me on your resolution of correspondinge uith O7, you may be sur shall goe no farder then my own breast. The letter urytin now to the Secret Comitty, beinge drawn by the other now in uaetinge, ther are things in it uee could not hit right upon. But iff I had not signed it so, it might haw kept this returne for a week to come, for ought I know; but it is not fitt this be known to any but your self. Ther hes yit nothings bene sayd to me of Bonnokburne, about the brekinge upe of L^t. G. Drummond's letter, nor uill I tak notice of it till it be noticed to me, for I am confident it is a mistake, for Bonnokburne is known to be ane honest man. As to Mr. Dunbar, I shall haw an eye upon him when he coms, and indevor to stop his meddling in thes maters, at least that he may not be successfull. For the bussines of the armie, I am confident it is as bad as your Grace speaks of it. What you advise shall be

represented and urged uithe all the zeall imaginable, but, I doubt, when your self coms hear, it uill be best made effectuall. By last night's post, I urot to you all I haw to say consarning Claverous, which uill come to your hands as sone, iff not soner, then this flyeing paket. I am uearied out, therfor forgiue me to continow some other matters I haw to uryt of till next post.

Whythall, Aprile 21 : 1685.

101. Yesterday Mr. Chidly showed me a letter he had from Amsterdam, informing that ther uas thre small veshils fittinge out ther by a Scots factor, and the Masters all Scots men, and th[e]y confidently belived th[e]y wear designed to caerry armes and provisions to the uest of Scotland. Th[e]y giue out th[e]y intend for the East Cuntrys ; but iff for Scotland, it is the effecte of the laet meetings the outlaws had about a fortnight agoe at Rotterdam. I need not be mor particular as to the names of the Factor and Masters, for Lord Lundin uill doe that, beinge in uaeting, in the account he is to giue of it to the Secret Commity. The Instruction conserninge Manufactoris goes by this post. Nothings fals better out then the Hylanders cominge doune at this time. Iff the desinge of thes ships be as our informatione affirms, your Grace will faek caer that the coasts be strikly observed and attended, and all other means used to prevent any inconueniencs from this helishe projecte : ther cannot be to mutch caer or foresight in sutch cases.

This morninge Earle Dunbarton tels me that L^d. Lundin uas sayinge to him that your Grace caeried higher to the nobility then ever any Commisioner did befor, that you kept on your hat in the church, and a great deall of sutch pittifull stufe not uorthy ather of urytinge or noticeing. But the end and desinge of ventinge sutch things is only to be looked to : he uill himself probably giue you some account of it. I uould not giue you the troble of urytinge sutch mean things, but that it may be fitt you know them. Ther is ane other thing Sir Andrew Forrester tould me, that a petitione uas sent to L^d. Lundin, from on Captin Caernes conserninge some arriers diu to him, and when he reseaued it, he threw it upon the table and sayd, I daer not medill in thes things, it uill be made a quarell of yet, ther may be storys made of it. Let me intreat your Grace, even becaus that man had a ruffell uithe your brother, to doe as mutch in his pretentions as any others which I am sure you uill doe, and make foule mouthed talkers appire in ther owne triw shape. I haw nather acquentans nor knowlege of the man, but my zeall for you ; therfor pardon me uhat I uryt at any time in kinde freedom.

I finde the B^p. of Edinburghe extremly sensible of your Grace's goodnes and favor to him. I am sure he uill be a triw, fathefull and usfull servant to you. When you com up, I uishe withe all my heart he may be hear for on. Ther hes bine mutch paens takin by 07 and his brother upon the clergy hear, to strenthen ther conserns : no persone can be fitter then he to serv

you uithe them hear ; and you uill, when you consider of it, finde it u[o]rthy of your thoughts : and in the laste place, giue me leaue to pay my humble thanks to your Grace for your favor to him. Besitch you lett not 07, or his br. make any friendship uith D^r H., but kepe him iff possible, as he ought to be uithe you. Your Grace sees my fredom. I am in the same bottome uithe you in his Majesty's service, and resolves to sink and swim uithe you, which I houp uill excuss me, iff I goe too forwardly in my zeall. E. Middleton and I hawe resolved, seperatly first, and then together, to spek uithe tte Kinge throughly. Pray when you uryt any letter you uould haw me show the Kinge, uryt a note a paert, which may contaen any thinge els you uould say to me, and it uill be fitt you doe uryt sutch letters some tims, that may giw me the better ryson to spek sutch things as you uould haw me press upon him. 07 uill ather be on the top of the whill or thrown from it, the letter, I am sure, is most resonable. So, my dearest Lord, adiw.

Pray, kepe to your self uhat I uryt, and throw my letter, after reding, in the fyre, as I doe yours.

Whythall, Aprile 25 : 1685.

102. This weeak past, I haw bine bearing in upon the King the necessety of sending some fitt persone to rivue the armye, to giw him ane exacte account of the conditione it is in ; but, till last night could not bringe him to any resolutione in it. And hawing then prevaeld uithe him to send doune the Earle of Dunbarton for that purpos, I desired he uould consider if it might not be necessary, upon the informationes wee hawe from Holland of Cleland's goeing for Scotland uithe thes ships, uharof you had ane account befor, and probably Argyle, or some other considerable persone of the rebellious criw in Holland, to giue Earle Dunbarton a commisione, alonge uithe him, to command in chiff, in cace of any invasione or rebellione, which might hapine ; and, iff non fall out, he is not to make uss of it. In order to this, he appointed me to acquent Earle Middlton and Lord Melfort to uaet on him this morninge at nyne acloke, which uee did accordingly. Upon discoursing of all matters, his Majesty caem to thes resolutions, —1. that Earle Dunbartone showld goe to Scotland, as sone as possible, to giue him ane account of the conditione of the armie, and to caery uithe him sutch a commisione as I haw alreddy mentioned : next, that Bekman be presently sent doun for buldinge the fort at the Bridge of Sterlinge. The Kinge is to speke to Lord Dartmouth this afternone, to hastin his dispatch.

The Yaucht is also order'd to be sent auay furthuithe that is to cruse betwixt Scotland and Irland. Orders ar giuen to the two troups of Dragowns that ar to lye at Carlyle for security of the Borders on that syde. And the Liwetennant Governor of Carlyll is the persone appointed to reseave and ansswer all sutch advyses as shall be sent to him from your Grace, and the Councill in Scotland, and Coll. Struthers on the Northumberland syde. It is resolved that Hyland clans be sent in upon Argyll shyre, in cace

of any invasione or rebellione ther, for the King uill have his owne standinge forces to attend the West Cuntry. L^d. Melfort, being in uaetinge, is to make reddy the dispatches which are to be sent this night. He prest extremly that L^t. Gennerall Drummond might be imployed to command the Hyelanders, but ther uer arguments used aganst his proposall which uayed so mutch withe the Kinge that he uould not listine to it: besyds that, I tould him that could not be ajusted hear, but left to your Grace and thos upon the place of the Secret Commity, uho uer only proper for it, which his Majesty approved of as absolutly necessar for his service. This, and E. Dunbarton's beinge sent doune, is a mortificatione to O7. The King hes now also appointed Gosford's Commision to be Major of the Regiment of Dragowns to be exped, and, it is to lye in your Grace's hands, untill Gosford secure Sir James Turner in on hundred ponds sterling yearly, to be pyed to him duringe his lyfe. He hes also appointed a commisione for a new company of foot to be leuied for Captain Barelay, and he is to haw the command of the fort at Sterling Bridge; and ane commisione to Major Windeham to be Captin of the troupe of Dragowns, lately Captine Ingluss. The informations the Kinge hes got from Holland of the rebellious desings of the utlaws ther, to raes a rebellione in Scotland, hes moved the Kinge to delay the acte conserninge the Militia, and the rather since he can hearafter, iff it be fownd convenient for his service, by a proclamacione, continow the rendezouses as he thinks fitt; and he is aluays of oppinion that uhat he can doe by his prerogative is not to be brought in to the Parlament. A letter from him uill come by this post to your Grace to this purpos.

I had, two posts agoe, a letter from my Lord Chancellor, which I haw sent you enclosed, uithe a copy of my anssuer; for it is fitt your Grace know it. I shall say nothing of it, but leaw to your self to judge of it. He seems to be in ill humor, but I am littill conserved. I kniw nothinge of uhat the letter contaend I sent your Grace by last post from his Majesty, till last night, that he tould it me, and that he had urytin it upon the letters he reseaved from Holland after I paerted uithe him. I besitch your Grace to return me the Chancellor's principall letter.

COPY OF MY LETTER TO THE CHANCELLOR.

Aprile 25: 1685.

In your last of the 16th, you tell me that my Lord Comissioner acquented the Secret Commity with somuhat he tould uas sayd by your brother, which he interpreted as ane accusatione of his Grace, and of which he sayd he uould be publictly vindicated, and that after you uas gone he gaue me for his author.

This is sutch a gennerall, as I know not uhat ansswer to make to it, otheruays then to desire your Lordship to informe me uhat the matter is in particular, and then I shall not faell of returning you an particular ansswer.

I must crave leave to say that my way of livinge can giue no just grownd of suspitione to any body. I doe not dissemble my oppinion, and it is, and shall ever be, with as much zeall for my master's service as any man's livinge. I have ever desired and designed a good understanding amongst all his Majesty's servants, and so far as I could, to preserve vnity and frendshipp amongst them, and when it falls out to be otherwise, I do heartily regrayt it,—so far am I from incurridging any thinge of that nature. And if every body be as calme and equall in their speaking, writing, and acting, as I indevor to be, the noyce of discord will be littill heard amongst us.

Whythall, April 25 : [16]85.

103. "In my oth[er] letter, I forgot to tell you that what I wrote concerninge Earle Dumbarton is to be secret and to yourself alone, especially that concerninge his commission, which the King resolves shall be made known to none, unless there fall out an necessity for him to make use of it. . . .

"The Kinge resolves to send downe Lochiell that he may be in a rediness to assist in case there should be use for his service." Lord Melfort had moved the King that since the Master of Saltone was to have a new commission, and that he bought his company, that it might be given to the Earl of Eglinton's brother, who would give him back his money. The King was likely to agree to this, though he was extremely against selling military "employments."

Whythall, Aprile 28 : [16]85.

104. There had been a talk as if Claverhouse had been in town ; but Lord Melfort told him that morning that he had a letter from Claverhouse yesterday, and there was no such thing as his coming from Scotland at all. "E. Dunbarton askt me if I had heard any thinge of your brother, Coll. Douglas, beinge wounded in some private quarrell. I told him, no ; and I was sure it was as false as hell. When you see him inquire and he will tell your Grace from whom he had it."

Whythall, Aprile 30 : 1685.

105. Moray had received Queensberry's letter of the 25th by the flying packet which came yesterday morning, "and about ten o'clock L^d. Melfort and I waited on his Majesty and read to him the Secret Committee's letter, together with the Addresses of the Royall Burrows to the Kinge and your Grace, whereupon he was very well satisfied. The Kinge has your speech, which he promises to be careful of, and to deliver back to me, because it must be printed as one as the Parliament's answer comes to the King's gracious letter. The address from the Burrows will be in the next Gazette. L^d. Melfort delivered the Vicount Tarbat's letter to the Kinge : he read it, and said it was only a complement." An Instruction was sent by that post for maintaining the Bishops' privilege in speaking and voting in trials of criminals before Parliament. "When I spoke to the

King about this, I remembered him how much Shaftberry and that party had endeavored to seclude the B^c from that privilege, to weaken the interest of the Crown; whereof he was very sensible and remembered it well."

He had not yet heard of any thing Lord Melfort was doing towards the dispatch of the last letter from the Secret Committee. "It seems he intends, if at all, to do it himself, for I have not so much as seen the letter since it was read to the King. To help this, in time coming, when any thing of importance is arising for in my Colleges waiting, pray let a copy of the Secret Committee's letter be sent to me, and then I can move, if he does not. . . ."

"In my last I forgot to tell you that the King has sent a small frigate and a yacht to cruise on the coast of Holland, to wait for the ships that are fitting out there; but this must be kept very secret and is only to your self, for should it take wing it would defeat the design."

He had formerly acquainted his Grace with the conference he had with Zachary Burne, and that he would clearly prove against Ferguson. He had that morning procured an order for a yacht to carry Burne and Shepherd to Scotland, and he had ordered it so as the yacht should sail upon Saturday or Sunday, since it was necessary they should be there before the 12th of May.

"I have been urging this four and twenty hours a day to speak with the King of Claverous and other things, but he is so taken up now before the sitting of the Parliament here, that it is a hard matter to get time; but I hope I shall very shortly, and then your Grace shall have a better account of all. I whispered in his ear this morning, as he went into his closet with the Treasurer, that he would not be prevailed with to do any thing relating to Claverous till I spoke with him, which I have reason to expect he will not."

He had the King's assurance that he would not dispose of the fines and forfeitures, but would be watchful. Sir Philip Howard had sent Mr. Ewen to wait on his Grace about the dispatch of the prisoners. "The King was very well pleased with the account given him about the Acte about religion." The account of the riding of the Parliament was to be put in the Gazette. Yesterday Earl Sunderland assured Moray he had written to the Justices to seize Montgomery of Langshaw. He would urge that the scheme Lord Melfort was always pressing should be sent down to be considered by Parliament, Council, or Secret Committee; "and then, I hope, such a return shall be sent as may put out of doors any further noise about that matter. As to the bringing down of the Hyelanders, you will find by my former letters, as well as this, that the King approves well of it, and himself said to me, that at this juncture, if any came from Holland with the design to raise a rebellion, there was no way like to purge in the Hyelanders upon them." He was amazed what could be the Duke of Hamilton's design of opposing his being in Parliament

as secretary. "Ought not the Secretary to injoy the place diu to his office? I pretend to it on no other account, and I uill not uillingly loss a titill of it in my time, lett others doe what th[e]y pleas that coms after." Sends copy of letter from the Lord Justices in Ireland to the Earl of Sunderland, with the depositions of witnesses, containing "a furder informatione of the rogs that went to Scotland from the Iland of Magee in Irland." By the letter, he would see the rebels had encouragement "from some verry extrordinary thing th[e]y expect to fall out in Scotland. Your Grace will haue uatchfull eyes to observe ther motions, and provvied aganst the villanus practises of thes inhumane barbarous rebels."

Whythall, May 2 : 1685.

106. Yisterday morning I had a verry free conferens uithe Z : and first, conserning 30 : he sayd he had applyed to Or : fn : being present, and yit q q : had sayd nothings to him of it : Sh : sayd what application was made was as bade, and rather uors, then he had forborne it : and pro : hauinge done a fault which L9 thought fitt to punishe uithe a marke of displeasur, some signall acknowlegment was fitt, which it seemed his humor would not submit to. A13 walked up and doune a great uhyll silent, and then sayd he would consider of it. Then G. tould him he fownd that 07spok verry malicious things of Or, and iff any thinge was sugdgested to him conserning q q : 204 houped he would giue no ear to it, since pik and humor was apparent to all persons he conversed uithe agaenst c 8 : G. sayd he had nothing of this from Or, but his oune observation, uharef he was oblidged to giue him notice. A great deall past which is not fitt to be urytin, and 120 haueing since compeared nots uithe G., uee find that what past betuixt 18 K and Z : was the same that Sh : meet uith. It is our joint oppinion to urge littill till Or : sees Z : for L9 says posetively that 07 hes yit sayd nothings of that to him.

120 and 204 hawe consider'd the matter of q q upcominge after 96 is over, and do conclud, iff Or had Z posetive leave to come befor his going from this, that nothing showld be moued of it furder, but that he showld com ; but iff not, uharof we desire to be speedily informed, then it uill be fitt for q q to uryt a letter to that purpuss to A 13, which 120 and 204 uill delyver and second. It was never yit heard of but the person who served the Kinge in that capasety did come, and giue account of his service, and reseave approbation in his owne person. . . Gosforde is not yit come, and 120 and 204 houp by him to hear mor particularly from q q, and accordinge as wee ar informed and reseave advyse, which we shall not faell to doe our paerts. It uill be the middle of next week befor Earle Dunbartone can paert from this. The Kinge is every day so takin up uithe musteringe of his troups, and other bussines befor the Parlament, that ther is mutch to doe to gett any time to talk uithe him of other matters. I come in uaetinge on Monday, and then I shall haw occatione of opportunities to spek uithe Z, which I could not so conveniently hawe a ryse to before.

Postscript:—Since urytinge of the former part of my letter, Gosford is come, and as sone as I had rede your Grace's letter and the others, I went emediatly to uaet on the King, and he went to L^d. Melfort, and about ane hour therafter th[e]y caem. I spoke to the King befor th[e]y caem uhat uas necessary, then I tould his Majesty Gosford uas ther, and all thre of us went to him, and he kissed the King's hand, and delyvered the Parliament's letter. The King red it all himself, and made L^d Melfort rede the acts of Parliament, a great many of the Inglishe nobility beinge present, and his Majesty exprest a great deall of satisfaction uithe the proceedings.

Lord Melfort tould it uas the Dwk of Hamilton that first proposed the excyse to be established on the Crowne for ever. His Majesty, it beinge late, hes appointed all of us to uaet on him tomorrow at ten a cloke, and L^d. Glames uho uas to tak leave this night, is kept to caery the necessary dispatches. It is laet, and I can say no mor till tomorrow meting is over; so, my dearest Lord, agaen, adiw.

Just as I uas closeinge my letter, E. Sunderland sends me the inclosed letter directed to him from the Lords Justices in Irland, I mean a cobby of it, uich now I transmite to your Grace.

Whythall, May 3: 1685.

107. This letter was to be sent by Lord Glammes, who would bring his Grace the Instructions for discharging the "volenter" supply. "This morninge the Secret Commyty's letters uear rede to his Majesty, Earle Middleton, L^d. Melfort, Gosfurd and I beinge present. His Majesty is extremly saetisfied uithe them, and uhat you hawe done in the Parla^ment, and hes order'd his owne letter, the Parliament's ansswer, the spetch, and acts, to be printed, uiche shall be done uithe all possible caer and dispatch. As to Claverous, I houp Z [the King] will not listine to uhat some would hawe him do in that matter; but in a fiou days after I haw time to talke througly uithe Gosford, and then uithe L 9 [the King] I shall be able to giue you a more certin account of it." His Grace's vigorous proceedings in Parliament were very acceptable to the King "and the rather that the openninge of the Parliament of England is so near, to uich the foruard and loyall actings of the Parliament of Scotland is so good a presedent. . . ."

By next post he hoped his Grace would have the King's directions concerning Earl Lowthian's, Pittaro's and Mrs. Brisbane's processes. "E[arl] Dumbarton hes bine, since yisterday, at the Toure uith his regement, uhar his Majesty went last night to see them excerses." He could not understand what ground of complaint H. or any body else could haue in bringing down the Highlanders. He was sure the King told him "it uas the only best uay befor wee knew any thinge of your resolutione in it. And his Majesty tould us all this day, that he uas verry ueall pleased uithe the new commisione of Liuetennansy giuen to the Marqus of Atholl, as ane excellent

expedient for the security of that cuntry, and preventinge the villanus desings of the rebels, which he sayd was not to be delayed so long as to auaete for a commisione from this."

Whythall, May 5: 1685.

108. The flyeing paket came hither this morninge. I went emedatly, and Sir Andrew Forrester with me to the King, and after he had delyvèr'd your letter I went to his closet uithe him, and spoke of the letter sent doune of the dat the 25th of Aprile, conserning the militia. I was verry plaen uith him on that subject, and convinced him that it was absolutly necessary it should be instantly healed; but he would neds haue the resone to be as you uill sie in the narrative of the letter. I tould him the former letter was drawne and dispatched uithout so much as showinge it to me, or els this troble might haue bine prevented, and that the last instructione sent to you conserning the volenter supply had bine defective, and must haw also abine returned iff Sir Andrew Forrester had not accedentaly showne me the brahan of it, after it was past the King's hand and countersign'd; for the Royall Burroughs was altogether forgot, which I was forced to caus ade upon the margine, and caused him signe it. I hawe bine extremly toild this day, and uaeted since fyfe a'clock at Whythall to get his Majestie's hand to the letter. He stayed till nyne in the Tressury Chamber. . . 07 seems to be much calmed, and this day came to me uithe great professions of his rediness to comply in every thinge uithe your Grace and the rest of the King's ministers, which you uill make proper uss off.

In our joint letter you haw ane account of the informations his Majestie hes from Holland. It is sayd by the best informations we hawe, that Argyle went 3 weeks agoe in a doger boat for Scotland, and the Lord Gray to the North of England: and the Dwk of Monmothe is also sayd to be gone there. The 3 ships that uear fiteing out ther, two of them uear sent out to seae, but uear drofe bake by contrarey wynds to the Tessill: Mr. Shelton, the King's resident, hes orders from the Stats for arresting them, and we ar verry hopfull it is done; and tho that faell, it is not doubted but the king's frigat that is ther attending ther motion uill meat uithe them. I send your Grace 3 letter of Information, directed to Sir James Kennedy, conserning this. In on of them you will see it is sayd that a ship goes from Holland for Sir Robert Gordon's Baily: and that Balfoure, the murderer, and severall others is to go uithe her to Scotland: besitch your Grace, tak order that the ports of Cromerty and Findhorn be ueall garded, and that non be sufferd to come asore till that ship be searched. My next shall supply uhat is omitted hear.

Whythall, May 7th, 1685.

109. "I shall now say nothing of the letter sent you from the Kinge about the militia by the last flyeing paket, only this that when I spoke to him in the morninge, he sayd nothing of that claus in the beginninge of it, which, in the afternone, to my

wonder, he was so positive to haw in it. However, it does what your Grace desired, and so I leave it." Moray believes the Chancellor may have written to his brother about it, as Queensberry insinuates, "but the King is so closs in these matters that it will be impossible for either E. M. or me to discover it, but by time, which I doubt not we shall doe.

"Captin Jefferd is now order'd to goe and cruise betwixt Irland and Scotland with a good frigate. He goes straight to Lethe" for his directions from the Commissioner, then to go by the north coast and try to intercept the 3 ships from Holland: Shipherd was fallen sick of fever. The King's physician was sent to see him, as it was heard the sickness was feigned, but it was not so, which retarded sending down him and Zachary Burne. The King was very well pleased that Sir George Lokart was appointed to plead for Mrs. Brisban, "O7 has certainly got a sever reprimand from _____, for now they are very lounded and calm in appearance, and Gosford will let you know what oaths and professions was made yesterday by O7. I have freely told the King that if O7 had not drawn that letter of the 25 of Aprile without so much as letting me see or know any thing of it, I would have told him his error, and prevented the inconveniencs, which his Majesty is very sensible of." Was assured the King had read him a lecture, he was extremely crest-fallen within these few days—Dunbarton's dispatches would be signed by the King to morrow.—A postscript states he was now drinking his Grace's health with Middleton, Dunbarton and Gosford. Gosford had got a pension of £200.

Whythall, May 9: 1685.

110. "You will see by the letter written to your Grace and the Secret Committee by this post from his Majesty, that he inclines not to have the test further pressed upon the Heritors at this time. The rise of this was from a letter written by the Duke of Hamilton to the Earle of Arran, which he showed the King, but it was at least of a date eight days staell, so that its probable there may have been other means used to bringing it in. The same letters desires he may aske his Majesty's leave to come up about the end of May, that his physician do advise him for his health to drink Tunbridge waters, and to goe to the Bath; and leave I see he will gett." Earl Arran had come to Earl Middleton, Earl Dunbarton, Lord Melfort, and Moray, when they were sitting together before the King called them, and urged them extremely to move the King to put his father on the Secret Committee. All were silent. This gave Moray ground to believe there was some design. Moray therefore asked the King if such a thing had been moved, and the King said the matter was not ripe for that. Moray then perceived that the design had been laid and prosecuted. Moray observed that if they were put in there would be little quiet or unanimity in it after that day. "Yesterday, when we were coming away from the King, he called me back, and told me he was positively resolved to

send doune a letter uithe E. Dunbarton for putinge Claverous on the Councill, but that he uould hawe non to know of it, and it uas to lye in your hand uhyle you thought fitt to doe it. G. sayd all he could in it, but to no purpouss. Lett not E. Dunbarton know that I haw given your Grace any notice of it: you may see uhaer it tends, and the new allaya that is betuixt fy o and 22; but since this is done, bothe 120 and Sh thinks the soner you do it the better. I must discover to you all I can, and its fitt you burne my letters after redinge. By uhat I hawe alreedy sayd O r: will be convinced how necessar it is he see Z emediatly after the Parliament. It is not to pile straes that 14 comes hear, and now that you ar so far informed you will the better observe ther motions.
E. Dunbartone paerts tomorrow morning, and uill be ther within a day after this; and from him you uill haw account of all matters; so that it is aduiseable you mak only uss of uhat I uryt to your self, and burne my letters. My dearest Lord, adiew.

The King hes bine all this day at hunting. I haw since six a'clouk uaeted for him in the bed chamber till this minut, and it is now tuelf o'clouk at night, but no news yit of his coming, so that I uas forced to come and dispatche the paket that could uaet no longer. Your Grace shall haw the letters from his Majesty that should haw bine sent by this ordenary uithe E. Dunbarton, who cannot now goe befor Monday's morning. He desires me to tell you he will mak all the hast he can: he hes coatches and horses layed for him in severall places, and this delay could not be auoieded.

Whythall, May 10: 1685, 11 a'clouk at night.

111. . . . "This desinged rebellion will make noice, but I houpe God uill blast all ther impious and helishe desings. All possible caer is takinge in this kingdom, and I fear not but your Grace will haw as diligent and uatchfull an eye over Scotland. E. Dunbarton will be uithe you in fliow hours after you reseave this. So, my dearest Lord, adiew."

Whythall, May 12: 1685.

112. The Secret Commity's letter uas rede to his Majesty, uithe the Acts you sent, and the joient letter approuinge them from my college; and one by the King's command ansswers all therin contaend. You uill see in it some obserues, be uay of caution, that I confes I doe not ueall understand, and far les comprehend as th[e]y ar urytin; but rather then make noice I let them goe, and, in my humble oppinion, your Grace had best only make your owne uss of uhat I tell you of it. The Instruction for raetefeinge former laws in favors of the ordinary Lords of Sessione is hear- uithe sent. Sir Andrew Forrester this day showed me a letter from the cashekeeper, uich I shall make the best uss of I can, and by next giw your Grace ane farder account therof. The Kinge hes order'd Lochiell to goe emediatly to Scotland to attend his seruis uithe his clan ther, and hes for his incurridgment giuen him ane presept for 200^{li}. sterlinge. He hes also order'd

thre presepts mor for 50^{lb.} s^{t.} a pice; on to Captin Maxwell, on to Captin Chaerters, and a third to Captine Berclay. This day's account from Holland tells us yit more of great quantetys of ammunitiōne and armes provided and shipt by the Rebels, and the Hollands Gazet giws ane account of all that matter as fully as the privat informations do (uhar the monny hes bine purchast, which must be considerable) to bye all thes things is the questione: but it is not doubted that heavier purses then any thinge th[e]y can pretend to hes bine asistinge, which time must discover. E. Dunbarton and Gosfurd ar bothe of them now uithe your Grace, and from them you will haw full accounts. Pray, hawe a caer to kepe honest Dunbarton right, that he be not deluded by councils he uill meet uith ther. Gosfurd will tell you uhat past betuixt him and me, uharin we hit bothe in on oppinion as to the uay of dealinge uithe 07.

It is probable the Kinge may keep Lochiel's supereorety to himselfe, and extinguishe that signatur granted to the Dwk of Gordon altogether, and in liwe therof, giwe him Baely of Jerviswood's forfaltur

This night my college moved to the King that the childring of the rebels might be appointed to be takin as hostiges. E. Middleton and I uear bothe silent, so uas the Kinge a great whyl: at last he sayd he would advyse that: the issiue your Grace shall know by the next.

Ther is ane other presep for 50^{lb.} ster. appointed for Major Ueindrahem.

Whythall, May 14: 1685.

113. Yours by the flyeing pakēt of the 9th I reseaved last night about eight a'clock, and emediatly uaeted on the Kinge; but he tould me he could not possibly haw time to hear the accounts you sent me till this morninge. However, he allowed me a littill time to speke to him of the Instructions your Grace sent me, and I convinced him of ther usfulnes for his service. Only he sayd he thought fitt that your Grace showld name the Commisioners for the supplys, the Justices of Peace, and Commisioners for plantation of churches and valuation of tinds, uithe the aduyice of the Secret Commity. And as to that betwixt the Royall Burrous and Burghes of Regalety, the Kinge sayd he uas content to giwe his consent to any thinge the Parliament showld think fitt to do in it, but uould by no means haw you interest yourself as his Commisioner in that matter. So findinge this to be his Majesty's posetive resolution, I proposed it so, to disapoint 07 haueinge any grownd to appire or stikill in it: and this morninge the Kinge say'd he uould not medell in that, as he uould not in the matter of the sumer sessiōne. So 07 took hold of that, and moved if Z uould giue that leave to be brought in now. G. took it up warmly, and Z sayd no, no; he intended no sutch thinge: so that I am verry ueall assured you will hear no more of that matter. The King is now so takin up, the openinge of the Parliament of England beinge so near, that ther is deficulty of

getinge any time of speking to him, but by short snatchess; and therfor I am not able now to ansswer your Grace's letter by wholl seall. But after I haw spokin withe E. M. and then had any time uithe the Kinge, you shall haw ane ansswer to all.

I am verry sensible of your Grace's great paeins and toill in his Majesty's service, and the littill assistans you haw ther to support you under it, uharof I faell not to acquent the King frequently. I pray God keep you in healthe, and then all will be weall. . .

I have now again fresh assurance of the Kinge, that he uill not medill uithe any of the fines and forfaulturs, and iff any thinge be moved conserninge the Laerd of Grants, I shall bear witnes to it. And hawinge his assurance to medill uithe non over and over, I do not think it so proper to urge the disposall of Grants for the provisions; but I yild my opinion, iff you think it still fitinge, and as you advyse, after reseat of this, I shall not faell to procede. You haw had severall accounts befor and now of his Majesty's orders for securinge the northe of Irland, and the borders betwixt England and Scotland, and he says all is done that can be done at present in that matter.

As to Shipherd, Carstaers, Burne and others, our jont letter giues you ane account, which I need not repeat.

I am verry confident Or upcominge nather can nor will be refused, but after I hawe spoke and resolved uithe 120, you shall hawe a better account of this. Uhat ever uas my college's oppinion of bringeing doune the Hylanders, he says nothings now, for the good effects of it alreddy appirs. I tould your Grace befor, I uould haw you uryt in a letter apaert uhat you would haw the Kinge see, for I haw bine alredy pinched for uant of it; for uhen I move any thinge as from you, he cals for a sight of the letter, and I have bine forced tuiss to make ane excus upon that head alreddy. [07 had procured the Earl of Eglinton's brother the favour of buying the Master of Saltoun's company.] As to the Instructione conserninge the securinge of innocent creditors agaenst forfaulturs, 07 and 204 had mutch debeat befor Z; but at last it uas yilded, and orderd to be sent as it uas recommended, without any amendiment, which I uould faen haw had, as your Grace wrot; but iff I had insisted, its lyk it might haw bine layd assyde for all to gither, so that I gawe uay to it as you sent it up.

As to the proposall I urot to you by last post, made by my college for takinge of hostages, the King hes since sayd nothing of it, and probably it is letin fall; so I uishe you tak no notice of it, for it uas only urytin to your self.

Since urytinge of the former part of my letter, I haw bine uithe the Kinge, and a littill whyll after caem Lord Melfort: he agaen moved his Majesty that hostiges might be takin of the rebels and outlays. I confes I did say that I thought it not fitt for the King to resolve on that matter hear. But since it uas so mutch urged, I thought the fittest uay uas to acquent your Grace and the Secret Comity of it, uho could best judge on the place uhat

was fitt to be done therin, which his Majesty accordingly orderd, as you uill see I haw aded in the post scrip of our joint letter.

The Kinge hes appointed the Earle of Granard to send sutch asistans to the Uest of Scotland as affaers of Irland will allow, in cace of any landing or rebellion of Scotland, as the inclosed copy of the Earle of Sunderland's letter to him will informe your Grace more particularly.

Whythall, 16 May : 1685.

114. Moray was commanded by his Majesty to let his Grace know, that after full consideration of the memorial presented to his Majesty by the Countess of Southesk, together with the Earl her husband's answers to it, his Majesty thought the Countess had been somewhat hardly dealt with. Considering she was a person of great quality, and that she had brought a pretty good portion to her husband, she might with justice have expected the punctual payment of the small yearly allowance settled upon her for her maintenance. She was reduced to great straits, her allowance being unpaid for several years. His Majesty expected what was due to her would be paid by the Earl of Southesk without any further delay, and that thereafter her yearly allowance would be punctually paid, that she might live without the hazard of being brought into extreme want. "Otherwise, his Majesty sayes, he cannot interrupt the due course of law against his Lordship."

Another letter of the same date also refers to this question. The King had showed Moray a long letter he had received from the Countess of Southesk the previous day, writtin "in the most pittifull tearms can be imagin'd," and stating no less than that she was in a starving condition. "I find the King is resolved to haw her pyed. . . . I heartily uishe the Earl be not sticking, for I find the King pikt at the matter." The Countess of Sutherland had also petitioned the King "for a pretention of 1,000^{lb}. sterling giuen her in lyfrent, and the Marqus of Douglas in fie, for the Dean's hous." Queensberry was required to consider and report on this. "This day the Kinge hes also resolved to mak your brother, Coll. Douglas, and Claverous, brigadiers to Coll. his troups, which commands all collonels. When th[e]y ar sent doune th[e]y ar to lye in your Grace's hands, to be made uss of in cace of any rebellion, and not otheruays. He told me that E. Dunbarton had moved this to him befor he uent doune, but pray tak no notice of it to any body."

Whythall, May 18: 1685.

115. The flyeing paket dispatched from Edinb[urgh] the 15th caem hither this morninge about seven a cloke. L^d Melfort, who is in uaeting, and I, uaeted emediatly on the Kinge, and acquented him uithe the Secret Comitty's letters, to which ther is a returne sent by Lord Charles Murray, uho goes tomorow morning post to Scotland. I tould his Majesty the resone of your Grace's not urytinge by this expres, which you uould supply by the next flyeing paket, in a day or two. He is verry

ueall pleased uithe the Acte of Supplye, and talked mutch of it to all the Lords about him. I assured him nothing uould be wanting whyl you lived to doe him all the acceptable services in your power, which I am sure he expects, and does not doubt of. The King hes orderd emediatly four thowsand stand of armes for foot, a proportionall part of them fyrloks, and on thowsand for hors, to be sent downe uithe a frigat for the convoy. He hathe also order'd a frigat of fourty guns to be sent to the seas betuixt the west of Scotland and Irland to seas the ships, iff th[e]y be landed befor she arryve (uharof wee mak no question) to stop communication or supplyes from coming to them: the frigat is to go through the Channell. Veteche and Polvart sone ar orderd to be seased hear, and its lyk som others.

The Kinge orderd two commisions to be drawn for your brother and Claverous to be Brigadiers. Wee uear order'd to see how sutch commision had bine hear, and in E. Middleton's office wee found the extract of one granted to L^d Churchill, ane other to Coll. Wordin, the on for hors, the other for foot. So Lord Melfort tould me the Kinge had orderd him to draw on for your brother for the foot, and Claverous for the hors. I tould him that could not be, for by that means Claverous uould comand your brother to be shott. Wee uear verry hot on the matter; he sayd he kniw no reson why Coll. Douglas showld hawe the presedensy unles that he uas your brother. I tould him that uas aneughe, but ther uas a greater, and that uas that he uas ane officer of mor experiens and conducte, and that uas the King's desinge of appointinge Brigadiers at this time. He sayd Claverous had serued the Kinge longer in Scotland. I tould him that uas yit wyder from the purpos, for ther uear in the armye that had served many years longer then Claverous, and of higher qualty, and uthout disparagment to any gallant in ther personal courag. By this tym I flung from him, and uent streight to the King, and represented the cace: he followed and came to us, but the King changed his mind, and orderd him to draw bothe the commisions bothe for hors and foot, and your brother's two days' date befor the other, by which his comand is clire befor the other. I saw the commisions signed this afternone, and th[e]y ar sent hear uithe by L^d Charles Murray. Now I besitch your Grace, say nothing of this to any, nay, not now to your brother, for L^d Melfort sayd to Sir Andrew Forrester that he uas sure ther uould be a new storme on him. I could not, nor is it fitt, this should hawe bine kept from you, but you will find it best for a whyle to know and tack littill notice, for it giwes him but grownd of talkinge, and seruius no other end. What I haw now omitted, I shall supply by the next. So, my dearest Lord, adiew.

Whythall, May 19th : 1685.

116. . To uhat I urot this morning by Lord Charles Murray, I haw littill to ade. This day I uaeted on his Majesty to the openinge of the Parliament. Sir John Trevor is chos Speker to the Hous of Commons, beinge recommended by the Kinge, and

proposed by E. Middelton, as his secretary, without a no in the wholl Hous. The speetches will not be befor tomorrow.

Now, lett me bege of your Grace, uwhatever E. Dunbarton had to say to you from the Kinge, not to be conserved at it, or to say any thing that may discover the least dissatisfaction. Sutch as uishe you not weall might tak advantage of it, and by a calme silence you will bothe disapoint ther houns and frustrat ther desings

120 and I haw now spok at lenthe of Or up cominge; and after serious consideration of all things at this junctur, we doe not think it fitt to move Z for it till first the Parliament be over, and then we sie a littill furdur in this helishe and traetorous desinge of Argyle's, and the other rebels joined uithe him. The Kinge is takinge all possible caer to prevent ther villanous intentions hear, and he is convinced you doe all that's possible in Scotland; so that I trust in God it uill end in the destruction of the conspirators. D. H. had leave to com up in the begininge of June, but now I showld think it verry unsutable that any of his qualety and intrest ther showld leave the kingdome till this brushe is over.

07 by thre severall things he proposed yisterday to the King, and uear rejected, finds that he is not almighty, and is extremely out of humor. Hee may haw mor caus in time. Pray your Grace, pull all the feathers you can out of ther wings, ther ar but fiow of them, and then, at least, th[e]y will flye but slowly. My dearest Lord, adiew.

Postscript:—I observe in the laet proclamation that my nephew Duffus is named to command my interest betwixt Spy and Ness, uwhich I mutch admire of, my sone beinge on the place, who, I am sure, will serve the King uithe as mutch zeall and duity as any man linge. Uear he not ther, and my self also absent, I showld choice non but my nephow. I wonder how it hes bine brought about; besitch your Grace tell me, and uithall how you ar pleased uithe the B[isho]p of Edinb[urgh's] carrige in this Parliament.

Whythall, May 23 : 1685.

117. This minute I am come from ane meatinge uithe the King, uhaer E. Middlton, Ld. Melfort, uear present, and it is now past tuelf a'clock at night, uhaer it uas resolved that in regard of Argyle's rebelione, and that the sitinge of the Parliament uould detaine manny noblemen and gentilmen from attendinge his service upon that account, therfor the Parliament is to be ajurned. Next, E. Arrane, hawinge applyed to the Kinge that on this ocaatione he may be sent to Scotland, to serve his Majesty, it uas desinged and moved by 07 that he might be made a Brigadier; but that the King would not here of, but resolves to giw him a commisione of Liuetennacy for the shyres of Vest Louthiane, Clidesdel, Renfriw, and Dunbarton. He is to command all Collonals, in cace he be on the place uithe them; but iff a Brigadier be present, and no other superior officer, the Brigader is to command him. 07 also proposed that ane Act of

Parlament might be past, giwinge a parliamentary poure to trye all that showld be cited on thre scor days to a select commity. I sayd sutch a pouer showld, if at all, be only giuen to the Lords of Justicary. It uas ansswerd, th[e]y wear tyed to strike (strict) formes of law, which uas sufficiently ansswerd, and therfor, I urged, that the matter showld only be moved to your Grace and Secret Commity, uho could best juge of it, beinge upon the place, and hawinge learned lawers about you; and so it is orderd. . . . Wee haw so many aery notions that I fear extremly ther effects.

Postscript :—Bothe Houses of Parlament haw this day voted, and in ane address, in the Banquetinge hous, declaerd th[e]y uould stand by his Majesty uithe ther lives and fortouns, in maentenans of his person and goverment, aganst this rebellion in Scotland, and all his enemies uhatsoever. This is lyk to prove a most happy parlment for King and Kingdoms, which rejoices the hearts of all loyall and honest men.

Whythall, May 24 : 1685.

118. . . . The King in his letter orders the Parliament to be ajurned to the last Twesday of October, and ther is a claus subjoind for delayinge the pasinge of the Act of Indemnity at this time. I tould it uas nedles to giue that catione, for I uas sure it uould not be done: he sayd he uas doubtfull it uould be done befor the letters caem to hand, and ue uear at layinge uaegers upon it. Ane abreviat of Argyl's long declaration is drawn out, and to be printed uithe ane short account, as wee reseaved it, of his landinge, and his owne short declaratione is to be printed fully, according to the cobby sent up; the Acts of Supply etct., ar also to be printed in the Gazet. The King's letter is my Colleg's draught, uho proposed the matter, and understands his own meaning best. I confes I am dull in comprehending many things.

Whythall, May 26 : 1685.

119. This is only to tell you that all hear ar impatient to hear from you, hawinge reseaved no account conserninge Argyle's rebellion, since the flyeinge pakat that came on Fryday last in the morninge. What uas sent you by the last from this, I shall say nothinge of, but longs to know your sentements of it.

The Bill for setilinge the King's reveniw duringe his Majesty's life, uas this day sent up by the Commons to the Hous of Peers, and had its first reeding this morning. I am confident it will be past ons this week. I haw not bene verry ueall all this day, which oblidges me to uryt so short a letter. I gaw the Kinge ane account of what uas urytin by Hewgh Wallace, uithe the last ordinary post, to Sir Andrew Forrester, by your Grace's command; uithe which his Majesty uas verry ueall pleased, especially as to that conserninge the Dwk of Monmouth, uharof he made me giue the L^d Keper ane account this day in the Hous. He is verry dissaetified uithe McKnaughtin's caerige and couardize, and says he ought to be

severely punished; and extremely wonders that the Atholl men should have quate the Hous of Elengrege so snekingly. He says Hyland men never do so good service as when their chiefe is upon their heads. I rede to him that part of the letter concerning the ill conditione of the Artillery, with the ane audable voice, and tould him that he would find the accounts yow had giwen him of that and other things prove triw, let it be minsed by others as mutch as th[e]y pleased.

Whythall, May 28 : 1685.

120. The flyeing paket you dispatch on the 25th came hither this morninge about 2 a'clocke, and as sone as the King was up, wee uaeted on him and gaw him account of all wee reseaved. His Majesty appointed E. Middleton and Lord Melfort and me to uaet on him this afternon, which wee did, and commanded the return to be made, as you will see in our joint letter urytin by Vicount Melfort. 289 is to caery it, so that I choiced to uryt this night, by the ordinary post, what I have to say, which, I doubt not, will be as sone, iff not be for him. You see the King leaves it to D. Ham choice, to come or no, as he thinks fitt; and I conclud com he will, and the resone is obvious: for 14 and 07 will joien actings when together, and Or may expect all the dust that can be will be raesed; but G. sees no remedy for it at present but patience. The King hes orderd 2 mor frigats to the cruize betuixt Irland and the west of Scotland, that ar excellent saelers, and rowe with the oars in a calme. Your Grace will see what is order'd concerning the Cessnoks in the joint letter, which I need not repeat. Ther is ane claus put in it concerning unety which is verry necessary, and we ought to tak it home to our selfs in the terms of the letter. As to E. Southesk's bussines, "it is in your owne hands, as you will see by the letter I wrot to your Grace by the King's command on that subjecte I showed the Kinge the Acts you sent up, but ther is ane not of Acts mentioned in the Secret Commyty's letter, uharin you haw desired his Majesty's directions, which wee haw not reseaved. I tould the King of Auchinbrek's joninge with the Argyle, and that he is E. Belcarris brother in law. All suspected persons that can be false upon will be seized hear. G. assures Or that 559 grows every day rather mor shagrine and pikishe; and to tell Or frely, it is verry uneasy bothe to himself and others The King, you will see in our letter, hes orderd mor forces to be put in Sterlinge, but leaves it to you whither of the standing troops or others. My dearest Lord, adiws.

Postscript:—120 and I laughed when the claus concerning the unety was rede, and the King sayd he would uryt also to your Grace himself. The short letter I send by E. Arrane is only for the fashion.

Whythall, May 30 : 1685.

121. That afternoon the King called for Earl Middleton, Lord Melfort, and the Earl of Moray, and discoursed on several matters relating to the present affairs of Scotland, such as

putting an end to the rebellion, with all possible haste before the winter came on; adding twenty men more to each troop of dragoons; calling for the assistance of some Forces from Ireland; and about sending yet another frigate with an expert Captain of good conduct to command all the rest, with two little fire-ships. Also about a dispute between "Craegy" and "Collene" about the command in a bailiary. The Sheriffship of Ayr had been resigned by the Earl of Dumfries in favour of "Collen;" but Lord Melfort hoped the King would rather give it to "Craegy," whose predecessors had sold that heritable office to the Crown for £2,000 sterling "and was never pyed a groat of the monny." This was delayed, and the King gave him little answer. Melfort then offered some signatures concerning the state of Argyle, but the King said he would have the business of the rebellion over before he did any thing of that kind. "Then he said I had past on in favors of the Marqus of Montros. I tould the Kinge ther uas ane speacialety in that of his, which non of the rest had; for it uas for pyment of the remaeninge paert of a soume order'd to the Marqus by the parlament sixty, for the oppresione he had sufferd by the late Marqus Argyle; which uas a very vaeluiable consideration. The King sayd iff he had done any fault he uould do so no mor. 07 urges this on the account of his own signatur, whiche he says is stopt at the exchequer. . . ."

Whythall, June 1 : 1685. On in the morning.

122. Lord Melfort being ill had sent Moray the letters to the Court. He waited on the King and gave him account of all Queensberry had sent, Earl Middleton being present. "You cannot belive the toill wee ar in hear, at this time, and the deficulty we hawe of getinge opportunetys uithe his Majesty for dispatch of bussines. I haw now uaeted till half ane hour after alevine, and had mutch to doe to get his hand to the letter directed to your Grace."

Being himself doubtful on the subject, he had taken Middleton's opinion; and they both thought Moray should not shew Queensberry's letter to the King till they heard from him again. Knowing the King's temper, they considered that "the substance of sutch a letter uear fitter to be spokin by your self then wrytin in a letter. However, findinge your Grace so concerned in the mater of delyvering the letter for admiting Claverous on the Councill, I moved his Majesty that it might be done by my Lord Chancellor in the ordinary uay, which he uas ueall plaesed uithe; and I haue urytin a letter to the Chancellor to that purpos, which I send you inclosed, uithe a copy of it, that you may caus delyver it as you think fitt. In the paper you sent inclosed in your letter to the Kinge, ther is mention made of gratefications and ratefications which showld be made to graetefy the subjects. This 07 took hould of, and sayd, by that uas meant that uhat forfealturs the King intended to bestow in his deserving subjects showld be presently done that they might be raetefied in this session of Parliament. I took

him up short, and tould the Kinge what a gros mistak he was in; for no sutch thing was meant by the letter, and if it had, I hoped he would doe nothinge of that kynd at this time. He sayd, No, by no means. L^d Melfort tould me I had done ane ill office to all that served the King. I tould him, no; but I thought the King had resolved upon what was verry fitt for his service. 07 [Melfort] tould me L^d Tarbat had urytin to him to move the Kinge for the forfaltour of Stuart of Cultnes in his favors."

Whythall, June 4th: 1685.

123. The flyeing paket dispatchd from Hollyrood House the 2^d instant arryved hear this morninge about eight a'clocke; and you uill now reseave ane ansswer in our joint letter to the Secret Commity to all sutch particulars as requerd any. After wee had drawn the letter and red it to the Kinge, and a warrand from his Majesty for issiwinge a proclamation, he would by no means signe it; but sayd he would hawe it drawn hear, which is done accordingly, and heardithe sent. Coll. McKay is to be Major-Gennerall of all the Forces; and, by a letter from the Kinge to the Councill and Commander in Chiffe, is apponted to command the 3 regements he brings uithe him from Holland in a brigade by them selfs. The last you sent I showed Z as Or desired. He sayd he kniw nothinge of fn desinge to com hear, and he was sure it was imp[r]oper to be thinkinge any thinge of that now; and when this brushe is over it would be tyme eniueghe to spek of thes maters. 204 maks no question of qq cominge when it is tyme, and I doe think he is mutch in the right to move nothing in it now: and certinly it is most fitt that Or haw ane approbation and exoneration: but consider whither now it be time to propose it, or when qq sees the Z. himself, for that is a chife resone of Or cominge to give account and reseave exoneration. So send me your posetive resolutione in this, and I shall move in it accordingly. L⁹ sayd littill to the letter, but I uill talk uithe him agaen of it. This morninge the Kinge hes ane account from the Captine of the Tyger frigat that was goeing by the Channell to the coast of Irland, that off Poole, in the west of England, he seized a shipe lodine uithe armes, uharin he finds 5,000 stand of armes, no question sent by D. Mth, and that he was himself cominge from Holland in a shipe caerieinge therty guns. . . . As for Carstaers, I reseaved the paper and shall make uss of it properly; but he can not be found hear, and is sayd to be gone to France, which I haw ground to belive is triw. I never doubted of M. Athol's and E. Breedalbine's zeall and usfulness in the King's service; and I tould the Kinge how groundles the storys uear that uear talked of the provisions at Inverarys falling in the enemie's hands. [Moray had not yet seen 120 or discoursed with him of what the Lord Register had written, or acquainted him of what this packet had brought.] All I shall say conserning 07 is that 204 fears Z listins too mutch to what is insinuat that uay, which I thought fitt to lett you know, and it is admirèd by divers hear; but of this no more at present: when 14 coms, 07 and th[e]y will jone hand in hand, no doubt;

God mak all ueall. The Proclamation uas drawn by L^d Melfort. The narrative is not short, and I confes I uas not of the mind to haue made any, or verry littill; howeuer, it is done and you uill ther judge of it. I send your Grace inclosed the coppye of the King's orders to Sir Roger Strikland, who now is to command all the frigats on the west coast of Scotland and to reseave the Council's orders and directions, which you uill transmit to him frequently as occatione requers. Adiew. 2 in the morninge.

Whythall, June 9th : 1685.

124. The King and all hear ar extremely impatient to hear from you, hawinge reseaveed no intellegence since the last flyeing paket uich came on Thursday last in the morning, being the 4th instant. I moved the Kinge for a warrand conserninge the expenss of E. Dunbarton's table and other debursments, and the 500^{lb}. for his equipadge, which his Majesty is verry uilinge to do, but hes not yet resolved whither he uill giue it accordinge to a draught I driue in the terms you urot, or iff he will giue a some of monny for all. I tould him it uas empossible to ajust a certine sowme so as to meet the cace, unles the time of his stay uithe the armye could be condeshended on, (uich uas impossible;) and so the soume must ather be les or more then the triw debursments. . . . The D. Monmothe's ship of 32 guns certinly saeld from Holland on Sunday last uas sevenight. He uent aboard of her himself, after shee uas at sea, in a fisher boat. Wee haue not heard any thinge of her since, uich is mutch admired, and maks some belive shee may haue gone to Scotland; uich is not probable. 07 is still as aery and petulant in ther humor as euer. Giwe G. leave to say that he earnestly desirs Or to consider iff it be not more then time for qq to setill 81 in some faemely in England that may be usfull to Or by ther frendship and intrest at Court. It is uhat everybody does, and the soner, I presume, it will be the more to qq satisfaction. 204 eyes nothinge but Or good, and the interest of his faemely, uich shall be aluays as dear to Sh as his owne. It is whisper'd hear that fn designs the marrige of his sone withe Az daughter, who uill be a verry ritch match. If G hes sayd in this furdur then he ought, pardon it, for I assure you it proceds from his zeall and fathefull frendship to your self and faemely. This night I spoke to the Kinge that a letter might be urytin, impouering Erle Dunbarton to advance the ensenges of the regement of Gaurds and Earle Mar's to be second L^{ts}, and that he uill name Enseinges, and send up a list of ther names, that commisions may be sent to them; uich his Majesty agrees to, and hes order'd me to draw the letter accordingly. Only ther is lyffe Liute^{ts} that uear officers in Earle Dunbarton's regement uho ar first to be prefered, and this is to be done by aduice of the Collonals; so that your Grace may offer whom you pleas to be your oune enseinge. Since the Kinge, of his owne free choice, appointed Coll. McKay to be Major Gennerall, I moved that he might be put on the Council; and his Majesty hes orderd me to draw a letter for that purpos. 07 is not pleased uithe it, but could finde no means to obstructe it.

Whythall, June 10 : 1685.

125. The express you sent fell sike of a feaver at Duncaster, and from thence sent forward your paket, which I reseaved this morninge at eight a'cloke, and emediatly thereafter uaeted on the King, and delyverd him your Grace and Earle Dunbarton's letters. As sone as he had rede yours, he tould me you proposed to him the anexing of the forfault esteats to the Crown, and had sent him resons for that effecte: then I held out to him the great advantage it uould be to the Crowne, uithe all the arguments I could, which fully convinced him that it uas a proposal excedingly for his service; and [he] tould me he uould haw it done. By this time 07 caem, but kniw nothings of uhat past: and it falinge about the time of the King's goinge to the Hous, no mor uas spokin, only I red the information sent (on securing the rebels; and uithe that account he uas very ueall saetisfied; and hawing no opportunety at the Hous to rede the Secret Commity's letter to him, he appointed 3 a' clok this afternone for E. Middleton, Lord Melfort and me, to uaet on him. The E. Middleton uas so laet at the Hous of Commons that he did not come; so 07 and I uaeted on him, and after redinge the Secret Commity's letter, the King sayd your Grace had moved the anexing the forfaulturs to the Crown, which motione he lyked very ueall of; and so he gawe me the resons to rede, which I did uithe ane audable and distincte voice: 07 sayd all he could to opposs, but G: ansswerd as warmly. He sayd his Majesty would neuer make on shilings advantage by it. I tould that uas an assertione woied of sence and resone, for the man[ag]ment of his Majesty's reueniw uas in a hand that weall kniw how to improve it to the best advantage. The Kinge sayd your Grace had urytin to me of it. I tould him yes, in gennerall, but uould say no mor, 07 beinge present; for I uould not haw him see any of your letters to me, which he uould faen takin hold of, that he might haw known: so your Grace need take no other notice but that you only urot of it in gennerall. The Instructione is now sent, and I houpe it will pleas you 07 is in a manner distracted, and I swear I think knows not ueall uhat he does or says all this day I tould the Kinge your Grace had kept the yaucht some days to bringe up the Dwke of Hamiltone; uithe which he is ueall saetisfied. Glade is 204 that Or is lyke to pull that feather out of some people's winge: the confirmatione of it uill be very joyfull to me, mor for Or conserne then my owne.

I fownd the Kinge inclyned to giue Aberdinshyr in D. Gordon's Commisione, and therfor uould not opposs, since I had brought him so freely to agre to the Instruction, I assure you the greatest morteficatione that ever 07 mett uithe. . . .

I uas always in doubt and fear of 002: make proper uss, but haw a caer for my self. I haw not urytin any thinge that uay that I caer, iff it uear set on the cross of Edinb[urgh]. I shall doe uhat I can to prevent ther coming hither. . . .

I wishe, uithe all my heart, to haw Abbotshall Provest of Edinb[urgh], and shall contribut my best assistance for it as your Grace shall aduyse. . . .

Whythall, June 13 : 1685.

126. In a letter I haw urytin to the Secret Comitty by the King's command, I haw giuen your Grace and Lordships ane account of the intelligence his Majesty reseaved this morninge of the Dwk of Monmouthe's landing at Limbe. He had a frigate of 36 guns and a catch and fly bote uithe 300 men on board. . . .

I showed your Grace's letter you desired me to the Kinge, and talkinge on some passages of it, he sayd he must not take notice of privat piks. I tould him I doubted some people's piks caeried them so far as to misrepresent the actions of thos that served him best; and I houped his Majesty would not take notice of sutch, for I was sure th[e]y would be found falce. . . . [The King would speak to him about the sheriffship of Ayr, but till the rebellion was over there was not time.] I urged agaen the warrands for E. Dunbarton; which he was verry free for, when I moved him first conserninge them, and gawe me order to draw them; and since he still tells me he will giue a some for all. Uhat which 07 hes put in his head about it I can not tell, but time uill discover it . . . Pray let me know in uhat tearms Or and D.H. haw parted uithe, or advice how 204 shall caery uithe him. I haw not had 3 minuts time to speke uithe E. Middleton this week past, he is still takin up attendinge the Hous of Commons, and tels me he can not gett time to eat or slipe. . . .

Whythall, June 16 : 1685.

127. I haw showed Z all you desier'd me; and by this post you uill, in the letter to the Secret Comitty, see that he orders the thre Regiments that com from Holland to be first pyed; next, the standing forces, according to the establishment; and last of all, the civill matters; and desyrs that your Grace may send him your proposall conserninge the Reveniwi and ordering of it, that he may giue you his directions about it. 07 moued that Z would reniw his command for pyeing the Lord Dartmouthes présept for the armes and amunition, but the King sayd he uould by no means doe that at this tyme. The Kinge still delays to giue any ansswer to the warrands for E. Dunbartone, but says he will giue a some for all. I confes I doe not understand his meaninge in the matter. As to the proclamation, 07 is to send it doune agaen uithe a blank, for the names of the persons, to be filed up by you except the laet Argyls alone. Or may easily observe the reasone of not referinge it to be done ther, for 07 looks upon that as now ane taske upon him. Z houps that the cashe in the Castle is not tutchted, and desyr'd to know. Pray, in your next, tell me uhat I shall say to him on that head, or uryt to him of it yourself. It was sayd that the abreviat of the reveniw was not altogether clire and right, for ther was som fonds not exprest as to the soums and in the matter of fynes. But its fitt you uryt fully to Z in that uholl matter, and

you can only doe it, and iff you tell him uhat a good account you uill bring it to, he followinge your advyse, it will be ueall takin; for sutch seruices as advance his monny interst is verry pleasinge to him. Iff the rebellion uear over, he does not, I am confident, intend to kepe the Dutch regements longer ther . . . D. Ham. is com, and I haw bine uith him: he uas verry civill, but we talked only of generall matters. Last night he uas uithe his Majesty, but I hawe not seen him this day at Court. . . .

Whythall, June 17 : 1685, elevin a'cloke at night.

128. This eveninge the Kinge caled for L^d Melfort and me, and tould us that since ther uas no great need of the thre Dutch regements in Scotland, seeinge you had more forces then ther uas cashe to pye, and that you had men enniogh besyd, he had resolved to send for them hither. 204 and G hes bine doeinge all th[e]y could to bringe this to pas ever since the last flyeinge paket came; and now it is effectual: so that troble is over. . . .

Whythall, June 20 : 1685.

129. I spoke to the Kinge emediatly for your commisione of Liuetennasy, which uas order'd in the same tearms of that granted to Dwk Hamiltone: and I spoke to L^d Melfort, who is in uaetinge, that it might be emediatly dispatched, which uas accordingly done. That verry day at 12 a'cloke at night, I uas takin uithe ane violent paine in my syd uithe stitches which uas feard uould prove a pluresye, but uas prevented by spiedy and seasonable applications; and I thank God, I am now pritty ueall agaen. . . .

14 and I hawe had a long debaet conserninge the annexinge of the forfaulturs to the Crown. 07 is bussy uith him, and, no doubt, blowis this coll as mutch as he can 14 uay, and purposes may be discovered in some time, but it is not to be expected it can be done at first. G. shall correspond uith him as mutch as he can to finde out ther intended messurs. As to G. advice conserninge 81: setilment, I am sure it is necessary, and as mutch convinced it can not be done but upon the place, nor is it possible to giwe oppinion in sutch an important matter at a distance. . . .

As to 07 sekinge taks since he sees the forfalurers ar anexed, I can say no mor, but that G shall opposs as mutch as in his powerr; and sure Z uill easily consider that it uear destructive to his interest to doe any thinge, till first he advicess that wholl matter, and the method he is to follow in it uithe Or, which I am verry hopfull he will doe. 14 told G. that now hh3 uas the great trustie and chife intimate of C8; but ueall did Sh understand that sophistry, and it will not easily take uithe on so experimentally known to the practises of that persone. It is certinly a right missure to stop f n, m 6, or any other of that gang, from coming hither; which you may be sure 204 will indevor as mutch as he can, succeed as it may.

As to Abotshall beinge Provest and restoring the sumer sessione, as sone as I haw convenience of speking uithe Z about it, you shall know more ; but so mutch is L 9 hurried and perplexed uithe the rebellione hear at present, that it is not possible to gett opportunitys of spekinge to him so quikly as formerly, for I assure you, he hes now but fiew spaer minuts. Never had any Kinge sutch a Parlament—the Hous of Peers and Commons stryfyng which shall be most forward to show ther duty and loyalty, by all the best missurs th[e]y can contrive for security of his Majesty's person and goverment. The remissions for the Cessnoks ar not yit come. As sone as th[e]y doe, a returne shall be sent as sone as possibly I can, beinge out of uaetinge. For Tarbit's bussines uithe E. Seaforthe, ther hes bine littill yet sayd of it ; for inded the Kinge is so takin up uithe affaers relaetinge to the rebellion hear, that time can not be found to spek to him of our affaers as forme[r]ly. I shall not faell to doe Earles Annandell and Traquair all the service in my power, and the King shall not want just characters of ther servicers. [About Act annexing certain parts of Ross to the old shire of Cromarty. The King had asked him to write to the Secret Committee to stop the printing of the Act till his Majesty's further pleasure.]

The late Monmouthe is supposed to be gott to Taunton, a place ill affected and populus, and some say is goinge from thence towards Bristo. Lord Churchil's letter this morninge says that he is now joined uithe the Dwk of Albemarle : he hes with him two battalions of foot, four troops of hors, four of dragowns, and some granadiers : and that the militia was extremely incurridged and in good heart upon this conjunctione. This morninge Earle Feaversham march'd from this uithe a commission of Lt. Gennerall and uithe him thre Battalions of foote, making 1800, of the Troops of Guards 200, and tuo companys of Granadiers, uithe ane traen of Artery.

Whythall, June 22 : 1685.

130. This morning about seven a'cloke arryved the flyeing paket that come from Edinb[urgh] on the 19th instant bringeing the great and joyfull news of the Rebels destructione, and the traetor Argyle's being takin and in custody at Glasgow. This happy news is not only extremely pleaseinge to the Kinge, but refreshes and enlyvines the hearts of all his good subjects, and confownds his enemies. I moved his Majesty emediatly to send expreses to the armye to acquent Earle Feaversham and Lord Churchill uithe the news, and to Bristo to the Dwke of Bodford ; which is accordingly done. This flyeing paket is sent to informe you of his Majesty's good success hear : a party of twenty hors of the Earle of Oxford's Regement was commanded by Lord Churchill to a place within two milles of Tantone, uhaer th[e]y met uithe a paerty of the Rebels of the same number, and of ther best men, extremely ueall armed, and charginge them, killed 12 of them upon the place, and wounded most of the rest, and then perseaving an

other party of the Rebels, they retired. Lieutenant Monaux, who commanded the King's party, was shot in the head, so that he can not live, and three of his men were wounded. It is said the Rebels are now between Taunton and Brigwater. The King's forces commanded by the Earle of Feaversham are marching towards them, and I doubt not within few days but they will be a good account of them. This evening the Train of Artillery marched from this guarded by four companies of Earle Dunbarton's regiment. Last night the King had certain intelligence from Lime that one of his frigates, having arrived before that town, sent a boat on shore, and finding the Rebels had left but a few to guard their arms and ammunition, the captain landed with 50 or 60 men, made himself master of the town, and found about ten thousand arms with the ammunition, which he presently carried aboard his frigate . . . [The King would order all the arms, ammunition and cannon taken from Argyle to be kept in Scotland; and would only order the two frigates to be brought to England for his proper use.] . . . Our good conduct in Z service has produced excellent effects, though I assure you it turns all to an ill sense as much as he can. The King is ill pleased with the Acte of Anaxatione, and the takinge of the Test appointed at this time. G. has had severall debates with him on that head: Sh. shall doe all in his power to sett him right, and keepe him so, if possible; but daers not yet promise much, nay very little. G. shall notice 14 and 559 as much as he can and inform O of his thoughts, but these things doe take time to make good observes or discoveries.

L^d Melfort will, by this packet, send his Majesty's orders for delivering the arms, ammunition, great guns and ships, (excepting the two frigates which are to be brought hither,) to any the Council shall appoint to receive them. You have also a letter from his Majesty concerning the traitor Argyle. I need not repeat what is ordered in it, since your Grace will quickly see it. The late Duke of Monmouth has now the impudence to act as King. He has written a letter to the Duke of Albemarle begging [in] it—Right trusty and well-beloved Cousin and Counceller, and concludes it—From our Camp at Taunton; but calls him his Grace in some parts of it, so that he has not yet learned the style: Goodenight is his Treasurer, and Fergusone his chaplain. [A letter to Mr. Peeps from the captain of the frigate at Lime, stated there were only 5,000 arms found there, back, breast and headpieces.]

. . . The King is extremely harassed. He said to me he would write to your Grace this night. If he do, it will be under Sir Andrew Forrester's cover.

Whythall, June 25 : 1685.

131. . . . The express came hither yesterday about 2 a'clock. He told me he happened first to meet with the L^d Melford, who went straight to the King and acquainted him with the news. I was there in few minutes after. The King was extremely pleased with the good account he received. I presented Mr. McLeane to kiss his hand,

and after he had spok halfe ane hour uithe his Majesty alone, which I tould the Kinge he desyred to do, I caeried him to the Cabinit Councill, uhar he gawe account of all he kniw and ansswerd sutch questions as uear put to him : he uas ueary and uent to sleipe : since I haw not seen him. [The King would answer the Duke's particular requests as soon as he could, but he was "extremely incumberd uithe constant bussines and meetings" owing to the Rebellion. The question as to the Dutch regiments was now settled.] The proclamation is returned. 07 sayd it uas triw ther uas now no need of that, but ther behoved to be ane other, and uithall magnefies himself for advising that the Acte concerninge uigetives uas stopt from beinge past, since now the defeat of the Rebels hes intervned. As to the Abreviat of the Reveni, ther hes bine nothings since sayd of it, and inded the rebellion hear almost shuts all other matters out of doors . . . 14 is still ill pleased. G. hes spok uithe him severall tims, and hes bene seekinge ane opportunity to get 559 and 14 together befor Z, that G might hansomely bringe in the discour concerninge the Clidsdel Band, but can not find them yit togither uithe Z, so as to gett a fitt opportunity. Or may be sure I shall indevor it all I can ; nor shall G slipe any occatione of doeing Or the right uithe the Kinge that his great serives deserves. I oftin tell the Kinge of 12 and Bredalbin's zealous proceedings in his service at this time and that I doubt not ther may be sutch as will indevor to lessine them. The Kinge says as kynd things as can be desyred of them. G sees things nather can nor will be right till Or sees Z ; but till Scotland be fully setild, and things furder over, it is not best to say mutch ; but on the other syde, a day must not be lost after that, and verry littill tyme will now doe it . . . Vicount Tarbat, by a postscrip in his letter to me, says thes words—Tell me whither I showld come up uithe the acts of parliament, as all others did or not, *in utrumque paratus*. Whither he acquented you uithe this or not, I can not tell, but I thought it uas fitt you kniw it. I will giwe no ansswer to it till I hear from you ; but no doubt he hes urytin mor fully of this to others . . . Yisterday Lord Churchill urot to the Kinge that he uas marching after the Rebels uho wear then at Glasinberry, and that he would infallibly attake them so sone as possibly he could. This day his Majesty had notice that th[e]y uear marcht from Glassenberry, that the Rebels had a considerable number of rabill of foot, ill armed, and no pyks, but verry frow hors. The King showed me the principall letter urytin by the late Monmouth to the Dwk of Albemarle, uharin he sings James R. : an impudens aboue all that ever uas heard off. The Earle of Pembrok hes joined uithe Earle Feaversham, his Majesty's Lt. Gennerall, uithe the militia of Wiltshyre, and a great manny gentilmen of the best qualety. The Dwk of Sommersyd is at Bathe, and hes secured that place uithe the militia of the Liuetennansy. The Dwk of Boford is at Bristo, and hes secured that toune ; he hes a strong body both of militia, gentry, and other volunteers. [He would move the King for the letter to the Councill in Bishop Edinburgh's

favour concerning Moody's mortification, though Melfort might obstruct it.]

Since urytinge the former part of my letter I was uithe the Kinge, and 07 caem in to pas som remissions recommended by the Councill; upon which Z sayd he would let the Cessnoks remissions lye a littill. I tould him he might doe his pleisur. I was not so reddy to speke in the behalfe of Robert Campbels as any other in ther circumstances; how this coms about you may judge, and I shall say no mor of it at present. The rebels are marched bake towards Bristoll. L^d Churchill [is] at Bathe, and will joine E. Feaversham presently. . . .

Whythall, June 26 : 1685. 12 at night.

132. The Kinge hes orderd this flyeinge paket to caery his commands to the Councill for sendinge fyffe companys of foot out of the Regement of Guards, to be commanded by ther Lt. Coll., and as many out of E. Mar's Regement to be commanded by ther Lt. Coll., four troops of hors under Claverous command; two troups of Dragowns, to be commanded by Lord Chaerles Murray, and all to be under the command of E. Dunbarton, zommander in chiffe. The King leaves your brother Coll. Douglas to command in Scotland. . . . The rebels hear ar endeavoringe to march towards Glostershyre, but I houp will find it a hard taske.

Whythall, June 27 : '85.

133. . . . This morninge in a letter from the Dwke of Sommersyd to E. Sunderland, dated from the Bathe, he tels that Coll. Ogillthorpe uithe a paerty of the King's Guards of hors, consisting of 100, incuntered a mutch stronger paerty of the enemie, kiled four scor or a hundred of them on the place, uithe the loss of only on of his men, and he knows not uhat is become of him, beinge amissing, and our poor cuntryman, the E. of Newbrughe, had the misfortune to be shote in the belly. Wee hawe not yit notice whether or no it proves mortall.

Since dinner ane other letter is com from Lord Fitsharding from the Bathe : he tels that Lord Churchill had falen on the enemies rier and killed two hundred of them, and that 4 or 5 hundred had deserted him since that tyme, which certinly is the be[gin]inge of ther distructione, iff the news hould. [Sends a copy of Monmouth's letter to Duke Albemarle, and the latter's answer to it.]

This afternone, 07 caem to me, and tould me he would foruarne me of a thinge that he had spokin of to the Kinge, befor his Majesty showld speke to me, and the matter was that Sir Adame Blaer showld be prefered to be captin of the troop that was Cleland's. I tould him I had spoke to the King of that alreedy, that of diw and in cours it fell to the Captin Lt., and L^d. Charles Murray had addressd about it, and the King had sayd to me it was verry resonable he showld haw it, and inded fell to him in cours. He fell violently hot upon it, and I confess I was as hot as he : he sayed weall continow still to oppose. I tould

him he was not to be understood, but I would still tell my minde freely, and was no ways in his reverens. He told me, nor he in mine. He grows every day more insupportable in his temper. . . . My dearest Lord, adieu.

Postscript:—If your Grace can conveniently cause the cash keeper send me a bill for my last Witsunday's pensione, it would come very seasonably, but this I do not urge further than your conveniens. And if myne were done, I should wish he had his also, that he may find you do equally in these matters, but do in both as you please.

Whythall, June 30 : 1685.

134. The flying packet that came from Scotland on the 27th, at one o'clock in the morning, came hither last night betwixt eleven and twelve o'clock. I went immediately to the King, and before he went to bed delivered your letter to him, from my own hand, and read the Secret Committee's letter with the late Argyle's depositions, and there being little or nothing requiring answer, the King commanded me to write the short letter I have now sent to your lordships of the Secret Committee. . . .

This morning arrayed the Dutch regiments at Gravesend and Coll. McKay sent an officer to acquaint his Majesty, who he commanded them to quarter at and about Gravesend till further order. [The King was very much occupied and] scarce allows himself time to eat and sleep. . . . Yesterday morning the King was informed by a letter from the Earle of Feaversham that the Duke of Crofton had fallen on the Rebels' side, like a brave and resolute man, but as all young captains do, engaged so far before he was aware that he fell betwixt hedges that were lined with musketers and at the same time a squadron of the enemies horse endeavored to interpose betwixt him and the body of the King's forces, but Captain Vachane with his troop of Grenadiers charged the Rebels so briskly that he beat them and killed their commander, Mathews, with his own hand. The Duke of Crofton had eight men killed and twenty wounded, but the enemy had great loss, in so much that in this and the former affair made by Ogilthorpe, there can not be less than six or seven hundred of them killed. [Melfort was not to meddle in Lady Melville's petition to the King, which had been sent to Moray with a letter by Viscount Tarbat.]

Whythall, July 2 : 1685.

135. This afternoon the King appointed me to wait on him at 4 o'clock. I spoke to him on divers of the particulars you recommended, as the short time I had would permit, being ready to take his horse to view his own Regiment of foot, now given to the Prince of Denmark. [First concerning Moodie's mortification]. Next, as to the Arch Bishop of Glasgow's coming to the Bath for his health, he said that place was now to [o] warm for any body to go there, but when this was over he would speak to me of it, and I doubt not will condescend to it, but non

hear shall hear of any motione I made in it, unles the Kinge himselfe doe it, which I think he will not. And unles 07 stikill in it, I am confident non will, and he can never know it, unles the King himselfe tell him. [He had spoken to the King about the Summer Session.] I tould him how mutch it was his conserne; that iff he resolved to doe it your Grace could gett him as mutch as would intertain a regement a considerable time, provided that Abbotshall wear Provost of Edinb. He sayd it was a great whyle befor the choisinge of ther Provost was to be, and that might be thought upon when he was over greater bussines hear. I also spoke to him of the Vicount Tarbat's letter and Lady Melvel's petitione: he sayd as sone as he could he would call for E. Middleton, L^d Melfort and me, and consider of that matter. . . . [About a proposed pension of £500 a year to the Earl of Kincardine, during his life and after his decease to his three sisters for their lifetime, a draft of a warrant for which, the Earl's mother had given the King; but the King could not allow it owing to the state of the Treasury;—Z would certainly allow of Or coming up, but he inclined to have the rebellion over first.]

Whythall, July 4th : 1685.

136. . . . As sone as the King caem from the Cabinit Councill I uaeted on him, L^d Melfort beinge present, and rede to him the Council's letter, uithe Argyls canting speetch. I haw, by his Majesty's command, urytin this night to the Chancelor to be communicat to the Counc[i]ll consarning the postinge of that paerty of the forces on the Scots borders nearest to Carlilyl, orderd by his letter to the Councill. [The reason of this was fear of a design of a stir in that part of the English border.] As to the Cessnoks' remissions, 07 urged extremly that a claus might be insert in the body of the remissions for ther constant imprisonment etc., but I tould the Kinge it was beter to giue no remisione at all, for that was a dou[n]right ground of nulley, and would render them totally usles, so that the Kinge resolved to grant the remissions as th[e]y ar, and that a letter be sent to the Councill appointinge them to be sent to be kept prisoners in the Bass. Many persons ar secured hear, bothe in the citty and cuntry on suspitione. . . .

Whythall, July 9th : 1685.

137. Yisterday his Majesty had account of the Lord Gray's beinge takin by some of the Lord Lumly's militia, and this morninge brought the good news of the late Dwk of Monmouthes beinge takin by some of the same militia, uithin two milles of the place whar the other was seized, near to a hous of the Earle of Shaftsbury's, called St. Gielleses: th[e]y ar bothe sent for and will be brought in about the end of this weeke. . . . 07 seems to complaen that a new inditment was not giuen to Argyll, since, by the late Acte of Parliament, rebels ar to be pursewed in fourty eight hours. I tould him I wondered he could say so, since he had urytin the letter appointinge him to be demaend as a traetor in three days peremtorily: but all must

be carpt at. E. Bredalbine came this morning, and I caeried him emediatly to the King, who reseaved him verry graciously, and appointed him to uaet on him at sex a'clock this night. I hawe not seen him since, but from himself, you uill this night haw ane account of uhat past. . . . Z sayd the kyndest things imaginable of Y to me, and of his esteem of him, wharin you may be sure I did confirme him to my pithe and yit no more then uhat justly he deserves. . . . Lett me know how the eastet of Bacliuch uas setil'd at the maerig uithe Monmowthe, iff the fie uas in his person, or only the lyferent.

As to Earle Dunfris' sh[e]rifship, it is still delayed, and G. thinks he had best keep it as he did till Or be hear, and not lowes a pin of it.

Not a word that I know off is spokin of Earle Dundonald and his faemely : uhat may be secretly whisperd, I can not divine, but G shall still advise Z to delay any thinge of that kynd till you be hear, and he be better informed.

As for the letter conserning Argyls execution, it uas drawn and sent auay befor I saw it. O7 thinks he can erre in nothings

The Captins of the Frigats bringe uithe them Argyl's papers : uhen th[e]y come I shall inquier after them, and indevor to haw them sent doune. Alliffe is on of them, who had a price set upon his head for the late conspiracy : uhen he is in a condition, no doubt the King will hawe him brought hear, and G. thinks the Tressurer hear would take it for no complement to speke to him of his relatione that uay, or favour on that account and therfor G will say nothing to him of it

I showed the King the letter you sent me which uas directed to the Advocat's servant. The King lauched, and sayd he uas sure the Advocat uas extremly frightind at it. [The King wished the Treasurer's opinion what sum he should give the Earl of Dunbarton.] You will see the Kinge hes resolved to bringe Sir Johne Cochrane and his sone hear, and emediatly to send a yawcht for them. O7 uas foruard aniwghe in it. 14 hes bine verry ill all this day, and I doe not belive he knows any thinge of the matter. The Kinge thinks fittinge to kepe it quiet, which I houp your Lordship uill also doe.

Whythall, July ijth: 1685.

138. I resolved to pushe E. Bredalbin's meatinge uithe Z alone. And that morninge to prepaer Z for uhat he uas to say I tould him the confussione his Tressury affaers uas in by the late Rebellion, and now that by the blessinge of God, it beinge over both ther and hear, I thought it my diuety to mind him of the great servisses your Grace had done him on this occation not only in the Parliament and his Tressury bussines, but in the managment and postinge of the Forces, which uas the only thinge had brokin the rebellione in Scotland, and uhat should hawe become of all iff you had not put 20,000 pound to the fore, which uas the only fond

that ansswerd all the necessetyes of the war : next how your Grace had proposed to make him the greatest propriator in Scotland as ueall as King and to mak his proper reueniw four times as good as you found it, iff his Majesty uould follow the advice you uould giue him. He was verry ueall saetisfied uithe all, and sayd verry kynd things of his cens of your good services. Then I tould him that now it was hye time to call for your Grace to giue him account of your trust as his Commisioner, and to setill maters relaetinge to his Tressury, and that he uould only call for yourself, for iff any others came, it was at bottom only uithe a desinge to aske bothe for them selfs and ther freinds, which uould create a great deall of unnecessary troble to him and mak noice which uear fitt to be auoieded. He sayed he uould do it, and non showld come but your self. Then I tould him the soner he uould hear uhat E. Bredalbine had to say from you the better. He sayd he uould certinly doe it that day, and accordingly he did appoint him betuixt 3 and 4 in the afternone : uhat then past you haw a full account of from E. Breda[1]bine, which I hawe sine and I houp will pleas you. [Had been to the King since to speak about these affairs, but O7 and E. Arrane were both in the bed-chamber, so he had to put off. He advises the greatest secrecy imaginable.] A day or tuo will end this matter, and I shall be in great paine till it is over, and shall follow it closs. 14 sone and O7 was in on whisper all the whyle I was in the bed chamber, and many demonstrations betwine them, and it was no less then near 3 hours time. I doubt it will be found th[e]y ar all of a pice, but G must see furder befor he be posetive in that matter. My head is so full of this bussines that I can uryte of nothing els this night.

Whythall, July 14th : 1685.

139. I haw every day, morninge and eve[n]inge, since my last bene urginge Z for his orders to Or to come up, but still to my amazement delays and shifts me, which puts a hundred apprehensions in my head, tho' I may, and uishe I be mistakin. [That morning he had spoken to the King of the benefits of Queensberry's plan. Such as improving his revenue and making him the greatest proprietor in the Highlands and south and west of Scotland.] But he cut me short, and tould me he uould speke to me in the afternone, and about an hour after O7 tould me the King had appointed us 3 a cloke to rede the Secret Commity's letter, and Informatione of Marq. A[t]hol's proceedings in Argylshire. Presently I suspected he intended to spek, uhen O7 was present, of the other bussines ; however I uaeted at the hour appointed and ther was L^d Melfort also, but he uent into his closet and stayed till he uent streight to the Cabinet Councill and sayd nothing of the bussines. I confess I doe not understand his uaye in this, for he was fond of the thing and posetive that Or showld come, and non els : iff he alters or not, I can not yit tell.

Yisterday afternone, the late Dwk of Monmouthe was brought to Will. Chivenses rowms at Whythall, and Lord Gray uithe him, and ther armes flechter'd. The King saw them bothe and bothe of them fell on ther kness: th[e]y stayd uithe the King about a quarter of ane howr, but uear in Will Chiffens lodgings near 4 hours, the Secretarys of State beinge present, and then uear caeried in a baerge to the Tower and enterd at the Traetors gate. The wholl Teams was coverd uith oars, sutch was the curiosety of the poople. Monmouthe is to be execute tomorrow, but Lord Gray not till next tearme, becaus he must be brought befor the King's Bench bar to be heard to objecte in cace of any informalety or error in his uryt of out Lawry.

Excus me, I can uryt no more this night: I am out of humor, but must be patient till I see event, so my dearest Lord, adiew.

Postscript:—Since I urot this, I haw bene uithe E. Midd: who is as mutch amazed as G is at Z uay in this, beinge so far from his acustomed methode: but my next will, I howp, clire the matter beter.

Whythall, July 16: 1685.

140. Moray had received Queensberry's letter with account of Mr. McLean having been robbed. "When the Secret Commity's letter was red to the Kinge, L^d Melfort sayd it differed mutch from the relatione giwen by Mr. McLean himself, and puled out a letter directed to himself, which uhen he had rede I found no other difference, but that the Secret Commity's was mor particular then his owne. "The good luke was that he caeried nothings uithe him of publicte orders, but only the account of the news: and G to his best remembrance urot littill of any particular by him to Or, but the news, so that nothings needs to be reniued upon that account. 07 hes not yit rede M. of A[t]hol's paper to the Kinge, but this day befor dunner uhen we uear uithe his Majesty he sayd it was long and gaw it to the King himself. Whither or no he will be at the paens to rede it, is the questione." Moray had not seen it, but thinks another copy should have been sent. As to what the Committee had advised for gratifying the Marquis of Atholl, the King said he must first speak to Queensberry about it. Moray told his Majesty that Queensberry had written to him that in a few days the Earl of Southesk and the Countess's trustee would move for "by gons," with which his Majesty was well satisfied.

"I can yit giue you no certin resolution of uhat Z [the King] intends about Or [Queensberry] up cominge. I urge every day, at leist 2 or thre times, and still he shifts and delays me; uhat can be in the matter is above my comprehensione, but I shall not be at rest or quiet till I be at a point in it." . . . "The D. Monmouth was yisterday execut on Tourhill. I haw order'd Sir Andrew Forrster to uryt a full account of it to your Grace, and I send you inclosed the printed account of his taking."

Postscript:—"Melfort had not the discretione so mutch as to tell me he had sent a commision to Blaer Drummond to be conjunct Keper of the Signit, but I scorne to notice it to him."

Whythall, July 21: [16]85.

141. . . . I hawe by this post urytin to your brother Coll. Douglass by the King's command that he hes his Majesty's leawe to come up as sone as he pleases, and I am confident non hear knows any thing of it, unles Z hawe tould it to any, which I can not yit discover.

My college will retorne ansswer to the Secret Commity's letter, it beinge his uaetinge: he caem to me yisterday, and complaened that Z uould not minde or dispatch Scots bussines.

As to that matter of Argyl's not geting a new indetment, it is very plaen, and you haw fully instructed me about it, uharof I shall make uss as I hawe occatione, in cace ther be any need of it. Your Grace says that now h h 3 pretends absolute freindship to Or. G had a letter from m 6, by the flyeing paket, and it is fitt Sh insert the verrey words of a part of it, vizt. I am louthe to medill in any differenses that are amongst the King's servants, but I know you prudent, and therfor I will take the freedome to tell you that his Majesty will do ueall to stop it tymously. I belive non of them can condeshend on injuries to make them irreconsilable, and when I tell so, neither is weall pleased; but I am of oppinion till the King see them bothe, matters will grow rather worse then better; and till th[e]y agree better, the King's service will goe the uors on, and I adventur to assure your Lordship of this. This is the words of the letter. G could heartily uishe that 002 prove as firme to e8 as th[e]y ought, but 204 is still affrayed. Make the best uss of all, and ken and miskene. . . .

Earle Dunfrise bussines shall lye for me and no mor of it till I see your Grace. As to E. Dun^d and the fynes, I houpe Z uill doe nothing till he sees you. I hawe his word for it oftener then once. . . . The yawcht is dispatcht for Sir John Cochrane. I perseaw it is no secret ther and as littill hear: however, I can not helpe that, but uwhatever I am injoined secresy in, shall, I am sure, be secret for me E. Dunbarton will be hear on Thursday, and my uaetinge coms in on Monday, and then I shall mind G. Dalyle, as your Grace recommends it. . . 07 told Z that the Provost of Edinb[urgh] had sent 9 or 10 paertys of 10 hors a pice in search of the rogs that robed Mr. McLean's portmantill. [Would oppose any letter in favour of the Provost, for he "is a most insignificant." Monkland had a protection, but not for life.] The M. Atholl hes urytin to E. Midd. and me, and I belive to Coll. Worden, to propos a remision for Sir Will Scot of Hardin to his Majesty as a gratuety to him. [His Majesty would doubtless say he must first speak to Queensberry: Moray had again urged the King to call him up, who said he would speak of it soon.]

Whythall, July 25 : 1685.

142. Earle Dunbarton came last night late, and caem to Court betuixt ten and alevin. I was just caem auay befor. This morninge early I went to see him, and had your Grace's letter, which I shall caerfully observe, and anssuer the particulars as sone as I can. The King spok to E. Dunb. last night only of generall matters. This day he dynded uithe E. Middle., and he and I recomended to him the same things which I houpe he will observe. His Majesty appointed sum this night at his cushe to speke uithe him, but your Grace can haw no account of it till next posts, and he desyrs me this night to make his excuss to you for not urytinge till then. I am in paine till this matter be over, and will forbear to say any thinge of other matters.

Whythall, July 26 : [16]85.

143. The occatione of this flyeinge paket is, first, a letter from his Majesty to the Councill concerning the deserters from the thre Scots Regements that caem from Holland, the other for the banishment of Lord Neell Campbel's son and Johne Campble. It is informed that Lord Nel's sone is infett in his father's estate, and that you may take tryell of the truthe of it, that in case he be, it may be secured for the King, is the reson it is sent by the flyeinge paket. If ther be any thinge more, I know not. K K K¹ hes not yit had his hearinge uithe Z, for all the paeins that 120 and G. hes bine at uithe him, nor can I fortell the caus, till time discover it, tho' I haw no good lykinge of the matter.

I now come in uaetinge tomorrow, and resolves to press Z concerninge Or coming hither, uharof you shall shortly, I houpe, haw ane account. Yisterday E. Stamford and Lord Brandon Jerrard uear sent to the Toure, and this night the Lord Delamer, all for highe treason, and its probable more may follow.

Whythall, July 28 : 1685.

144. K K K hes yit had but littill time uithe Z: he and 120 dynded uithe me yesterday, and had a free discours of all matters: he tould us that Z sayd Or showld only com up, and non else; so that altho L9 delays (upon uhat ground G. can not devine) yit seems still to be firme to uhat he promised to G. in that matter. This morninge I spoke to him, and desired he uould give me orders in it, but delayed, and sayd he uould be sure to speke to me of it. He shall not now rest a day till it be ended, and I houpe it shall [be] to Or satisfacione.

G. is hopfull that a uay may be found to get 802 to owne Or consernedly, but can not uryt of that matter till e 8 is hear; but paeins shall not be uantinge so far as possible to secure it. K K K hes sayd nothing to me of any matters recommended to him by

¹ The Earl of Dumbarton is here, and in subsequent letters, represented by the letters K K K. In the Cipher and Key (No. 94, supra, the Earl is inadvertently represented by the letters R.R.R. K K K should be substituted for these letters in the Cipher. The sheet containing the Cipher was printed off before the error was noticed.

Or, but sure all the assistance in my power shall be given when I am, informed as to what you have proposed to Z for K K K relating to Salton's forfeiture, he has not so much as taken notice of it to me in the least; what is the reason I can not tell, but I resolve to move some discourse of it to him, and then shall give your Grace account how it is like to succeed.

I have not yet seen Captain McKenzie, but shall be sure to assist him, or any recommended by you to my pitch. As for Duke M. estate, it is a thing fit to be kept till Or sees Z, and then, as his Majesty inclines, you will have a clear plain information to lay before him. Some think there will be favor enough shown to the widow and children.

As to that Commission you mentioned designed for Captain Barclay, I have yet heard nothing of it, and sure I am it is very useless; however, I shall advert to it, and if any such thing be moved, it is only proper for E. Mare.

K K K would persuade G. of 14 and ddd since inclinations to serve c 8, but G. wishes to see some good effects of it, for G. is not easily induced to believe his words. As to the letter about your Journals, I am troubled it should be lost, though it is no matter, since it can be so easily helped, but at this time it is more unseasonable than it could have been at any other. Z is ticklish and more apt to misunderstand things at this juncture than he could be on any other occasion, and G. is even unwilling to move any thing which may give him the least ground of mistake, though this be an clear and plain case; and therefore, pray, if it can be avoided, endeavor it, but if it not, it shall be done. I say this as my own opinion for the best, but with deference to your pleasure. E. Bredalbine is, I assure you, a very faithful and active servant to Or, and is both forward and useful.

675 professes great respect to Or, but the by-ways lies towards f n and 07: but of all these matters c 8 shall have particular information when he comes hither. The Sheriff of Boot is heard, but was 2 hours with 07 the night he came before G. saw him, and when he came to me next day, and spoke to present him, I appointed him eight o'clock at night: but he came not at all that night, and next day in the afternoon, meeting him there, I asked why he came not: he told me his clothes were not ready, but withal that he had kissed the King's hand at 12 o'clock. This is not [hing] if worthy of your Graces trouble, and I only tell it you that you may know some people's silly tricks. Last night died the Earl of Arlingtoun. His Majesty has made Earl Alesberry Chamberlain in his place, and Earl Feaversham has got his Garter.

Postscript:—Pray let me know if any thing came by the last flying packet but what I told you.

Whythall, July 30: 1685.

145. Last night Z called 07 and G to the Queen's bed chamber: K K K told me he believed it was to speak of Or coming up, and desired me to move it, but I would by no means,

uhyle 559 uas present unles L9 had done it of himself, which G. did expecte, but proved otheruays, for he begune to talk of the late Dwke of Monmouthe's bussines, and orderd me to uryte a letter to the Secret Commity to know the state and convayence of that Esteat, and to know iff it may not be forfault notuithstandinge of his beinge execut hear ; but the letter beinge full, I need not repeat furdere of it. Then he spent near ane houre telinge us all the offices of the Arme y and number of his Troups, and that he had found out mor good officers then he belived he had had in his dominions. E. Feacster is made a L^t. Gennerall, and E. Dunbarton ane other, Lord Churchill, Major Gennerall, and Coll. Wordin an other. Sir Johne Lamer and Sir Johne Fenike, Brigadiers for the hors, and Coll. Kirk and Sakfild for the Foot. He tould he uould haw twenty hors mor aded to his Troup of guards in Scotland, and the Earle of Buchan maed a gydong. Chaerlls Campbell is to be banished to the plantations in the verry tearms his brother John uas. The King uent this morninge to W[i]ndsor ; it uas late befor he returned. I houp by next post to giue you ane account of Or cominge up, it is now talked of about the Court, and Z hes spokin of it, and yit is nyce to giue his orders, to my wonder.

Whythall, Agust 1 : 1685.

146. Long looked for coms at last ; about half an hour befor your brother Coll. Douglass kissed the King's hand I had order from his Majesty to acquent your Grace that it is his pleasur you come up to attend him uithe all convenient diligence, and non other, but that all the rest of the Lords of the Secret Commity stay ther to attend his Majesty's service, which I haw urytin to them in the letter by the King's command, in ansswer to that brought us this night by Coll. Douglas, wherin is ansswer made to every particular recommended. The Kinge, upon redinge the character giuen your brother, exprest himself uithe a great deall of kyndness, and that nothings was sayd but uhat he kniw was ueall deserved. This he exprest befor 07, who was silent. You uill from ane other hand know severall things that some hear uould seem to charge Or uithe, but easily ansswerd. I shall stryfe to kepe all things intire till your Grace coms up, so far as I can, and I houp succesfully, tho' indevors be usinge by severals to brek in upon fyns and forfaulturs. G. shall doe his paert uithe diligence and fathefulness. I am not able to ansswer the letter I had from you this night, till next post, not hawinge tyme to spek to Z, and I could not so mutch as reed it till the King uas sat to supper. E. Bredabin tells you things I haw not now time to say, nor neds repetition : he is, I assure you, a fathefull, conserved, and usfull servant to you.

Whythall, August 4th : 1685.

147. Moray had written an answer by his Majesty's command to the Secret Committee's letter. " In the end of the letter I tould you that Sir Johne Cochrane and his sone, Watersyid, and Allife uas to be sent up in the same yawet in which Captin Bruce and

the Brandeburger is to returne ; but iff any other yaucht be come for them befor that arryfe, lett it not stop ther beinge sent in the first that coms for them. McKlean's presept for 100 lb. uas past befor I had your letter, els I showld haw certinly observed what you advysed in it ; but now I can not help it." During Melfort's month of waiting a letter had been resolved on in favour of Lady Mary Cochrane, for allowing this year's rent, that is of the crop 1685 "in her favors for ther maentenance, and another to the Secret Commity to giue a triue account of her and her husband's cace to the Kinge, which ar now countersigned by me, and I haw order'd Sir Andrew Forrester to send coppies of them to your Grace." Queensberry would be at Court before anything could be said further in it, and could best inform his Majesty of it. "A letter is com from 30 to KKK desiringe him to aske leave for him to com up, and an other to 07, and KKK sayd he heard ther uas on to me, but I haw not seen it. I tould how unfit it uas for any to leaw ther charge at this tyme, but KKK sayd he uould move the King in it. I haw put 324 on him to stop that resolution ; what may be the success I can not yet tell. Alas! poor KKK is easy and too mutch imposed upon. All G. indevors uithe Z is to keep all things intyre till Or coms, that Z may not brek in upon fynens or forfealturs, or any thing els, and L9 does promiss 204 that he uill not uichig G depends on." Moray states further he did not wish to meddle uith a sum of £1200 owing by Melfort to the Treasury, till Queensbury came. There was no ground for what was lately talked of the late Duke of Monmouth's children, as he would see by the letter written by the King's commaund. . . .

Whythall, Agust ij : 1685.

148. Yisterday at fyffe a'cloke in the morninge arryved the flyeing pakete dispatchet from Edinb. on the 6the instant. Ld. Melford coming that day in uaetinge, it uas caerried to him and he opened it, and emediatly thereafter Sir Andrew Forrester sent on express to me, beinge then att Windsor, uho brought me your Grace's letter to the Kinge, on to my self, and on other to E. Bredalbine, about alevin a'cloke. I uent emediatly and delyverd your letter to his Majesty, from my owne hand, which he presently rede, and tould me he uould uryt the ansswer himself at night, beinge to ryde abroad in the afternoon uith the Quine. I tould him that the Secret Commity uear seperatinge, the Chancellor already gone home, and used thos arguments you wrot to me and sutch others as uear obviouse to my self, to convince him how hurtfull it might prove iff the Chancelor and Secret Commity did not attend his affaers at Edinb. till your Grace's return, which he uas sufficently convinced uithe, and sayd th[e]y must attend. Befor the King's returne from the fields Ld. Melford caem ; he showed me the Secret Commity's letter to the Kinge, and as sone as his Majesty came in, uee uaeted on him, and it uas rede to him. Then I moved that order might be giuen for the Chancellor and Secret Commitys closs attendans, uich Ld. Melford uas ordered to uryt, and the Kinge tould him

he woud giue him his owne letter to send with it, but his Majesty seemed not wilinge to be at the great charge of sending it by a flyeing pakit. I tould him it could not overtake your Grace unles a flyeing paket near sent: he ansswerd what was the matter, the thinge beinge done. I intended to uryt a particular ansswer to bothe your last; but this beinge to goe in the bye bage in cace of your Grace's beinge com off; I will say nothings furdre in it till I see your self, which I shall long for, and I pray God send you a good and prosperous jurnaiy. Pray send me a particular account of your jests, and uhaer you will lye the night befor your cominge to London, for then myself and some others resolve to meet you.

Postscript:—I houp and doubts not to keep all things intire till you come.

[Moray again wrote to Queensberry on the 18th stating that for a week past he had been "in a sharp feavor" and in bed. He was mending, but not able to write much.]

Whythall, August 22: 1685.

149. Last night Mr. Deans brought me the honor of yours of the 16th, and tho' I am yit but weake after my feaver, I am just goinge to Windsor, whaer I shall make the best uss I can of all you uryte to me. I will, God wiling, certinly uaet on you uhaer you are to be the night befor your cominge to Londone, and therfor I shall not now giw you the troble of uryting particularly; only the Kinge sent me word again, by Sir Andrew Forrester, who I sent to him when I was sike, that he woud warand me all should be kept intire till your cominge. I shall be verry glade to see Sir Andrew Ramsay, uithe whom I haw ever had intire frendship, and his sincear service to your Grace confirms it absolutly. As to what relaets to your owne and son's privat conserns, I refer your Grace to E. Bredalbin's letter, which will be as full as is fitt at a distance or yit can be sayd in that matter. Nothing shall be left undone that may promote your interest in publicte or privat matters by your freinds hear, to the utmost of ther pithe.

My siknes hes faline ill out at this tyme, but I submit to the will of God, altho' I am verry hopfull ther can be no great prejudize by it, since Z gives assurance to do nothings till you com. No questione many storys hes bine whisper'd to him since thes officers upcoming, and by the rest who uear hear befor, but I make littill question you will soone make sutch smoke vanishe. E. Dunbartone taks ill missurs, yit not uors then ever I feard he would; but you will see and understand this better when you are hear.

Windsor, Thursday morning. [c. 1685.]

150. After you uent from this I spok uithe the King, of the bussines consarning the Provest of Edinb., wharof you shall haue account at metinge. The Chancellor and I therafter debaeted, befor the Kinge, whither ther was a necessety of nameing the

Provest at or befor the first tysday of October or not. His Majesty orderd us to meat and debaet it, and to call for D. H. or any other hear that knew any thinge of the matter; the result uas a lite of six to be giwen in to the King to choice, who he thought fit, viz. : P. Dik, Magnus Prince, the two Hamil[t]ons, B. Kennedy, and B. Douglas, and accordingly last night it uas offerd. My college urged for P. Dik and D. H. for his naemsaks; but the King pitched on B. Kennedy; and this day, by a flyinge pakit, I send his Majestie's letter to the Councill for this purposse. The choice is not as uas expected by any of them, so I shall say no mor till I see your Grace.

Whythall, Jannuar 7th : 168^e/₅.

151. I had the honor of yours by the post last night, but hes bine so ill this week past that I haue kept my bed mor then I haw bine up. I am beter, but the humor is falne in my left syd and the joint of my thye, that I am not able to walk. It troubles me extremly to be under this misfortune, when your conserns require my weak indevors, but I submit to the will of God. I haw spoke uithe E. Drumlanegrge, and aduysed him to speke to the Kinge about your command in the Castille, and I am perswaded his Majesty will now be of the same mind he uas of two years agoe, when the leter uas urytin to G^{ll}. Dalyell. I am amazed at the storys you say ar talked ther, but it is no new thinge, and ther is littill to wonder at in this world. I am not able to say more, but shall longe to be in a better estate of healthe to serve you.

Whythall, Jan^r. 12 : 168^g.

152. I am, I thank God, mutch better, but far from ueall, tho' I houpe in a fow days to recover my health. The Kinge uas all this day at huntinge, and in the eveninge I uenter'd to go uaet on him : he uas foild after a longe chaes, so that I could not speak to him at any lenthe, but I houpe by next post to give you some better account of all you urote to me. I shall only now tell you that Nidery's Commisione will not pas at this time, it uas drawn by my collegs order, he goes to-morrow in the Yaücht, uithe D^s. Lawederdall, for Scotland. I inquired at Sir Andrew Forrester concerning the referens past on Rochehd's petition, when I uas sike, and cald for the coppye of it. Sir Andrew will giwe your Grace an account of that matter, which I confess I do not understand. A returne will be sent to the Secret Commyty's letter verry spedely.

Whythall, Janr. 14th : 168^g.

153. "Yesterday morninge the King allowed me to speak to him in his closset, and had as mutch time as my healthe permitted me to stand by hime. So far is his Majesty from sufferinge L^t Gennerall Drumond to hawe any command over the Castile of Edinb., that he says he shall hawe it in non of the other castiles nather, and I am ord[e]rd to üryte so

mutch to him, which I resolve to do by this post." Strong addresses were made by Earls Seaforth and Tweeddale against the letter to the Secret Committee concerning Earl Lothian's precedency, "but I haw yisterday prevaeld uithe the Kinge to pas it, and the tennor of it is only to hear all paertys and report to the Kinge a full account of the case that his Majesty may declare his furdre pleasur therupone. As to the annuetyes, I can not yet say posetively to your Grace what he resolves, but I houp shortly to be able to do it. I red the Secret Commyty's leter to him, and was commanded to goe to the D^s of Baccluche to know whether she uould choice to go doune herself and childringe, or uryt to the Advocat and intimat to him the nams of the persons she uould imploy to appire and propos for her and them. She hes pitched upon the latter, and I shall send her letter to the Advocat by the next post, togither uithe letters of safe conducte to Wishart and Hossake, uho ar to be maade uss of as witness in the process against Sir James Dalrymple of Staer. Sir Johne Cochrane uill be also spoken to, that he may be as good as his positive promiss to the Kinge in that matter, which your Grace was witness too." Sir Andrew Forrester told Moray the letter in favour of Sir John Dalrymple had been passed a month before, "and lyes only in his hand till it be cald for, and to that by all appirance it is little valiued, since so mutch neglected, uich I strange at. I spoke to Z [the King], and tould him what storrys uear talked at Edinb. of puting the Tresurer's office in Commisone, which he was verry ill pleased uithe, and spok as kyndly of Or. [Queensberry] as could be possible, or I could uishe. This day the Lord Delamer was tryed; he made a verry good defenss, and was acquitted, *nemine contradisente*."

Whythall, Janr. 21 : 168^g.

154. Earl Drumlanrig had given Moray his Grace's letter, and that morning he waited to show it to the King, and speak to him of it; but his colleague [Melfort] being there, he could do no more but ask his Majesty to appoint him a time to speak with him, who appointed him the following day at eleven o'clock.

"Ther is now ane anssuer sent to the letter urytin by the Councill to his Majesty conserninge the test, and the Chamberlins that are to reseaw the rents in Argylshyr. As to the first, the Kinge says, since the time is elapsed, and that the Act of Parliament was not published, so sone as it ought, he has not yit resolved what cours to tak in it, but in the meane time prohibite the presing of it, or punisheinge the delayers or refusers of it, untill his Majesty declaer his furdre pleasur, notuithestandinge of the letter you mention dated the first of Desember last, or any other letter to the contraery."

Moray proceeds to say that that day he had order from the King to prepare a precept for the Duke of Gordon for two thousand pounds sterling, "to be pyed out of the first and rediest of all

fyns imposed or to be imposed, and the lyke for the Marqus of Atholl.

“The best hous about town, viz^t. Montague Hous, was last night burnt doune to the grownd, and E. Devonshyre in six minuts had bine burnt in his bed, but that on of his footmen draged him out of his bed, which was then seized by the fyre.”

Mrs. Sidly was now made Countess of Dorchester. The pain in Moray’s side had recurred, and his physicians would have him draw blood for it again and take physie.

Whythall, Janr. 30 : 168^g.

155. “My siknes, which hes now continued a monthe, hes occationed my seldome urytinge. I haw bine frow days abroad all the whyll, and not so mutch as at church till this verry day : but thanks to God, I am now mutch better, and a littill time will, I houp, restore me to perfecte health.”

The letter for adding the Lord President of the Session to the Secret Committee was sent up. Moray hoped the project about the Highland Commission would remain unchanged ; the King did not incline to throw out his money upon it. The Castles and Artillery were to contribute for the invalid money, for the King said it was fit that such soldiers as were old or disabled in the Castles or Artillery should be maintained as well as others. Lord Tarbet had been there some days. Moray had ordered Sir Andrew Forrester to give Queensberry a particular account of all that was now to be sent, which saved Moray from repetition, “this being the day observed for King Charles the First’s martirdome.”

[c. January, 1685-6.]

156. Last night I rede the letter that Mr. Wallace wroto to Sir Andrew Forrester by your Grace’s command, and shall acquent his Majisty uithe the contents of it and giue you an account of it so soone as possibly I can. The Kinge hes the last leter you wroto to me, but uill show it to none, and after he hes considerd of it, uill speake to me of the particulars ; had I bene in healte, it might haue bene possibly this eveninge, but I am under phisike this day for the stitche of my syde, and tomorrow to let blood. L^d. Melford came to me this day and tould me he had from the off[i]cers of the Armeiy what had past conserninge the invalide monny, so I showed him bothe the letters signed by your Grace and E. Kintore, and on Monday I houp wee shall reseae the King’s commands to bothe, so as I houp the next post shall bring you his Majesty’s pleasure in all thes matters.

I shall informe the Kinge of what is sayd of Earle Twedal’s pretentions and the referens to the Secret Commity therupon ; but for my owne paert, it is the first time I heard that ther was any sutch reference, and you ar certinly in the right that it uould burdin the Tressury ; for if the esteat belongs not to the Kinge, he must pay it himself ; and if it does, then uhy should it be charged uithe that some he craves.

As to the King's goinge to Scotland this sumer, I assure you ther is nothing sayd of it hear; if the Chancellor hes any sutch intimatione by letter from his Majesty it is best known to himself, for I declaer I am a stranger to it, but I shall indevor all I can to be informed, and acquent you of uhat I learne. I doe not know uhat kepes Mr. Fletcher hear: he ons intended to goe to Hungary, but that I belive uas over longe agoe. I shall speake to him to hast home.

As to the Instrument takin by Ochiltry conserninge the King's letter, his worship might verry weall forborne it; and sure it can avaell him nothings. It uill not be deficult, I belive, to take of any misrepresentation can be made of it, and I shall advert to it. It is uithe some troble that I hawe urytin thes few lyns, tho' I had more to say, which I must defer till you haw the King's ansswer to the letters.

Whythall, Feb^r. 2^d: 168⁵/₆.

157. Since my last ther is nothings worthy of your Grace's troble, funder then to tell you that it is the King's pleasur that Ld. Vic. Melford and I live ueall togither, and be united in his service, which wee hawe accordingly resolved to do; but uithall I tould him I would not in the least abaet the honor and frendshipe I haw for your Grace's persone and faemely, which I must say he not only complied uithe, but sayd uatever thoughts uear intertaend of him, he uould still do just and equal things, and giwe you no resonable ocatione for judgeinge otheruays of him. This morninge Jake Talbot, the Earle of Shoosberry's brother, uas kilde at a diwell by the Dwke of Croftone; his Grace is gone out of the uay for some time. Our countryman Abercromby uas his second, and Captin Fitzpaetrike to the other. Nather of them hes any hurt.

Whythall, Feb^r. 9th: 168⁵/₆.

158. Tomorrow morning the Kinge hes promised to speake to me of the particulars containd in your last, so that it uill be next post befor I can possibly informe your Grace of his Majesty's pleasur theranent.

The account we had yisterday of the tumult that hapined laetly at Edinb. uas verry surprysinge, and maks abundans of talk hear. All sutch villans convocations ar to be crushed in the bude and prosecut uithe all imaginable caer and diligens. I finde ther hes bine verry groundles suggestions made to you of me. I tould you in my last uhat the King had commanded, but it is no uay inconsistant withe the honor and frendship I haw to your Grace's persone and faemely, and you may belive me uncapable of any thinge unbefitinge a man of honor. I littill regard uhat people talke, nor is it worthy of noticinge. I houpe your Grace will consider me by my actions, and not uhat is the talk of others, nor do I imagine uhat it could be the Arch. B^p. of S. Andrews sayed of me. I humbly thank your Grace for any kyndness you have showne to my brother; I doubt not he will indevor to deserve it of you. The

Bishop of Edinb. will be heard very shortly. I am sorry he should give you ground to complain of him. When he comes, and I have talked with him, I shall be better able to speak knowingly to you on that subject.

Whythall, Feb^r. ij : 168⁵/₈.

159. The King has ordered the passing of Nedery's Commission, but would me he would undertake it himself to your Grace, which I doubt not he will do, by this post. And in regard the Secret Committee has recommended a Commission, which they sent up to Sir Francis Scot, and others, to collect the rents of the Estate of Bacluche, he has also passed it, and allowed the Dutchess of Bacluch to name on more, who is to be inserted in the Commission. I read your Grace's letter to L^d. Melford and me, on that subject, to his Majesty, but he said since it was a thing uncertain whether it should be found his or not, he thought the Commission reasonable. As to Earle Twedal's reference, the King expects to hear from the Secret Committee their opinion upon the reference: what report was formerly sent can not be found here, but you can easily do it from your remembrance of the thing, or minutes of what was done upon it. The King has passed the livery of Lawry of Blackwood in favor of the Marquis of Douglass.

Whythall, Feb^r. 18 : 168⁵/₈.

160. I had the honor of yours by the flying packet, but could not possibly return answer to the particulars till now. I read your Grace's letter directed to Vicount Melford and me, concerning the Commission sent by the Secret Committee for uplifting the rents of the Estate of Bacluche, to his Majesty; but seeing they recommend it as fit for the King's service it is now passed, and sent down with the addition of one Mr. David Scrummer, named by the Dutchess of Bacluche, for her interest, the King having indulged her that favour.

For the Report that was sent up relating to the Earle of Twedal's pretensions, both Earle Middleton, Sir Andrew Forrester, and I have looked over all our papers, but can not find it. However, your Grace will certainly find it there, or, at least, your self and L^d. Advocat will easily call to mind the contents of it, which will sufficiently serve any end you may have for it.

The King has ordered ten Companies of Earle Dunbarton's Regiment to march presently to Scotland, commanded by the Lt. Collonell, but it will be near the end of March before they can possibly be that length. The Lord Vic^t. Tarbit is to depart from this on Sunday next, and Duke of Gordon much about that time.

Whythall, March 4th : [16]86.

161. I confess I was not able for several posts by gone to undertake to your Grace, my concern was such for what has happened, nor shall I give you the trouble of my scribbling on that subject at this time. I hope shortly to have the honor of seeing you.

162. About 8 of the clock this morning wee received your letter of the 6th instant, which you sent by an expresse; but it seemes the gentleman to whom the packet was entrusted has fallen sick at Doncaster and has sent it forward. The Acts sent up and not returned wee beleived to have been Acts already past; the receipt of tuo of them is contained in your lettre, one wherof, namely the extinguishing of the surname of Campbell, and the other clearing the crime of Resett and Intercomuning, the King does not approve of, and so orders that they may not passe in this Session. Wee never expected that the Cesnocks would confesse their guilt, upon the termes of the Instruction.

It is his Majesties pleasure, notwithstanding of what your lettre containes, that none of his standing forces goe by North Clyde, especially considering that the three Dutch regiments wilbe so soon with you; of whom yee may dispose as the King's service shall require; and likewise 1000 foot to come from Ireland, if ther shalbe use for them. It is also his Majesties pleasure that the Dutch Regiments be payd as yee were formerly ordered, and that the fonds yee mention be so employed. As for the Artillery at Berwick, yee are not to call for it except yee have use of it; and in that case the price is to be payd by the Treasury of Scotland. Yee are in the Commission of Trade to follow the methods of the last, and to nominate persons of the same quality and number.

The Lord Commissioner having sent a Paper of Reasons to his Majestie why all the forfeited Estates should be annexed to the Crowne, to remaine therwith as ane annexed property for ever, his Majestie is therwith well satisfied; and therfor has instructed him accordingly, that all estates whatsoever in his Majestie's hands, not as yet gifted by his Majestie, may be so annexed; which Act his Majestie ordaines to passe immediatly, with the Act relating to the Commission of Trade, and the Act *Salvo Jure*: and that immediatly thereafter, your Lordships deliver to the Lord Commissioner the Instruction concerning the adjournment of the Parliament; and that the Parliament be accordingly adjourned.

It is his Majesties pleasure that during the continuance of this rebellion a flying packett be sent every tuo dayes, and that no expresse be sent in that time. Wee are, may it please your Grace, and Lordships, your Grace's and Lordships' most humble and faithfull servants,

MORRAY.
MELFORT.

Whitehall, 10th May, 1685.

Whythall, May 22 : 1685.

163. The flyinge paket caem this morninge at on a'cloke. The King was gone to bed, and I heard not of it befor six a'clok that Vic. Melfort sent me my letters. I uent emediatly to uaet on the Kinge and was then ane hour befor he stured; as some as

he was up wee uaeted on him together and gawe his Majesty ane Account of all wee had reseaved from your Grace and the Secret Commity. Uithin ane hour after he uent to the Hous and made them a verry excelent speetch delyverd it lyk himself to the great satisfacione of bothe Housis, and bothe in a body uaeted on the Kinge at four a'clock this afternone in the Banquetinge Houss to returne his Majesty the humble thanks of bothe Housis for his gracious speetch. The Commons the first thinge after returning this morninge to ther Hous rede a Bill for settlinge the Reveniw of the late Kinge on his present Majesty during his lyffe. The Hous of Peers by a vote reshinded and anuled the impeatchments aganst the Lords that uear in the Toure. The good beginings of this parliament refreshes the hearts of all loyall and honest men, and it is not doubted but the conclusion e uill tend to the greatnes of the monarchy and the tranquilety and happines of bothe Kinge and Kingdoms. You haw in our joint letter to your Grace and Lordships a full account of all, and I need not repeat in this what is so fully exprest ther. The Kinge is takinge all imaginable caer to prevent and resist the villanous attempts of Argyle, and his associatinge conspirators, as you will sie in the account wee haw sent you. The Kinge hes dispatched L^t. Coll. Maxwill to Scotland to attend the Dwke of Gordone, and be asistinge to him in the managment of the Commisione of Liüetenosy the Kinge now sends him. I haw inqyred at L^d. Melfort conserninge the Act of Indemnety, and he says he hes sent doune the verry same draught that was sent up to him, but I think ther will be no uss of it now till this brushe be over I haw acquented the Kinge uithe what your Grace says conserning D. Monmouthe, uharuith he is weal saetisfied ; as he is extremely uithe the Acte of Supply, which uill be put in the Gazet, and the Act conserninge the Test.

As I tould your Grace in my last, E. Seafort complaend to the Kinge that he was neglect[e]d by the last proclamotions orderinge the command of his interest to the tutors and factors of the L^d. Lovat ; when the King spoke of it to me this morninge, I tould him my sone was also left out, which I was sure was nothings but mistake, and therfor the Kinge hes orderd Commisions for bothe, as your Grace will see by our joint letter.

Postscript :—The thre Acts formerly sent up and now mentioned in the Secret Commity's Letter ar inclosed.

Indorsed in Queensberry's hand :—

“In this E. Morray shous the K[ing's] satisfaction with severall Ackts, pteicoulerly that aboutt the Test.”

Note by the Duke of Queensberry about 4 letters from the Secret Committee : not in Queensberry's hand. Undated, but c. May 1685.

164. This contains 4 Letters from the Sec. Committie, Earle Morray, and L^d. Register, by which it's evident the Act about the Test was approuen by the King. The Commissioners of Supplie, &c. wer named by the Sec. Committie's advice,

according to his Majesties Instruction; and lykeways the Adress ag^t. Argyle was authorized by the Sec. Committie. Which letters are kept heir to clear me from the Articles of Melfort's malitious charge to which they relaite.

Another Note by Duke Queensberry in his own handwriting, about adjourning the Parliament. Undated; and written on cover of Letter addressed to the Earl of Perth, Lord High Chancellor of Scotland, and the rest of the Lords of the Secret Committee.

By this letter my containuing the Parlm^t. after the daitt off the Instruction for adjurng theroff, is approvⁿ, and the occation off this delay ues till the Instruction for annexing the forfa^{'s}. com down, which I did nott receiv till Setterday last 13 Jun, and the Parl^{m^t}. is adjvⁿ't, the Teusday efter, being 16, to the last Teusday off Oct^r. mentiond in the Instruction for that end.

Indorsed:—Letter for adjourning the Parliament.

Letters of the Earl of Moray to the Chancellor, the Earl of Perth.

Whitehall, 20th June: 1685.

165. I am by his Majestie commanded to let your Lordships know, that having considered the reasons in the Earle of Seafort's information against the Annexation of a parte of the Shire of Rosse to the shire of Cromartie, it is his Majestie's pleasure that a stopp be putt to the Execution of the Act of Parliament lately past concerning the same; and to the printing of the said Act; untill his Majestie shall declare his further pleasure theranent.

Indorsed on cover of letter:—Stopping Tarbet's annexation anent Seaforth.

Whitehall, 30th June: 1685.

166. It was late last night (just as the King was goeing to bed) that the flying packett arrived here, which came from thence the 26th instant at midnight, and immediatly I did acquaint him with the contents of your letter of that date. In answer to which, I am, in the first place, commanded by his Majestie to let your lordships know his pleasure—That seing Rumbold is now executed there, your lordships may take care that his head and quarters be sent up hither by the very first convenient occasion, to be disposed of as his Majestie shall think fitt. In the next place, as to the strangers or forreigners who are or shalbe taken prisoners, and have been in this late rebellion, it is his Majestie's expresse pleasure that no favour be showne to them, but that (on the contrary) they be proceeded against according to the utmost severity of law, without any delay.

I am further commanded by his Majestie to desire your lordships to send for Lieuten^t Colonell Maxwell, wherever he is, and immediatly after his arrivall at Edinburgh, to order him to take post, and to come hither with all possible expedition to attend his Majestie.

Whitehall, 1st August: 1685.

167. This night about 8 of the clock Colonell Douglas arrived here, and delivered your letter of the 27th of the last month, directed to my Lord Melfort and me: in answer to which I am commanded by his Majestie to acquaint your lordships, that tuo witnesses against the late Duke of Monmouth and Salton are to be sent downe a day or tuo hence in the Yaucht that is to bring Sir John Cochran hither. As to the banishment of such as yee think fitt of those who were in the late rebellion, ther is already a warrant for it sent under his Majestie's hand. As to what yee propose for stigmatizing those who were in the rebellion, and will not owne the King and his authority, his Majestie approves of it as very fitt and necessary for his service.

I am also commanded by his Majestie to acquaint your Lordships with his pleasure, that the Duke of Queensberry repaire hither to waite on his Majestie with all convenient diligence; and that none other of your Lordships come hither at this time, but attend his service there; which he doubts not but yee will carefully performe.

SECTION SECOND.—Letters from the Honourable John Drummond of Lundin, Treasurer Depute and Secretary of State for Scotland, created Viscount and Earl of Melfort, to William, Marquis and Duke of Queensberry, 1682-1685.

(1) Letters from 13 April, 1682, to c. 1684-5.

Edinburgh Castle, 13 April: 1682.

168. Drummond expresses his friendship to Queensberry and readiness to serve him. The only new thing in the Treasury was the Council fines, amounting to 230,000 marks, or thereby, which they had added to the charge. He was overjoyed to hear that his brother had so many obligations to Queensberry. "I hav obeyed His Royall Highness in sending thos armes to Stirling uher they ariued in good order last weik, and are laid safely up ther." He had also sent an exact statement of the Artillery in this country, with some propositions for the King's service, which he had humbly desired his brother to communicate to his lordship. There was no advantage proposed in it to himself, nor additional expense to the King. But he most humbly subjected this, as he did all his other concerns, to the King and Duke, who were the best judges of what was best for their service. He adds his entreaties that Queensberry would keep the Duke in mind of the Magazines here, that some course might be taken for supplying them as the Treasury should be in condition.

London, June 26: 1682.

169. My Lord, I had not so long delayed ureating to your lordship, if your oun commands had not occasioned it. Now I shal giv your lordship ane accompt as fully of what you desire as I can.

I found at my comming hear, that the day befor, my Lord Haltone had bein praying the Duke that he might hav leave to stay, some private affairs requiring his presence hear. The Duke told him

that he had had time enough given for his private affairs, that he was unwilling to put a publick affront upon him by sending him down just at his arrivall, though he had reason not to be satisfied with his coming. But he had had a competent time, and therefore he most tell him freely, the King's service required his presence there, and he most go. My Lord Hatton was extream blank at this, but said, if it most be he would go; but he hoped the Duke would not see him run down. The Duke said the Commissions were men of honor, and would use him with all the favor his cause could bear, but that the King was resolved to see what was in it to the bottom. So they parted for that time, it being the day before I came hear; upon Sunday last was sevennight. This morning, he came to the Duke to renew the same desire, but to no purpose, for the Duke repeated what he had said before. He desired againe that he might not be run down by his enemies. The Duke told him that if he had done well, it was for his honor the more look into it, and that the King was resolved to know the truth of the whole matter. Sir William Sharpe was with the Duke yesternight, but it was only to take his leave; for I find they have not meddled with treasure matters at all. Lord Justice Clerke stays here, and his Lady, and the Lady Hatton, are to come up, which I judge is to sollicite at a pinch, and the Justice Clerke is to give informatione as affairs pass in the meantime. The Duke was glad that this dialogue past before I came, that he might see it was not my errand.

The Duke called for an account of the Mint from me, which I gave fully of all that had been done before I came away. He has not yet got the account signed by the Commissioners before they parted; so if it be sent it is kept up.

I spoke both to the King and Duke in generall how diligent your Lordship was in informing yourself of all the methods of your Treasurie and Exchequer, and in finding out the King's revenue—that you were at a vast deal of paines, which they would find to have suitable effects for their service. I assured them that nothing would be neglected on your part for bringing that affair in to order, though at present it was in great confusion: but that in the doing of it you would not be free of great odium, and that not from mean persons, but from some of the greatest. And that for that cause, you did expect that the King and Duke would strengthen your hands, if they meant well to themselves. That the wnder officers were such as your Lordship could hardly trust; and that so long as you eyed their service so much above your own repose and quiet, that the least thing they could allow was that you might be satisfied in your wnder officers and servants. That you were resolved to send a full account of all by a gentleman shortly. Both the King and the Duke expressed a great deal of kindness to your Lordship; and I find you are hear as you could wish.

This morning I had your Lordship's from Mr. Wallace, for the kindness whereof, I am sure, I shall never be able to make a suitable return. Only, this I dare boldly say, I will make an honest return, as far as I am able, of which I believe your Lordship so fully

satisfied that I shal not take up your time with arguments to persuade you to it. I went immediatly to the Duke, and he appointed six this night. We came at six, and the Duke received all. But that I shal leave to Mr. Wallace to informe your Lordship particularly off. So soon as he had received the papers, and Mr. Wallace was gone, I took the occasion to tell the Duke that I was informed there was designs upon the Castle of Edinburgh by some great men. He cut me short, and told me he had prepared the King in that matter, and I was in no hazard. I told him I had infinite obligations to him, and that I should be very little worthy of them, if I did not prefer the well of the King's service, and his, before my advantage. And therefore my business was not now to sollicite for my self, but for the King, that he would put that Castle in the hand of one of his ministers whom he did intirely trust; that it was an honor had always been in the hands of such, and that except when it was there, it could hardly be employed for the King's service to the full advantage. That since he had done me, who durst not have lifted up my thoughts to such a preferment, the honor to cast his eyes on me, he should be no ours served then if I had had it. For if his Highness would condescend to lett you have it, I should cheerfully, during his pleasure, continue in the station I had there under you. The Duke told me that he took kindly my preferring the well of the King's service to my own particular, and that he knew the King would do so too, and, he did not doubt, would endeavour to do some thing for me to compensate it. I told his Highness that ways to do good to such a one as I would not be long of finding out; and for that I would absolutely rely upon his Highness, and that I durst brag so much of your friendship as that your Lordship would not be angry at it. So your Lordship is now secure of that matter.

To morrow Mr. Wallace and myself are appointed to wait on the Duke at nine hours in the morning. I have only seen the papers as they were delivered to the Duke. I did not desire to see them before, for I did not know what you had ordered Mr. Wallace, and so was not inquisitive, but I believe he told me the substance. If there be any thing needs clearing, I know Mr. Wallace can do it, and if there be any need of me, your Lordship may be sure I shall not be wanting.

The affair of the Artillery I put off till this be better advanced. As to what your lordship wreates of inroaching upon me, I told the Duke how favorable your Lordship was, but that I [thought] he could not give you too much. And I was satisfied the more that you to look into my charge, for that was the glory of an honest man. So my Lord, notwithstanding shall be diminished of your desires in that respect.

The great news of the Sheriffs is at large in this print. I never say (*sic*) [saw] Whitehall so joyful as at the order. They went thorough the city neglected by dogs in their way to the tower. This late bustle of theirs put off our sea voyage, I believe for good and all. They say the King intends for Windsor on Wednesday or Thursday at furthest. If any thing happens to morrow before the post goes away, you shall be sure of it.

June 27. At three this afternoon we were called with an account of what was new in your Lordship's commission, with all the particulars. The Duke was well pleased. Nothing can be done till they be at Windsor. In the mean time the Duke will repair all things . . .

Postscript :—My Lord, I forgot in my letter to inform your Lordship, that as to my brother, I know not any thing to be done here, for I was not desired to move in it. But I believe it would be no hard matter if my Lord Chanslour and your Lordship thought fit to propose it, but it can regularly come from nobody else.

London, 4 July : 1682.

170. "Since my last, there has nothing occurred but our voyage with the King and Duke to sea, the particulars whereof my Lord Chanslour has at large from me. The E. Moray has got the papers to prepare and I did desire of the Duke that nothing might be divulged of what was intended till it was done; for I had reason to suspect by Lord Justice Clerke his inquisitiveness that he had some information. I forgot to tell you in my last, that D. Lauderdale came here, as was thought, on Hatton's account. But the King gave them the slip by the back stairs. So you may be sure there is little to be expected here for him." The King was expected to be at Windsor on Thursday, when all Queensberry's papers would be dispatched, "and Hugo Wallace sent back againe. To-morrow the Sheriffs will be chosen and that day is appointed a muster of all the forces lying in town at Comon Gardine." Drummond would require to see Duke Lauderdale's signature about the Castle of Edinburgh, and a double of Middleton's which was more ample and which he had desired Hugo Wallace to get for him. "Lauderdale's was to be had at the Chancery chamber amongst the warrants of the Great Seal. Let some indifferent body search for it and send a copie to me. . . ."

Windsor, 20 July : 1682.

171. The honor of your Lordship's of the 1st of July came to my hands on Tuesday last, so careless the Secretaries office is of other people's concerns. But I have taken care that for the future the[y] shall be better looked to. I immediately delivered the inclosed to H.R.H., who not having then time to stay, with the first opportunity, I asked if he had got my Lord Treasurer Depute's answers. He said he had from my Lord Chanslour. I told him, least he had not, your Lordship had sent them to me to be presented to him. He told me he saw that all was clear enough by the Lord Treasurer depute his urging so much the indemnity. I was of his opinion, and told him, I thought within a post or two, he would see there was reason for his taking that refuge. But I told him with all it seemed that Hatton did not think so himself, for I found that his insolence was not abated, or that of his party. For it seemed there was a party that did endeavour to lessen the ministers all that in them lay, which if it were not timely taken notice of, and effectually prevented, confusion there would be

uneviteable. That I was sorry to hear that the old Generall had so farr overseen himself as to be one of them. At least, his leate cariage in the Councell testified no less. The Duke had bein informed of all, and was altogether of my mind. So I am confident by this post something anent that will be done. But because he sends all his business under his own hand, I was not so pressing to receive orders anent it. I spoke againe of the Castle, and he is firme in the thing; but this clamoring of my Lord Lauderdales has put a stop to the present doing of it. But I will not leave it yet, for I am hopefull to finde ane oportunitie before long, for that family I hear has talked most undutifully since the last foyle, and the Duke knowes it well enough. So I hope from that may arise somewhat to the advantage of that affaire, which, I assure your Lordship, I am more concerned in then in any I ever had to doe. So much I think my self obliged to serve you, and so zealous shall I ever be in it, that I hope your Lordship will think my professions reall.

The persons that they say court Shaftsberry are Saltone, Stivensone, Sir John Cochran, Campbell of Sesnoke. But I shall get your Lordship a more particular accompt when I go next to Londone.

I spoke a litle to the Duke of the Bishop of Edinburgh his journey, and wondered that it should have bin aproven by the rest of the bishops, or, at least, that more should have bin advertised of his comming. For I understood that it was so surprize to some in Scotland that should have known it first. The Duke told me that he told E. Morray that it was ordinary for the Archbishop to make propositions in such cases of persons to come, and that it were fitt to be so now. But that he thought my Lord Morray had given full informatione from the beginning of the bishop's designe. But he told me no body needed be concerned for that.

Your Lordship may be sure I will watch all oportunitys to serve you, nor, are you in hazard of ill offices, so long as I am hear, for I will watche as carefully as you your self would doe.

Windsore, July 22: 1682.

172. "Since my last I had a letter from my brother, in which he tells me that it was suggested that I had indeavoured to lessen the powers of Captaine of the Castle, and to retrenche the perquisites for my own advantage, which is a thing to farr from my thoughts, and indeed so contrary to my nature, that I am confident no persuasione but my own can make your Lordship believe. But that you may know all I doe of it, I will tell your Lordship the whole that past, but most begg that it may go no further. When the Duke condescended to what I proposed, he asked what the nature of the commissions in the Castle were. I told him the commissione rune to a Captaine and Comander in Cheiff to command the Castle by himself, his constables or deputies. He asked at me what I had. I told him my commissione was only to be Livtenant to the Companie in the Castle. He told me

that had bein heartofor the custome of England, but that the King had altered it for good reasons, and uas confident he uold doe so too in Scotland in time coming. I beggd of him it might not be so long as you had it, for that uas to oblige by halves. And seing no inconvenience had arisen hitherto from that comissione, I uas uell satisfied as it uas, and uold begg it might not be cheinged, for it could not be looked on any other uay but as my procurement. He told me he uold ureat to you and satisfie you of the contrary. I told him that thought (*sic*) I might hav advantage by uhat his R.H. proposed, yet I most humbly begg'd it might be otheruays. And I assure your Lordship I naither doubted nor doe doubt but I shal bring him over it. Then he asked if ther uas any fee due to the Constable. I told him I could not tell. Only when Kelly uas Depute to my Lord Lauderall, and had the whole pay of the Companie, L. Lyone had, as uas reported, the 800^{*lib*} as Constable dues which uer auintiently the Trone customs of Edinburgh. He desired me to drau a comissione uith thes reservations. I caused Mr. Wallace doe it, but uith all made him drau another in common forme, which I had hopes should pass, though to him I did not say so much till he uas coming auay, and then in the Park, I told him I uas confident to get it as it ever had bein. So ther is the truth and not one silable but the truth. . . .”

It was evident by his telling to Mr. Wallace that he intended nothing but what was above board; for he had told him of the difficulty, but hoped to get over it. But if he had not prevailed, “I had one uay left to shou that it uas not for my behoof that it uas done: that uas to hav demitted,” and that Queensberry might have expected from the candor Drummond had always shewn in his actions. “Therfor, as I befor begged, beliv nobody of me but myself, and then my actions uill shou that I am perfectly your servant.”

Londone, 26 July : 1682.

173. I hav received your Lordship's of the 20 July in which you give me advice as occation serves to make use of my Lord Hyde. I shall be sure to leav no ston unturned that can reach my end in that mater, and if I should come to feal in any part of what I designe for your Lordship I uold think my self most unhapie. But I am not yet diffident in that point. My Lord Edinburgh is come. The Earl Morray and he has bein together ever since he came. I am sorry nothing has bein ureaten concernng him, but that ye will doe if it be fitt. In the meantime what coms to my knowledg I shal informe your Lordship of. Lord Ross has bein speaking of his troop. I kneu not what to say having no measures given me, and therfor hav said nothing at all on any thing of that nature. If I knew how you stand affected belou I could then knou hou to act hear, but it is not proper for me to medle in any mater not intrusted to me. This I say least any thing going contrary to what is designed ther may be imputed to my neglect. As to my Artillery maters all is befor you to doe as your Lordship thinks fitt, only it is conforme

to what was discoursed of, and the sune not exceding what was then thought reasonable. I am sure it is hear thought too small, but I say our work is cheaper then els uher, and so I hope it shal be.

The King is to be at Hampton Court to-morrow at Councill, and the Duke's resolutione of being at St. Jameses on this day 7 night holds. Ther is a play hear to be acted that maks a great business, for the Duke of Mummouth has complained of it, and they say that notwithstanding it is to be acted sometime nixt weik. They call it the Duke of Guise, but in the play the true story is cheinged to the plott time hear. As for the mater of the Castle, ther no one soule knous any thing of it but the Duke only; so if it come not from below, (as I hope it shal not,) ther is no fear of its taking aire hear till I hope it shal be past cure. I begin to ueary of this place, so I hop your Lordship will delay no time in sending back your opinione of that mater, for it will not stop hear in the least. Ther is no neus hear till after to-morrow, for then ther is a court of Aldermen, and the factious expect something from it anent the sheriffs. But that mater is past ther thumbs to alter. As soon as I come to Winsor your Lordship shal hear from me.

Windsor, 29 July : 1682.

174. The Bishop of Edinburgh has bein hear sine last post and has bein with the King and the Duke, to whome he has given an accompt both of the Church and State of Scotland, and by al I can find just enough to all persons. This post I had not one uord from any body in Scotland. The great neus hear is of Earl Sunderland's having yesterday kissed the King's hands and the Duke's. They say he asked pardone for his faults. But, houeuer, it shous the pouerfull influence of thos that brought him back. I suppose it is not neidfull to explaine. I begin to wish I was dispatched from this place, which shal be as soon as possible. The Bishop lykeuays gave the Duke ane accompt of the Mint, which I still knew uold not be to the Manager's satisfacione. His son hear has proposed a pardone for him, and, that not being granted, that he might come up, which is not granted aither. But this I only say to your Lordship, and desire it may go no further. The Countess of Soissons is expected hear this night.

London, August 1 : 1682.

175. The things Drummond was to take into his care were the ordinary reparations of the Castles, to keep in repair what was already built. But if any new building were intended, "they most think of another fond," &c. In a postscript, Mr. Wallace had told him there was something charged on him for not mounting the guns in Stirling Castle for which he had got £150 sterling: and the carriage wheels, axle trees &c. were lying ready at the Castle of Edinburgh. As soon as he had got the matters settled, he would come away.

London, 15 August : 1682.

176. This morning the Duchess was about seven of the clock (was) (*sic*) safely delivered of a daughter. The Duke was at Windsor, but was immediately sent for. His mother came on Saturday night. I have ordered the officers of the Castle to attend the Lord Chanslour and your Lordship to know what they shall do on this occasion; and if they obey us, I would, had I the honor to be with your Lordship now, you will have no occasion to be displeased with them. Now at last, Lauderdale's Estate is settled on his brother for good and all as I am informed. So all his relations here are as merry, as other people think, if they got justice, they would have reason to be sad. I expect my brother with impatience, seeing by him I expect to hear your last determination of all that concerns me, in which I shall most obsequiously follow your commands. . . .

London, 18 August : 1682.

177. Yesterday my brother came to town, but the Lord Register is not come, but will be heard this night, having taken the York coach at Grantham. I shall now explain all the matters in my instructions I hope to your Lordship's satisfaction, for I have seen the state of the Thesaurie and shall make you much a saver. For upon what is there set down for repairing the Castles and Magazines, I will do both that and all the other expenses of the Artillery besides, so that I am confident your Lordship will be satisfied, seeing I containe all within the expenses that your Lordship has sent up to the Duke. There is no kind of news heard at present. The Duchess continues still well, and her daughter was yesterday christened by the Bishop of London, and named Charlot Mary. The King came to see her yesterday, and returned to Windsor at night. The Duke went this day and will be in town on Saturday. Now that the King is getting some money he looked not for, I believe what he promised to your lordship, and could not formerly performe, may now be easier done. If your Lordship pleases that I should take my own way in it, I doubt not of success. But except I see a necessity, I will not move in it till I hear from your Lordship.

Postscript :—Duke Lauderdale has at last given his estate to Richard his nephew, but the Duchess has persuaded him to accept of [Suinton for Lidinton(?)].

London, 22 August : 1682.

178. Drummond had received Queensberry's letter stating what he had done in the Artillery affair. "The news is heard that, Duke Lauderdale having gone to Tunbridge Wells, the waters has not agreed with him, so that phisitians are sent for to him, and that he is in danger. But by the next post I shall be able to give an account of the full story. The Queen is come to town this night. To-morrow the King and Duke go from Windsor to Greenwich to see the new Yacht launched, and are to dine here and to return to Windsor at night. But the Duke stays here till Thursday morning." Drummond's brother and the Lord

Register would give Queensberry an account of affairs. He was resolved to come away as soon as the business of the Mint was over. Drummond ends with begging Queensberry "to lett the Duke knou that it uas the King's affairs brought me up, that ther may some part of the expens of my jurney be allowed, which is so just that I doe not questione your Lordship mentioning it to him."

Windsor, 26 August: 1682.

179. It uer impertinent in me to giv any accompt of what past hear in relatione to my Lord Haltone, becaus I knou your Lordship has it fully from my Lord Register and my brother. Therfor I shal only tell you what mor nearly concerns your Lordship, which is that the Duke of Lauderdale is dead, and consequently that your Lordship will hav the Castle immediately.

London, August 31: 1682.

180. I had only time to informe your Lordship in my last that the Duke of Lauderdale uas dead, and that the Duke had designed the Castle for your Lordship. I hav in his hands surrendred the Lieutenants place, by which your Lordship uill see that I am not capable of uhat uas suspected of me, though I dare say not by your Lordship. I hav lykuays given up the Artillery, which Lieutenant Generall Drummond is to hav. So you shal be free of all that I uas designing for this bout, and that affair stand as it did at my coming up. It has pleased the Duke to procure me the office of Thesaurer Depute, and, I assure your Lordship, I hav no greater satisfaction then that I shal hav the oportunity to shou how obsequious I shal be to your Lordship. I doubt not but your Lordship has ureaten fully to the Duke that I may hav the expenses of my jurney, seing I had no thing besydes the King's affairs. to mov me to it, nor had I ever any gift in my life aither of fyne, forfaulture, or gratuity, when ther was very many others that got; but this I leav to your Lordship.

Postscript :—I humbly begg your Lordship may not say any thing of thes places, except, which I doubt not, you hav them from other hands.

London, 21 September: 1682.

181. Yesterday Drummond spoke fully with the Duke of the particulars contained in Queensberry's letter. The commissions for the Castle were exped, only Major White's was not to begin till the first of November. Drummond was fully satisfied that this was no time to propose any gift for himself, but he should have been glad if Queensberry had recommended him to the Duke for some part of his expenses; but hopes it will not be necessary now, for he would be away from Court before any thing could be done in it. "I am infinitely bound to your Lordship for the kind promises your Lordship are pleased to make me, and, I assure your Lordship, I shal indeavour to deserve them." There was no retrenchment in Queensberry's commission for the Castle, except in the putting in of deputies, "which never any of them" (captains

of the Castle) "made use of, it being too hazardous for any governour to ansuer for his under officers feelings, but I thought to hav got it as it uas befor, but in vaine, yet, I hope the alterations are such, as I hope your Lordship uill not be angry att. I spoek of the Bass, but that uas disposed of, though I cannot learn how." Drummond spoke with the Duke that nothing should pass in Treasury matters till Queensberry were acquainted with it; to which the Duke agreed. He gives further details about the Mint. "I spoek to him of the Artillery, and shal tell your Lordship that the case is altered uith me, for uhen I cam hear I was to consider the Artillery in the first place, now I most consider the mony, so I think that the best way will be to lett all stand as it did in my time," with an £100 sterling annually for expenses of the train, and buying such things as were necessary for the Castles. "As to the last particular, of ships unloading in the Isle of Man, I spoek to the Duke, and he desired that I might speak to the Lord Hyde. I did so this day and shoued him the loss it was to the King's customs. He assured me the loss was no less considerable hear, and that they had sent ane officer of the customs ther to take notice that there might be no vessells unloaded without paying custome; and if they did not find that effectuall for remedieing the ill ues found, that upon advertisment from Scotland, they should take other methods."

26 September : 1682.

182. Since my last to your Lordship nothing has ocured but uhat concerns the Duke of Munmouth, who on Saturday last, was brought by a Sergeant at Armes befor the Secretary, wher, after his examinatione, he uas ordered to be kept in custody, which he uas, till yesterday that he uas bailed, and so is nou at liberty. Yesterday the Chapter of the Garter sate, when Duke Hamiltone was elected knight in the roome of Duke Lauderdale, deceased. This weik is to be the suearing of the sherifs and electione of the Lord Mayor.

[On 28th September, Drummond writes from London to Queensberry that "this day the sheriffs, Mr. Northe and Mr. Rich, are confirmed, and hav entered upon ther employments, to the great trubell of all the Whigs, who are strange out of countnance." He adds, "if ther be but as good luck in the Maire, things will go better hear." He further says, "My brother and I are fully resolved to come of on Monday nixt."]

Edinburgh Castle, October 19 : 1682.

183. I uas just going to send ane express to your Lordship uhen, by Mr. Wallace, I uas informed that your Lordship had a servant in toun, by whom, I most make bold to informe your Lordship, that I hav severall things concerning the Thesaurie to informe your Lordship of from the Duke, so soon as your Lordship coms to this place. I had ane order on Duke Hamilton for thos lodgings that uer the Countess of Roxborough's, but he cannot spare them. So all I can get is some rooms my brother is able

to spare of what the King has given him, which are so out of order that I was forced to hav them mended, and the terme of my command in the Castell ending on the first of November, the thing could not brooke delay, otheruays, I had sent to informe your Lordship, befor I had done anything in it. But since Mr. Wallace tells me you make David Maitland agree upon ury work for a penny, this shal be so done.

As I said befor the Duke condecended on any time that might be convenient for me to giv up my two commands, and I showed him that the first of November uas the most convenient time, so he ordered me to tell you so, that against that time somebody might come to receav what belongs to the Castle off my hands, and I hav apointed Lieutenant Generall Drummond to doe so for the Magazines: now, that things may be clear, it uold doe well that your Lordship uold order the payment of the last quarter both of the Castle and Artillery, that I may clear all off, which when I hav done to all I oue ther will be 150 pounds sterling due to me by the souldiours which the Duke orders whoever coms in my place to pay to me and repay himself of the souldiours, it being impossible for me any other uay to get payment, and it being most easie for whoever commands to pay himself: this is so reasonable I doe not question your Lordship's concurrence in it.

I hav a letter to your Lordship from the King anent the ballance of my accompts of the Artillery, which I expect your Lordship's favor in. And I hav ane order for 200 sterlin as expenses of my last jurney to London. If your Lordship uold order Sir William Sharpe to pay me it uold oblige me at this time.

Ther is no neus hear at all, and from London ther is non, the Mayor not being yet declared.

Edinburgh Castle, 25 October: 1682.

184. " . . . As for my lodgings, . . . I am to come from the Castle, and it uas so late in the year, that ther uas not a hous in toun to be got for mony, so I am aither to put this in order, or lye in the street. But that it may not be ane ill example, if ther be any scruple, I shal pay uhat is done myself, tho' I knou the Duke uill order a uarrant for it, if ther be neid, it is so smale [a] mater, and I in so absulate necessity." Since Queensberry thought it proper, he would delay giving up his command till his Lordship's return. He refers also to debts due to him in his office of Captain of the Castle, and hopes for Queensberry's assistance in getting them paid, &c.

[On the 27th October, Drummond writes from the same place to Queensberry, that the work to be done in the Abbey was conforme to the design of the Abbey, "and no by unnessary uorke" which he would himself pay for, and which would not amount to £20 sterling.]

Edinburgh, May 31: 1683.

185. Drummond had called for Sir John Falconer, "to whom I intimate your Lordship's resolutions, and he confesses you use

him favorably, but protests he is utterly unable to pay the accompt and fyne both, though he should get that thousand pound down that he at first desired." Drummond told him that he would say no more to him till the whole charge, as well since [16] 80 as before, were constituted. Barnton and Charles Morray had promised their utmost diligence for finishing their bullion account, &c. "Just nou the protestatione against the Magistrates of Edinburgh is going over to them, so that if all ther books com not in against to-morrou at noon, they are to be holden as confessed upon the lyble, and further to be punished according to lau . . . The Lord Registers sone in lau has got Neveys place in the Sessione. The affair of the Portous Roll is remitted by the Councell to Lord Chanslour . . . I intend to go to Stirling, and from thence till Glasco, and, (if I can doe any good,) to Aire: but, houever, I am resolved to uaitte upon your lordship. The King's voyage uill hardly hold this year, for the Duke of Graffton is to go to Denmark to bring home Prince George."

Edinburgh, 2 June: 1683.

186. My Lord, I uaited thus late this night to see if the ansuer of my last uold come, as I uas made beleiv by Mr. Wallace; but seing ther is no hopes of it, I hav begun, but with the resolutione to waite as late as I can befor I dispatch this. This morning I was informed Councell uas sitting and went imediately to my Lord Chanslours, uher I found ane express from the Maire of Newcastle and Colonel Struthers anent some prisoners taken ther, uho, we hope, are Earleston and some other notorious rebels. They had peapers of consequence about them, especially a comission to the Laird of Earlestone, and one other to the X Commissioners of the Kirk of Scotland to all the reformed Churches abroad: and another peaper containing the resolves of severall meittings at Edinburgh, by which we find they hav meittings who keip life in ther shizme. I doubt not but the Chanslour uill order copies of all thes to be transmitted to your lordship, by which you uill learn mor then I can informe upon so hastie veue as I had of them. I told you in my last that Nevoys place was disposed of. Just nou I am informed that the Lord Nairne is dead, and lykuays that Sir David Thores is designed for his place. So your lordship may consider uhat may be most for your service in that mater, but I uill assure you, that if ye delay putting a stop at least to others pretentions, that uill lykuays go to some pretender hear. I forgot, when I uas telling the storie of the Newcastle express, to tell you, that befor I came, the Councell had ordered him to get 25 pounds sterling, which uas payed him accordingly by precept upon the foot of ther recommendatione. This day came into Leith Harbor the cannon from Holland, and, indeid, (if all [be] lyke that ane I sau,) are the finest I ever sau.

Ther are strange reports in this toun, which, though I knou to be lyes, yet I uill tell you, that my uife being in some companie yesterday, some of the companie asked hir if the neus uas true that a certaine person found the Thesaurie not manageable by

one persone, and therfor that it uas necessary to turn it into a comission again to make things go smoothlyer on. She told them she never heard of any such thing, nor did she medle in such maters. I hav sometimes knoun designs of that nature as soon puplick at the cross of Edinburgh as they uer proposed in the closet. Though I am not apt to beleiv that ever this has bein in agitatione, it is fitt, howeuer, that people hav both ther ears and eyes open.

I hav ordered Mr. Wallace to giv charge to Mr. Ritchisone to take up ane accompt evry night of all persons amertiate, fined, forfaulted, or declared fugitives befor the Justice Aire; and to hav one present for that effect in the Court, according to the Act of Parliament theranent.

If I find that my presence can contribute anything, I shal go al the uay; if not, I will come to your lordship as soon as I can, for really things fall in fitt for you to knou that can not be so conveniently ureaten.

The toun of Edinburgh hav upon our protestatione done nothing. The provost cam to me for the first time. But I told him I naither could nor wold alter the method that affair uas in. If he had bein just to him self, it neided hav cost him smal truble. He seimed to palliate and excuse all other maters, and highly to vindicate the Bishop of Edinburgh. He made a fashone of going through the Portous Roll, but did not giv any alteratione to it. He lykeuays sau the instructions to the Justices, but they not being past till Monday, I shal say nothing of them . . .

Edinburgh, June 5 : 1683.

187. If Sir John Falconer did not come the length proposed by Queensberry, he should be prosecuted according to law. In pursuance of Queensberry's orders, Drummond went to the Mint house and examined the tools, "which I found exactly according to the inventure signed by Sir John Falconer." Drummond had not removed them from his (Sir John's) custody, who was sufficiently liable for them, "and that so long as they are in his custodie, no body uill endeavour to imbazle them. Whereas, if they uer in our keeping, they uold be a pray to evry body, as it is evident by what is dayly done at the Abay, wher, since your lordship went auay, windows are brocken up, stanchers stolen, locks and dores caried auay. Nor doe I knou hou to remedie it, till marches be better rid betuixt Duke Hamiltone and you."

Further details are given about the measures taken in reference to the Bullion accounts. "Mr. Mill goes on so slouly at the Castle worke that I shal make bold to put him to it to-morrou, and assure him that as we pay well, the King most be uell served." Since Queensberry allowed him to delay his going with the Justices, he would endeavour to get a full account of what was done at Stirling, and to see himself what was done at Glasgow and Ayr; and, before the beginning of July, would wait on his lordship at his own house.

As to the place in the Session, he would write to the Duke himself, but would owe the obligation to no one but "the Duke, your self, or my brother," whom he would desire to write, if it came not too late. "And your lordship may rest perfectly assured, that nobody shal hav pouer to discover that ever your lordship had the least inclinacione to medle in that affair."

He then proceeds to speak of the affairs of the town of Edinburgh. "I finde by ther clerke, who was with me yesterday, they finde they hav played the fools, and wold gladly doe all that's required to make atonement." Drummond told him these things were to be done in the beginning, and advised them to obey what was required of them; "but did assure him your lordship had no other designe then merely to let them see what errors had bein, and how to prevent them in time coming. But ther carriage had bein so insolent that I could not foretell its event. He seimed extremly concerned and zealous to knou what wold please." He was desired to give an account of all the money gratuitously given away since the King's restoration. "This he has promised to doe, and if it ansuer expectatione, I shal transmitt it to your lordship, for it will be of great use to find so much mony given unregularly away by ther own confessione, which he says will amount to twenty thousand pound and abov. It is not amiss, after all this bustle, to hav at least that gate to go in triumph out at, but the great mater is to get some assurance of the magistrates for the next year."

Edinburgh, 7 June : 1683.

188. Drummond had called Sir John Falconer, and told him that it was in vain for him to delay what was impossible for him to evite, and brought him to offer Sir William Sharpe one thousand pounds, or to take off creditors from Sir William for the like sum immediately, and to give him security for the payment of another thousand pounds against the 20th of July next, with which Sir William was extremely satisfied. "But, when it came to the performance, Sir John fealed." So Drummond had ordered the diligence to proceed according to law, and was satisfied the president, and the rest of his friends, would see the breach was on Falconer's side. He gives further information about the Bullion accounts, and then proceeds :

"This day the Lord Chanslour had a letter from the Lord Comissioners of Justiciary, which he communicate to us, in which the [y] giv us ane accompt of the good hopes they hav of ther journey, and desiring advise in some maters of form. They say ther are many in the uestern shires come to Stirling to see the fassione, they hav so restrictked Mr. Thomas Gordone that he says he will not hav a paced horses price of all he will get at Stirling.

"I most tell your lordship, the reason that I am still hear is that I find I hav some thing still to doe, but, if that be done befor Monday I shal go to Glasco and Aire. I am the less concerned, that I find litle I could doe if I uer ther. I hav sent to my

brother for full information of what passes, and shal remitt it to your lordship. In generall, they say that if the heritors had been indemnified upon taking the test, all of them wold hav done it, but that not so many will be induced, seing the diet is only to be deserted against them.

“This day I had a long dialogue with the Lord Bishop of Edinburgh, who desired to speak with me, of which I shal giv your lordship ane accompt at meiting; only, at present, he thinks this comission anent the excise very illegall, and wold affright us into a compliyance with the touns desires. But I told him that wold not doe, for your lordship had not followed the former methods of doing things out of malice or for gaine; only layed the King’s interest befor him, letting him see what was said for it, and what against it, so what the King chosed no body was to blame for. A great deale mor I shal tell your lordship off at meiting.

“I hav ureaten to the Duke about that place in the Sessione, so if he think it fitt, he uill get it for me; but, if not, others I hope shal not triomphe of the refuse; nor will others whom I hav not communicate this to, bragg of the obligatioun, for ther are feu people I desire to be obliged to. I did not expect your lordship’s man should hav called for his letter this night, so I am affrayed I shal forgett many things, but by the next, I shal make nots of what occurs. In the meantime, I hope your lordship uill lay your commands on me, to whom they are most acceptable.”

In a postscript, Drummond proceeds, “My lord, if you please to inform the Duke, that it may be of use to the King’s service, as to his revenue, that I be upon the Sessione. It wold I beleiv determin the thing, becaus I made use of that argument.”

Edinburgh, 11 June : 1683.

189. The longer Drummond stayed, the more he had to do at Edinburgh, and the less with the Circuit, where he found things went on most quietly and regularly, “and that if all that was apprehended wold absent them selves ther uill not be one hundreth at Stirling, of which some are dayly coming in, so that they belive ther uill not ten be found fugitiev befor the term prefixed for taking the Test. The lyke is expected of all the other Circuites. This day we are informed that 4 of the Kullers of the King’s Guard are taken, tuo by Duke Hamilton’s servants, and 2 by one dragoon and some country gentlemen. But this I hear not certainly. The Test is coudrently taken by the gentlemen, many having taken it, though found innocent, to shou ther affectione to the Government. They hav condemned a fellou, for ouning all the villanous principalls, to be hanged on Wednesday, but sent to advise with the Chanslour hou to doe, becaus he nou begs the benefite of the Test. But he wold not interpose, so he uill be execute according to the sentence against him. I finde by the letters they all send, that I am better hear then not to ureat as they doe; and if I uer ther, I wold not sometimes be of some of ther opinions. So I am not resolved to go at all . . .

The manufactories hav bein complaining of ane Englishman for importing cloath. I hav at last prevealed with the Chanslour to hav him examined and shal doe it. . . .

Edinburgh, June 12: 1683.

190. The Councillors in town were called by the Lord Chancellor to see some more of the papers got at Newcastle, and to send away the party to receive the prisoners from Colonel Struthers, of which party Lord Livistone had the command. They would be delivered to him at the Bound Road on Saturday.

Yesterday, Sir John Falconer went to London. He had come some days ago to Drummond to ask his advice, but Drummond told him he could give him none in that matter. His going was about the fine, not the account. By that night's post he would say to the Duke all that was fit for him on the occasion, "that whatsoever they think fitt to doe in the mater, we may be exonered. Lord Elphinstone had been there that day desiring that there might be an Exchequer called for registrating his Protection, but there was no quorum in town. Upon Drummond's suggestion, he was that forenoon to take instruments, which might secure him in the meantime.

Edinburgh, 13 June: 1683.

191. Lord Elphinstone had brought in his Protection that day, but on consultation, the Lord Chancellor said there must be a Signature relative to the Protection: but if Lord Elphinstone could procure the hands of a quorum of the Exchequer, he would cause append the seals. "The marchants begin to threaten us with bullione, but I uill not medle in it till the ansuer of the Commission's letter come."

[In a letter written to Queensberry from Edinburgh, on 14th June 1683, Drummond says, he had that day received his lordship's letter directed to Glasgow. He was glad Queensberry did not think it fit at this time for him to go to the Circuit. He had been of this mind himself, and so did not stir from Edinburgh.]

Edinburgh, 21 June: 1683.

192. ". . . I told the Lord Chanslour, as your Lordship commanded me, uhat you had done in your shire, and he presented his humble service to your lordship, and told me he uas very glead to hear of your good success. I told him your lordship uold hav ureaten of it to himself, but that you did not judge it uorth the trubleing of him. He sayed he uas very uell satisfied of the accompt from me, which uas all that passed betwixt us on this subject." About the town of Edinburgh, and the bullion, he had set Hugh Wallace, and other informers amongst the citizens, to consider the accounts, "though I think the discovering of any thing materiall uill be the work of time and great paines. . . ."

The prisoners were come from Newcastle and "one of them is Earlestone, and the other that called himself Livingston, is now

called Atkin, a drover, uho they say uas also a preacher. Earleston has bein severall times examined, and I am hopefull he may be ingenouous and tell uhat he knous. Great lenity is used towards him to see if he uill tell; which if he doe, I think he knous uhat is uorthe his life. The other has never bein examined, but at his first aryvall, and then he uold not ansuer to any thing. I beliv he uill be found a ranke Cameroniane. The other Earlestone declares against that sect, and all that relates to armes against the authority." Lord Elphinstone's Protection had been staved off without calling an Exchequer. Robert Mill assured him that the work at the Castle should be done in due time, and James Baine had promised the same of the "Abay."

"The Bishop's murtherer is a silly fellou, and can giv no accempt of any thing. He confesses he uas ther, and that ther uas eight mor, uhos names he confesses to be as ue had them. He has lurked thes tuo or three years aither in Angus or Lothian, this is all . . . I doubt not but Heu Wallace has told your lordship that ther is a letter come down to discharge any Councillor to come to London uithout his Majesty's leav, of which divers conjectures are made, but for my self I knou nothing of the truithe of it. Heu Wallace uold hav had me inquiring at the Countess of Erroll, but I uold not, for I judged any inquisitivness in that mater might breed jalusie, and the knouing of it certainly could only satisfie a smal peice of curiosity, so I hav neaver so much as named it to any, nor uill . . .

"This night the Chanslour shoued me a searcher of Newcastle that uas the first apprehender of Earleston, and his commerade Atkin, and desired, that for his pain in coming to testifie against them, he might hav ten pounds, and he uold signe a recomendatione." Drummond ordered the money, there not being a quorum of the Council, but shunned the recommendation. By direction of the Chancellor, he had just been giving order to Captain Grahame to seize Danell Clerksone, an Englishman, who was examined last week about Cloth importing, and his landlord, Josias Jonstoun, informer in uinter against Robert Blackuod, and their papers.

"We find by Earleston's peapers, ther has bein a designe of rising in armes in Inland. He says it uas amongst the sectaries only, and that the fanatiques uold not joine uith them, but it does not apear so by other peapers ue hav of thers, but he is not yet fully examined as to that mater."

Edinburgh, 23 June : 1683.

193. "Since my last, ue hav had many letters from the uest of the success of the Circuite, which your lordship uill be better informed of then ue befor this can come to your hands . . . Ther is a Bruer has deforced the survayours sent by Lenny to survay his brueing, and beaten them." He was to be proceeded against.

Further notices about the town of Edinburgh, "wher ther is found sett down, for the bringing in of the water, 6,000 pounds

sterling, and it was agreed for 2,900 pounds, so the rest has been money distributed amongst themselves." He mentions another "foul transaction," between Sir James Rothead and the Duchess of Lauderdale, also about money matters. "They have now made a quarrel against Captain Grahame, at the instigation of the Bishop, which I am affrayed harms the poor man, and it is the most unjust thing in the world. This night that Bishop and I have been examining Earlestone, who we hope will be ingenuous, but as yet he either knows little, or conceals much, but he has petitioned for the Test most humbly, so we think that, when he is once disengaged from that party, he will not stand to tell all he knows."

London, August 20 : 1683.

194. My Lord, I was some hours in this place before your lordship's letter of the 14 came. It was brought to me by Sir Androu Forrester, by whom I know that the two Secretaries were gone this morning for Windsor. I made all the haste I could in my journey, and had not the ways been worse than ever I saw them in Winter, I had been here yesterday. However, I came this day by one of the clock in the afternoon, and found my cloaths ready; so to-morrow morning I intend for Windsor. I was surprised to find the news all over this town that the Lord Chanslour was to come up immediately, and that something relating to his coming had occasioned both the Secretaries to go to Windsor. But when I inquired at Sir Androu Forrester, he swore that he was absolutely ignorant of any such thing, and if leave was given him, it was by the Duke himself, without the Secretary's knowledge; but with all confessed there was such a report. So since I could get no information by him, I said no more of it. But to-morrow, I shall endeavour to know all, and shall not fail (if I can) to persuade the Duke of the inconvenience of letting him come up at this time. I think I want not arguments enough for that purpose, but if I cannot persuade, then I shall turn all my forces to the getting leave for your lordship, which I know the Duke's justice will not deny, but I am hopeful there is no such thing true.

Sir Androu Forester told me (as your lordship's letter did) that Lord Arrane is mighty zealous about Munckland's estate, but that Earl Morray had the Signature in his pocket, and would endeavour to have it past for me. They look upon it as a mighty thing, so I am resolved to bargain with Earl Arrane, if he pleases, to quit my pretensions for four thousand pounds. Since he thinks it so great a matter, if he will not agree with me, I shall consent to the reserving to Duke Hamilton the right of his plea, which I think they must be satisfied with, if any reason can satisfy him. If not, then I must see what's next fittest to be done. However, I shall give as little offence as I can in the whole matter. I went to see Mr. Brisbane, but he was at Windsor. I shall not fail to make the best use of him I can.

I asked at Sir Androu Forester how the two Secretaries agreed, and I find they are mighty well together. Sir Androu is somewhat disobliged that he gets not the gratuities that he got

in the Lords Commissioners of Thesaurie ther time, but told me modestly of it. I gav him all the fair language imaginable; and indeid, if ye find him serviceable, what he gets uill be uell bestowed upon many accompts. All the businesses in your lordship's letter I add to my memorandum, and shal giv your lordship a faithfull accompt of all of them. I shal put the affair of Dunnottar out of it, nor shal I forget Armillane, whom I think a raskall by what I sau in Bargenie's process. As for what relates any way to your lordship, or any of yours, beliv I uill doe mor then if all I hav depended, but I shal not take up your time to tell you what I will doe, since I hope so soon to hav some thing to tell you that I hav done.

I hav ureaten this to-night, though it is not a post night, being Monday, least the packet from Windsere come auay befor I gett the King and Duke uaited upon, for it coms from thence just at one in the afternoon. But if any thing occur that's uorthe your lordship knouing, be sure I uill send ane express from Windsor to Sir Andrew Forrester with another letter befor the Black box be closed up.

I am informed that Earl Dumfreise is gon from this. My news mongers are not come to me, so by this post, I can send no peapers. The King goes to Winchester on Saturday nixt, and all the Duke's family are to com hither to Bartolomeu fair (uilhch is alloued again) to stay one day. I shal, if it pleas God, stay all the time at Winchester.

Windsor, 23 August : 1683.

195. By my last from London, I told your lordship that I uas on Tuesday last to come hither, and if any thing occurred I uould send it, but ther did occur nothing that I could add to what I had wreaten at London. I came straight to the Duke, and he uas pleased to carie me into his closet, and to read your letter to him, after which I commended you extreamly, and told that in evry thing ye had ansuered the expectatione that he had of you; and [he] was pleased to say that he took what ye said of me very kindly, for it uas what he uas certaine uas true, and that he beleived the King never uas, or could be, better served, then he uas by both of us in our stations. I told him that I had brought, in the first place, a State of the revenue of Scotland as it now stood, and that I had some observations upon it, and some overtures to make, which uer by your lordship humbly submitted to his Royal Highness. He told me he uould take time to talk uith me of them, and, I might rest assured, that he uould condecend to any thing that might be for the settlement of that mater in the most profitable way for the King. Then he begun to tell me of Monkland, and how violent Earl Arran uas in that mater. Hear I most tell you, that at my coming in to Windsor, the first man I met uas Earl Arran, who took me straight into his hous, and fell roundly to tell me the just pretentions his father had to Monkland's estate, and that he uould see who should be best heard in that affair uith the King. I gav him all the fair language in the world, and told him that it uas aither favor or right he could pretend to. If favor, I uas to the

fore with him, for the Duke was ingadged; if right, then, I was content to reserve Duke Hamilton's right, as accorded in the law. But he was made believe that it was a matter of 10 or 12,000 pounds sterling, and so could not be brought to quite his hold. He followed me to Court, and spoke to the Duke before me, which occasioned the Duke to speak to me, so I told the Duke if it was right Duke Hamilton had, I was content to reserve it. If my Lord Arrane was persuaded it was so mighty a thing, I was contented that the Duke Hamilton should get it, paying me 4,000 pounds sterling, which is the price of 200 pounds sterling per annum at twenty years purchase. This the Duke found so reasonable, that he said he had found me always most easy, and that I should never fair the worse for it, but to end this story before I go further, Earl Arrane says he will not quite hold till he ureat to his father in it. So if your lordship could persuade Duke Hamilton to be less pressing in that matter, it would stop no longer. But, however, I am resolved to manage it the best I can; and I think I shall be able to leave the bon in his foot. But, if he would pretend to any other thing amongst his father's fears that are guilty, and be assisting to their conviction, I told him I thought it would be fairer, then to enter upon my plea that was not meddling with him, nor in-croaching upon him. We continue very good friends, and are as calm as ever you knew. There that matter stands.

The Duke carried me to the King, who received me most graciously, and told me several stories of the plott in England, and how he had got a Scots catechism for them to ask questions by, that is such questions as we ask at the Council of Scotland, and told me how they answer them, &c.

This morning the Duke called for me, and begun to tell me many stories relating to England, and desired to know at me the state of the Treasury in Scotland. I showed him the state, and it being the same with what he formerly got, I showed him the true just Charge and Discharge since your lordship's intromission, and how much the balance was. But I was prepared for him, for I knew how affairs were circumstantiated, and therefore prepared a paper, of which I shall send a copy by the next, by which I showed what sum of money the King had to balance that 2,000 pounds that the Treasury was superexpended in, with which he was most extraordinarily satisfied, and desired me to let nobody see that. I told him that was what I was most humbly to beg of him. He said some time this night he would carry me to the King to show it him. Your lordship may be sure I have showed our management to the high, and there was no less than reason for it, for I had learned by my Lord Morray that the Chanslour had leave to come up, and that leave was sent to your lordship.

However, after I had told the Duke what had been done more than in former times, I made bold to tell him I was surprised to hear that the Chanslour had leave to come up. He told me he had desired leave to meet the King at Newmarket several months ago, but that he had given it very unwillingly, and told him it

was unfitt for him to come, but that he had nou lykuays given leav to you, if he did come, to come too, and that he thought naither uold come yet. He said after all, he thought for a firme agreament, it might be proper enough that both should come up. I told him, that in my humble opinione, it uold be of ill consequence to the King's service for aither of you to come, for it uold declare the breach to be wide, and in the justifeing of yourselves, the think (*sic*) uold certainly grou uors. He asked hou it begun. I told him I was present at that business in the Exchequer, and told him hou it past justly and truely, and left him to judge. He told me that the Bishop of Edinburgh had bein too meddling, of whom I said what was fitt, (so I most desire befor I go further to knou hou farr to push that Bishop).

Some other discourses past, in which I had the opportunity to touch on many important points, so as that I hav left room to return upon them, and yet am not ingadged to say any thing, but what I think fitt, both becaus of the Chanslour coming, if he take the freake, and becaus I hav not sein Midleton. Ue past other upon the road, and I am stopt from going to London this day by the Duke's commands. To-morro I am to go to him, God uilling. I uold giv a good deal to speak to him. I hav a great deal mor to say to you, but the post goes so airly from this, that I am affrayed my letter com late. I shal only in generall add, that all things seem to go as uell with us as ue could uish, and I am confident, I shal hav no uors success with the King.

Lord Charles Morray is in London. Ue past other on the road to this place. His uncle, Sir John Worden's lady dyed yesterday morning of the smal pox, so I hav not sein him, but ye may be assured of my care. Forgiv the ureat of this, the lenth and confusedness, for I hav bein kept in the Castle all this day. Some of the peapers was not for my purpose, and I hav had the truble to calculate of neu, and some are not come. I most begg that they may be sent. Mr. Wallace knous what wants.

London, 25 August: 1683.

196. To begin uher I left last, I most tell you that according as the Duke had apointed, I uaitted on [him], and he brought me to the King to giv him ane accompt of the Thesaury, which I did in thes terms, that he confessed ther had never bein better service done him in any affair of that nature. Hear I most tell you the uay I took. I conidered the state of the Revenue, and found it over ballanced. I took the abreviate of the Accompt, and found it superexpended, and if I had said no mor then what arose from thes peapers, ue had bein found to hav don no mor then others had done befor, and had had but litle reason to expect thanks; for they never conider what they giv away, but what's best. So I made up this inclosed peaper, and told first the Duke, and then the King, I had done it with my own hand, becaus you durst trust no body els with it: at which both of them uer extreamly pleased, and, the Duke said, he uold say that he had no shame in the recommendations he had

given us, and that no body ever had, or could hav, served him better then ue had done. I told that if ue had taken thes uays that had bein formerly taken, al the King had to look too had bein hou to pay the debt of the ballance due by him upon that accompt, wheras, he sau by that peaper hou, in despite of all discouragements, he uas yet a saver. And thou[gh] ue could not promise that all thes sumes uold be effectuall, yet I durst say a coniderable part of them uold come in, and that I thought the best service could be done to the King, uas to giv him some mony to lay up, for uithout that, our Militia uas but a name and nothing els. But if ther uer mony to pay them, it uas a most excellent cast for a Levie : and besides, a sume once layed up, uas a constant fond for the King to pay the Militia uith, for the country being obleiged to pay them from fourty days to forty days, as long as the King had use for them. The giving out of the King's mony for paying of them uas indeid but the advance, for the country uold be obleiged to refund. The King and Duke both uer extreamply pleased, and said that ue had done mor then they thought had been possible. I told the King hou inconvenient a post ue had, for ue had not only thes to resist uho uer enameies to us, upon the accompt of processes reased against them, but even thes in the government, uho finding things not fal to them, as in former times, are apt to uish for chainges and alterations. He told me ue should not neid to truble ourselves, for he, for his own sake, as uell as ours, uold protect us against all that uold medle uith us ; and said, he kneu ther uas no body that uold be fathfull to him in that trust of mony that could be uell spooken off, and therfor, he never minded uhat uas said against his Thesaurer. Therafter, he said a great many kinde things of you, and the Duke did so too, and intreated me not to lett that litle peaper be seen to any, no not the Secretaries, and to stop peoples mouths from seiking. I told them it uer fitt that retrinchments uer made, at least till the Ballance be equall, which the Duke said he uold, and therafter present it to the King. I uill assure your lordship, ue hav gained mor by shouing them that prospect of ther affairs then I could hav imagined, so that I most begin to knou hou farr ue shal enter upon other affairs, for I am most certaine you cannot be better both with the King and Duke.

This galloping up and doun gives us great hinderance. Yesterday, the Duke and Duchess, the Prince and Princess, came hither, and the Duke is gon this day early. I am to follou him to-morrou, not having yet quite done uith my Lord Midletone, with whom I uas yesterday all the afternoon, and you have good reason to be assured of him. I layed all befor him that you had commanded me, and finds that he is as right in your sentiments as ye could uish. It uer to make too long a letter to tell you all I said to him. All the stories that ever I had heard, uith all ther agravations, I told him, and found that he expected no better from that airthe, for he knous the man since he uas Morton's Chamerlane ; but after all, he asked uher the remedy uas, for he could not in fathfullness and duety represent it, and hou it uold be taken uas the questione. I told

him, that in my opinione, ue uer first to con sider all that uas to be said, and fully to understand the conditione the Government uas in from his practices; and then, ue could the better think, hou to insist upon a remedie, which too, most be managed with respect to his coming up; and that I thought the first step uas to prepair the Duke to hear the Advocate, and to require him to deal plainly without partiality. And ue resolve to caus the Advocate attest me, so as the Duke may inquire at me, (for hitherto I carie uith great indifference, tho', uhen any thing relateing to discouragements ue hav mett uith coms in, I speak plane enough; or as to the Justice Court, in uich I did cry up the diligence of our commissioners; for they had found out so much, that the Portou Roll uas made up of nothing but uhat they brought in that uas of importance). But if ue cannot get the Duke to inquire, then ue shal think uhat's nixt to be done. But I hav no maner of doubt but you will get your uill, and therfor, I uold desire to knou hou farr ue shal push the mater, and into uhat method you uold advise maters uith you to be putt.

Earl Midleton and I talked fully of Bishop of Edinburgh, and ue wer both of opinione that he succeed to his father in Orkney, and he ordered to receid in his Dioces; and I hope it uill be no hard mater, for I find the Duke mightiely prepared for it, by having a very just opinione of him. I uaited on Lord Charles Murray, but did not think fitt to tell him the designe for your sone, my Lord Williame, becaus he had told my Lord Midleton that he uondered hou his father came to imagine he had a mynd to part with it, so long as the Duke uold lett him keip it, for he could expect but a thousand pounds for it, and it uas as good to him as four hundreth pounds sterling per annum. So I thought not best, to open my pack and sell no uares, till I hear from your lordship againe. In the mean time, I caused my Lord Midletone take his promise, he uold not dispose of it any maner of uay, without giving him timous notice, and the first offer. As for all the particulars relating to yourself, I think it absulately best not to mentione them, till ue knou uhither the Chanslour come up or no, for many reasons, but if you think otheruays, send me notice, and I doe no uays doubt of the getting it done. Yet I hav not, nor am not inclined, to name that to any body, till I am just upon the doing of [it]. I am so affrayed it get aire, and then bad use might be made of it.

Pardone me to ureat of things as I can remember, they are so many, and I hav so litle time, it is impossible for me to put them in method.

Yesternight, and not befor, I had your lordship's letter from Edinburgh, 18 August, and hav, as farr as it uas possible for me to doe, gon throught the particulars of it with my Lord Midletone, and particularly as to Lauderdale. I think he will doe litle good hear, for he most, in the first place, take in Claverhous be[fore] any thing can be done, and then ue uill lett the King and Duke both see that he stand infamous upon record, and if after

that, they think fitt to imploy him, lett them doe it. Houever, I shal not name ther other business, till they be gon, and then I hope to putt it home.

Earl Midleton and I have laughed extreamly at the extrordinary expenses the Chanslour has bein at in the King's service, and his civility, and shal not feall to use all thes things as ue ought. I hav advertised of Sir George Lockhart, and I hope he shal not be able to doe hurt.

I shal not say any mor of any thing in your letters, till I send you notice uhat's don upon them, becaus time is extreamly precious to me. I doe nothing but attend, speak in our affairs, or ureat, since I cam hither. I hav not hardly taken time to eat my meat, for the one half being at London, and the other at Windsor, maks the mater mor difficult, so if I doe not mentione evry particular, yet be most assured that I hav it in my notts, and that ye shal hav ane ansuer to the least particular of them all. Yesternight I mett with Brisbane. Earl Midleton and I uent and took a botle of uine at his hous. I find him much your servant, and therfor ye most be kind till him. I told of uhat ye had already done for him; and as a further proof of your kindness, that notuithstanding of the payment of Lord Naiper's pensione toe the last terme, yet ye uold not be against his being payed for that terme contained in your Gift, which, I assured him, ye uold not hav condecended to to any other, for which he seimed most thankfull. Ue drunke your good healthe heartiely; and I hope ye uill pardon me the doing this in your name, for it is such a confirmatione of the kindness ye sheued him, that he uill not doubt of it; uheras, if that had bein stood upon, he uold hardly hav beleived your frankness in the rest.

Yesternight ther came a long letter from Rochhead to the Duke, extolling his own merites, and informing that he had sold the half of his place to one Hamiltone, together with a full and ample exoneratione from the Toun of Edinburgh, al uhich I read, and shal giv the Duke my marginall notts upon them. I had a long letter from the Bishop of Edinburgh which I read to Earl Midletone, and ue did lauch sufficiently at it. He is the most impudent of mankinde, for he attests me as a wittness of his litle medling, his abstractness from the affairs of the toun, &c. But I hope he shal flitt his nest.

I did lykuays get from your lordship another peaper relateing to the Toun of Edinburgh, uhich is ane extream good one; and I am humbly in the opinione, that if it could be got signed by any number of the burgers that are in opositione, as ther humble petitione, that it uold go much better; but this being but my own opinione, I leav it to your Lordship to concider. In the mean time, I shal represent it as ther minde, and lett it go as farr as it can, but I am in the opinione that if it com in the other maner, it uill not bide the least stop.

By the last post, the Duke wrote to the Chanslour, to tell him he uas in the opinione that the coming up uas not fitt at this

time, for it wold make mor noise then it was proper for the King's service; and this was consequent to my discours with him, for he told me that he had given leav to you both, but that he thought it wold not be amiss for one thing, which was a hearty reconcealment. I told him I thought it was the least useful for that of any thing, for it was impossible, but some things in the eclersisement wold fall out more disobleiging then could be packed up, and therfor what the Duke resolved to order, it was best doing of it at a distance. I most begg to know what's to be proposed anent Argyle's estate. I find we will get that ordered as we hav a minde, and therfor I hav only insisted on what's wrong in that mater, and not yet how to right it. I am affrayed of the advocate with the Duchess Portsmouth, but I shal indeavour to fright him from meddling with hir in any thing he does not first communicate to the Duke, and him I shal put on his guard. A thousand things ther are that it is impossible for me fully to ureat, but in generall, I use evry thing to the best advantage I can, and I hav not the time, nor indeid the inclination, to meddle much in my own. Yet if ye think fitt to ureat to Arrane to bid him think of some thing els, and ye will befrend him in it, I think that wold bring him of; or if Duke Hamilton wold ureat to him in it, for it will be uneasie for him to hinder me of it. Yet I hav no minde to vex him if I could helpe it. I am to be with Earl Midletone this night againe, and shal proceed in my narrative. I advertised Earl Midletone of the Chanslour and Dundonnald, and I hope we shal be prepared for him; for I intend to hav a letter to you, as duelling near the place, to cause take private informatione of the thing, and to giv warrant to Captain English to apprehend that Lieutenant Pou, and to giv safe conduct to the Chamberlane Cuninghame, and a remissione to him, that he may giv you information. I shal add no mor at present . . . Adieu most humbly.

Postscript:—I had forgott to tell you that I spok fully to my Lord Morray, who swears he is entirely in your interests; so I did thinke fitt to speak to him so, as he might think I used freedome with him, whilst in the meantime, I only scurfed what was on my heart, and what I said to my Lord Midleton. He pretends great anger to me against Bishop Edinburgh; tho' he confessed him his frend, yet he suore he wold not concerne himself in him if he found him persist. I took the occation to tell him tuo or 3 stories of the Bishop, at which he blissed himself; so I intent, as I finde him, to use him in all our maters, and no otheruays. Hitherto, I find him right as I could wish.

In another postscript to this letter containing, at some length, Observations on the Revenue of Scotland, from 1st May 1682 to 1st August 1683, is the following abstract—

	£	s.	d.
“The Discharge is - - - - -	125,192	13	3½
The Charge is - - - - -	122,507	16	2½
So the Ballance is - - - - -	2,684	17	¾

The postscript concludes as follows :—“It is to be considered, that besides the ordinarie expenses of the government, that his Majesty’s speciall warrants hav bein as high as ever, and that the reparations of the Castles and Palaces are done extremly uell, and they put in a better conditione then ever, the Magazines and Artillerie augmented. Ther is a ballance of abov 9000 pounds sterling payed to Sir William Sharpe, that uas due to him upon the fitting of his last accompts uith the Lords Commissioners of his Majesty’s Thesaury. So that it uill not be found, since his Majesty’s hapie restauratione, that ther has bein so much done in so short time with his Majesty’s revenue; and it is not to be doubted, but in a very short time, if thes methods be folloued, but his Majesty uill hav, not only to defray the current expenses, but a considerable cash in store, which is of mighty import in all events, especially in that kingdom.”

Winsore, 28 August : 1683.

197. “Tomorrou the King goes from this to Uinchester, so that by this galloping about no business can be done. Some smal snatches I get, to informe of some things I am afterwards to speak mor effectually off. I am to speak this night with the Duke anent Rothead, uher I shal, by the by, bring in as much of the toun of Edinburgh business as I can. I doubt not to get him suspended, and I am hopefull to get something done in the mater of the elections of Edinburgh.” The King was only to stay 6 days at Newmarket, some said but 4 days. This should be told to prevent the Chancellor from coming up. “I sau just nou a letter from my Lord Lauderdale to the King, and another to the Secretarie, anent leav to come up. It is backed uith one most favorable from the Chanslour, but I hope ue shal so manage Clavorhous[s] affair, that he shal be heard fully befor any thing be done to his prejudice. . . .”

The Duke was just gone to write his foreign letters. On Thursday the rest of the Court were to go to Winchester, “and ue are to hav a sea voyage to Por[t]smouth.”

Winchester, September 1st : 1683.

198. . . . I came hither yesternight, and it uas ten of the clock at night befor I could gett lodgings and stables, so ill they are aqueinted with this mater, though this be a great toun. . . .

I sau a letter from Earl Lauderdale to the King, and another to the Duke, and one from both Earl Lauderdale and Lord Maitland to Earl Morray, anent ther affairs, and a state of ther conditione, so stuff uith lyes, and so unjust to Claverhous, so flatering of the Chanslour, that I shal not feall to make the truth knoun. The Duke has promised me that he uill doe something against Rothead shortly, and if I kneu whom to recommend, I beleiv I might setle the elections of Edinburgh; but if no advice come in time, I am resolved that I uill propose their continuong as they ar, for some time, till fitt people be thought on. I most begg of your lordship to hav som body to giv ye certaine nottice of the Chanslour’s motione, for I am confident that he uill not

come, yet it is not best to be secure. I hav still the better hops of all that concerns you.

Lord Charles Muray has bein with me, and I find uold part with his place. But he most hav as much as uill buy him a good one hear, and that runns so high that I still refuse to tell him any thing. I beleiv the least he uold expect uold be 2,000 pounds sterling, and that is, at least, twice the value of his. I shal not feal, so soon as it is possible to doe any business, to be diligent in it, but they are abroad at 6 in the morning, and come just home to diner, and then abroad till super againe. But I uill endeavour, for all that, to get something done to-morrow, being Sunday; and if any foul ueather come, I shal not neglect to use it. The King and Duke both are extreamly kind to me, and if once the advocate uer come, of whom we most make the cat's foot, (to scrape the Chastanes out of the fire), I am confident maters uill go one to our minde. In the mean time, I hav given the right prospect of this indemnity, its being done in the vacance, and uhen you uer gon, its consequence not to be told; and therfor, that it uer better to apply a particular remissione to evry one, then to indemnifie all heritors hou obnoxious to the Government soever, the fruits uherof ue see in Mr. Carstairs taken hear, uho uas guilty of uhat uold hav taken his lyf, had not a generall indemnity secured him. So I desire to knou your mynd as soon as possible, for I shal indeavour to keip things as they are in that behalf, till I knou the true state of the thing.

Winchester, 3 September: 1683.

199. Yesternight Drummond had the opportunity of speaking with the Duke about matters in Scotland. The Duke told him he was sorry for the consequences Queensberry's disagreement in Scotland might have. I told him that matter depended upon him. If he intended Scotland should be governed by one man there was nobody to dispute his will. But if he had no mind it should be so, then it was not fit it should be done without his knowledge. "That ther might be some tendencie to that kinde of government, I thought uas nou pritty plaine: for this indemnity uas not so much as named till all the Councill uer seperate, and you gon from Edinburgh." Certainly Queensberry must look on it "as a great slight put upon you, uho, to my certaine knoul[e]dge, had bein of the opinione that some thing of that nature uas necessary, but not the hundreth part of this. For this I looked on as one of the rauest undegestedest things that ever uas proposed, and a thing that most tend vastly to the King[']s prejudice, seing thes that had bein the most malicious, as uell as the most innocent, uold all get off for taking the Test; especially at this time, uhen the fanatiques in England uer mentaineing the lafullness not only of suearing, and them selves taking the oaths, but ureating books in defence of that and occationall communion, as they call it, which is the taking the sacrament in confirmation of ther oaths. The Duke said he uold never condecend to that indemnity, and that therfor, ue neided say no mor of it till ue cam to London."

Drummond represented that it would be necessary some thing of that kind should be done, but the safest way was to do nothing in it till Winter, when Queensberry and the rest of the officers of state and Councillors were in Edinburgh. The Duke resolved to follow this advice. Drummond went on to praise Queensberry's services to the Duke, who having a plentiful fortune had not sought the promotion of his friends or servants. The Chancellor could not be looked on as in the same circumstances. His fortune at his entry to his place was to make. His servants were advanced to small charges and trusts, "and malicious people uer apt to say that he uas spairing no paines for raising his family, and that finding that thes uhom the King employed uold not be blinded, therfor he resolved to seek support els uher. Nothing of this I beleived true, but if it uer true, it uold quickly apear by his recommending my Lord Lauderdale for favor, caressing the family of Argyle, making strict frendship with Duke Hamiltone, making use of Sir John Dalrymple, and leniefieing the faults of the family of Staires. The Duke saide he never had yet recommended Lauderdale for anything, but his fyne, after having agreed uth him. I told him, I hoped he never uold for any thing els, and so long as he did non of thes things that I had named, ther uas non in the world had mor inclinatione to uish him disinterested then I; but, houeuer, I uold begg of his Royal Highness that if any exoneratione uer given to the Earl of Lauderdale, it might only extend to the Mint, for the Thesaurers mater uas yet indetermined. He assured me it should go no further, and I desired [th]at even in that he uold concider Claverhous, and becaus I did not fully understand the mater I thought it uold be just, if my Lord Maitland cam up, that he might hav leav too; but that I hoped he uold never suffer Lord Maitland come up in the conditione proposed, for though no body uold say mor to cry up the uonders of the Justice Court then I, uher it could giv the King's service any reputatione, yet to the Duke, I could not but tell the truthe of the mater, uich I told him fully. He assured me he should not come to represent any thing of that nature; that insinuatione had bein made to him of that designe, and that he ansured that if my Lord Maitland had any business of his oun, he should be uellcom, but that he uold not permitt any Commissioner for that mater. I told him, though I uas one of the persons in the world that made the seldomest remarques on other men's actions, yet I thought it shoued a great deal of kindness to that family to get my Lord Maitland such ane errand; and if it uas not procured, yet the kindness of the proposer uas the same. But all I said uas only to put the Duke on his guard, that for knouing, he might the better prevent the ill, if any fell out."

Drummond then proceeded to tell the Duke of the Town of Edinburgh, and their last proposal, and showed it would be an affront to Queensberry, now that their guilt appeared as the sun, to let them go off, especially the Clerk, whom Drummond looked on as the root of all that ill. The Duke

answered, the Clerk would be suspended, "and as to the magistrates he uold consult with the secretaries and my self what was to be done in it."

Drummond told him that Queensberry had reason to believe once that no man was franker in the pursuit than the Chancellor, and when "of a sudaine you found him change, and then grow insolent, you could hardly impute it to any thing els [then] his sydeing with them. The Duke saide he had never recommend[ed] them to him. I told him that they uer fool enough to value a smile, or the comon report that went all over the town at that time, in as good coine, as if he had really recommended them, besides their being constantly with him, and ther bishope for the spocks man, and absulately slighting you, was no smale ground of iulanie. He said the root of all that ivell came from that conceit of doing all by ons self, and that was the first thing to be beaten out of his head. I told him, it was a position that had bein layd that Scotland was to be governed but by one. I was truely of that opinione, but that one was the Duke, and could be none below him; for wherever the single government lay, ther uold the sole dependence be, and how unfitt that was for his service, he was to judge. He saide he uold no mor of that att all, that he uold surely apoint all maters of government from the smalest to the greatest to be done by a select number." Drummond was hopeful that would "redress the esceaps, that aither really wer, or wer thought to be, committed Hear he was called to the King's syde, and so told me in heast that we should shortly speak mor upon that mater."

The Earl of Middleton had a mind to say the same things to the Duke, but the Duke's going 20 miles to hunting that day would hinder him till to-morrow. "That place was most unfit for business. The Duke was more taken up than at Newmarket, and they are never in the house." On Wednesday they were to go to Southampton, and from thence by sea to Portsmouth.

"Just now the Advocate is come. I put the Duke on his guard that he might hinder the Advocate from proposing any thing to the Dutchess of Portsmouth for the Duke of Lenox to prevent what ye wer affrayed of. I find my Lord Advocate right to the outmost point, and so shal not feal to worke him up. The Duke declared to him, my Lord Midleton, and myself, that the Indeming (*sic*) was not a thing to be rashly done, and that my Lord Midletone should deliver the Councell's letter with that assurance, that the Duke himself uold be by to tell the King to doe nothing in the mater till he coms to London, and then he uold concider what was to be done in it.

"The Duke seims extreemly pleased, and I am most confident all our affairs will go to our wish. I shal be carefull of the town of Edinburgh nixt thing I medle with, and I am confident we shal bring it to some pass within a day or tou after the King's return from Portsmouth."

Drummond had no time to inquire after news, nor write, "being to waite on the King, God willing, to morrow, to the

hauling by six in the morning." Lord Charles Morray told him just then that he would part with his place for 2,000 guineas which would buy him a place here, and for no less. Drummond thought that sum unreasonable. Arran was begun to cool in the affair of Moneland. "This is a most beautiful cuntry, and the King is building a noble palace here, which he was pleased to show me this day, and to desire to me the whole designe. The house is 300 foot in front."

Winchester, 5 Sept: 1683.

200. [The Duke has assured us that Earl Lauderdale shall have no exoneration till Claverhouse be justly and truly payed, &c.]

Since my last, which was by the last post, there has little occurred, and there is little hope of doing any business effectually till we come to London. This morning the King and Duke are gone to Southampton, and from thence are to go to Portsmouth by sea. I did not go with them, that I might have time with my Lord Advocate and Earl Middleton, and so concert our matters this night, that all of us might speak of the same things. In speaking with the King, I find him so bent on Stirling, that what is done to Edinburgh Castle would not have showed well, except I had told him that we had put Stirling in the same order, had his Majesty once condescended on the manner that he would have it done in. So he commanded me to send down for an opinion in that matter according to what I proposed to him, which I did accordingly. . . . Just now there is a letter come from my Lord Ross to the King's advocate, and another to the Duke, about something out of the forfeitures, which I shall take care of, for I have got the King and Duke to give one general answer, that hereafter they will give nothing till first it comes into the Exchequer. This secures all, for when it is there it shall not be to dispose of. The Duke is extremely of our sentiments in all matters, but I think he is ashamed, that one whom he has pitched upon should have so far deceived his expectation; but for all that, one way or other, he must know all that can be said.

The Advocate's brother told one of the pleasantest stories imaginable this day, that the Chancellor had sent to the Earl Dundonald to tell him that the match he intended with Claverhouse was no way able to secure him, but if he would let Gordonston have his grandchild, he would secure him, at which the mother and daughter were so alarmed, they immediately run out of the town. This shall be used as far as it will go, with another satire of Earl Broadalbin's, that it was said to him that he should be represented at Court, as he behaved himself in the proposed bargain of Cathness, which was to sell it at two years and a half purchase. To say truly, I believe this man's reputation with the Duke is at a low ebb, disguise it as he will. And so ye are to think what to press next, for a man must be blind not to see that actions such as his are not for the King's interest, nor the Duke's reputation.

Your lordship uold take special care of his motion, for I thinke he cannot doe himself so much harme as by coming up at this time. Yet if he doe ye most come too. The Advocate has proposed to me his being on the Sessione, and I told him ther was no vacance at this time, but I thought it uold be easy to secure the nixt for him, and I uold concurr with him in it most cincerly. He continous extreemly right, and I am confident shal doe so as we hav him managed.

Lord Charles Morray came to me againe to know who was to buy his place, but I uold not tell him. He stands still at Two thousand lib str. . . . It uold not be amiss that your Lordship uold caus Capt. English inquire anent that boy whom Earl Dundonald harboured, for I know the Duke will wreat to you in it so soon as he coms back, yet the sooner things of that nature be looked into, they inquire (*sic*) the seldomer. I beleiv he will desire you to giv safe conduct to the Chamerlane Cuninghame that he may come and tell what he knows, and if he make the thing out, I think he ought to be pardoned. The mater of Earlestone is past beleif, that they should desire to know if a man after sentence can be tortured, and yet they prefix a day for his excecutione, to strick the nail to the head, (for ther was no doubt after a sentence in absence). This shal not want a commentary. I can say no mor, but that I shal be as diligent as you could desire. Since the ureating of what is above, Earl Midletone, Lord Advocate, and I, hav been 4 hours together, and layd down all our affairs, of which your lordship shal hear in due time, seing it is impossible for me to say the half of what I uold now. Only, you most aither name a sett of magistrates for Edinburgh, or you most trust us hear absulately in that affair, for we are resolved to hav it out of this faction's hands, and to hav the Clerk out.

Winchester, 13 Sept^r : 1683.

201. Just now I am come from the Councill of Scotland which was held in his Majesty's bed chamber, about the letter sent from the Councill in Scotland anent the Indemnity. That paragraph anent the Comons is past, with the alteratione proposed by me of excepting from pardon the receters of ministers. That of the heritors is absulately rejected, and that of the ratiefieing of the Justices of Peace is rejected, because it uold argue the proceedings of Councill prior to the ratieficatione illegall, and consequently all that such Justices had done, which was too dangerous a mater to enter on for a whimsie. This was done, and the affair of the Uiestern Militia is recommended to the Councill against ther meeting in November. This is in short all . . .

This can hardly come in time to the packet, and though I ureat not neus oft, yet I most tell you the Christians and Turks, when this night's letters came from thence, wer in sight of other, and on the 7, they uer to fight if the Turks did not retreat. So the nixt will tell us all.

Winchester, 14 Sept^r: 1683.

202. My last gav a short accompt of what was done at the Councell hear. This post brings you a copie of the letter agreed to, so I need say no mor of it, since it is needless to show you how we managed it. Only, I will say I was not wanting; and told the King freely that it was a very odd proposition, and what I never expected from his Councell ther, it was so farr distant from thos methods we had allways used since his Royal Highness uas amongst us, which uas to giv a hint of our frend . . .

Hew Wallace's last brought me something of moment, and I used it so, for he tells me that Sir William Hamiltone is coming up, recommended by the Chanslor to procure a pardone for Earlestone; but he is prevented, for by this night's post, ther is orders gon for his torture, which I know the Earl of Midletone will fully informe you off. They say he has a petitione with him from the fanaticques, but this needs confirmatione. You may be sure it shal be used to the best advantage.

To-morrow at nyne hours, I am apointed to speak to my Lord Hyde, Earl Rochester, I should hav sayd, the result of which discours my nixt shal bring. All things tend to our satisfactione, for Earl Mar has things to say that most convince all that we hav sayd to be true and mor.

I have bein thes six days expecting ane oportunity of the Duke and has not got it, for from morning to night he is abroad, as this day, he cam 28 myls back from the place the dear was killed, and is but just com in. The hopes of speaking with him made me put off my ureating till nou that it is past time to ureat much. The death of the Bishop of Ross is ane ocaatione to doe justice to the church that was inroached upon by the transplantation of Mr. Pious; so he most nou go to Ross. I hope for the argument ther was, that it was the richer sea; so that holds still, and the measure he mett with too, and I dare say the Bishops will be offended at it, and se[ing that] the King and Duke being prepared, I know nothing to hinder it, but this I dare not ansuer for . . .

My wife has hir most humble service presented to your lordship, and you may be so sure that I am so sencible of your kindness and favor to me, that I shal never be guilty of making an unworthie returne, for wer your sone in my place, he could not deal mor affectionately in your concerns, which I think ye are so much convinced of that I shal add no mor. Only your lordship's sones shal meit with all the services I can pay them.

Winchester, 17 Sept^r: 1683.

203. Since my last, your lordship will see that I had just reason to beleiv that all uold go according to my desire, both by the letter anent Earlestone, a copie whereof ye hav, and this letter to-day anent the town of Edinburgh, a copie whereof Earl Midletone sends your lordship. I was for the King's naming all the magistrates, till I found that uold be difficult, and to make a provost uold be easie, and doe our business as well. So all of us condescended on Balzie Drummond as ane ennamie to the Rocheid

facione, and as one that had shown himself a friend to the persuers, and that uold be absulately at your disposal in his Majesty's service, and shou sufficiently, both to Lord Chanslor and his Holyness, that *Magister in Artibus non valet fartibus nisi in Scota*. This, with the other members of our affairs, goes to our wish, and I never saw so luckie ane affair. Every thing contributes to it.

But first, since I am on the affairs of Edinburgh, I shal make an end of them befor I begin any other thing, and therfor, I most tell you that aither they will giv obedience to the King's command in electing Balye Drummond, or no. If they giv obedience, then we hav a provost that, I dare say, will comply with all your demands in the King's service. If they obey not, then the King is resolved he will make use of his prerogative to name all, and this will be a cooling card to Rocheid, especially seing he is discharged to take a conjunct till the event of the process. So that I may truly say ye hav gotten all your will in that affair. And I hav wreten to Bealy Drummond when he shal be elected to be absulately ordered by you, as the man to whom he owes his preferment, as I am sure he does, for when we had gon through all the folks in Edinburgh ther was non to be preferred to him in all respects, and I dare say he will ansuer all expectation; and this mater will show the town that ther hopes hav fealed them. My Lord Arrane after having employed all, is at last, for fear of a breach betwixt his father and your lordship, submitted in the affair of Monkland, and the Duke promises it shal pass imediately. So I most intreat of your lordship not to make any debate with Duke Hamilton, for his name caries some reputation alongst with it that is not fitt to goe any wher els, and ye know what he does when he is dissatisfied.

Besides Sir Will. Hamilton having come hither with a petitione from Earleston for a pardone, finding how ill such a message sounds, Lord Arrane has caried him to the Duke, frankly to tell him that he was sent for by my Lord Chanslour, and told that he should get his business done. For if he did not ureat with him, he should send thes letters that should make his erand easie, and that he did really think Earleston had done thes things that merited his pardone.

Now this coming so patt with what has bein sayd, and what has bein done, in the letter for the Indemnity, has done considerable advantage. Therfor I most desire that if ther be no reason that I know not, that your lordship uold no be angry with Earl Arrane, but on the contrarie beleiv that he indeavours you good service hear. On Saturday the Duke sheu me a letter from Lord Chanslour, wherin he says that he is not of the opinione that his coming at this time will be for the King's service, tho' he has bein extreamly pressed to it by thos belou, and tho' a frend of his had begged leav for him from the Duke, but for all that, he did desire that my Lord Thesaurer might not be refused, but he uold first desire that ue that uer hear uer com of first.

I told the Duke that you never desired leav, but on conditione that he was to come. The Chanslor sayd in that letter, that the Duke uold by your coming know what was your quarrell at him, and what uold pleas you, so that the easier remedies could be applied. I told him that was the originall mistake, that any thing proceeded on quarrell betwixt the Chanslor and you. I told him ther was no such thing, that you had gon as great a leinthe as your duety to him uold permitt, I mean to the Duke. But when you found you wer to lose the Chanslour, or be wnfathfull, your choice was easily made. And so I went on, till by instances of what ye had done for him, and how he had slighted you, I convinced the Duke of the truthe, and so ye will see shortly the effects of it. For the Duke takes all that's proposed in so good part, that ther is no mor doubt of obtaining all that relates to the bringing of that man within bounds. And for the doing of it, I hav bein forced to follow methods so farr different from what I mentioned, and wer considered by us, that you uold wonder. But it is not worthie your time, and uold take almost as long time to wreat as I hav bein in this place, seing I hav not been one day idle, nor ane hour, that I hav not bein sleiping, and that was to go for the most part to bed at 12 and rise at 6, for thes are the hours at this place.

I hope my Lord Marr will speak, but he has not yet. However, ye most think nothing of that, for occations are not folloüed hear by every body. As the uorst, I dar say he will not feall, and I shal giv you ane accompt in time of it. The King and the Duke begin nou to see the faults of a man of smal fortune in a great office, for they most giv him thes things that men of esteats are not in a conditione to seek, and for that they object you as a pattern in that mater, and I dare assure you they express a great deal of kindness to you, which increases dayly. Major White's business I shal endeavour; but he has not deceived me, for I know him in my own particular. I shal say no mor, but that I am—

I was mistaken for I most wreat the storie of Vienna. On the 2nd of Sept. our stile, the Grand Visier ordered a mine to be sprung, and an attaque to be made by 10,000 Janisaries, upon which the Count Staranberque caused put up the signe that they wer in the last extremity. Wherupon by 3 hours in the morning the King of Pole advansed with the whole Imperiale and Polish army, consisting of 40,000 hors, and as many foot, and himself attaqued the lines with the right wing and was repulsed, till the Duke of Lorraine came up with the left, and the foot, which wer no sooner got over the lines then the Grand Visier run with all the hors and left the foot to the mercie of the Christians, which wer all cutt to pieces, amongst whom wer 25,000 Janisaries. The Count Staremberque sortied out of the town at the same time, so that ther never was a mor intire defeat. And the King of Polland is omn after ther hors, and has cut off a great many of them, and was resolved not to stop till he had ane accompt of them. They hav taken 60,000 tents,

amongst which all the Grand Visier's tents, and in them two million of mony, and his casket of letters, by which they say his intelligence will be found out. And [ther was] a report, that amongst 100 great cannon taken from the Turks, they hav found some of thes taken by the King of France, at Gent, in the late wars, but this neids confirmation. The whole accompt is wreaten by the Count Starenberque, and dated from the top of one of the Turks' cannon. This is such ane actione of the King of Pole as magnifies him abov the skys.

Just now, my Lord Midletone tells me that Marr has spoken to the Duke lyke a hero. And all the time the Duke answered nothing, till the Earl of Mar told him that the Comission was brought him by Lord Maitland and Sir John Dalrimple. Then the Duke asked at him, and made him repet ther names 4 or 5 times over, as if he had bein surprised at the thing, but mor at the messingers. So at this time I shal say no mor, but that I am, as in all duety bound.

Winchester, 19 Sept^r: 1683.

204. This day my Lord Midletone presented my Signature and the King signed it, so that I hav reason to thanke your lordship, which seing I am resolved to other ways then by words, I shal not say any mor of it hear, only I most hav yet a litle further help as to what Earl of Argyle ous, which I hope ye will not be offended at

Your lordship did ill that did not acqueint me with Earlestone's having accused General Dallyell, Drummond and others, for it has made me say things that I uold hav turned another way with mor advantage to the King's service. But if ye did not knou it, you are yet mor uronged, for nothing so materiall should hav bein kept up from you. However, if it uer possible now that Earlestone is past hopes, to get him to aqueint you or somebody els with his prompters in that affaure, for I dar say so black a calummie could not hav bein invented, except he had known that it uold be gratefull. I hav bein setting about Sir William Hamilton to know the truthe of the mater, if he knew it. I think I shal get it from him. If that could be found out, it uold be the greatest confirmation in the world of all that's said. Tho' I told you in my last of the Chanslour his letter to the Duke, and of his intention to go north, yet ye are not to trust to that, for these letters that are come down will lett him sufficiently knou that he is not wher he was, and therfor that it is most necessary for him to come hither, if he thinks his "*bon mein*" can influence the Court. Therfor hav ane eye upon him.

I am to go to London upon Fryday, as the King is up on Wednesday nixt, and the Duke the Munday befor, so I think we shal doe no much mor busness hear. Only, wheras out of frendship to the family of Argyle or Lauderdale, [or] somewhat els, Robert Androu is lett out upon caution. He is, by his Majesty's order, sent to the Bass. So ye see the mortification goes on. But I see not yet hou to secure our friends, and the ledges, in the session

maters. Pray, send me your opinion what to doe, for tho' I hope thes things uill open folks eys, yet it is not to be trusted too. They say he speake against me with open mouth. But I shal not much concern myself for that, being resolved, God willing, to doe uhatever becoms an honest man, com of it what uill. I am about the Bishop's affairs, and I hope I shal be able to doe his business. I uold giv for one half hour's time to speak with you any thing in the world. But I most hav patience, and you may imagine that I will doe what's fitt on all occations; but my eys are much opened, and I did uell that made the Advocate at first dash say all, so that ther was no room for repentance. He holds out hear uell, but ther is sayed to be a letter from him in favors of Earlestone, that if he be any way ingenuous, the torture may be spaired; and this, in consequence of Sir William Hamilton's offer of mony for his frendship, uill not look uell. Therfor I desire that ye may caus inquire into the mater, that if he has ureaten any such letter I may kno, for half a word will be enough to the Chanslour to make him spair him; and I uold gladly hav that hair in the Advocate's neck. Therfor, sett to uork to find it out. I hav reason to beleiv that the accusation of Dyell and Drummond was a designed thing put into Earleston's head. It is therfor fitt he be interrogate upon it, if it can be done, so that no body be sein in the inquire.

I most nou desire to knou if ther be any thing not contained in my nott, that ye may be thinking of it. Every post lessens the affair of Vienna, so that att last, I am affrayed it prove a retreat rather then a defeat. But this time most tell.

The transplanting of the Bishop of Edinburgh to Ross depends upon the Archbishop of St. Andrews, therfor ply him and the caus is wone. I shal not add mor this night, but that, with all humility—.

London, 22 September: 1688.

205. Drummond had so far prevailed in all that he had in Commission, "that I dare say both the King and Duke hav thes thoughts of you and your service that ye desire, and of the Chanslour what he deserves." Earl Middleton had shown himself a faithful friend to Queensberry. "Lord Register has done good service, and the Advocate has done just as I foretold. So all goes most extreanly well just nou I am hardly acquainted with Balye Drummond yet to demonstrate how litle influence thes people hav, and to put the Provost out of the tribe, and to lett all people knou that it is not worthe ther while to caball for elections, and to keip the king in possessione of choos-ing. I thought fitt, with deference to the others hear that uer violent for him, and the Duke that was very uell pleased with him, and told he was of his acquentance at curling, made me hazard to recommend him." Drummond was confident "that uhatever he be, he shal be so intirely depending on your lordship, that uhatever you desire shal be done by him. If not, it uill be no difficult matter to turn him off and make another. As for

the Bishop, as I am his most humble servant, so I am endeavouring his promotion to a richer sea, and I am confident, as I told you befor, it is in the Archbishop's hands, and if he doe not what becoms him, I shal scold him in my heart, and by the nixt post I am resolved to giv my testimony, amongst many others, that I knou uill interest themselves in that mater."

He states further that he had made a scheme of the business of Argyle that the Duke was extremely satisfied with. He had waited on Lord Rochester, and never did any thing in his life that he was so well pleased with, "as the accompt I gav him of Scotland. The effect whereof was that he went immediately to the Duke, and the Duke, from that time to this, has never uithstood any thing has been proposed to him. And ue hav got our absulate will of all."

He had been assuring friends there that Queensberry would never be brought over to join with the Chancellor after what he had done. He concludes the letter thus—"Every day I drink your good health, so that I beleiv we wer doing it when ye uer remembering your frends."

London, 27 September : 1683.

206. ". . . Last night Earl Midleton, the Advocate and I uer called into the Duke's closet to speak upon this mater of Argyle, upon uich the Duke is so bent that he uill hav the King to recall the Signature and the Commissione to the Lords of Sessione hear, that ther may be no debating below upon it, and to that end, he asked the King's Advocate's opinione in point of lay, who said that he thought that the King might recall that Signature, and that he only stood at the Lords of Session's interest." Midleton proposed consulting the point of law with Sir George Lockart, to which the Advocate condescended. "So I uas ordered to consult him, and pay him, but as I guessed, his frends lay on the other side, and so he flatly refused his advice in the mater. I fownd him much stumbled at the proposal, and so I uent to the Duke and told him of Sir George's cariage, and the kindness the King uas to expect from all that family. This refusal, told to my Lord Advocate, has animate him so as he is mor feirce then ever. And I am not sory, for this uill mor lay out the truth of the King's and Duke's sentiments then any thing els could doe. By the nixt, your lordship shal hav an accompt of what's done in it . . ."

"The notice ye sent me of the Advocate is true, for he confesses he urot to the Chanslour to assure him he should get no urong. But he said it is only to make the Chanslour stay below, for he was affrayd of his coming up. So we most tak any excuse in good part, and not make him angry in so busie a time. You desire my opinione of the Duke's kindness to you, and I shal tell you nothing can be greater, but it is most particularly on ane accompt that straitens me on another accompt, for it is becaus ye are so disinterested and the other is so much . . . This has been so much my minde of late that I durst not trust Earl Midletone

with it, so uarie. I am in your concerns, for ue hear see things that are not to be sein at a greater distance . . .

“It was good luck that Lord Arrane has contradicted his father’s inclinations so farr, for I daresay his introductione to Sir William Hamiltone has done the Chanslour no good. I dare say his father’s frendship uill doe him as litle. Sir William Hamilton is in prison for three hundred guinaes [he] had lent to Arrane. I hav used the Archbishop’s letter to your advantage with some sucess; pray try what may be done by speaking to the Archbishop St. Andrews for the transplanting of Edinburgh. For it depends on him, and he is flyed [afraid]; but if he be well supported, he may once in his lyfe doe uell. I deliver’d yours to the Advocate, and hav spokken to the Duke in his favors. But I knou him, and neids say no mor to tell you I uill not say too much to him . . .

“Th. Gordon’s business shal be done for him in the best form. The Duke is affrayed of the Chanslour Marquis Atholl, and the other pretenders, and therfor uill hav it past ther mending imediately, nor thinks he fitt the officers of State be apointed Managers for the same reasone.”

Queensberrys sons were expected with the Earle of “Dunbritton.” “I am so constantly attending the King and Duke that I can hardly wreat the hundreth part of what I should. But I am mor concerned to hav good effects then to tell how I doe them, and therfor if I can get any time this night mor, I uill tell your lordship further uhats done. This inclosed peaper is uhat the Duke inclines the King should caus read in Councill and turn to a letter against I come down . . .”

The enclosed Paper referred to concerns the Annexation of the estate of Argyle and is as follows :—

His Majesty taking into his conideratione how much it imports the security and peace of his antient Kingdom of Scotland, that the esteat of the late Earle of Argyle be annexed to his Majesty’s property to remain uith him, and his successors, Kings of Scotland for ever, thinks fitt to declaire, that he is resolved to hav the same annexed to his property, in maner following, that is, his Majesty resumes to himself the heritable offices, jurisdictions, &c. That his Majesty, notwithstanding the repeated treasons of the late Earle, resolves to fullfill his royall purpose, in giving to the children of the said Earle the summs in yearly rent contained in the late Signature given by his Majesty of the date , yet, uith the express reservations and restrictions, that it shal be held of his Majesty in wodset, redeimable by him for eighteen years purchass, they in the meantime paying to his Majesty, and his successors, certaine summs of mony as ane acknouledgment, and being obleiged to follou his Majesty, and his successors, or any appointed by them, whither in peace or war, uith all the vassals, tenents and servants, at ther charge, and not to alienat or transferr ther wadsetts without his Majesty’s express licence. His Majesty is resolved to retaine as much land, aither in feus or rents, as will pay to himself all the summs of mony any ways due to him at the

making of the Signature, or as hav becom due to him by any maner of uay since. His Majesty resolves, in the nixt place, the remainder of the saides esteate be divided amongst the creditors, according to the preference declaired by the Lords of Sessione, and allocation given to them accordingly, to be held of himself wadsett, under the qualifications and restrictions abov repeated: Reserving alluays to thos to whom his Majesty has given any part of thes lands by the forsaid Signature ther respectiv rights, nevertheless to be held of him in maner as abov. And lastly, his Majesty being highly sencible of the great paines the Lords of Sessione hav bein at in setteing the preference, and designeing the allocations, &c., does think fitt to ease them of any future truble in that affair, and therfor thinks fitt to recall the Comissione, and order the trustees to resigne ther trusts, and to be accomptable to his Thesaurer and Thesaurer Depute for all summes of mony, rents and revenues, intromitted with by them, or that ought to hav bein uplifted by them, or ther Chameralanes, or factors. And his Majesty caises, recalls and annulls, the forsaid Signature, and all the clauses therin, in so farr as they doe not agree with this his Majesty's purpose and resolution. And that the creditors may no longer be kept out of possessione, his Majesty is graciously pleased, for their speedy relief, to apoint his Thesaurers principal, and Depute, to see this his Majesty's pleasure execute, in all the points and clauses therof, conform to particular instructions which they shal receav ther-ament. And his Majesty declaires that he will never allow the late Earl, or any for his behoove, to redeim thes lands, superiority or rents, nor shal ever, being redeemed by himself, alienate them from the Crown, but that they shal remaine with him as his prou[p]erty for ever.

Letter without date, but *circa* September: 1688.

207. A letter had come directed to the Council for adding Stirlingshire to the Clydesdale divisions. Lord Morray writes, he was to be at London from Winchester in two days after these letters came off, and was to bring with him his Majesty's letter of thanks to the Secret Committee, with whose conduct he was extremely well satisfied. Sir Andrew Forrester wrote that the army was to muster at Blackheath, within a mile of Greenwich, and it was thought Prince George would be declared general.

“He sends my brother word that uithin a post or tuo my peapers will be sent down from Holland. Mr. Constable wreats that ther are 16 men to be reduced of evry company belonging to that State, which make up 10,000 men, who by the Prince's mediacione, are to be put under the Duke of Monmouth's command, and sent into Germany to quarter, to be the nearer to assist the Emperor nixt Spring. The Emperor's affairs at Buda are not so very well. The Terasyirie Bassa having got 60,000 men together, intends the relief of Buda; and, considering the ill conditione of the Imperiall Army, may be lyklyer to do it then was imagined.”

He avows he will carefully obey his lordship's commands, for he had long since taken the resolution of applying his whole life to his lordship's service, &c.

A postscript states that "Lord Register was gon from Edinburgh befor I returned. Your lordship will see by the inclosed all I could get from him."

October 1st: 1683.

208. Drummond had just come from waiting on Drumlanerige and his brother, who came from Calais that morning in company with Lord Dumbritton. They had a good passage, and came in 11 hours space. "Sir James Dick cam hear upon Saturdays night, but he has mist of his market, for the King will stand to what he has done, and if they debate with him, he uill sheu them ther duety. Sir James is mighty hott upon the mater; and when he shew himself so to me, ye may be sure he got a sutable returne; and I shal uatch him and his patrons, so as I hope they shal doe litle in that or any thing els. I hav bein attending the Duke this uhole day to hav spoken with him about preferring the Bishop of Edinburgh, but could not; and that has made me so late that I hav time to say nothing; only I hav found that the Advocate is the old man, yet ue most use him and not discourage him. I got Sir George Lochart to my mynde in the Duke's opinione, and if we guide all belou as it is hear, all uill go to your mind . . . I find Earl Rochester most frendly, and I will not feal so to secure him as that he may still be ready to asist us. Lord Midleton does lyke a hero. For God's sake try what Dundonald uold giv for a pardon without being sein in the mater, for that uer best for all parties. In the mean time the Safe-conduct is coming to you."

London, 3rd October: 1683.

209. "As for Earlston's business, we wer not so much concerned in what relaited to him as ue uer to shou the world what conditione some folks uer in; for I question not but he had assurances that made him so obstinate; and to shou that assurances of that nature uer not to be relyed upon, and that ther influence hear signified not so much as uas talked of." This would be of use presently to unseal the eyes of the Lords of Session, and he was confident that, now that his brother and L. G. Drummond would be present, it would be done to purpose. He would not forget Dick's reprieve. The Earl of Mar's business was sent inclosed, of which the Duke desired to know matter of fact, "and upon what grounds he uas found payed by the Lords of Thesaury, seing he alleages nou ther lordships never payed the interest. Send him also your opinione in mater of favor, for Mar deserves it uell at your hands." Drummond thought he should get a tack for a few years only at this time.

"If St. Androus play not the jade in this time of triall, Pope Pious will be sent *ad partes infidelium* to preach righteousness in Ross, therfor ply him, for all is right hear as I could uish."

Drummond would send him word in time as to the two reserved years of forfeitures; also in Lord Boyn's business. "I am affrayed that north countrie is a Galile from whence no prophet arises, which you uill hav reason to beleiv befor this letter end." As to the Provostship of Edinburgh, when they considered of what importance it was to put it in good hands, they resolved to do it so short a time before the election, "that they might not have time to doe any thing against it, as it has faln out; for Sir James Dick, who was last day hectoring me, is to come to-day with all submissione to begg protection, and that I may befrend his private concerns, but the Duke is resolved he shal get nothing done for his coming. The Advocate is found out by the Duke in the affair of Edinburgh. For when we had brought him over all his difficultys, he wrot a letter to Rocheid, telling him all that was done against his will, and that, had it not bein for him, Sir James Dick and Rocheid had bein persued for imploring Mr. Dick in the mater of the election. This letter Sir James Dick (finding the Duke angry) gav to the Duke for his excuse for up coming, and the Duke told me of it, and immediately as I left him the Advocate went to him to whom he told all, except that he had sein the letter. The Advocate denyed the substance of it, at which I am sory at present, but it serves uell, now he has done all he can for us, in case he turne, as its a hundred to one he will."

Drummond was glad Queensberry wrot kindly to Earl Arran. "He is of small use hear, but yet its better hav then want him; and I am confident he is to be had on easy terms, and that his father's frendship with Chanslour is not worth a farthing, and will serv us to good purpose if it be true, as Lord Maitland's prayes of the Chanslour does; for the Duke is affrayed of employing any[one] so related to Earl Argyle; and, if Lauderdale should be recommended by the Chanslour, it uold strick the nayle to the head, which I am confident is very near it already."

Further, Drummond was glad Queensberry was leaving his particular affairs in the hands of himself and the Earl of Middleton. These, Drummond would attend to as if they were his own. He would not fail to do Queensberry's sons all the service that lay in his power. About Lord Charles Moray's place, Mr Liviston had offered a thousand pounds. "I uish that could buy it, for I am sure of the first offer, and should not questione the paying of that by the King. But if I finde that will not get it, then I will sound the Duke, and if I find it his opinione I shal proceed; if not, I must stop, for it is not uorthe pushing for, considering that ther are other places in Scotland that uill fitt him as uell that may better be dealt in; for its a great mater to be at the Duke's elbow, and to hav so many of his domestiques ingadged for one.

"It was the Bishop of Edinburgh that was the frend who wrot for leav to the Chanslour to come up, so your lordship may assure your self, for both Earl Midletone and I knew it. Earl of

Morray is so ingadged for him that he is not thorou paced in any thing relating to him, or Earl Argyle; for which he and I had some hot words, but he found himself wrong in the mater, and so we are as great as befor. But I hav ane eye on his actions, and am resolved not to medle uith any difficult maters in his uaiting. For though I most not seim jealous of him, yet I most not trust him too far, for I know he can conceal nothing from his frends."

Drummond had told the Duke of Earl Dundonald's business, and of the success of their commissioners in the West, and he wishes letters about it that he might take occasion to speak constantly "of your care and fathfullness which ye may be sure I lay furth on all occations . . . The Advocate is resolved shortly to go, but ue shal end our affairs first, and then lett him go whither he uill. But he is not so mealy mouthed as ye imagine, for he has proposed tuo thousand pounds sterling, and I hav spoken to the Duke, but only in general, for I think that swme great. If one thousand with the five hundred he has already doe his business, I shal not stand in the uay, it being payable out of the fyne of Poog [Pollok] against uhom he is to bring probatione."

He would take care of Queensberry's horses, and would give Posso all the assistance he could. "Yesterday the sentence against the city Charter uas recorded, upon ther refusing to giv up thes priviledges desired by the King; and this morning, the King has given his comissione to the Maire, and so many Justices, to govern the city, to uhom ar aded the Judges . . . Chief Justice Pemberton is turned out, and Jeffrays is Lord Chief Justice in his place."

Drummond was ill with cold, but hoped to be in Edinburgh in November. He begs Queensberry to recommend for him the allowance always given, "for its but a smal mater to the King, and to me its of great consequence." He need not fear the Chancellor's coming up, "for he uold not ruse himself of the jurney, if he did; but though he uold, the Duke uill not giv him leav at this time. . . . I wrot to Balzie Drummond, and he uill be yours intierly."

London, 5th October : 1683.

210. Since my last, Earl Midletone has attended your sones to all the Courts; and so soon as it is possible to finde my Lord Rochester at leasure, I shal be sure to attend them to him, and to any other place that they think most proper for them; And in every thing, I shal not feall to doe uhat's in my pouer for them, who, I think, deserve much mor for themselves than its possible for me to pay them. But, I assure you, if I kneu hou to obleige them any way, it should not be neglected. Nothing has past but a meiting of Councill, wherein the King declaired his pleasure in the affairs of Argile in the terms of the memoriall I sent you. The letter following therupon, I know Sir Andrew Forster has sent you, and therfor I shal say nothing to it. I shal be ready with all my affairs against the Duke come from Newmarket, uho goes ther on Monday nixt; and had it not bein for the fear I had of the Chanslour's upcoming, I had bein ready; but I uas resolved not to

come so long as any part of your service required my stay. But I hope, as all I hav yet designed has succeeded, so what is to come shal; at least I am sure it shal hav my outmost care.

Earl Middleton spok to the Duke for the Advocat's two thousand pounds, and the Duke had a minde to doe some thing in it; but I told him it most be so conceived that it may still relate to Poog Maxwell, other uais he uold be negligent in bringin in uitneses against him, and so perhaps get twice, both from the King and him, which was unreasonable; and the Duke is of my mind; I told you always right of him; he is the oddest man in the world, and is now as humorsome as the winde. But he is ingadged past retreat, and just as he had done all he could for us, he so discredited himself, that I fear not his after game. Hovever, we encourage him, and holds him up as far as safely ue can, but he has projects to truble twenty people, and having no peaper pas the King's hand uthout he signs it, and having the Advocat's geting a seal of caus and the lyke. But ue take no notice of him but to laugh at him; and therfor I hope your lordship uill say nothing of thes maters till he is past doing harm. I was surprised to hear from Scotland that Monkland's remission uas gon down, for I spok to Earl Middleton that I might cary it my self, but he forgot. So the next best most be don to stop his geting of it till he giv up all his ureats and bonds upon oath; and I could uish he uer kept in till I come down. I shal lykuays hear endeavour to get a letter that he may remain prisoner till he hav delivered up thes papers, for it has cost too much paines to be slighted. Now I shal add no mor to this, but that I shal never feal of that duety which becoms the most humble and most fathfull of your servants.

London, 6th October: 1683.

211. Last post I had your lordship's of the 29th Oct^r (*sic*), and, in obedience therto, gav the Duke a full accompt of your diligence and care in all the concerns of that countrie, as well as of all other things incumbent on you: And gav him the occatione to remark the difference ther uas betwixt such as served thoroughly and without reserve, and such that under the notione of his service push^d only ther oun affairs; that it uas certainly his interest to make thes distinctions that might distinguish them in the eyes of the world. He spok many kynde things of you, and the concern you had always shoun in the King's service; and uas in my minde as to the rest, and said he uold make thes differences that uas fitt, that might show that the King uold not be served by halves; but of this mor hearafter. Only he seims extreemly satisfied, both uith your ordering the Militia, and the good example ye hav given anent the garisones . . .

My Lord Maitland's business, of which I spok, has not gon to his mynd, notwithstanding Earl Morray's earnestness in the mater for to assist us. Lord Maitland has given the Duke a sample of his folly, such as I think the Duke uill not forgett, and this uas found out by the Duke himself, and consequently mor forcible then any thing another could hav said. He is to be sent down;

and I think to shun him the Duke will name these that he consulted with in Scotland to be the men, tho' it is strangely opposed; and I shall tell you more at meeting. However, Earl Murray and I are on as faire terms as ye could desire, and I am confident shall part so.

I speak of Sir William Lockhart's business, and the Duke has promised me to order it so by my advice, that he may not be prosecuted without order from this. And as to his business and Sir Adam Blair's, he is of opinion that it is most just to pay them, which I am hopeful he will order, so as that all shall still be in your lordship's hands to do as ye think just.

I am affrayed poor Marr is cast off till ye send what I desired, for if less would have satisfied, I would not have desired your lordship, but I shall do the best I can. I am hopeful to be well advanced in my journey before the answer of this can come, that if it were not that all the letters that miss me will come safe back, I would desire your lordship to write no more to me.

My Lords, your sons, are extremely well heard, and I have seen the King take several opportunities to speak to my Lord Drumlenrig, yet they long extremely to be home, and if it had not been that the Earl of Marr and they were to come in one coach, I dare say they would not have been heard till now. I have been at Posso about your horses, and he has seen all about town, and I hope shall please you, but they will be dearer than was expected. But all care shall be taken that can be.

As to Duke Hamilton's pretences against me, the King is not liable to his suite, and there is no reservation of his right; for Earl Arran refused to accept of that as a satisfaction; but to show his submission to the Duke would have it absolute, for he confessed that it was a sham to reserve a right that was never to be made out. But this I only tell your lordship, not desiring he should know it till it light in his dish, in case he show himself so malicious as to intend that process. I shall be no much taken up for the small time I have to stay, and shall not fail to give your lordship an account of the steps, as becomes your lordship's most faithful servant.

London, 8th October: 1683.

212. I am mighty sorry for the beginning of your lordship's of the 1st October, which bears the death of Craigdaroch. Tho' I had no great acquaintance of [him], yet the place he had in your esteem made him considerable with me, who can never be without the just regard I ought to have for all your concerns. And indeed, tho' I had not these innumerable obligations to your lordship, this last offer, of interesting yourself in that money of Argyle's for me, deserves more than all my services can ever repay. But I shall go on endeavouring to requite, and if I come short, it shall not be for want of the most serious endeavors.

My care in the town of Edinburgh their affairs has appeared in some measure. But I am not resolved so to put up my pipes, for I have taken care to give the best accounts of their behaviour

both in ther equi and ther fynes. And I finde it ueighs extreamly. But not being sufficient to informe uhat ther mis-behaviour in ther equi uold amount to, I hav this night ureaten to Mr. Wallace to kno what ther neglect uill amount to in point of law, and if ever the Councell befor this time suspended any of the Exchequer letters, and, according to that return, I shal not feal to make the best use of that affair. And nou that I am on them, I most say, I wonder that Chanslour came to be a Balze at this time, seing it is reported it is so unfitt for him; and that many of his letters are past by, and his relatione too, I am affrayed, make him opose uhat's fitt to be done. But ue mast make the best of a bad market, and endeavour to make things go uell uith ill instruments.

In the nixt place, I hav tryed the Byshop uith all inventions; and I fear the clergie hear uill stand to him, the preparativ of chaingeing not being for ther turne. But at least the getting him out of the Councell shal be my endeavour, and I doubt not to effect it. In the meantime, I rejoyce at the neus you tell me of his bargain uith Charles Morray.

I hav very exact accompts of all that passes from Heu Wallace, for which thanke him, for truely his care deserves it; and it most not offend you, if I begg of the Duke to put his brother's wife on the list of the smal poor pensioners for twenty pounds sterling. I may say I kno not an object of greater charity. And God uill bless you the better for his and his poor babies blessings. Bot nothing shal be spocken in it till your lordship's leav be obtained.

The letter ye mention from the Advocate to Rocheid, Sir James Dick brought up and gav to the Duke; and yesternight, the Duke befor us chalanged the Advocate upon it, and the Advocate said that if it uer sein, it uold be found to bar nothing that had bein represented to the Duke. He told him he had sein it, at which you may judge how all of us uas struck. The Advocate immediately begane another purpose, so that affaire uas layd assyde. But I knowing uhat prejudice such dealing had done; and knowing how his letters to Scotland had divulged hou the Duke uas to governe for the future by a juncto, and that it was wreaten from Scotland to Earl Arrane; and he taking the allarme, said that if Duke Hamiltone uer not one, it uold be ane eternall affront, and a great dale to this purpose, and that-if a juncto uer ouned, ther uold be no living. I, I say, desired to kno if any body had ever said any thing of that nature; and to free our selves from truble, desired the Duke to put us on our guard; and the Duke, who knew wher I uold be, told that ther was yet no such thing, and that he uondered how any had spocken of it, and that indeid it uas not till the King had first consented to it. But thes doings are not Earl Arran's interest at all, if he uold wnderstand it: houeuer, it put the Advocate so to excuse himself, that every body sau guilt in his face. I hav told him as much as I durst uithout breaking with him. But ue are not ill satisfied with his carriage; for if he had prudence to manage uhat he might hav had, his influence uold hav bein dangerous;

but he just did all we had to doe, and then the old man appeared so, that go now wher he will, we hav got the best of him, and what's best is at our mercie. I am sorie for Boyne, but God be thanked, the Duke put thes business off till his return from Newmarket, whither the King went on Monday; and he goes to-morrow, the Duke I mean, who is to returne on Thursday come seven-night. All affairs I hope shal go uell. I hav made all alongst the Duke understand that as you had no interest, but the King's service, in this mater, so what aither was done, or to be done, in that point, was no ways to gratifie you. I hav bein insinuateing to him the necessity of shouing some favor to you such as might distinguish reall services from cheats, and found his ausuers favorable; but I could not find in my heart so to lessen you as to propose for you, if I can make it come of him which I am hopefull of. I hav ane eye on Maitland, Yester, and all of them, and I am confident no thing shal be done that I am not aqueeinted with. I am over-hasted this night by Sir Androw Forester, who is to go to-morrow to Newmarket, therfor I shal deferr a great many things till nixt post. My Lords, your sones, are extreemly well, and looked upon hear as they ought, having visited all the persons of quality about town; in which, having Earl Dumbrinton, they had no neid of my service. But I assure [you], if in any thing they hav use of me, I uill serve them, as becoms one who is entirely your most fathfull servant.

London, 12 October: 1683.

213. In my last I was so hurried that I had not time to say any part of what I intended. But now that all the Courts we are concerned in are out of town, I shal continou, in the first place, to tell you that I am glead to hear of Sir William Patersone his tricks, and shal endeavour to get him and his brother sett to the door, for I am almost past hopes of getting him sent to Ross. The churchmen hear are allermed at the precedent, and tho' my arguments takes oft, yet they consider ther is still chaingeing in the case. This, the Duke, not knowing that he and I had both applyed to one man, who, as he told me, was shy in the mater, and that he was affrayed they uold not be for it. I told him I was affrayed so too, but that the Churche had nothing to doe with the Councell, and I thought, at least, he should not stay ther still to kindle fires of mor concernment then his value; and that I hope since his insolence begane with his being on the Councell, it uold end with his going of. This, I found the Duke did not contradict, and therfor I shal press it as I ought. I hav had another letter from him, but [it] shal find the same silence the last had. They are both lyke him, and he has mist his aime in both. In the nixt place, I most aqueeint you with the affair of Argyle, of which long befor this time ye hav the letter; and I am confident it uill shou you hou carefull I hav bein to take as much out of the Sessione's hand as I can, and putting the management in your hand, alenerly uill shou what difference is made of your trusts. As to the conveniencie of the propositione, it is so obvious that I neid say nothing of it. For it gives the Creditors all the

Lords of Session designed them, and yet reserves sufficient pouer to the King over them and to secure against the Earl his getting of it againe. I am against redeeming any part of it till the anexation pass in parliament, in which the King most not only obleig himself not to alienate, but it most be declared treason for any to bruick or enjoy the same in all time coming. As this secures against the family, so, for the King's interest, the redemptions shal thereafter be as easy to the King; and the Lords of Sessione miss ther aime, for they preferred ther frends that had bought in debts for small sumes. They shal at first be put in possessione according to the Lords' determination. But ue uill redeem them according to uhat they really payd for ther title. This I kno uill get in a great dale of land at a smal rate. And I shal take care that the instructions for your lordship shal be such as you desire, and if your lordship already, or hereafter, desire to hav any alteration in that affair, I shal hav it to your minde; for this is a thing the Duke's minde is so sett upon that I could doe you no better service then to let him know hou much you uer concerned something should be done in it.

I take all the care I can against Broadalbine. But Earl Morray had spoiled the charme befor I came hither. Houever what's possible shal be done yet; for I hav no great trust in trousers, according to our proverbe. I spokke also to the Duke anent Earl Lauderdale; and he is absulately for the takeing the 10 of the lead from him, and clear also anent the lordship of Musselburgh; and I am as cleir for that of Dumfermlin. And I doubt not, if you pleas, to procure ane order anent the reduction of them both. So send me uord immediately; for by the time the ansuer of this coms, I think I shal hav litle mor to doe in this place. As to the Juncto the Advocate's letter did harme, as any thing does that makes the thing difficultt, for Earl Arrane got it by the end, and in his way fell a clamoring uhat should his father be left out, it was a personal affront, and abundance to this purpose, at uhich the Duke is extreemly angry. But it trubles him that any should desire to be of the number. Yesternight, my Lords Midleton, Advocate, and I met to concider of it. I was of opinione the officers of State should be the only persons, with this alteratione, that seing one of the things of greatest importance was the Justice Court, that therfor my brother should be in place of the Justice Clerke, and that the letter signifieing the King's and Duke's pleasure should be to the officers of State, and not to the Chanslour, for that perhaps might bear some shadow uith him of pouer, aither to convey them or not. But ue uill hav it so conceived that any one desireing a meiting, it may be; but that uwhether desired or noe, it shal be held every day befor the Councill day to concert the maters of the Councill; and particularly that you may hav the pouer to convey them on any thing relating to your trust as proceses &c., or whenever you hav any thing to propose or hav done.

I uold to God Carstaires uold take the Test, for I finde mor difficulty in his business then I can tell. It appears to the Duke so partial that if I had not staved off it might hav don prejudice;

therfor for God's sake threaten him. It may be when he sees how litle can be expected for him, he may drau. But if any favor be don him, it will be casten up to us by the others, and looked on as a greater obligatione to you then I am uilling to lett them think it uill be. Houever, I hope to get him secured for this bout.

All the other thesaurie business uill be done as you desire, and I hav so layd out your service on every particular that the Duke seems to be extreamly satisfied uith it, and highly extolls the service. He has condescended to the letter anent the solicitors in your terms, and so it uold not be amiss to try Benerman's puls if he will demitt or no. He is fully satisfied with your consulting Advocates which I never named till the Advocate's trips uer knoun, least ther might have apeared partiality in the mater, but after that I had no neid of arguments. The Duke uas as sencible of the necessity as I. He is lykeuays satisfied accordingly uith your letter for the three moneths' pay, and uith the gardines, and the reparations, pictors, and the Councell chamber. And I am to get the King's and Dwke's pictors done by Kneller to which they are to sitt, but I am to pay for them. By this your lordship uill see that if I had what I am hopefull of for your lordship, my business uer done, and I only uaiting to see the last man born. I assure your lordship it is of consequence to hav one hear for ther are many things that ue have not right measure of below, and I am sure that hereafter ue shal not be so much to seik. I shal take the best uay for thes instructions to the Chanslour anent the Sessione which I think uill be much for the King's interest and for the subjects' safety, for both which I must intreat of your lordship to be in Edinburgh against the first of November, for all consists in the first beginning. For, if his establishment be in the maner it uas last year, it uill be difficult altering. But if ye begin him right he will duindle in a moment. My brother, and others of the same opinione, most be thair to, and the Lords of Sessione most be rightly informed.

I hav spoken to George Arnot and he submitts to your pleasure in the affair, and I shal endeavour to setle the guarisone of Edinburgh Castle to your minde. I uish uith all my heart that Mr. Whyte may be thankfull to you, but I beleiv he shal not deserve much from you. All the other things ye mention shal be had a care of in ther proper seassone and I most intreat that any further commands your lordship has to lay upon me ye may doe it in full expectatione of a most fathfull accompt of all, and a most obedient and fathfull endeavour. For I may say true that if your lordship had bein in my place, ye uold not hav had a mor reall concern for your interest in all thes maters then I hav had, and if in any thing I hav come short of your expectatione, impute it to mear weakness, and nothing aither of neglect or inconcern in me, for I am, without reserve, your lordship's most fathfull and most obliged servant. I most tell your lordship, least I hav not said it befor plaine enough, that ther never uas the leist designe on our part of having any mony payd out of the

thesaury for Argyle's estate, but only to lett it redeim it self, adding the disorders of the shire to make it easier, nor that till ue see uell how.

London, 13 October : 1683.

214. Last night brought me your lordship's of the _____, and I shal begin uith uhat is most important in it, being the difficultys of the affair of Argyle. I conidered all of them, and as I think obviated them. For as to the offence ye might hav given to thes noblemen that are pretenders to the same locality's that is not left to you, for the King is resolved that the allocations apointed by the Lords shal stand, and if ther be any anger, it most be at them and not at you. And for the rest, it falls so naturally under your trust that it is a uonder that ever it uas put in any other hands. But becaus it uas impossible to satisfie your lordship in all things at this distance, you uill finde by the King's letter the thing kept entire till November, and that all that is done to impouer you to put in the King's name a stop to any further procedure in that affair till farther orders; and to take the advice of lauiers and others maturely befor any thing be done, and if yet any thing of that is in your opinione to be altered, let me kno, and I shal endeavour to hav it to your minde. But in the general, assure yourself ye can do nothing mor acceptable hear then the geting that effectually done, and if ther had not bein conideratione had of uhat you might thinke, all had bein done just nou. So fond the King and Duke are of the thing.

In the nixt place, I shal tell your lordship something that ue most prepar for. I sau a letter of the Chanslour to the Duke wherin I observed some anxiety to hav us come off. I made no remarque on it to him, but some days after I told the Duke I spok of so many particulars together becaus shortly I most think of going hom. He said that uas most fitt in a maner made me think ther uas mor in it. Therfor I set all things on worke to finde out the mater, and I finde that I shal no sooner come off then his turn uill begin. For, in the first place, Marquis Huntly and his Lady are to stay hear all winter; and, in the nixt place, one of the Duchess Perth's, walking uith a Scots gentleman (Carden), told him that severalls of his countrie men uer come to complain of the Chanslour; and he uondered that becaus he sheu some favor to the poor Catholicks he should be so much hated. I uas surprised at this abov all I ever heard, and thought our correspondence uith some of them had been sufficient not to lett such a contrivance availe hear, for I hav sein you begging favors for some honest gentlemen of that persuasione uilst he was keiping them in prison for not taking the Test. At Paris too, Mr. Faa will tell you, he is looked on as much ther frend. Pray, let not our poeple in Scotland be so foolish to belev that a man that has no honor at bottom uill ever be true to any body, and let them tell the truth of uhat they finde, that ther may be no shelter ther for him; and I hop to leav things so hear, that aither your lordship, if ye think fitt, or myself, or some other ye trust, may be

necessary hear airly in the Spring, if ther be neid for it on the accompt of the Chanslour, and if your lordship thinke that a precaution of this nature be fitt, advert to it.

The business of Argyle, as it is the most pleasant, so it uill giv the best rise, and I thinke that if any of thes poeple come, it uill be necessary ue hav our eyes open that are nou over boots over shooes with him.

The Advocate has pitched on Scot of Hardan's fine. Ye may be sure I hav done as I ought in the mater, and shal contineu to doe so. Lord Maitland is gon to Neumarket uith Earl Morray, but the Duke has promist he shal get nothing done.

I am of your opinione anent Claverhous coming up and shal againe endeavour it. But I am affrayed the Duke uill not desire to kno mor then he does in that mater, for he is mor then convinced of the truth, and I am confident, that he shal never be able to aquite him himself, if ye begin right with him belou. For nou, I thinke, the Duke uill never trust his single opinione in any mater. And therfor, he most at first be handled so as to kno ther most be no mor letting of his opinione to stand for ane act of Councell: no mor passing things without votes: no mor saying he will be advised, nor in the telling Marr the Councell's sentences. Ther most not be any parempter desireing any thing to be done, and conceall the reasons of it. Ther most be no mor calling of the officers only when he has a mynde. Ther most be days appointed; and I am for it in the fornoon, to divert him from the Sessione. Many other things ther are that your lordship knous much better than I can suggest to you. But the greatest mater is to begin all in the right method. But I most tell your lordship that the mater of keiping things secret most be nicely handled. For if we make that a mater of importance als undone, for its the esiest mater in the uorld for the Chanslour to discover things himself and then lay the blame on others, to convince the Duke how impossible it is for any member to keip a secret, uihilst God knose we hav nothing in our government deserves the name, having no treatyes with forrainers, and no aections at home putting the laus in execution excepted. Therfor, in my minde, the Duke most not be letten so much as imagine that any thing depends on service. For if he once be convinced of that, the juncto will be a harder mater, and if that be not done, the Chanslour will be better established then ever, and your lordship may easiely imagine that this is mor obvious to us hear then to any at a greater distance. And we shal so manage it as to hav all the good ue can by it. I long extreamly to be uith you, for ther are many things that can not be ureaten, and that uer proper for you to kno. Yet I shal not overhast my journey, and shal endeavour that I may be amongst the last, yet so as that I seim to stay uithout caus. My Lord Archbishop has not deceaved me. But I uish he had done otheruays, yet uhat he has ureaten shal be made use of, and the least ue uill expect is the getting him out of the Councell, and his brother's Clerkship.

If what your lordship says of Meldrum be so informed as we can lead probation on it is in great hazard and he shall not want our assistance for helping him to his *quietus*.

I have sent my advice to the Bishop of Edinburgh over and over again, and if things can be kept in order till I come, I will answer for him or I am much mistaken, though their affairs have gone past my expectation, yet I am not in the opinion they have absolutely done as they would if they had been truly informed of matters. By this night's post I write again to him, and I am confident he will absolutely depend on your lordship in all things.

My Lords, your sons, are in good health and I shall think myself happy to make my northern journey in their company.

Posso is to Neumarket, and at his returne I shall not fail to get him the best advice I can anent your horses and coachman. In the mean time I shall add no more to this trouble. But once for all crave your pardon for the length, confusedness and other errors of my letters, seeing they are written in such haste that I am not able to get them more correct.

London, 16 October : 1683.

215. The honor of yours of the 5 October came yesternight to my hands, and because I have nothing of moment from this, the King and Duke being still at Neumarket, I shall therefore begin at the Earl of Argyle's business, at which I find you alarmed, but there is no reason, for the letter was to secure the thing that others' advices might not prevent and the instructions by which ye are to act shall be as you would have them, nor shall I, I hope, forget any thing that may contribute to your satisfaction in all I am trusted with.

As to Earl Morray his complaint of me, I know him too well to be intimate with him farther than in appearance, indeed I have not spoken to him in these matters, but it is because the Duke has still put off any thing of that nature, and for giving him an account of the state of the Treasury farther than the general peaper bears is what I shall not willingly do. He has complained to the Advocate of me and says it is unjust for to have these matters communicate to us whilst we did not communicate all ours to them. But I am not of his opinion and therefore shall never give the keeping of the stakes to him that is too earnest to have them. His attachments by a way that I like not, and therefore shall make bold to tell him no more than is fit for making him believe that I trust him. Sir Andrew Forester's business shall be left at your discretion; but it will be harder to get Major Whyte's pension. So for I could either take it quite away or continue it. But the having of it at your disposal looks to like the desiring his dependence, which must be shunned by all means, for one argument of that nature would do more harm than it is imaginary then twenty real would do good. But if I get it so brought in that it may do no harm, I shall be sure of it, and of all the rest of your business.

In the meantime send me your gift of the Wards. I hav ureaten to Hew Wallace for it, and I thinke he uill finde it befor this come to your lordship's hands; and be sure that, in all things, Earl Midleton and I uill act as become honest men that are intirely your servants, as I dare ansuer for him he is, as well as I.

The probatione seims to be cleir enough of Earl Dundonald; yet seing your lordship feares, I shal not feal to set Midleton on the other uay, so soon as I have had ane accompt uhat result your sounding Dundonald had, hou much he uold offer for his pardone. Not to be brought on the stage, I think it uer his best cours to giv, and that uold be easier for Midleton and all of us. The letter to the Chanslour and President of Sessione shal not be forgot, and I think it may doe good. I am confident hitherto ther has bein no caus to complaine of my neglect, for I hav bein as diligent as it uas possible to be, and I am sure, whatever the sucess may be, I shal never lett uant of applicatione lose any business I hav in hand. I hav bein often hear uhen it uas plesant to me, but nou I toyle lyke a hors, and hav no hour my oun, except since the King uent auay, and, as soon as he returns, I most begin againe. And hou contrary soever this is to my inclinatione, yet I finde it plesant, uhen by such paines, I can serve the King ore those I am bound to; and whatever hopes our ennemies may hav, I am sure they never had less reason, for most of them are knoun to ther soules and harts uich is the greatest misfortune can befall a knave. I told you befor hou Dick domineired first uhen he came hither, and that he began a discours to me in uich, he told me, he uondered uhat could aile your lordship and me at the toun of Edinburgh. They uold serve us on ther knees and they respected the meanest of our servants, and why uold ue lett the toun be undone? I told him I uas sorry to see him hear, for I thought his business uas to stay at home and mynde his tread. But I uas sorie to hear any man so impudent as to impute the management of the trust the King had reposed in your lordship and me, to any prejudice ue could hav to them or any of ther family. For so, I must tell him, I understood uhat he called the toun, and that I uas of opinione he uold not be found to represent any besides the family of Kinloch. He asked at me uhom I called the toun. I told him I took the toun to be the body of Merchants and Treads on whom the King had conferred the priviledges. "Be God!" said he, "Balyzie Drummond is not the toun." "No," I told him, "but I take him for the provost of that toun." He suore ther uer many in the toun deserved it better. "Sir," said I, "that uas not you in the King's opinione, but lett me allon with your impertinence, or look to yourself." This was in the Drauing room befor Broadalbin. The day after, he said he uas sorry for the disturbance it uold occatione, for the toun was lyke to go mad, and they uold choys him, and that uas one of the reasons he cam auay, becaus he had no influence to hinder the disorder, and he beleived they uold get most thanks that had least hand in it. I told him, I kneu them better. They durst as

soon be hanged as make the least disturbance, and he uold not be chosen proueast, that the best of them durst not set ther face to it ; and that [if] I heard that he came hear to tell any mor such stories, he uold finde he uas not at his chopin of wine in Edinburgh, therfor beuar that he told nothing but truthe, for I was resolved to see to his cariage, and he should ansuer for the least silable. Within tuo days he came to the Duke magnifieing his frends for ther compliyanse with the King's commands, and how overjoyed he was at it. The Duke laughed at him, and came immediately and told me. I called Sir James, who begane the same stuff. I told him that uas a different nott from uhat he sung last night. So he begged of me to befrend him with the Duke. I excused my want of pouer, and so we parted. The Duke told me that he layd the blame on you that ther accompt uer not made : that they had done all that was incumbent to them long befor. I desired of the Duke only to aske him one plain questione. If yet they had given in a list of ther debts on oath, such as they uold count by, and that uas the main thing on which all the rest depended. He uas so confounded he cam to me to cleir the smater uher he proposed twenty things, and when I convinced him and his family guilty of maluersations in each of them, he always told me a grain of favor uold cover all that. So the brute is to Neumarket, but I am sure the Duke uill doe nothing for him. For uhen he heard me giv accompt of the electione, he said Sir James had better stayed at home then go, as he neids most. I hav, to satisfie your lordship, sett this at full leinthe, that ye may see uhat he gained by his meddling. Many mor things ther uer, but this is a sample to guess them by. Sir George Lochart I hav given you accompt of, and his not meddling in the Signature uas not the illegality but his concerne in the partys. But since that time, he has bein at the Duke and offered his opinione, and I am to consult him at the Duke's command ; but I cannot get him. Houever, he undertakes to be for the King in the mater ; and he told me planely that if the charter uer not registrate in the Great Seall ther uold be no question in the thing at all. Hew Wallace tells me that it is not registrate. If I understand him right, all the odium of that business shal fall on the sessione, for they shal perfict the preference, and you shal only see ther rights past, conform to the neu designe, which is your naturall office of Thesaurer. The instructions shal be sent to you nixt ueike, that, if ther be any thing to cheinge, ye may doe it befor they pass the King's hand. I hav ureaten fully to Balzie Drummond, and I am confident he will in every thing obey your lordship's commands, especially in the mater of a Dean of Gild. I shal not add any thing to this, but that they say the Duchess has yesternight miscaried.

London, 18 October : 1683.

216. My Lord, the last post having brought me no letter from your lordship, I shal only tell you that the Dutchess has miscaried, being three moneths gon with child. And the Duke is come backe, so that now our business will begin againe, and

I shal be sure to dispatch all as fast as I can, and if it be possible get all that we have any reason to suspect home befor me. I thinke this will be a difficult enough business, for I most by no means appear concerned for them, becaus that might argue fear, which I most not at all shou. Lord Maitland's returned from Neumarket as he uent, so ye see hou punctual the Duke is to his uord, tho' non of ws was by him, and the confidence and expérience I had of him made me not go, for what he says, I absulately beleiv, and that upon just grounds. I finde nou that the pretentions begin to appear, for Captain Hume puts in for some. I beleiv, his chief uill doe so too. But the Earl of Broadalbin, I uonder most at, who came to me just nou to propose a pensione for himself to me. I told him, I had never taken on me in all my lyfe to propose any thing in Thesaurie business, but by your lordship's orders, and I uould not begin in that, but if he had minde to propose it to the Duke he might, but in my opinione the Duke uould not medle in a thing of that nature, but by your advice. He sayed he kneu that, and therfor uould first speak to your lordship himself. He has got pretty fair by this business, and therfor may the better rest satisfied; for if others had got their uills of him, he had bein peiled to the skin. My brother sends me word that the Chanslour is buying in all the northe, and Erroll is prevailled on to sell him Eselmount; but I hav sent him a uatchword not to complement him in the bargane, for it uill not be uorth his uhyle. Pray, caus Kintor send us uord of his transactions ther, for they uould come seasonably nou at this time, and I have my intelligensers at uorke to learn the truthe of all. My Lord Rochester has bein out of toun all this time, or I had uaited on my Lords, your sones, to him, but nou that he is come to-morro I shal not feal of it. In the meantime I shal not be idle, and I hop every post after this shal bring you some thing from me of mor importance. The King is to be hear on Saturday.

The Christiane army has had another fling at the Turks, and the wise King of Spaine is making uar against France. They say the King has sent Lord Dartmouth to destroy Tangeir and quite it, which is a wiser actione in my opinione then the fortifying of it. So having no mor, and the instructions anent Argyle not being ready, I can had no mo thing (*sic*) to this but that both my wife and myself are your most fathfull servants. My Lords, your sones, are extreamply uell, and have bein uith all the great poeple about toun, and most civilely wsed by them. So soon as Posso comes from Neumarket he shal hav my best advice anent your horses. I hope he shal fitt you, for it is nou the cheapest time in all the year.

London, 20 October: 1683.

217. Last post brought me tuo of your lordship's of the 9th and 12th, so that I hav both of them to ansuer. And in the first place, I am hopefull that ye shal see by the Duke's kindness hou much he conciders both your person and services, and I uill say that no art shal be wanting that can promote your interest uith the greatest safety to you and your interest.

I brought him on the discours of your letters, and he told me he never kept them longer then he had ansuered them, nor any others, for he burnt all. But this being ane accidentall discours, I shal desire to hav them, or be assured they are burnt.

I hav so fully spokken to your lordship of the uhole designe, that nou I can say nothing mor, yet I most add that I shal take care that the instructions be to your minde, and you shal hav them befor they come to the King's hand, and in them the officers of State shal be obleiged to occur; and if this uay uill not doe, ther are mor ways to the well then one, and for any advantage the Chanslour may get by it, lett him enjoy it, for I am much mistaken if it be great, if ue doe our part at meiting.

I told your lordship some post aago of Marquis Huntly's resolutions, and shal prepare for him so as I hope he shal not doe much hear against the resolutions taken; for indeid they are so good, and so just, that they are not to be contradicted by any body that does not absulately declare himself interested in the setting up a Viseroy amongst [us,] a title that has served us to good purpose in all our maters. Sir George Lockart, of uhome ye ureat, and I never uer in any frendship, and if ever any of my letters bore it, it uas to laugh at it, for I am not so much as aquainted with him, and so farr for intertaining any frendship with him, I assure you, I took his maters at the skot and frankly told the Duke my opinione of him. And it seims the Duke spokk sharpely to him, so that he came to me to kno uhat I had said. I told him just what he had said to me, so he said that uas uell, and suore he never designed to decline the King's service, yet from time to time he has put me off, and nou does not incline to be consulted till he come to Edinburgh. This is all I kno of him, besides the knowledge I had befor, uich is too much to be in frendship uith him. It is lyke the Chanslour is the occatione of Claverhous his not comeing up. But I am of opinione it is the uors for him, for if all had come out nou, and nothing had followed on it, I am affrayed all might be forgott. But it being still refreshed by other complaints, uill make all go better, for ther are too many things to gain all ue desire at this bout. And Claverhous uill lose nothing by it, for Maitland shal get nothing done. Upon the contrary, I am of opinione the Duke will command him to giv obedience to the King's desire in that mater. And for Lord Maitland's letter, I shal make the use ye designe of it, and return it as ye command.

As for Duke Hamilton's insisting against me, I most humbly thanke your lordship for the advertiment list; if he never hav a better caus, he most hav mor then one frend in the Session to gain it. The Advocate's letter, I am convinced, is true (to Sir William Purvas) by his other actions. But ue most make the best of him, not only hear, but in Scotland, for he is a good tool if rightly used at any time. Therfor, ue most not only gain but keip him. Poeple hear seis only his best side, and, that is so good, he has mor influence on men's mynds that uill hear him then can be imagined. The Duke once intended to hav given him all

Sir William Scott of Hardan's fine. But now he will only get so much out of it. Believe me, I shall do in my conscience, in that and all things else, what I am convinced is for the best, and tho' Earl Morray strove to make him think I had marred his business, yet he is absolutely of opinion it was Morray's own ignorance, (of whom, since I am begun to ureat, I shall tell you that ye need not have taken our controversie so to heart). He and I know one another, and before to-morrow that time, we were as great as ever, so there is nothing to be apprehended from that, only, he was bred at Duke Lauderdale's school, and had not the witt to distinguish betwixt what was necessary and not, and therefore takes all things to be inroadment that is not done by himself. And I will not use him to that lesson, for it is as much our right to go immediately to the King as his, and if he cannot draw a peeper to the King's and Duke's minde, I will make no scruple to do it, and this was the cause of the contest.

This day the Duke told me Earl Morray had showed him a letter of the Bishop of Edinburgh, telling that he heard that he was to go to Ross; and if the Duke thought that he could serve him there more than where he was, he would without reply go there, or any where else. I told the Duke that I was sorry any amongst us had the misfortune to be such a blab, but that I was confident the thing would do good both to him and the King's service, for it would make him the more careful. The Duke was of the same mind as [I,] so was glad it was told him, for he said he must be kept in. I spoke to him of Sessione, but not directly, only to try, and I finde he would not willingly condescend to a letter for the Chanslor in the terms ye propose for fear of bringing the Session in contempt. But I am hopeful that I shall get that or what may [be] equivalent to it. But I had not consulted with Earl Middleton, and therefore I could not proceed the length I would have done. He spoke to me of Earl Mar, but that he would not do any thing in it till he have an account from your lordship of matter of fact. For, he says, if he have justice on his side he shall have all. If it be only favor, yet it will be fitt to let him know it is favor. And then the Duke says he will not be more unkind to him, therefore, I most intreat, if ye have any mynde to have Mar down, to send to Moncreif, and he will give your lordship a full account of the state of the thing as it stands. As to what Earl Morray ureats to you of my opinion of the western Militia, he has done it either maliciously or ignorantly, for I am as unapt to think these men proper to have the King's armes in their hands as any body, but I would have the matter kept intire till November and put in the hands of the Juncto, so that it will be absolutely in your hands. This was all my designe; and because I could not be so free with him, this makes the mistake. But, my lord, ye must believe nothing told you by any body, for there are no body almost speak truth of one another. But that this is true is evident by what ye will finde, for it is left over till November. I told the Duke of Sesnock, and he is extremely pleased with your diligence in that and all other things, especially the account he has of Earl Dundonnald. So

pray, continou to get further notice, if it can be done uthout suspescione, uhat he uold compound for. For, if once he come abov board, and the Duchess of Portsmouth winde him she uill make him refond some of the estate of Lenox to hir sone. If he kneu this it uold may be worke on him. I shal not feal nou to hav all my business done, and my Lord Midleton and I hav settled on the method of your lordship's affairs hear, and I am confident uhats possible shal be done. I am overjoyed Drummond pleases you at Edinburgh. Al the name are aither at your devotione, or not at all of my minde, for I am so, as I am both bound and obleiged by many obligations. And nou that the King is just coming, and that I most see him to bedd, my letter this post will not be so long as it otheruays uold.

I finde ye are mistakene of the city, for they hav done the King good service by ther standing out. Uithout a sentence the King was not secure, and now he is past all contradicione so, and the city is as peaceably governed by the King's commissione, as ever they uer by the charter, mayor and aldermen, and all having his particular commission. And besides that, no king of England has bein in so good circumstances since Henry Seventh's days. The missing of Earl Midleton this day has hindered me from shouing Lord Maitland's letter to him.

But I most tell you a pleasant sport (to go no farther then your self yet). Lord Maitland uas fooled into a conceit of being of the King's bed chamber, and made advances touards it uthout the Duke. So you may be sure so soon as I can get the story so as I dare speak of it, I uill tell the Duke my mynde of it, litle to Maitland's advantage. . . .

London, 23 October : 1683.

218. That day and yesterday had been much taken up by the Advocate, "and just now he has disappointed me, who was to hav met with him and Earl Midletone about a mater of concern, which was to hav the Duke determine who the persons should be that he uold intrust, for the Officers of State include Maitland and exclude my brother." They were to consider if Drummond's brother, as being more interested in the court of the Justices, could not be put in Maitland's place. This would stick with Earl Morray, who was Maitland's friend. "The Advocate, after many petts, is at last satisfied, and has given up his precept of eight hundred pounds, and has got one of fifteen hundred out of Scot of Hardan's fyne. He has bid me ureat fully to your lordship of him, but you can not possibly kno the truble till I hav the honor to see you, only beleiv he has bein usefull, and therfor most be cajolled, and the slips he has made perfectly forgotten, for he will be of use; and Coline most be mynded too, for he can hold him right, and Colin is a very honest man; wherfor I uish we had him in Benerman's place, for he is of much better use to us than ever the other will, and I am confident the other will not admitt of a conjunct. I spok to the Duke of Lord Maitland, and he is resolved to send him doun

shortly." The Instructions were almost drawn about Arygle, and next post would send them. "Yesternight six gentlemen fought in Saint James' Square, and three are dead, and the fourth dying: the other two not fo[u]nd."

In a postscript, Drummond says: "As to the Dean of Gild of Edinburgh, I am in opinione that if you can get sufficient security of Charles Morray, it might doe well, but that's hard. Concoider his interest in Atholl, and Tueedeall, Sir Patrick Morray etc.: but if he giv uhat satisfies your lordship, I am sure al's well enough: but be sure he begin no faction in the toun for if he hav a mynde, he has uitt to doe it."

London, 25 October: [c. 1683].

219. Since my last we hav had a Scots counsell to advise the King anent the Scots prisoners hear, and therin my Lord Advocate made a speich lyke his last, litle service and nothing to the purpose; but the scope of it was to sho the King that ther was a necessarie formality to be used in it, and peapers to pass. Marquis Haliffax was of his minde, but I told the King that it was of ill consequence, wher he was free and unbounded, to tye himself to formes, and that he was free to act in it *proprio motu*. I proved from the instance of Carstairs, one of them now to be sent down, uho, being taken in England for a crime alleadged comitted in England, uas by the King's order, uthout communicating of it to his counsell in any of the Kingdoms, sent to Scotland, and lett out of Edinburgh Castle without tryall; nor did I think ther was any other form requisite nou. Earl Rochester was of my mynde; so after some arguments on aither syde, the King and Duke both declared for our opinione. The nixt thing proposed by the Advocate was the harboring of our fugitives in the borders of England, especially at Berwick, and he urged the point from the danger of the garisone; but I took the thing to be considered not to be the danger of the garisone, but that the Justices of Peace and other Judges was not impouered to deliver any subject of Scotland when demanded: for it was not multitudes that uent into Berwick, but single familys or persons, and that therfor some uay might be thought on to putt the laus on the English syde as vigourously in executione as on the Scots, and that the Judges of aither syde might hav pouer to deliver up persons uhen demanded. And for the speedy doing of this I was of opinione the putting thes crimes and disorders into the Border commissione might doe the thing, but that I humbly submitted to the opinione of thos that understood the nature of it better. Earl Rochester was still of my opinione, so it was ordered to be consulted with the Atturny Generall, and if possible done. Then the Advocate proposed a reveu to be taken by the King of a process of Slips befor the Sessione already determined. This was so manyfast ane apeall, that I cryed out against it, yet he was seconded by Lord Maitland, so I told the Advocate uhat it uas he uas doing, and to the King, that it uas not to be medled in, and the thing uas thrown out. But the Advocate was so asheamed of it that he begged we uold

not speak to anybody of it. He is now parted, and Sir George Lockhart too whom I did think fitt to ingadge onely verbally, because I did not know how far you would incline to have him employed, and yet to leave with him so as he will be undone with the Duke if we have not the first offers of his service; so, doe in it as you judge convenient, for I never hazard on anything that I doe not think will please you, or what I am sure will satisfy you when I tell you my reasons. If Sir James Dick has brought money he will carry it back, for I think he has not the impudence to offer it. He was with me yesterday to tell me he was to go to Rouen to inquire after some effects of his in Scouler's hands, who is dead. I told him that I would not give him my advice in any thing, that I could not say what you would do the first of November; so he was to consult his own security, and I thought he had given sufficient provocation to expect small favor from me, and much less from your lordship. So he said twenty fawning things, but I would not stir a bit. Then he told me he had a proposition for the increase of the King's revenue, that if I pleased should be my project, and he never had discovered it to any. I heard it, and it was the offering a tack duty for the Inland Excise more than the shires pay, upon the supposition that because there is one thousand, five hundred pounds in the shires of East Lothian and Edinburgh there may be so through all Scotland. [Drummond advanced reasons against the plan—and delayed consideration of it till winter.] As to the papers anent Miller, the matter was so frivolous, I thought not fitt to trouble you with it . . . at Berwick a letter from a prisoner was found and sent to Secretary Jenkins, and by him to Earl Murray, being directed for that Miller at Edinburgh. So we advised it to be sent down as it was, Miller taken, discovered all he knew and that was just nothing. Only amongst his papers there were letters from Countess Argyle, in which she told the promises of friendship she had from Lord Advocate, his Lady, and Mrs. Cauchon, his woman, from Countess Erroll, and Lady Largo, to this Mr. James Spence, from whom the letter was, and who was prisoner here for the conspiracie,—servitor to Argyle. This is all that matter, and this Spence is one of them to be sent down. I shew your information to the Duke anent Sesnock, and he was extremely well satisfied with your diligence in that and all other matters, as it were tedious to tell. I likewise shewed him what came yesternight to me anent Duke Hamilton and Meldrum, and the conventicles. And in the first place I told him that I had shewed the inconveniences of the Chanslour's new friendships, and told him at Winchester that, if I told him truth, there would follow feild and house conventicles and other disorders, for the fanatiques would judge that they had again a friend at Court, and I was now sorry that I had him to be a witness of my foresight; that he was to consider there was in the Depositions a child christened of two years old, by which the scarcity of ministers was evident of their shisme. And in the next place, that no sooner there appeared any lenity, as by the friendships with Lady Argyle, Duke Hamilton and

Sir John Dalrimple, the Indemnity, etc. but they thought they might presume, and the consequences appear. Of this a further proof was Duke Hamilton's letter. I told him that Duke Hamilton had suffered the laus to be executed by the meanest soldiour these nine years, and now he sees how the noble Lord has used an officer for his duty, and openly owns the greatest crime alleged against Sir John Dalrimple, to wit, his hindering his tenants to come to Claverhous Court, for which he was grievously fined, though he made appear he did not directly discharge them, only told that his court was to be on the ordinary day. That if this continued adieu to all our affairs, and that he might see the difference there was betwixt you that served thoroughly and the others that served by halves the King and themselves wholly. I was sorry to buzz such a matter constantly in his ear, but if he did not find it for his service, I should never hazard on the lyke againe. He said many kinde things of you, and spoke sharply of all parties concerned except Meldrum, whom he justified and said he would stand by, and begun to assure me of his taking such methods as might secure us from further trouble, when he was called to supper: so my next brings the continuance of the matter. I burnt the papers as soon as the Duke had read them, only the Duke in haste put Sir John Cochran's letter in his pocket till I can see him againe. If the Chanslour have not sent the originall, as I am confident he has not, I shall play him fair play and lay out the right syde of it to the Duke. As to Duke Hamilton's being on the Juncto, it never was designed nor can be, and this I think will put an end to that matter. I told fully out the support that most have wrought him to that insolence. . . .

Postscript:—Earleston has got a reprieve, because he was to be executed the first of November and so should not have been fully examined.

London, 30 October : 1683.

220. I received your lordship's of the 22nd October, yesterday . . . I showed the Duke the letter anent the solicitor, and he was pleased with it, but when Earl Middleton came to speak of it he changed his mynde. I think Earl Morray, who was much his friend, had a hand in it, but he says Sir William is an old man, and that he thinks it unreasonable to turne out any body without a fault. I durst not insist, for we, pretending to doe as he inclines, must not press too hard upon him, lest he grow restive. But I shall doe all that can be in it. Earle Middleton and I both have pressed the Duke to turne the Bishop of Edinburgh out of the Councill; but his friend has represented him so mortified, that the Duke thinks not fitt at this time to push him further at this time (*sic*), but he assures us if the Bishop continue to be troublesome, he will certainly doe his business. As for Sir William Paterson and Thom. Gordon, it is the proper work of the Juncto to inquire into their misdemeanours, and if Meldrum can make out against Sir William what's said, or any other can against Mr. Gordon, then we can represent them as they are.

[That putting into the Junto was the Duke's own action.] Ye wold admire at uhat difficulty ther is to get things done that ther is not absulate necessity of, for the Duke is so conversant in all of our maters that he examinns the least peaper. I am absulately against the peaper Mr. Wallace sent anent the esteat of Argyle, for it taks all out of the hands of the Sessione, and I am of opinione that the form inclosed is absulately the best and most secure for us. [The Duke had true impressions of Argyle's friends, and of the Chancellor for having friendship with them and others. "In as farr as is convenient, I push every particular ye recommended to me, but Rome was not built in one day."]

I am most tender of you, and therfor I press nothing in your name but your services, and for them and particularly the business of Duke Hamilton and Meldrum, the Duke is extreamply satisfied, and Duke Hamilton is not so stated hear as that he ought to hazard on such things. For his business uith me he spurrs behind the tayle, for my gift has no reservation, and so his pleas is cutt off intirely. . . . I shall doe all that mortall man can for Sir William Lockhart, and I am confident I shall get him well enough secured. . . . [Would take all the pains he could about the Session, and would come off in 14 days—"Lord Maitland is to be sent home, Broadalbin goes to-morrow, so ther are no mor I can medle uith." The Duke had promised to give nothing, but recommend to Queensberry, "so to ueary them out of asking." He had pressed him to this according to Queensberry's commands. The Duke was to make no alteration in Edinburgh Castle garrison.] Uthether the Duchess of Portsmouth's interesting herself for Dumbritton guarrison on her sone's accompt has bred the stop, I cannot guess, but the Duke stumbles at it . . . [Wonders at the foolish story about him and Earl Moray "ue uer as great frends the day after as befor, and so have continued ever siuce, as he himself uill tell you." Encloses instructions anent Argyle. "Send them so altered as your lordship inclines."] Some West Indian pirates to the number of nine, some Dutch, some French, and some English, in all to the number of 775, hav surprised and taken Vera Crux, the port from uhence the Mexicane mony coms, and hav caried away seven millions of Patacoons in ready mony, so that the meanest seaman shared 800 Patacoons. One of ther ships is taken, and ther is ane English ship in chase of ane other of them. This day, all the prisoners in this placé of the Scots are sent on board of the Kitchin Yaught, in order to ther transportatione to Scotland, ther to be tryed, and amongst the rest Murray of Tibbermoor. Sir William Hamilton has taken his leav, and is to go in the same yaught. [Colonel Algernon Sidney had received word to prepare for his trial: Aron Smith had that day "stood on the pillory for scandalous expressions at colleges tryall at Oxford," etc.]

London, 3 November: 1683.

221. Last post I was commanded to attend the Duke, and by him putt off from time to time till I lost the post, so that I most nou make reparatione. I spokk fully to the Duke of many

things, and I finde he is inclined to leav most of them to your lordship's prudence, yet I am resolved to hav instructions anent them, such as may leav your lordship latitude enough. I took occatione to speake to him of the services your lordship had done and the method ye had put his affairs in, your inconcerne in the frendship of any uher his interest required him (*sic*) and the cincerity and integrity of all your actions. He expressed him self most kindely, and said he uas sure no man had ever served the King better, and that he uas convinced of the truthe of all I had sayed, and that he uold sho his kindness to you in every thing that might be demonstration of it. I once most hav taken that oportunity to hav spoken of some particular of yours to him, but he stopt my mouth, and told me that some time ago your lordship had mentioned something to him that he uold doe nou for you, and so being called away he left me. And this day the Duke has bein at hunting, so I hav not seine him yet; but mor of this my nixt shal bear. I hav bein examining my nott and I shall giv your lordship a particular ansuer to evry thing I had in comission. Last post I had no letters, aither from your lordship or Mr. Wallace; but by that just befor, I had instructions and a letter anent the affair of Argyle; but they uer so contrary to uhat your lordship has always desired me to doe that I kneu not uhat to thinke of them, for they take the signature away as if it had never bein, and the comission of the Lords of Sessione, so that your lordship is to begin the preference of neu, and to hear and discuss clames &c. I doe earnestly begg to kno if this be your lordship's inclinatione, that if it be, I may endeavour the executeing of it, tho I am affrayed it uill be hard to drau the mater so intirely out of the Session's hands. Your lordship uill see how I intended all thes things by the instructions I sent down, and as soon as I get your lordship's ansuer to that I shal come off, for I am extremely desirous to uaitte upon your lordship, that I may tell your lordship all I kno of our affairs. Lord Maiteland being by the Duke desired to go home, sought ane oportunity to speak, and had it yesterday.

Earl Midletone tells me the Duke uas mor favorable to his affair then he had bein befor, but I hope ue shal prevent Claverhous' hurt till he be fairly heard for himself.

Earl Airly shoued me as pleasant a letter of Thom. Gordon's as ever I saw, this day, in which he uold make it in my pouer to send a precep to pay Sir William Sharpe two hundred pound he owes to my Lord which is already alloued in Sir William's accompts, and payed by the fonds in his comission, for which Earl Airly has his nott only. Thom Gordon tells my Lord, that if I uill obleige myself for his repayment, then they pay my Lord, or that I may send a precep to the castle keiper; so that I most hav had poor Airly's anger, if I had not understood the story perfectly my self. It seems I am to expect fyne things, but I contemn them, for they shal never finde me playing the knave come of it uhat uill.

The Duke is surrounded with petitioners, and I tell him frankly to retrainch is the best way to stop ther mouths and our trouble. This he has promised to shou me his mynde in this mater the next ueike. I am hopefull this uill finde your lordship at Edinburgh, and therfor I shal again say that all the uinning is in the first buying, and therfor ther most be no dallieing, but frankely uhen any thing is controverted, it most be to the vote, in the counceill I mean, for I am confident in the sessione what's done uill sho he is not the omnipotent, and so soon as that is beleived his credite will fall. I am just going to the Duke againe, and therfor shal not take much of your lordship's time at present. . . .

London, November 8: 1683.

222. Having had no letters by the last post, I hav no thing to say of importance, for yesterday the Duke was at hunting, and this day was the artillery feast; so that ther has bein time for no business, and tomorrou he goes a hunting againe; but I hav so prepared business, that I hope at one time to go thorough all I hav left to say. I can delay no longer to tell your lordship that yesterday my Lady Midletone was brought to bed of a sone with a great deal of hazard, but at present she is as well as can be expected againe.

Posso is as busie as it is possible in getting horses, but this place had never so feu good as at this time, as he is resolved to hav them good or not at all, and if he get them not hear he will [go] down to Northampton uher the best are. I hope to be so ready against the ansuer of that letter I sent with the draught of instructions anent Argyle, that so soon as I hav it, I uill take my leav of this place, for uhat uill be left undone, Earl Midleton uill take care of, and ther shal be as litle left as I can. Ther is no neus, but the progress the Christians make in the Turkish territorys so allarmes all the Ottoman Empire that they are in great consternation, and in all probability the King of Poll[and] uill pursue all the leinthe his fortune uill go. It uill not be in my pouer to get thes gentlemen that are hear, doun befor me, but it is not one farthing mater, for I hope they shal not be able to alter measures in despyte of them.

Lord Yester has got a neu business now to sollicite but I most begg your lordship to say nothing of it yet, which is the ward of Earl Roxburgh and nonentries; but the Duke uill advise very uell uhat he does in it. I shal tel your lordship the story at leinthe at meiting. . . .

L[ondon], 10 No^r : 1683.

223. Last post brought me 3 of yours, one of the 31 Oc^r and 2 of the first of Nov^r. Befor this time ye kno by one of myne that Earl Midleton is not in a conditione for this bout to accept of any kindness but uhat most lykuays include Earl Morray; so ue most prepar things for him, but not propose them. I am glead at the leinthe your lordship has brought the affaire of

Dundonnald. I am sure its uell nou that's got off him, but if it serve not for better purpos wher I am mor concerned. I am sorry that Claverhous is disapointed by the Chanslour's means, not that I uas much concerned for the mariage, but that I hate he should hav any influence amongst the weemen to hinder or forduard any think (*sic*) relates to the mathematicque.

I can assure your lordship Sir Adam Blair is not cautioner for Cuninghame, tho' upon the accempt your lordship knous he uould gladly hav had him delayed, but T. Gordon uould not condecend to him; and to say truth I uould hav bein glad at the time that he had got that to say against Mr. Thomas, uho I beleiv uould sup us in broth if he had his uill, but I hope that shal not be this year. My Lord Midleton sau the Advocate's letter, but all that it could signifie was overdone to our hands, for the Duke has so bad ane opinione of him that it is a wonder he lets him stay in, at least he knous him as uell as I doe, and better is neidless for all his letters and speaches end in ue dogs killed the hare. But its hard that he should hazard to say he made the cheinge in Edinburgh, and in the meantime the D. had a letter under his hands declareing it uas in spyte of him, and he had stood up for Rothead's right and party. But a volum uould not contain the sports I hav to tell you of him; in short he is a grotesque originale. All shal be done that's possible in the juncto, and all things els ye hav ever mentioned to me; but till they are done, I shal not say any thing of them. To morrou the Duke is to speak to me, for this night it uas put off, and I hav all things ready for him.

I am confident ye are mistaken of Earl Rochester, for the caus ther letter uas some suspicion uas that he did not return ther visite, and he never visites; but I shal obey your commands in that as in al things els. This night the Duke spok to me of Earl Roxbrughs' uard, and I advised him to referr it to you, for tho' I uas a tutor, I uas the King's servant and uould prefer that trust, and therfor I uas of opinione nothing could be done in it till it uer rply advised uith all the branches of it by your lordship in Scotland. This I in[treat your] lordship to say nothing of till I come down my self, for it uill look unkynd in me, and tho' whilst I doe my duety I am not of the most concerned, yet I uould not neidlessly anger any body. Your lordship most not ureat any mor to me, for I intend on Monday the 18 to take jurney, if it pleas God I be alive, for ueik it uill take to glen all the feilds I hav bin over, and in the meantime your lordship may expect accempts by evry post of whats doing.

The Christian army divided in tuo halvs is gon to beseige Buda and Pest that ly oposite on the tuo banks of the Danube, and the Grand Visere is retired to Belgrade. . . .

18 No^r [circa 1683].

224. The Duke entered uith me on a subject last post night that he had no time to finish for he uas called to the King, and I confess it uas of consequence not to ureat till I had the full of it, in short

the Chanslour says he hears that he is accused hear, and wonders at the unuorthy practices of such as did it especially since he had non ther to ansuer uhat uas objected face to face. The Duke shoued me the letter and it related to another that the Duke told me uas to the same purpos. I told him ther never had bein any accusation of him, but only when ue had bein inquired att concerning the government ue had told truth, not only of him [but] of evry body els. And if in his concerns uors had bein said then he could hav uished, it uas his fault and non of ours, for if the Duke thought it uorthe his paines to knou the truthe of any particular had bein named he should hav it, and if in most of them he had a mynd to be satisfied he might by such as uas acactually hear upon the place. I told him it uas not to be imagined that becaus ue said he uas not to be trusted to govern allon that therfor he uas not to liev, for the Duke him self uell kneu that ue had never so much as desired him to be turned out, but only that he might not hav it in his pouer to bruily for private interest the publick government of the natione. All this he confessed and told me he had told him. He uas not accused of any thing so much as his friendship with Sir J. Dalrimple, so I had the Duke consider uhat he had a mind to doe in the mater, for whatever it uas it should be obeyed, and ther never uas a uord told him the truth uher of should not be made apear uhen and wher he pleased. This he fell again upon this night, but uas again called away by the King. Being at the Duke's syde, I begged of him to be dispatched and told him hou nessary my being uith your lordship uas, and he assured me I should not be stoped. But thus ye see Monday most not be the day: ho[w]ever, I hope to be gon befor the end of the weik at farthest, and in the mean-tyme shal indeavour to manage this mater to the best advantage imaginable, and if the Chanslour be so fond to hav stories come out he shal hav his longing satisfied. In the mean time apear unconcerned in all this mater, and let nobody knou of it, for non does hear except Earl Midleton, to whom I told it, and pray see that the King's affairs goe as they ought and doe not imagine that the juncto uill signifie so litle as your lordship says. The Chanslour by the last post sent a letter of Sir J. Cochran's to the Duke the copie uherof I had, and the Duke from me befor.

This is busie time uith me, and therfor, I shal not add any mor, seing I most see the Duke to bed. I and my wife are your lordship's most humble servants.

Mar's busness is done, and so he and your lordship's sones uill come off nixt ueik.

London, 20 No^r : 1683.

225. Drummond had given in to the Duke his Memorial, and spoken to him upon every particular. The Duke had promised tomorrow to give him an account of his resolutions "uich I had had this day, had ther not bein a hors match on Bansledouns at uich both King and Duke uer." A regiment of dragoons was raised

here of which Lord Churchill was Colonel. "The regiments at Tangeir are arived hear, and to stand in this Kingdom, and the rest of Dumbrittons to be sent, for some granadiers are to be leavied. Tangeir is utterly destroyed and bloun up, and all the people brought off to England, and it had bein better to hav bein done the first hour it uas taken in tochar from the Portugies."

His day of parting was Monday next and Lord Maitland was to go at his heels if not before "but all he can say is in that posture I am unconcerned."

London, 20 No^r : 1683.

226. Since my last I hav received your lordship's from Edinburgh, and hav sein yours to my Lord Midletone, and am glead to find that ye begin in the King's service as is fitt, but I uant time to say much, and therfor I shal tell your lordship that this night at seven a'clock uer appointed Earl Morray, Midleton, and myself to attend the Duke. The first thing he proposed uas the mater of the Juncto, not as a thing to be advised in, but materialls to be thought on for a letter from the King apointing them to meit, and to doe conjunctly evry thing that might most conduce to his Majestie' service; and E[arl] Midleton and I both uer against instructions but absulately to leav all to themselves, it being impossible to hav made instructions to comprehend all things that uas to [be] mynded; and I hope ue shal, in the draught of the letter pleas you. The Duke is resolved they shal be the persons he named, and not the officers of state, which I believ uill startle Earl Morray uhen he knous it; for as yet the Duke has spoken of that point only to me. The nixt thing in my Memorandum uas the impositions of Glascow, which he has remitted to your self and thes belou to weight all arguments and to doe as ye shal find best for you and ther service.

Several other smal things he spoeked off, and I am confident the ansuers uill pleas you. So soon as they are done ye shal hav a full accompt, but at this time it is impossible, for I am forced this night to adjust the Instructions anent Argyle, tho' it be late.

Lord Maitland came to Earl Mar and told him that he heard that what had past betuixt them was spooken of, and he uas resolved to speak to the Duke in it; upon which Earl Mar repeted the story as it past and asked if it uas not, which Maitland could not deny; so Earl Mar uent to the Duke and told him he uould stand to the truth of it, and make it out uhen ever he uould, and so desired him not to beleiv any that uould say the contrary. We hav not yet heard any mor of it, but I am confident I shal get all the truthe out when the Duke fullfills his promis to me by speaking farther on that subject.

I pressed my departure extreamly, and the Duke says this ueik I shal be dispatched uith out feall, and for that end the Duke apoints to-morrou morning for ws, and I am confident he uill go over all.

Your sones are most impatient at Earl Marr's stay, and long mor to be in Scotland then I could imagine. They are indeid the most accomplished youths I ever sau, and I am confident yow uill think all has bein said coms short of the truthe. I love them uith my heart and soul.

Posso thinks it impossible to doe any good hear, and therfor is to try the countrie. I am sorry that I could not be more assisting to him, for it is not in my pouer to be uith him ther. I shal endeavour, after I hav got my dispatches, to be uith you as soon as I can; in the mean time I most tell you Midleton is one of the honestest, wnderstandingest, and diligentest men I ever knew. I shal in this place mention his good humor, wit, &c., but his frendship and amenity to you deserve the returne I am sure he will fnde from one so truly generous. I am, My Lord, your lordship's most fathfull and most humble servant, and so is my uife, to whom I assure you nothing is told that you uold not tell her yourself.

Postscript :—The story of the touer Groom of the Bedchamber, &c. are stories to tell children, but for loading of me uith them they uill mistake ther measures; besides I beleiv they told of me insted of Lord Maitland.

22 No^r: [c. 1683].

227. I thought not to hav ureaten till the Duke uho apointed us to meit at 9 at night had sayd all he had to say, but he put it off till tomorrou at ij hours; being so, I am forced in great heast, to tell your lordship that all uill be to our uish I am most confident, and that my Lords, your sones, and Mar, and all of us, come off Tuesday uithout feal, and ye may be sure my jurney shal be as quick as it is possible for me to make it, and as litle time shal be lost as possible.

The tryall of Sidny uas yesterday: he is condemned, that is fond guilty.

L[ondon], 24 No^r: [1683].

228. I most begin uith neus that uill surprise you, as ye may be sure it did all of us hear. This night the Duke of Monmouth delivered up himself to the King's mercie, acknouledging his faults and craving pardon, declareing that he uill hear after liv as becoms a duetyfull subject, and that he renounces all title to the croun, and that if any thing ailed the King he uold be amongst the first to assert his R. H^s title to the croun and in his quarrell spend his lyfe; wpon which terms he has his pardone, and this is all is yet knoun hear; so if any of the party begin to insult, ye know the truth of all thats knouen hear.

We, that is, the Duke, Secretaries and I, attended the King and ther he condecended to all the materialls of my dispatches, so the peapers shal shortly be draun. The Secret Committy, (for that uill be the name of our Juncto,) the King uas so uell pleased uith that ye never sau the lyke, and when ue had given our reasons, he said no man uold doe business

by himself but he wold hold him a hundreth lib. he should stumble, and he kneu that if any one man should take all on him it wold doe ill with Scotts hearts, and wold never go down with them. The Duke named them to the King, and they are Lord Chansler, Lord Thesaurer, Lord Privie Seal, E[arl] Perth, Register, Advocate, and my self, so if things go not right the diuel will be in it. Ye kno hou litle fitt it may be that this come abroad till the letter come. The rest of the peapers, as they are signed, your lordship shal be informed of, only, if any thing in them be amiss, let not any thing giv your lordship any impressione till I come, and I dare say I shal fully satisfie your lordship in all things. Ye see hou difficult it has bein to get my dispatches, for all of us observed some workings amongst the great folks, and it has had this consequence, but I hope nou feu days setts me on my journey, and I think Wednesday will be the day, for I am to bribe Sir Androu Forrester for to sitt up all night about them, for I never uas so ueary of any thing in my life as being hear since the Session sate down.

My Lords, your sones, are uell, and long extreamply to be off, but Earl Marr's business hinders them till nou. I think ue shall all come to gether.

Posso, the Duke wold not doe any thing for, and he has ill impressions of Sir William Lockart, but yet I hope to doe something for him, tho' I giv no arguments in your lordship's name for him, for reasons I shal tell you. I shal reveise all my notts and bring ansers distinct of all things. I shal truble your lordship no mor, only, lett not any thing in the least discourage the King and Duk's servants, for honest men God provides for, and will support against all tricks and wiles. We hav contrived the letter to the Secret Comitty in as generall terms as uas possible, to prevent all cavallings on uords and pouers, for, if any one had bein mentioned, and not all, then ther had bein pouer left in things not named to hav acted without advice.

Earlstoun.

Lord St. Andrewes.

Lord Carse.

Barnet, 30 No^r : 1683, nine at night.

229. Thes tuo last posts uer so busie days with me that I had no time to say any thing, but nou that I am got this leinthe, I shal begg leav to tell your lordship that I parted with the Duke with all the assurances of favor to your lordship imaginable, the particulars uherof I most referr till meiting, at which time I hope to giv your lordship so satisfactorie accompts of things as shal lett your lordship see ther is no neglect in me, but that, if any thing be left undon, it is not possible to procure it to be done; for if it had, I am sure the paines Earl Midleton and my self took had done it. But no mor of this at this time. All that ye desired as to the publick is done, excepting the defalcations, which the Duke wold not harken to for reasons I shal tell you. In the meantime, the letter anent the Secret Comitty is sent

doun, for I did not think it proper to be the carier of it. All the rest of the peapers are uith me, and God be thanked that ue are got this leinth, for I had much adoe to get out of the toun.

My Lords, your sones, Earl Marr and I, hav bein just drinking your good healthe, and a merry meiting.

Barnton, 25 September: 1684.

230. Drummond had taken a sore throat, and was still in great pain with it. "I sent to my Lord Justice Clerk to begg that he uold go to my Lord Duke Hamilton, and that they uold be going on till it should pleas God that I could uaite on them; but he uold not by any means stur till I should go uith him, which, I hope in God, shal be upon Monday, if I [be] so much as able to be carried, and I hope thes feu days delay may be made up by our diligence ther uhen we come. I never had any greater nor mor surpriseing dissapointment, but it is God, not ue, orders our affairs, and so ue most aquies in his uill, but I am hopefull this shal be no great stop, tho' it be ane inconvenient one, especially to my thoughts that are in the extream of impatience to be wher the King's service requires." His wife had taken the same swelling in her throat, and in addition a high fever. That day he had Queensberry's letter "and it uas no smal cordiall to me; for I assure your lordship that as I oue mor to your lordship then I can express, so I hav a greater respect to you, and am as much as any person (uho is not naturally ungrate) can possibly be, sencible of the obligations I oue," and would spend the remainder of his life in his service.

Barnton, Sep^r 27: 1684.

231. "Yesterday ther uas a Comitty at Edinburgh, on Thursday I mean; and my Lord Register came hear after it, and told me of a Petition from Earl Terras to them, and that they had remitted it to Court. I uondered they had not shoun it first to your lordship and my brother, but it uas gon. His Lady came hear—the Countess of Terras—yesterday, but I told hir I could not medle: if I had bein to hav given advise, I uold hav had hir Lord mak thes offers to you at his first coming in, but since he had not then, I thought he should hav aquented you befor he had sent any petitione to a Comitty, but I uas not to presrive to them."

Drummond thought it his duty to send Queensberry an inclosure he had received, as to one in whoes favour he put more trust than in any besides, "and under whose protectione I intend to liv the rest of my days, endeavouring, (at least,) to serve you and your interests nixt to that of the Royall family, uithout exceptione," &c. The inclosure contained no mention of a new pension, nor taking away any of the old, "for they hav followed the designe of Earl Midleton's gift, and he having a pensione befor, it uas continoed uith him, so I knou it uill depend upon your lordship's informatione to continou uith me of it what ye uill, and indeid your lordship's pleasure shal be absulate satisfacione to me, nor doe I think any concerne of mine in my

brother's hands mor secure then in your lordship's. I uish I may be able to return such services as at least may not make me appear ungrate, for to be able to requite them is mor then I can hope for." . . .

[c. 1684-5.]

232. May it pleas your Grace : All the happienesses this world could afford me uer litle in comparisone of the satisfacione and reall joy I hav to find that all the damned storys they told of your Grace and my brother are lyes. I most tell your Grace I never beleived them ; and did hear, with mor zeall then I can in cold blood express, decry them to all people, and so quite dashed the mater in the begining, and doe bear all the recentment in the world against the first authors, of which I beleiv Rocheid the maine, by that villanous story, ther never haven any thing falen out sav that to giv the color for it. Assure your self nothing is capable of altering my mynd, and if things uher I am uent as I imagined uhen I uas in Scotland, I should hav given better proofs of my cincerity befor this time, but our mater take not up much of aither thought or time, at least at this juncture, of which your Grace shal hav a fuiller accompt as time serves. In the mean time, believ me perfitley yours, and that I shal desire no longer then ye shal find any action of myne contradict this assertione, and till then I kno my self perfitley secure in your generosity.

My brother tells me that somebody has told your Grace that I hav not bein kind in my representations. I uish I could learne uhence such a report coms : I am sure I should so convince your Grace of the contrary as to sho you the fallseness of such things. I am not capable of doing any thing contrary to uhat I promised at parting, to your Grace, and so your Grace may beleiv me, and giv me something to doe to try me, and you shal find whither I uill serve you or not : and in my judgement, any uho hav bein so impudent shal quickly see ther villany found out, for my heart does not convict me of a thought against your interest : but I confess the concerne I hav for unity amongst you is so great that I most be forgiven to say something to your selves in it, and if I doe to any other, I shal be content that your Grace blame me, but no mor at present of this ; I am what I promised, and thers ane end.

I had from my brother a full accompt of Claverhous insolence, mor then from your self, and did tell the Duke of it. He uas glead that his commands to Claverhous uer gon, by which he shous him that he has reserved the concideratione of that mater till his comeing to Scotland ; but in the mean time, as he uill not see any run down unjustly, so he uill not upon any concideratione see his Majesty's great officers slighted ; and so com, so as ther may be no complaint of him. I find the Duke really angry with him, and so soon as he comes to Scotland you uill se him used accordingly, especially if he be so foolish after this as to continou his insolence, of which I beg ane accompt. Till this time it uas

unfitt for me to press the mater of Claverhous debt, but now I hope by the nixt post to giv a full aecompt of it. My thought are that I may get orders to tell your Grace to prosecute him for the fynes, and becaus he has a promis for the 2 years that may be delayed; but this night once I shal kno, as also the Duke's resolutione for the trumpets, which shal not be so dear as the last, or my skill shal feal me uhatever come.

All the maters wreaten of by the Secret Committy are ordered, or to be so this night, the copie of the Duke's instructions sent, and the wittnesses to be re-examined with all speid. I am overjoyed to hear from your Grace of your resolutione to concurr uth your useuall zeal in the King's service. It's certainly a thing uorthy of you to concerne yourself in uhat this parliament most neids produce, for the blam or thanks of it most go to you in the first place, and I am sure ther can be no blame so long as you pursue thes measures.

As for Rocheid, if he uer the nearest frend I hav, I uold not be off opinion the King or Duke should interest themselves uth him, so as I said, I shal assure your Grace they uill not medle. He has againe petitioned and that for his place of Clerke to the Borough, but I told the Duke it uas not fitt to medle att all in thes maters hear, so I am sure he nor non els shal hav any access I can hinder them of, and therfor I begg your Grace may be fully satisfied of it, and evry day shal bring you demonstrations of it as this shal doe for one. Luss has sent for a Signature uth the cheinge of holding of a smal part of his lands, uth which he says long since he acquainted your Grace, but tho' he be Houston's sone in lau, nothing shal ueigh except your Grace allowaunce so much as to make a motione for it; so send me your Grace's commands, and beleiv that uhatever they are they shal be most punctually and redieli obeyed. Sir William Ker lykeuays has sent a peaper for his arrears, but tho' he alleadges your Grace's uarrant, I most see so from your self, and this I resolve to doe in evry thing so that your Grace may be assured of nothing passing hear not first recommended from you ther. I never judged a possibility in ther rogues increaseing, tho' its given out hear at that time, but I am sure Coll. Douglass his going in ther uill hav good effects to try what has bein done in thes countryses and informe himselfe of the haunts of thes rogues and villeanes. I uish him good luck, and doe not questione mor success then the takeing a party of 8 of them befor he comes back, tho' I am sory he has so feu dragoons: for God's sake send him horse too that ue may speidely hav good neus from him. It uer fitt I had the copies of peapers done at that Comissione.

My Lord Tueedale mentions for unione of trade, for I think I should soon giv a positiv ansuer to the hopes ther may be, but this is only to your Grace, for you knou Tueedale's aime to be hear, and that uill be no good motiv to cause him part with the peapers.

I am just nou informed that Earl Sunderland is endeavouring to get money to bring over Earl Arran from France, and that he is to mary Sunderland's oldest daughter, but this to your self.

I am sory if naither bond nor pass doe, but thers mor uays to the uell. Lets doe the nixt best, for I am the least uedded to any one expedient in the world and doe not questione but you will doe all thats fitt or possible, and that is all can be expected.

I shal by the nixt giv your Grace ane accompt of other things I am not yet cleir in. . . .

Postscript:—If Dalyell dye not I am affrayed it uill be hard to remove him, but this ye uill hav at meiting to handle.

I most further tell your Grace that Ardmillane has petitioned the Duke, and the Duke yesterday told Earl Morray and me of his petitione aggravatting his loyalty and sufferings and desireing a remissione clagged with restitutione to the King, or any concerned, for all monny unuarrantably uplifted, upon which he uould go and forfault Bargeny, and so giv the King a reuard for his bounty. I told the Duke he was a knave and the demand unreasonable, but, if a safe conduct uold doe till Bargeny uer dispatched, he might hav it and according to his uorks trust for favor. This the Duke lyked best, but I thought it uas not fitt any thing should be done till I had ane ansuer of uhat I formerly urot to your Grace concerning him. The peiper of his propositione under his oun hand is hear inclosed.

Edinburgh, 30 Sep^r : 1684.

233. This day I receaved the honor of your lordship's of the 27 Sep^r at this place, wher I came to the Comitty, the election likeuay of the magistrates being this day, and therfor I shal begin with it. The Proveist is continowed, Robertsone is oldest Balye; Tho. Hamilton, second, Brand, third, and one Spence 4th; Baird uas to hav bein first, but his last year's cariage uas not so as to recommend him to your lordship. So, tho' I had defended him at London, I exposed him hear, and the Advocate, after his maner, tho' he opposed him ther, sent me a letter in his favors, but I stoot (*sic*) to it not to hav him a Balye till better justified. The nixt thing uas the Comitty, and in it ther uas the examinatione of the prisoners, which they are nou about, and the ansuers of some queries befor the Sec^r Committy, of which your lordship has a copie hear inclosed; and thereafter ther uas the letter of thanks, of which your lordship has likeuays ane authentique copie sent. I urott it my self that it might not be delayed. As for what relates to Carstairs, I hav sent my Lord Morray all that concerns not only Vetch but all our country men at London and just nou I am befor my Lord Register to examine Mr. Carstairs for the last time, and ther shal be nothing (possible for us to remember) forgott. I am mor sory then anybody els for our disapointment, but it uas not in my pouer to helpe it at the time. Ther most be the mor assidouety and care in the time we hav yet left, and that I hope shal not be wanting. If it pleas God, I am to tak jurney tomorrou airly, and your lordship may be most assured, as it is my resolutione never to disobey any of your commands, so that I shal punctually remember what is commanded me in this, both

as to keping intelligence with your lordship and as to the inquireing of persons uho may be obnoxious. Nothing can be so great joy to me as it is greif, to part from so noble a patron and affectionate superiour as your lordship has always bein to me, except wher I am going I can be mor serviceable to your lordship, which I fathfully promis shal be the most herty indeavour of my lyfe, and your lordship shal find that not only I shal follou all your commands, but that all I doe shal be uith a prospect of your particular service; and in recompence, I will most humbly begg that your lordship uill not only giv me your advice as to the publick, but that you uill lay your commands on me as to my own private interest, both which I will follou as the most absulate commands of one I uould not easily dissobey. . . .

Postscript:—Ther came from the Lords of Councill mi[in] Tiviotdale, &c., thes propositions:—

Sep^r 30: 1684.

1st. That the Lard of Abay and George Home who are guilty or [of] recept and otheruays disorderly, being fled to Edinburgh, be ther apprehended.

Ansuer :

The[y] uer gon from Edinburgh, and are ordered to compeir befor the Lords upon the place.

2do. Whether thos uho observe the lau only to shun punishment, going to church evry third Sunday, may not be punished?

Ansuer :

That they be examined upon oath as to other crimes, and if they purge themselves, that the oath of aleadgeance be put to them; if they take it, to dismiss them; and if not, that they banish to the plantations.

3d. If denounced fugitives come in upon safe conduct may be retaned by the comissioners?

Ansuer :

That they may, it being the law of the nation.

4th. To consider the offer of 2 moneths sess made for one year by the district.

Ansuer :

That the offer is kinde in thes uho are not guilty of any crime, and that they shal not be quarter'd upon by the northern or Highland Militia till ther offer be reported. But the Lords are desired to proceed uith the examinations, &c., according to ther instructions against the guilty.

This is the materials of a letter this day sent by the Secret Comitty:—

Edinburgh, Sep^r 30 : 1684.

My Lord Register has charged himself with the copie of the King's letter, and I hav sett George Rea, who gav his oath of secretie (*sic*) to copie itt. And my Lord Register is likeuays desired to send what's done to your lordship.

I had this day a return from Berwick, and after search they could not finde Hendersone, but they hav taken order for the security of ther garrisone, and haw disarmed the toùn, and offer the service in all things to the Government hear. I wrot the commanding officer many thanks. The peapers desired by the Secret Committy, especially the letter for restricting capitall punishments, uill come nixt post.

Glasco, Oc^r 2 : 1684.

234. I am resolved to giv your lordship a perfite jurnall, and therfor most begg pardon to ureat you longer letters then perhaps your leasure can uell dispense uith.

Yesterday, my Lord Justice Clerke and I came to Hamilton about four in the afternoon, wher ue uer made very uellcome; and ther to the Duke communicate all that ue thought he did not understand of our instructions; and he agreied uith us in all points that uer proposed, till we came to the offers that the shires uer to make, and ther he said it uas hard to expect that the innocent should pay for other people's guilt, and that it uas hard to mak distinctions of shires why they should be distinguished from the northern shires. To all this the ansuer is obvious, so I shal not truble your lordship uith it. This morning when ue uer speaking of the methods, and that it uold be fitt to fense a Justice court in the beginning, the Duke Hamilton told us he uas not resolved whither he uold be present at a Justice court or not, and that he thought that not suteable to his dignity, but ther uold be time eneugh, when any thing occurred, to doe that. I had no uill to straiten him upon a point so indifferent, and therfor told him the thing behoued to be done, but the time uas indifferent, if his Grace took his resolution befor Monday; if he did not, that he might stay some later in his chamber, or what he pleased, till Colington and I did it; in which he aquiesced, but said he knew not yet uhat himself uold doe. I uold gladly kno what to doe if his Grace refuse to come, for we most proceed without him. In all things els, he is in apearance most franke and forduard: I pray God, it continou so, for I am sure it uill much contribute to the King's service hear. The country uer never so allarmed becaus they kno not uhat is to be done, and therfor we are resolved only to tell the hazard they lye under, and not to propose any accomodatione at first, but rather insinuate it, and lett the proposition come from them. Your lordship has a letter in the forme we hav sent to other districts; but I thought not that sufficient, and therfor hav sent our minutes inclosed, that your lordship may see our methods; besides which, ue are resolved to fall wpon Lanerick for lettting go one of the burners of Weir's hous, one of the Balyies having

taken him out of the irons and taken baile, that he should not break prison, having himself got largely to persuade him to it.

Ther are many waemen recets and absenters from the church; them we are resolved to fall upon, and to take them whereuer ue can find them, to send them auay to the plantations. The instructions are ill uorded, I kno not hou it came, for they say send to the plantations not exceeding 300 men, and say nothing of woemen in that instructione; but I interpret it that ue might send as many woemen as ue pleased, for woemen, by another article, uer to be used as men [were] when in the same fault. The ministers being hear at a Sinod, ue hav kept them till tomorrou, that ue can get ane accempt of the knowledg from them upon oath; and, if they be not prepared, they shal hav a longer day. Ane accempt of the probations in the Portous and Comissioners rolls is to be given, and the offenders classed by Sir William Patersone, the Advocate Deput, and Tho. Gordon. This uas one good sederunt, and, I am confident, befor ue part ue shal be able to bring this mater some leinth, tho' at present it looks ill and cloudie.

We let fall to my Lord Carmichaell, and some others, that offers uould be necessary, particularly from one so loyall as he had aluays shoun himself. Other arguments uer wsed with others, and I beliv they uill offer. If they doe not, ue cannot helpe it, ue shal still be going on.

They say non of thes shires ever made such apearance as they did at this time; and indeid, I am informed, ther wer very feu that had any heritage in any of the 3 shires absent. Ther uent 3 troops of dragoons befor us, and then after us uent the principal Heritors, and then Meldrum's troop, and after them the rest of the Heritors. Just now I had ane adress from Blackhall for his two frends, that they might hav leav to appear, which I promised to-morrou to hav done—mor glead to grant then he uas to aske it of me. If they come, we shal kno hou to handle them. We uould not allon of all the things they did at Aire, of Trumpets going to our lodgings, or the Sherif Deputs; only took the Macers, and our oun servants, and the magistrates going befor. What ue shal doe upon Sunday is not yet determined. The lenth of this letter hinders me at this time for thanking your lordship, for the many favors I dayly receav from you, amongst which the honor of remembring me, which I understand from severals uho hav had the honor lately to uaite on your lordship, is certainly non of the least.

However, I cannot but tell your lordship that I find by the Duchess of Hamilton that ther is but smal hops of my Lord Arran's succeeding in his French pretentions. . . .

Glasco, Oc^r 3: 1684.

Now twelue is stricking at night.

235. Since my last to your lordship, ue hav sitten all this day from nyne in the morning to seuen at night, and from that to this time, I hav bein with my Lord Justice Clerke adjusting the

rolls to be persued with the clerks of Councell and Criminell. This is indeid a worke that I see not uell through, for ther is mor perverseness in this shire then, I think, in all Scotland. What I tell your lordship is the reason I hav not sent our Journalls this day. Nixt occatione your lordship shal hav them fully, and I hav taken order that your lordship shal hav them dayly as ue doe them. This day Duke Hamilton and I haranged furiously and spock to all I uas aquainted with to bring them to offer, which had this effect that Dumbarton offered all that ue could demand, a copie of which peaper your lordship shal hav nixt occatione: it is most dutiefull, and Orbistoun has bein very activ in it. The shire of Renfrue has desired till tomorrow to giv in ther ansuer, and promise they uill not suffer themselves to be out done by any; but Lanerick hav taken till tomorrow, and are much mor upon the reserve then wer the rest. I hav sein a peaper to be offered by the honest men amongst them, and have given them my opinione of it, and I am confident ther uill be many that uill adhear to it, if not all. Who ever does not, if it pleas God they shal repent it, or our instructions shal be deficient, for I am resolved in that case to go the leinthe of the leache. We are thinking of persueing the heritors, but in the meantime all nessessary preparations are making for informacione. It is now so late, and I so ueary, having bein in constant business since 8 this morning, and nou it uants but a quarter of 12 at night, that I most crave leav to end with assureing your lordship that I shal leav nothing undone that I can doe for promoteing the King's service, which I find not so much minded as it ought. But I uill not yet complain, tho' I most say it's strange that Lanerick should be the most irregular and yet the most backuard, but to morrou uill say mor.

Glasco, 4 Oct^r : 1684.

236. This day's worke your lordship uill see, and the progress ue hav made. The Duke of Hamilton and I hav had some debeat, but such as hav not gon farr, for your lordship uill see that this shire has offered pritty uell. I uould humbly begg to kno uhat further may be expected from them, for I shal tell your lordship I finde ther are many amongst them that uill not be persuaded to take the Test. For I spocke to some of our most forduard heritors to propose takeing of the Test after the other peaper uas signed, but non did it but the Earl Glencarne, Dundonald, Ross, and some others in the shire of Renthrew; and the generality went auay, and, as I am informed, Blackhall amongst them, notwithstanding all his promises. I uas against any slacking of our methods for this offer, but only ue uill regulate our procedor according to the cariage of thes that shal be delated; that is, if the fault be smale and they hav taken the Test, and hav lived regularly. Ue hav so many rogues to punish, I thinke ue shal not medle with them but wher they hav not taken the Test. If ther be no dilacione, ue shal call them upon ther oaths, and restrict the lybell. I find already that three times three hundreth uill

be too feu to send to the plantations from this countrie, who are generally so ill affected, I mean the commons, that I stand in admiration at stories I am told : for as yet non of the ministers are come in, nor other of our informations. The Journalls uill inform your lordship off the particulars, and I shal only add that ue hav not time to be idle in, and I am hopefull, if ue continou to doe our parts as we ought, this business uill be brought to a very narrow compass . . .

Postscript :—I hope all my letters are come to your lordship's hands, especially that of yesternight. I hav had non from your lordship, but one from Proveist Jonstoun.

Glasco, 7 Oc^r : 1684.

237. Since my last to your lordship, ue hav bein busied setting our uorke in order, first considering the prisoners and classing them, considering our probations and ordering the nessessary citations, or persons to be apprehended, and ordering lybells to be reased against some of the most considerable withdrawers. Yesternight ane order uas sent out for apprehending the wittness against Douchall. Thes against Pooq Maxuell are to be ordered this night, and we shal fall upon all the considerable heritors as fast as it is possible for us. One thing ue hav done uill neid your advice, which is the keping the offer as to regularity in generall terms; for the Sess uas secure, and the heritors bound for ther oun, ther familys, tenents, cotters, and seruants irregularitys, according to the acts of parliament, and under the pains the persons they conneived at ought to underly. We judged that it uas best for us to leav the forme of the Bond, or the interpretation of this to the Councell.

The nixt thing is to try the irregular persons : and for the informing us who they are, ue have brought in the presbiteries. This day came that of Glasco, and brought in the rolls of all the paroashes, ther heritors communicants, and irregular persons, being distinctly sett down. Ther elders lykuays came: and ue got from the ministers accompts who can best giv us informations in ther paroashes, whom ue hav ordered to be cited. The examination of the elders ue hav comitted to six or seven comissioners ; to uitt, Provost Johnstone, Stirling, the Balzie Deput, whom ue find to hav bein ane activ man hear by the generall applous the ministers giv of him, Duke Hamilton, his Deput in the shire and regality, and Halyards, and James Lundin. If ue had not done this, it had bein impossible befor the first of November to hav taken up the informations ; for this is not lyke other shires, and therfor ue are resolved to put the Test to all the heritors, great and smal, who are a great multitude. But first ue begin at Dumbarton, with thos that are contined in the suteroll, and so goe on to the other shires ; and for the minor heritors, ue take them in paroashes, as ue proceed to the church disorders uithin the same, calling so many evry day, after the precognitione is ended.

This is the mater I find Duke Hamilton shiest in, for he thinks ther is no lau for puting the Test to the heritors, and

that ther are very loyall men uill not take it. For that the ansuer is that ue are not to force any, but it is in our pouer to apply the laus to whom ue pleas, that ue are sure they may be dissafected; if they be not, they are unfortunate; but ue most proceed to all the laus and our instructions uill allow of. Severalls of the shire, Sir John Harper, and others, hav bein at me uith ther opinions of the inconvenience of it at a time when they hav shoun so much frankness in ther offer. I told him the King valued not ther mony, but themselves; and that so long as they uer not his by tyes and obligations such as he might reasonably trust too, all the rest uas but a mock, and a trick to ransom ther villany and conceal ther principalls. I find uhat ue stand to Duke Hamilton uill condecend in, but ue most not seim indifferent in any the smailest point. Blackhall, who refused his example, by going auay out of the meiting uith thes uho refused the Test, I called for, and both to his frends and to himself told my mind. He ex[c]uses himself, and protests to doe any thing that may recover that step; but I am affrayed of thes indifferent men, that they uold fain hold meat in ther mouths and blou, for his chaplane uas fanatique, as I am informed. Since he put him auay he has non other, and his sones ar buried at a fanatique's hous in this toun. Of this I shal mak most particular inquiry, that I may inform your lordship.

This day the fanatique ministers apear'd, and tomorrow I hope shal be sentenced. Yesterday ue had letters from Aire, in which they tell us of ther demands from that shire, whiçh uill amount to six of 7 moneths Ses. I am of opinion it is too much, and unproportionable for them to keip a troop, and for our four shires to keip one only, and our instructions led us to no mor; but ue hav desired them to advise uith your lordship in the mater. If it be possible to inclose a Jurnall, I shal doe it; but by this your lordship has the mater of uhat ue are about. I hav not yet had any letter from your lordship, and this is the third from this place . . .

Seventh of Oc^r: [1684]. Glasco.

238. Just as he was going to dispatch the letter herewith sent, he received his lordship's of the 5th of October from Dumfries, and was extremely satisfied with the progress his lordship had made. He would be sure not to fail to show the Duke the service Queensberry had done him, "not only in executeing your part in the district, but giving so good advice in the maine designe; for this uill certainly discover who are for us, and what the state of thes countries is." He was sensible of the prejudice of the want of precognitions; "but as to us it uas unavoidable; for if nothing had folloued, Duke Hamilton uold hav said that they had robbed the countrie and spoiled the service; uheras nou all is under our oun veue." The precognitions would only inform them whom to proceed against as absentees, and some few "recetts," who Drummond was afraid would be the best witnesses against themselves. He then proceeds, "Your lordship knous that in our circuite all most be done

according to law, so tho' we are resolved to free the country of fugitives' wives, yit it most either be for some personall guilt, or reason most aryse from the examinations, or refusing the oaths; but we shall ridd our selves of them, that we are resolved. But what to doe with them is more then I can guess, for I saw the answers to the secret committies desires, and did not doubt but my brother has sent them before now to your lordship, and in them the King, upon the consideration of the charge, delays to give answer to the sending ships, by which we are put to take in the districts 1200 men, and know not where to put them. And for all I can find, this country could spare as many and be bad enough after all. It is the sink of the nation; for there are, I think, 1000 heritors of 10 or 12 lib. Scots, and the most unreasonable brutes in the earth. But they shall take the Test, or we shall make them if we can; if we can not, we shall remitt them to the Councill's further consideration. But all of them that I think will not take the oath of allegiance, I shall [hav] it put to them; for those that will take it and refuse the Test, we will not put it to them, because in appearance it will diminish their guilt; but this we are to advise upon, the [oathe] of allegiance being an obligation to obey the King and submit to the government.

Just now is brought in by our intelligencer a list of ministers newly landed from Holland and Ireland. He says there are as many more then the inclosed list as will make up about 30 in all, by which it's evident they are not resolved to quite the business; so every day brings in some prisoner fugitive hear, and just now a great villain is taken in Lishmahago, who fired at one of the souldiery. So I think we shall try who will sitt upon a criminal, and who not. We have this day been classing our offenders, and as Hamilton and Argyle factions did in the late rebellion, I was content the Lord Carmichaell and Sir Danell might be remitted to Edinburgh, provided Sir William Lockhart was, and it's ordered accordingly. For what relates to Sir George I shall answer for it, if it be to be had hear. The service your lordship has done in getting our rebels from the English Borders, and establishing a correspondence, is no ordinary one, and I shall not forget immediately to make use of it above. I shall obey your lordship's commands to my brother, and in relation to the mustermaster.

We gave no regulations to our clerks, only advised them to be so moderate as no complaints might be, which they promised, and as yet they have not got one farthing. Duke Hamilton has spies upon them, and their first fault shall be taken sever notice of; and this you may expect where Duke Hamilton sits, the matter of the country being in question. . . . I am sorry to hear of your lordship's ill accomodation, but I hope you shall not find it altogether so ill as ye fear; because I hope your stay shall not be so long amongst these rogues; for I am confident the time your lordship stays will be worse then purgatory, for the host will eat up the country the first night." Our stay in this place is necessary, for there will be after this processes every day, so long as we can stay from Edinburgh, and I fear there shall be some that we shall hardly

get uell done, for it's to be considered that ue hav to doe as much as the Councill hes bein doing this severall years, and that in a strange country. My Lord Justice Clerk is a man according to my oun heart, and we neuer dissagree in a title; and by that ue uill doe uhat ue pleas, for Duke Hamilton will not oppose any thing, tho' upon the maine we cannot get our selves satisfied of his frankness as ue could uish.

This Proclamation for calling the heritors was both for the Test and extending the Band, for I thought it best to make it as plaine as was possible for us, and obleige them besides to renew it at the Councill's command.

Geilstoun, who randeyvoused the troop in Dumbarton is come in to Orbistone at my desire, but has not yet made any considerable discouery; only, he says, he told it to Kilmaheu, a considerable heritor, but cannot prov that he did: so ue shal, if no better can be, putt it to his oath.

Tho' this be impertinently long, I most add to it that ther is a new pair of Kigrills planted this night in the family of this Archbishop, by Major Balfour his marrieing his second daughter. What occurs shal be added tomorrow. What for sitting in the hous, impertinent visites, and weating, I most go to bed at 12 or 1, and sun in the morning I most be up againe; which is a dyatt, if I had not bein hardned to uith your lordship, I should quickly hav siten up upon.

This day, being the eight at night, I hav receaved your lordship's of the 7 from Dumfreice, and has obeyed your lordship's commands therin to Duke Hamilton and my Lord Justice Clerke. I hav nou got the Jurnells, and a letter signed by us all, which is hear transmited. The reason of Dumbrittons' offer is ther loyalty; ther are feu men in that shire that uill not serve the King really uith ther lives and fortunes. I gott Orbiston so heated uith praises that he begged to be the first, and the shire uith him; and I made him keip in generall, thinking to hav obleiged the rest by that example; but Duke Hamilton kneu our instructions calculate the expenses which comes for the troop to 3 moneths in this district, and the minimum, quod sic the 2 years in our instructions the Lanrick could not be brought to go beyond, and Renfreu folloued the example. I thought it was good to be taking, and so prased them for so much; but uithall told them that better expressions of loyalty most follou, befor the goverment could trust ther honesty. From what I hav said of Dumbarton, it is my duety to tell your lordship that it uill be most fitt that evry shire in the districts at least offer as thes hav done, for otheruays it uill break all; for thes that are uilling to take the Test hear, and stand ther tryalls, uill not, I am affrayed, be cordiall in this, if any other shire be eased. But I most humbly ask pardon for this freedom, seing your lordship knous much better then I uhat's fitt.

As for the relinquishing former guilts, your lordship uill find it their by the offer that they shall liv &c.

As for the business of the Test, I shal and most putt it to all the heritors, as I hav said befor; and so by the exact lists ue hav,

we shall be able to give an exact account of what is to be expected from this country, and be most assured our methods are so laid that we shall not leave any thing to be afterwards done. And for the ease they will have by the Militia, they do not pretend to it; for their militia brings more rebels almost than the standing forces, and they are generally resolved to root out that sort of cattle; for since they are bound they will not readily forfault their obligations. We follow the same rules of banishing, &c. your lordship does, and has already 30 prisoners for plantations and hanging, of which there are 13 fugitives in the printed roll, whose names are herewith sent. There is said to be landed in Scotland 20 or 30 feild preachers: the names of some of them I send to your lordship hear inclosed. I must tell your lordship that this shire neuer having been inquired after, and we forced to examine such multitudes, is the most troublesome of our task; for when once we come to processes, the matter will be easy. Yet we have taken the shortest course, by appointing as I told before 6 delegates, whom this day we have appointed for to class their delinquents that lybells may be immediately reased.

No part of the day wants its particular work; so it was impossible for us to stir from this place, this being the enemies head quarter. Before we got your lordship's letter, there was a party under Meldrum sent up to Lishmahago; but now we have sent a stronger party to search up to Crauford, Crauford John, and come down by Douglass &c. Judging at this time these rogues to be in more security, guarisones must be there before we go from this. I shall obey your lordship's commands and burn yours. I am extremely sorry at the disturbance your lordship meets with; but I hope it shall have good effects that, before I have the honor to see your lordship, it shall be forgotten, though I am most sensible of the danger you may be in. But it ought to be the prayer of all your lordship's friends not to trouble your self, as the young men with you may do to give you ease, being directed by your lordship from time to time, yet the very country is such a trouble that I sympathise extremely.

Ocr 10: 1684.

239. Now my tribulation is begun, for this day I have been fighting from the beginning to the end; but at last our matters are as well as could be expected, for if we get not obedience we show our authority, and that the King is not afraid of them; for all who have refused the Bond we have in prison to teach them better manners. The most of them are indicted for receipt and converse, and them we are resolved to send to Edinburgh to be tried; the others, if there be no probation, and if they acquit themselves upon oath, we shall dishonour, disarm, and put under caution to compare when called. However, having other shires to come in to us, it was certainly fitt to be peremptor with the first who were disobedient, amongst which number, now in prison, is Porterfield of Douchall and Maxwell of Pollock; so at least the King will be paid for his fynes. I am sure all of them, of whom Gernock

is one, ought not to go lightly out of the Government's hand. This night all the witnesses against Douchall, for whom we sent out a party, are come in; and I hope by the nixt to giv your lordship a full accompt what is in that mater; for the fugitiv himself is taken whom he harboured, and who is yet fugitiv. Ther is another laird on whoes land he uas taken, who, I hear, uill not take the Test; he uill be in a fyne takeing.

I hav given accompt abov of your lordship's condition, and the paines your lordship is takeing, in such a maner as my duety obliges me to, and that I am sure is the most earnest and affectionate I can devise. Besides sitting the whol day, I hav letters to ureat, wheroff this is the ninth, for this night; but the Journalls are so full that I neid add no mor to them. It uas fitt to extend the Bond upon second thoughts, least the Councell should think that the greatest part of our uork uas left undone. Your lordship uill easiely judge that Duke Hamilton uold think the imprisoning thes men seure, but he is resolved he uill, after having fought by the inch, to (*sic*) acquies rather then to seperate from us. He designed some criminalls should hav been judged for the plantations to morrou, and some for ther lives on Monday; but tho' I uas content of banishing in his absence, (for he goes to morrou to Hamilton and does not return till Monday's night at soonest,) yet I uold no hanging uith out him, except he had said he flatly uold not.

I hav sent your lordship Journells which are so full, that your lordship, understanding our affair as you doe, neids no mor: only, I think our ecliastique disorders uill be so many, that it uill force us to appoint somebody to judge them, that is, to inquire uho uill oblige themselves to keip the church and who not. The fines of the first to hang over the heads of the last to be exacted, and if they be not too numerous, to banish them. This is the most hindersom instruction that could be devised for this countrie, the not allowng us to judge the heretors; for this country, instead of commons, has a kind of mungrells of 20 or 30 lib Scots, which maks them heritors. We cannot judge them, but I am resolved to try them uith the oath of alleadgeance come uhat uill, so if it pleas God, one uay or other, ue shal be able at least to giv a distinct accompt of the country, and mor could not be expected from us. I am sure my letters most neids be trublesome, but they are otheruays meant.

Postscript:—Orbiston continous most zealous, and deserves great thanks. Many mor are very forduard notuithstanding the stops ther are.

Dumbarton freeholders.	Renfreu shire.
Has taken the Test - - - 7	Freeholders tested - - - 34
Not taken - - - - 3	Nott tested - - - - 20
Absent, excused - - - 4	Absent, excused - - - 16
Absent, not excused - - 2	Absent, not ex. - - - 7

Ther names your lordship shal hav by the nixt, the Clerks being tyred to death.

Glasgow, Oc^r. 13 : 1684.

240. If anybody has done service in this Comisione, I am sure your lordship's share is mor then double. I am extreamply glead

to see the frankeness of the gentlemen of Kirkubright. I will assure your lordship we have not met with any such thing, a frank man being no ordinary spectacle. Certainly your lordship needs make no apology for your letter, for the truth of its contents is very evident by your success which certainly is not so much to be ascribed to any thing as to your lordship's influence. For us, all we can pretend to is only to give a true report of what we find, and that we shall, if it pleases God, be able to do.

This day's minutes will show your lordship how we proceed with the irregular. I am sure if our example be followed by those who stay as Magistrates in this country after us, we shall see fanaticism as great a monster as the Rinceros; but if any methods contrary or more indulgent follow, all will be irreparably lost. Duke Hamilton is not yet returned, though his servants say he will be here tomorrow; I am doubtful of it. The heritors of Sterling shire are to come in, and after them the small heritors, who are indeed the ruin of this shire, for they are a number of lawless rogues, who acknowledge no authority, and put me extremely in mind of the English farmers. We shall know how every one of them is inclined. As for those who stand out, we have been so lucky as to find crimes of a high nature against them who are most considerable amongst them, especially that they contribute to the late Earl of Argyle; at least that it was proposed to them, and they did not discover it. In these circumstances are Coninghames of Craighends, younger and older, Houstoun of Johnstoun, Greinloch, and some we suspect who are not yet examined.

My Lord Justice Clerke and I thought it fittest that Douchall should get his libel, to show that we are in earnest for receipt, especially to show Lanerick and Stirling their hazard; but we most ask your lordship's opinion before we proceed, for since Senock's witnesses there's no trusting to what any of these people say. The Depositions seem to be clear; but we most not, by our instructions, give sentence against any heritor, which was an instruction I confess I was surprised with, for I did not remember it. Now the Council is not to sit before November, and if we give not sentence, we cannot do it at Edinburgh, our district not extending to it, but must return, and that I am affrayed will not be; so we think it best to remit all these processes to Edinburgh, for if the King intend to proceed against the heritors for converses and receipt of rebels, all are guilty; and at Edinburgh he may choose out to punish whom he pleases, all being bound over to that place or sent in prisoners. If we were to inquire into all the informations come to our hands, there would be work for a diligent judge for twelve months, so guilty all this country is; therefore I am hopeful impossibilities will not be expected. The gross of commons we shall judge by our selves, or by the ordinary judges, to whom for security we will give assessors. This day we have shown them some example by judging the faulty of this place.

I shall take care that, in so far as I can, what pains your lordship has been at should be considered as it ought, and I am

sure if the King be resolved to banish the principalls, this is the way to doe it, if what follows answer the beginning. Since I wrot what is above, there is come to me two Comissions from two of our prisoners—the first is from the Laird of Douchall, who I find, upon the receiving of his inditement, is extremely allarmed, and would gladly throw himself upon the King's mercy, if he could have any assurance that something could be preserved to his family and his life saved. Blackhall's nephew is his grandchild, and to succeed him, so Blackhall is now extremely concerned for him. I would give no answer nor condescend to a delay of his tryall, least that might have made others believe it was not in earnest; but I beg of your lordship to know if it may not be better to take a confession from him, and give him some assurance, for he is content to be confined during life to any place, parish or country. This, in my opinion, considering the depositions, and the fickleness of this country witnesses, might not be the worst; and the method I would have it in would be, upon the day of tryall, a judicial confession at the bar, and coming in the King's mercy. This, with the other affair I am to mention, will require the speediest answer that can be. The other Commission was from Maxwell of Pollock, who is guilty of receipt and converse, as all in this country are. He is content to bind himself to leave the King's dominions, and not to return without leave; to put his Estate in men's hands of unquestioned loyalty, and, in the time of his being abroad, to find caution not to do any thing prejudicial to the King or his Government; over and above all which he is content to pay a fine, and for that offers 10,000 lib, but I think would be glad to come of for 20,000 lib. If your lordship be for this, it can be done here; if not, it can be remitted to Edinburgh, as ye please. I most again beg for a speedy answer, for such examples may be of consequence; and if the King fine all in these circumstances proportionally, he may have 20,000 lib. Sterling from this country . . .

Glasgow, Oct^r 14: [16]84.

241. Tho' I have little more to say than what I wrote yesternight, I could not let any occasion pass without paying the duty I owe to your lordship, and to show you how our matters stand here. This day the shire of Stirling appeared, to whom I made the smoothest discourse I could, holding out the diseases of the times and the resolution of the Government, and shewing the differences that most needs be made betwixt those who frankly concur and the backward or guilty. I told them that I looked on them very differently, one party being honest and who always had been so, and another that at no time had favored the Government, &c., they went to their meeting. A copy of what the other shires had signed was given to my Lord Elphinstoun to direct them in their offers, but after he had dispatched most of this day's business, instead of an answer, Alva came from their meeting to desire till tomorrow morning, which was granted them. At night they brought in an offer in most impertinent terms, standing to their innocence, &c., wondering

hou they came to be ranked with other shires disaffected &c. This we gav them up (for it was not signed) to reconsider, and with all told them we would not recede from the Bond, for the peace as it was conceived; but as for the money we demanded none (as they would insinuate), but left that to them to consider of.

Duke Hamilton has been a little this day upon his palliating, but it will not do, tho' I apprehend Sir George Lockhart's coming has no good effect upon him or this shire, for we are resolved the more obstinate they are the more stiff we will be; and the good effects of that kind of procedure is evident from what passed this day with the smaller heritors of Renfrew, who being more than 300, as I could guess, the rolls not being yet called, we, after having spoke to them, ordered the Sheriff Deput and Clerk of that shire to convey them, and to put the Bond to them and the Test, and to class them and bring them back to us. When they came, it was thought fit to thank all who had taken the Bond and Test, to assure them of the countenance and protection of the Government, and to give them leave to go home. But of such as had refused, six of the most obstinate had summons delivered in their hands at the Barr, and the oath of alleadgers offered to them, and they by good luck refused it. So the guard was called to carry them away, when there rose a murmur amongst the rest to see if they could be allowed to take the Bond and Test tomorrow, which was granted, and they appointed to meet as they did this day; and in the meantime that none of them should depart the town upon their highest perill, and our six blades sent to limbo before them. My Lord Justice Clerk and I are at one, so I hope the Duke Hamilton will not oppose; if he do, it will be in vain, and that I think has carried him over several things he was not much inclined to . . .

Glasgow, 15 Oct: 1684.

10 at night.

242. "This afternoon I received your lordship's of the 13 Oct from Kirkcubright, and am not a little troubled that the offers hear should have done hurt, for we accepted of no less than our instructions." That these were not plain was not his fault. He had frequently insisted upon a determination of what they should accept. If there had been a rule the thing would have been more uniform, "tho' I do not find that ever this shire would have come the length of the Kirkcubright offer upon any terms, tho' I do think their guilt more a great deal." The acceptance of it will be a fit consideration for Edinburgh. He will say no more of this, as, by a full report, it will be seen how this country is affected, "and that I judge my only work, for I have not any influence at all, nor any thing to persuade them with, except the king's authority, which here is not in use to go far. If I had thought that ours had been an ill example to Ayr, I had endeavoured to be last, but I took so great notice of what was our immediate concern that I took no care of what I knew in better hands there; and I am confident they will not suffer the king's service to suffer for that.

“It’s not easy to imagine what the difficultys are ue both finde and made, for we by our instructions are bound up from sentenceing heritors, and this whole country consists of a sort of mungrell currs, half heritor, half common, and whole brute; so ther most [be] hundreds that might hav been judged upon the place [to] be remitted to Edinburgh, and of great heritors all who hav not given us satisfacione; this stop ue gav our selves. Thes ue find are innumerable as the rogues ue hav to deal uith, and ather Scotland is in ane ill conditione, or ue hav mor disorders then any tuo districts besides. I for sau from the first day that the first method uas the only one to setle this country, a Livt. uho wold receid and make it his business; and I uill say if our methods be as honestly followed for a short time, ther uill be no fanatiques in this country, notuithstanding all. And, my Lord, I shal make bold to tell your lordship that the security of this country does not consist so much in the men they uill mentaine, as in ther uillingness to concurr uith the Government in applying the lau, and the obleigeing themselves to liv orderly, to take the Sacrament, and declair all they kno that may prejudice the Government; which so many as obleige them selves makes it ther own concern to doe, as is evident by the numbers of recetts and fugitives brought in, or who come in to be relaxed, no body daring to converse uith them or harbor them. My Lord, I dare say I can giv your lordship so reasonable ane accompt of our procedor hear as your lordship shal hav no reason to blame my Lord Justice Clerk or me; for the rest, I naither can nor dare ansuer. I am sory that your lordship is not to be at Edinburgh in November, for if speedy measures be not taken to secure uhat’s wone, and hou to punish the obstinate, all uill go uorse then befor; for I hav a prospect of no less then 500 heritors, who uill naither offer to bind for the peace, nor take the Test, and to suffer ther contumacie is of bad example to others.

“I shal be most uilling, uithout grudgeing my paines, to come to Sanquhar, or any other place may be mor convenient for your lordship, for I most doe myself the honor to kiss your lordship’s hands, and having no lodgeing at Edinburgh, it uill be inconvenient for me to stay long ther. Besides I am affrayed my Lord Morray uill not take it uell I should stay too long, and that uithout any excuse.” The worst of all is the winter. If his lordship would therefore name time and place, he would keep it. “Wer it not for the uncertainty of our affairs hear, I assure your lordship, I had or should see your lordship upon the Circuite, that I might partake of your distress. For I uill assure your lordship, all our lodgeing, quarter, state, and convenience make not up the thousand part of the toile; and, if I had not preferred the King’s service to my convenience, I had been at Londone, with the permission of God, at mor ease then this place afords. I shal tell your lordship at meiting some things that will import much to the King’s service, to which I hav dedicate myself. . . .”

Postscript:—“The Heritors of Lanerick uould not so much as meit this afternoon to signe the Bond for the irregularitys.”

Glasgow, Oct 18: [16]84.

243. I confess your lordship has had no pleasant time, and I was affrayed at reading of your letter for the trublye ye hav sustained, especially the dangers of the waters. For your frends' sake take care of your self, for this kind of uork is not for your lordship to hold up uith. I cannot for all this be sory that your lordship made the jurney, for I am sure it's uorth the whyle to the Croun, for the things done and offered are very considerable; and in that your lordship has bein hapie, for it is not so els wher, and ther are mor hundreds of criminalls hear then your lordship had single ones ther, so vastly ill looked after this country has [been], and yet I am not affrayed but we shal giv a good accompt of our affair.

Duke Hamilton and I keep'd always fair till this day, for I was always so positiv in my opinionones that he opposed but faintly, tho' he debated evry inch; but this day touched his copie hold a litle mor, for the feuars of Evandale came to be considered. They uer about 8 score, 50 absent, 50 refusers of Bond and Test; 17 taking the Test uer woemen and minors &c. Fifty absents uer so many, that I proposed putting in executione our instruction of fineing them, and sending the Dragoons to eat up the fines. Duke Hamilton, imagineing that some of them uer his tenents, besides ther smal feus, was against quartering on them selves, but on ther tenents, a propositione most unfitt for our purpose; so ue scoulded bravly. I always apealed to my Lord Justice Clerke, who was of my opinionone, and at last when he could not mend himself, ue found that he had no tenent amongst them. He bragged of the service he had done, and I uill appeal to my Lord Justice Clerke, if, since ue fell to our great uork, he has not opposed evry thing less or mor. I hav a thousand stories to tell your lordship that shous the unalterableness of this mater, as I told him severall times freely enough. As to Wallace, I kno him no further then they call him Wallace, and that some of the taxmen last year said he was qualified; and if he be a rogue, lett him hav the fate of one, and be hanged as he deserves; for I recomend non to any place of trust but such as the persons concerned are satisfied uith; and I uill ansuer for no body but my self, for ther are many knaves abroad in the world, and he is a hapie man esceips them less or mor.

But nou it's time for me to giv some accompt of our affairs. For the great work, I leav your lordship to our Journalls and the Gecet. I hav this day given orders to begin, by which I shal shou the state of thes countries, so as I dare say it uill hav something of labor in it. Douchall apeared at the Bar, and the dyatt was continoued till Uedensday, at which time I shal manage it so as his esteat shal be the King's, or it shal be remitted to Edinburgh. No soul but Colingtone knous my mynd. For Duke Hamilton, I trust him not in thes maters, for they go to advise uith him in al things. This night Poog Maxwell's Esteat is at the King's dispose, for I managed the mater so with Blackhall that I made him beleiu that Poog uould be hanged.

The man was terribly amazed and frightened. The story would be too long, but the short of it is I caused call him this night, Duke Hamilton being gone to Hamiltone, and ther gav him assurance of life, and questioned him upon his receipt; and he confessed it with that joy that I never saw mortall in greater, and was so fond of the King's letter allowing our procedor that he read it most attentivly himself, and fell on rallieing and laughing. A man to hav got ane esteat might hav bein merry, but to lose so good ane esteat was no caus of much joy. The confession is full, and we resolve to proceed to sentence, and then to delay pronouncing (after we find the thing proven), till we come to Edinburgh, that the Councill mention the quota, for that's according to our instructions, and it's good to make things sure, and not to lose time needlesly.

This countrie lyes at the King's mercy, and I will assure your lordship, he may take from them what he pleases, and ruine of the obstinate heritors is absolutely necessary. I find the Commons hear, except upon Duke Hamilton's lands in Evandale, and Lesmahago, Cranford, &c., and ther abouts, not unguideable: but they hav bein absolutely neglected; and tho' at this time ther is such terror upon them that ther is no thing they will, not doe, yet it most not cease hear; for the constant observing how thes who are bound perform ther part is the thing necessary, and that most not be trusted to any man who is affrayed to lay his own esteat waste. I had al most bein tricked this day, but I found it out in time, as I shal tel your lordship in time. It is not proper hear, tho' it relates to this mater, but it confirms me mor that non of this country are to be trusted. I am hopefull not to leav one hundreth persons of all ranks in this country who will not keip the Church, and for whom ther is not bond or obligation, except whom we leav in the prisons; and thes will consist most of the cursed smal heritors, who are the ruine of this countrie, and it will be fitt that they be the first part of our 300 for the plantations. For my life I can doe no mor, and I am seldom mistaken of the events of things hear. I begin to kno this perverse humor so well, and I think all hear will bear me witness, I doe not dallie in any thing. If any thing go uronge, it will be pure want of discretion and judgement, not of willingness; and my Lord Justice Clerke and I hav never differed in any point, tho' some times he has thought me stout enough, as your lordship will see in the end; and yet I hope all shal go well; if not, I am sure we lose much true trauell, for I am in the hous with the rest from 8 in the morning till one, and from three to 8, and from that to 12, aither ureating, ordering, or which is a greater torment then any, hearing impertinent stories, and receaving visites, and that keips me one hour befor we go to the hous, and one hour after we come from it.

Your lordship, I hope, befor this come to your hands, will hav mor time to pittie us who are behind in the mire; and I am sure if the King take other measures we are in a fine takeing: but as I shal endeavour to follou so good a

patern in other things, I am resolved in this to follow your lordship's example, and be found in my duty, and pushing the interest of the Crown, be the event what it will; and I can never think that the King will be persuaded to advance the interest of those whose design it is to extirpate his family and monarchy with it. But this is such a crisis that the King must do some extraordinary thing for Presbiterie, or it's undone for ever. The people are so affrayed of us, that those whom for terror we declared fugitives, no townsman will let their goods stand in his house, and they come running to the Courts, though they are sure to be laid by the heels when they come. But it's little less than treason to think that the King can make any so great change at this time, and therefore I laugh at it. I forgot to tell your lordship that it was impossible to get probation against Poog; and though Douehall and his brother were together before an hundred witnesses, it's so hard to prove it, that one would wonder at it. But a letter of this length is so impertinent that I shall not add any thing to it; and though I have many things to say, I shall refer all to the minutes, and my self to your lordship's goodness, whose protection I beg. Though I was going to end here, yet I must say your lordship's news of my Lord Drumlanerig is so welcome to me, that I most rejoice with you at it, and have sent him my own hearty approbation.

Postscript:—Some speedy course must be taken with these shires, for we will leave multitudes in prison or spoiled all.

My Lord Hamilton will not take the Bond himself till he come to Edinburgh to see what your lordship does. But I took it as an heiritor of Monkland, lest he had given me for his patern. There are remitted to Edinburgh Sir George and Sir William Lockharts, my Lord and Sir Dan: Carmichaels and Forfar. This day the Duke turned solicitor for Scelmorly and his Chamberlane, whom we imprisoned yesternight. This is the assistance he gives, and thinks because he does not stoutly oppose every thing that he does wonders.

Glasgow, 20 Oct: [16]84.

Ten at night.

244. Just now I received your lordship's of the 18 Oct. and am extremely rejoiced to find that your lordship keeps your health so well, after so tedious and so inconvenient a journey, which I think a kind of martyrdom for your loyalty; yet God be thanked, it's worth the pains; and, since your lordship is well after, it is very well over. I shall obey your lordship's commands in all things; and in the first place, those contained in this letter I received last from your lordship. Indeed it was matter of great wonder to me to find our affairs so considered above, as that they would not bestow the charge of transporting our disturbers. It's impossible to secure this country without many people be transported, especially the small heiritors, who acknowledge no superior on earth, and it's a question if they do in heaven; but I am of opinion, if we had our 300 out of them, this matter would be brought some length here. I am sure, it's most evident that the persons of quality have been to blame for this matter; for now

when Duke Hamilton appears to joyne with us, we meit not with the least resistance from the commons, except in places wher the jest has been caried on too farr, and that is mainly in his Grace's own lands, or amongst his nearest neighbours. I most tell your lordship, that at the begining I was forced to carie very even with him; for I found all the heritors run to him for counsell, and if he had gon wrong, it might hav put us upon thes violent courses that at this juncture of affairs had not been proper; but since the worst was over, we hav not so well agreed; for tho' I was firme from the begining, yet I menaged and took time. But now I am more indifferent, and so tells him parts of the truth that are not pleasing to him, as he sticks not to tell when I am not present; as for instance, last day, (after he had sent a minister that desired a Church from him, that had formerly the promis of advancement from His Grace, to me to get a favor, seing, as the Duke said the minister's aime was only to pley me,) he fell upon the Bishop, and told him his ministers were unreasonable men, for they had given up 800 irregular people in one paroash. The A. Bishop answered, (as I had upon that same subject before,) that he was indeed unreasonable, but it was for giving up so few, seing of 2,500 persons, the minister could not say he had above 100 at one time in his church.

But to leav this: yesternight I had informatione of a Conventicle upon the borders of Crauford. I sent to the Duke, to my Lord Duke Hamilton, to tell him that I heard, and sent him the double of the informatione from your lordship's servant, and with all something by way of admonitione, as that this being upon his land, said to be 400 armed men, it was a scandall to him, and a reproach to all the neighbouring heritors, and told him that as Sheriff he ought to eas the country, and to follow after them; and with all, that so soon as I got certaine informatione, I was resolved to go myself in to see that country used as it became the King's authority; that in the mean time, we had dispatched a party of 24 hors and 30 Dragoons, to bring in all the bordering heritors and suspect persons, and to disarme the adjacent paroashes. His Grace's answer I hav sent inclosed. I am hopefull we shal get some accompt if any such thing has been. As for what is done hear, your lordship has too favorable an opinion of our carriage; but I can say my Lord Justice Clerke nor I could doe no more, and I am sure had others been as zealous, things, as to the mony, would hav gon better. But that I am confident may always be helped; for before the expiring of thes two years granted, they will not scruple, if required, to continue it as much longer as the Government shal require; for to hav been free of other ingadgements, they would most willingly sacrifice their purses, but that would not doe their turn hear. Besides Duke Hamilton was sticking that any should be given, and urged the Acts of Parliament so vehemently, that we durst neuer downright propose Sess, but only lett them offer, and as soon as we got them the length of our instructions, having so much, and so ticklish work behind, it was not in our opinion fitt

to press further; besides that at that time ther was no such offer made by the rest. But I shal leav this till I hav the honor to wait upon your lordship and informe you mor fully of the hazard of this country's turning restiv upon our hands. As for our stay hear, it will be to no earthly purpos after ue hav once gone over all, for the terms we leav maters in shal be so cleir that no man of sence and honesty can mistake the way.

In the first place, all the heritors shal aither have taken the Bond and Test, the Bond and refused the Test, or refused both Bond and Test, or be absent. All the probatione that is to be expected, is aither from the country, or oaths of party.

All the probatione that can be expected from the country is come in, both by the delegate judges ther examinations, and by what has bein taken since ue came. Therfor, such as hav taken Bond and Test, tho' ue hav given them no insinuation of assurance, yet ue hav not, nor indeid was it adviseable, to persue any of them hear, for it uold hav made the Country sitting up upon us.

Such as hav refused Bond and Test, if ther be any probation against them, we shal put them under cautione, and remitt them to Edinburgh, or send them prisoners. If ther be no probatione, we shal referr the libell to ther oaths; and finding them guilty, if they be considerable, ue shal referr the sentence till some time in November, that we get the Councill's or Secret Comitty's advice. If they free themselves, ue shal put the oath of aleadgeance to them, reading the assertione of the King's prerogativ befor them, to sho them that is the authority mentioned in the Act of Parliament, and conforme wherto the Oath of Aleadgeance is made. If they refuse it, they go to the Plantations; if they take it, yit they shall be dishorsed, disarmed, and under caution to appear at Edinburgh, &c. Such as refuse the Test, in the same maner as to the aleadgeance. The absents aither fyned or denounced. The commons, whoes names we hav all got in, and the lists of the delinquents, shal all be judged, and aither bound to be regular, and the fines lying ouer ther heads, or in prison for the Plantations, or absent and fined.

So your lordship may easiely see hou this mater is to be followed out, for they most begin uith our absents and fugitives, of which all ue made was for terror; and ue will extract non, for fear of neidless fileing the country uith intercomoners, but leav them to be mannaged by thes coms after us, whoes instructions can be made so cleir, that they cannot go urong; for nou ther's nothing almost can fall out that is not foresein, and as such, the main thing is to see hou the heritors performe what they are bound to, which most at the begining be strictly looked to; and besides, for the better doing of what they [*sic*] I hav promised, I hav some thoughts of a proclamacione, forbiding any to accept of aither tenent or servant put off any man's land for irregularity, except they be such penitents as will find sufficient security to liv orderly in time coming; and for that effect to order a forme of testimoniall. But not having yet spoken of it to my Lord Justice Clerke, I shal say no mor of it at this time.

It's a wonder to see how many of these, who we thought the most stubborn, comply; for they say they never saw any thing like earnest before: and if the Government be in earnest, not to let one laugh at another, they will not stand out. And indeed, I find the gentlemen are going in in earnest to work with the tenants; and I am confident all shall be well, and that methods may be proposed to find what may be better after us than any single person, namely a Commission of honest men to sit hear, officers and others, for I am affrayed every body will not be proof of the arguments this country uses, and therefore 3 or 4 are more to be trusted than one, and will be bolder. But this your lordship has time to think upon at leisure, though I am sure the sooner it be thought upon the better.

After what I have said, there is no more room for general accounts, nor any necessity for us to be heard; for we shall be once over all this country's delinquencies. But to judge every great heir is not fit for us, and the absents, who were only cited for withdrawing, is not worth our stay: and I hope all things else shall be done, and the King something the richer if he please to take what we shall put in his power, or bring to the Council, that they may do it; for Pollock Maxuell, Craighends, younger and older, Houstoun of Johnston, Greinock, and one other whose name I remember not, are already at the King's mercy as to their fortunes, and Douchal's estate, I am hopeful, is in no better condition. Blackhall has been heard just now commending Poog's (I know not how to spell his name, and so does it severally ways by mistake) ingenuity, and I told him, I looked on him, as on most west country men of his opinions, to be most disingenuous; he should otherwise have been a material witness against Douchall. But the thing I am resolved on is a knack I thought on this morning. If Douchall after reading his indictment confess, well; if he stand his trial, as I told your lordship, we will not insist, though it's what no soul knows; but we will desert that dyatt, and in the room give him a new indictment by a herald and trumpett, to show the people that we are not to leave him, as other ways they might judge, and so think all had been a brag, and no more: and this my Lord Justice Clerke likes very well, and he being one of that Court, the indictment can have all the formalities, for it's too good a fortune to hazard upon a rash trial.

Your lordship sees by this, I shall not go from this till all that's possible at this time be done.

Though Stirling begun roughly, they ended in intire submission: and if your lordship have considered the Bond taken by all, it has more than the penalties contained in the Acts of Parliament, for it is under the pains and penalties due to such crimes as they shall connive at, and that appears pretty fair if execute against them.

As for my going, your lordship may command what ye think fit, and most for the King's service, or for your lordship's, which I shall always look on as the thing next dear to me to the King's and Duke's interest, and always in publick matters to be joined with them from whom you are unseparable;

and in private things my heart is not mor dear to me, and if euer I hav any occatione, your lordship shal find hou much I think my self bound and obliged to you, and hou unseperable I shal be to your interest and that of your family . . .

Postscript :—I hav all the tools I can find in the mater to fish intelligence, and I assure your lordship, shal not conceal what I finde. Orbistone has done all he could at this time, and is to go to your lordship immediately after Douchal's tryall, as he tells me.

Glasgow, 22 Oct. : [16]84.

245. Thes days are so truble some, and the nights so short, all I hav not being abov 7 hours free of the most trublesome business, that I am at last lyke to sitt up; that is, my body plays the jade to my inclinatione; so, in short, I am not uell, being forced to speak for seuerall hours together. All our affairs go uell, and we hav still some smatterings of opositione, whilst things are doing, but that is so soon oueruled that it's not uorth the while to tell it. This day our affairs go uell, for in the first place, all the smale heritors of Stirling hav signed the Bond and Test, and ther nomber is mor then 500; the delinquents of that shire for irregularity hav all bund them selves for the future to liv orderly and to keip ther paroash churches. The absents, becaus it is a generall head, are not yet ordered, tho' I kno hou it uill be. But it uill be time when it's ordered to lett your lordship kno. All who hav refused the Bond and Test are not 300 of all, and I am confident, befor our persutes be ouer, they uill not be one hundreth.

We ar nou wpon processes, that being our last uork, save leaving the absents by Comissione to be persued, and ther fynes levied. In our processes ue hav good luck, for this day has secured the King Maxuell of Pollok's esteat by sentence, at least uhat the King pleases of it; not by sentence, for that our instructions barred, much to the prejudice of our procedor; but in a process ue found the lybell relevant and prouen, and according to our instructions, hav continoued the nomination of the punishment to Edinburgh, that ue may consult uith the Councell. Ue had mor difficulty hou to manage Douchal's process, it being criminal; but ue got it uell by keeping our intentions most secret, for I neuer told any but my Lord Justice Clerk; so they, not knouing but ue uer immediately to proceed, wer contented to doe any thing. So he has confessed all judicially, and we hav continoued the dyet to the third Monday of November at Edinburgh. This had many difficultys in it by reason of our instructions, but all's as it ought to be, secure to a title. This afternoon Craigends, old and yong, and 13 heritors smal and great mor, are brought into the King's mercy as to ther fortunes, or hav refused the oath of alledgeance, and are to be banished. Non of all who hav refused both Bond and Test are lyke to escape our libells and the interrogators we put; but interrogateing hear is a particular art, not to be learned any uher els.

Our Journalls are so full, and I so indisposed, that I am forced to cutt many things short, especially seing we, (by God's assistance,) are to be in the Hous tomorrou at 7 in the morning uith a resolution to sitt till 10 at night. This day tuo rogues uer condemned to be hanged upon Fryday; and Duke Hamilton sate, notwithstanding of his first resolutions, for he is resolved in evry thing to sitt still, and that maks me judge he has better advice then ordinar; for I am sure he uas neuer so hemmed in, and yet he is quiet. Orbistone is the carier of this, who has bein most zealous in our affairs hear, and deserues much kindness at the Government's hands. I shall giv your lordship a fuller accompt at meiting, for I kno you are not to take any measures shortly. I hav promised to say much for him, and I incline to doe it, but kno to (*sic*) that a man has done his duety faithfully and zealously contains all. I am hopefull to be from this against Saturday or Monday at farthest, if it pleas God; and that ue shal make a good accompt of our worke hear, and sho reasons enough to satisfie our reasons upon evry part of our procedor, and to sho evidently hou this matter for the future may be kept in all imagineable order; but it requires some speedy ouersight, which I kno uill not be uanting. You uold pittie me to see me; and therefor, I hope, uill excuse this letter [being] much shorter then I intended it. My nixt, I hope, shal bear the finall determination of our maters hear; if it doe not, it shal not be my fault.

Postscript:—The whole disorders hear are in Duke Hamilton's lands, and it uill be found ther has bein no diligence in his regality till nou. Our Bond is most fitt for that purpose, as your lordship shal see.

My Lord, I most informe your lordship that the Laird of Orbistone, who as I said has deserved extreamly uell, has affairs at Edinburgh, uich, if your lordship be not ther, it uill be great justice to recommend to such as are concerned in the Government; for really men that uill hazard ought to be much differenced, and, if such as he be not supported, he most quite the countrie, for the people, who are fanatique, uold supp him in broath.

[In a letter also from Glasgow, dated 25th October: 1684, Drummond writes—Yesterday he received Queensberry's letter. He had already sent out all the necessary parties. "As for sending a party to ly in that countrie, it uill doe better from the generall then us, whatever accident hapen; for he has foretold me that they could not ly uell in any place ther about. I shal go near to convince your lordship that ther is litle neid of altering any measure taken hear; and for ther Sess it's better then the highlanders. I hav done all in my pouer to get intelligence, but thes persons I aimed at are out of our reach further then is already known. Besides the poeple are so used to depone, that it's impossible, except men name the uery actione and name, it's impossible to persuade them to tell any thing we have don; and that with so stodie sentences that ue shal be able to giv a good accompt of this countrie. And as for the Sess that Airshire has bound themselves for, I uill be bold to say he uill hav litle skill

coms hear nixt, if he cannot double ther offer, if the King require it." He will not go from Edinburgh till Queensberry is there. "Our Journalls are hear inclosed, and they are the last I hope to signe in such a comission, I having bein mor then ordinary tormented uith it. I shal from Edinburgh, so long as your lordship is in the countrie, giv you constant accompt of things." In a postscript to this letter, Drummond adds—Their clerks were so tired out of all their wits that it was impossible to get the Minutes till they were at Edinburgh, whither they must fly for their own defence. "For tho' ue contrived not to sentence any till the last day, yet ue are so confounded uith solicitations that ue most fly for ue hav not missed to reach any uho has refused Bônd and Test, but ther esteats are in the King's pouer, or ther persons sen enced to the plantations."]

[No date. c. October: 1684.]

246. The bearer has bein examined in this place, being apprehended by one of our partys, so it's not his fault that he uas not uith your lordship before nou. I hav sent your lordship the copie of his depositione, and doe assure your lordship ther's no fault in this occatione in us, for ue can doe no mor, they being so intirely dissipate that ther's no vestige of them, and all thes who sau them are in fear of ther lives. These men are true Bandittys, and if ther be not some universall course, they uill not be found. All that can be done by us uil be ended this night, but to doe this affair thoroughly requires mor time then is alloued to us, but I hope all is better then it uas . . .

Postscript:—The bearer uil tell you the kindness the Whighs has for your lordship, which is no ill argument of your lordship's zeal in the King's service.

Copy Deposition:—'Wm. Wilsone in Wanlockhead, in the paroch of Sanequer, being solemlie sworne and interrogat, depons that upon Wedinsday the instant, the deponent went earlie in the morning from his own house to Glengaiber, wher instantlie came out of the house six men in armes, and presented guns to him, and took him prisoner, and carryed him in to the house; and ther come in some women to them, and after they had comoned with him a long tyme, they releived ther guard, and sent as many neu ones to guard him, which they did seven times by turnes, being always seven or eight in number, and kept him their prisoner all the day over: depons he heard psalms singing and he lookt out of the house, and he sau on the craigs at litle off, to the number of 200 people, or therby, as he thinks; and they having kept him prisoner till dark night, and then suffered him to goe home to his own house, and stayed sometyme. There came twelve men in armes in to his house, did take meat and drink, and stayed all night, and kept ane centinal at the door; and befor day light in the morning they went away, and that the deponent thought by their discoursing, they looked rather like gentlemen than countriemen, and that they wer well armed, everie one a carabin, two pistols and a sword. They threatned the deponent that, if he divulged them, they wold

berrive him of his life; and the deponent having the nixt day gone abroad to gett intelligence what had come of them, he could gett no notice, and upon the friday he went to Sanquhar and acquainted my Lord Treasurer's Chambe[r]lan with the hail storie.'

Dorso: Double, Wm. Wilsone—depositione—24 Oct^r. 1684.

Edinburgh, 29 Oc^r. : 1684.

247. Yesterday I received the honor of yours from Mr. Wallace, and am extreemly glead that your lordship has at last got so near home, and consequently are so much nearer to this place, wher your presence was neuer mor nesessary for laying doun measures to keip uhat ue hav gotten. I rejoyce at the offer of Nithsdale, and, becaus it is so frank, I think it uold doe uell it uer speciall as to the summe. Ther are many reasons to be shoun your lordship at meiting for it, uich at this distance I forbear; but it's evident ther uill not the mor be taken from them, and the making the thing particular uill be a better example to other loyall shires in ther circumstances, and to other loyall men in disloyall shires. I neid not tell your lordship the advantages Duke Hamilton and such people uold take by it, but this is only my opinione and concerne for you, and is absulately subjected to your lordship's pleasure . . .

Edinburgh, 3 Nov^r. : 1684.

248. . . . One thing uill occur that I most beg to kno your lordship's minde in, which is, Douchall's process was delayed till the 17 instant, and the method of prosecutione of that affaire is of importance; so if your lordship cannot come against that time, some way most be thought upon to get it continoued, and even in that, ther are difficultys too long to ureat. As for the rest ther affairs press not so much, and especially such as hav already confessed. All the rest except Carstairs are summoned, namely, Sir Dun. Carmichael, Lamington, Earl Forfar, Earl Callender, and Sir George Lockhart; but uhat is to be done uith them is what uill neid your lordship's advice befor ue determine in it, especially Sir George Lockhart, against whom no maner of guilt appears by any probatione I could possibly find. Ther is another mater of the greatest import that has bein in agitation hear since the King's restauratione, and that is hou to keip uhat is gained, and hou to proceed in this uork, that your lordship's great prudence and zeal has brought to the brink of perfectione; from which if it fall, it uill be uors to retriue then if this had never bein attempted. From thes things ther arises so many coniderations important for the King's service, that I am sure can never be done till your lordship be hear; and yet I most confess that it's cruell to desire you to come, conidering hou litle time your lordship has bestowed upon your oun affairs this 12 moneths past. For my self, nou that the storme is begun, it's all one to me when I go, tho' Earl Morray seems to uish me ther. He has bein much indisposed, and I think constant uaiting uill not be easy to him. As yet ther is nothing done hear, except uhat, no doubt, my

brother hes given your lordship a full accompt of The Councell has only met once, and the Secret Comitty once. So soon as any thing of importance occurs, your lordship may be most assured of it from me . . .

Edinburgh, 10 Nov^r : 1684.

249. Ever since I had your lordship's last letter, I have been waiting for an opportunity to send to your lordship a most humble acknowledgement of my obligations to your lordship, of which I have the true sense I ought, and shall upon all occasions declare my resolutions of continuing firm to your interest, and faithful to your service, and will lay hold on every occasion, which may oblige any of your family to think that I am no less than I profess myself, your most faithful servant. Last night dyed Meldrum suddenly, so there is a troop to dispose of. Your lordship's inclinations shall no sooner be known than I shall employ my skill, though it may signify little, for the procuring it as your lordship pleases. For what relates to the western affair your lordship will easily see at your coming. The Secret Comitty will not differ from your lordship's sentiments. On Saturday night there was a declaration of war battered upon the Cross of Linlithgow. The copie of it is sent to your lordship, by which your lordship sees they are angry, and therefore ; so your lordship's presence is most needful for the settling such measures as may secure the Government for the future—a thing, I think, will be easy, if the propositions now made be followed out: but they most needs wait for your lordship's presence, which I wish hear as soon as is possible for your lordship's affairs. And though I confess it hard to press your lordship, yet I think it inconvenient any thing so material be done before your lordship come, and likewise most inconvenient it should be delayed; and to press all, your lordship will see by the Earl of Morray's letter inclosed that there is not too much time left to put things in order left (*sic*) before the Duke will be amongst you. I doubt not but all this will weight to the making of your lordship use all diligence to come in, and rather bestow some time hear with such of your servants as can make the travail. . . .

Edinburgh, 12 Nov^r : 1684.

250. Yesternight I had your lordship's, and saw that directed to my brother, and am extremely sorry that your lordship can be no sooner in; for the King's service will not possibly go on so well till your lordship come that the Secret Comitty and your lordship have adjusted opinions; and in the meantime, something extraordinary ought immediately to be done against the rogues; for I take this declaration of war as the best signe of the goodness of methods taken, and of their despair. I had by the last the instructions to the Muster Master and a letter to the Secret Comitty. The next post brings us the commands for the Parliament, whereof accompt shall be sent to your lordship . . .

[In a letter dated Edinburgh, 14th November: 1684, Drummond writes, he received his lordship's yesternight. He sends "the

enclosed copies, by which your lordship sees how little time is left to prepare matters for so important a juncture; and therefore too may judge that my stay here, being in so short a time in all probability to return, most needs be inconvenient." He did not doubt but his lordship would come as soon as possible. As his lordship had commanded him, the post after Meldrum died, he had proposed Lord William to his place. This he had done again. "We are thinking of putting Edinburgh in the circumstances of the Districts and West Louthian, the one for the security of the Government, and the other for the real inclinations of the place. But, I think your lordship will be in before anything be done, though all's ready immediately to begin to Edinburgh. The Secret Comity have delayed to give the Council's letter till next Council day. In the meantime, they beg your lordship's opinion of it. They are resolved to be preparing their thoughts of things to be done at the parliament, though they will conclude on nothing till your lordship come in."]

London, 25 Nov^r: 1684.

251. . . . The letter of the Invalide money, and the Instructions, together with the letter for citing before the Parliament, and list thereto adjoined, are dispatched, having yesterday past his Majesty's hands. "On the road I had a letter from Sir John Dalrymple threatening kindness and expecting assistance, to which I will give him no answer; but I assure your lordship his, nor any other business of that nature, shall be done here, if I can hinder it, till it be first concerted below. Lord Livingston has been proposing his liveries to the Duke, but has got no answer yet. The holy days do so obstruct all business that I have nothing of consequence to say. It is not yet certain how the Duke comes to Scotland. Earl Dumbarton is to come with him, and I hear he has resolved to lodge his necessary servants in the Abbey; so the Lords must for that time either remove or pack up in less room; but the list is not yet seen. All your Grace's friends here inquire most kindly for you. The packet boat from France was cast away by running against a Dutch ship, and it's thought my Lord Preston had a child in it; but there was none saved except 3 or 4. The Duke of Ormond longs to know how to dispose of Cambell, as I am told by the Earl of Arran, and doeth recommend a post from Dublin to Edinburgh: the charge seems not to be so considerable as the advantage, especially considering that the Scots in the North of Ireland begin to be troublesome. The particulars of their designs I know not yet . . .

[Drummond writes from Berwick on 10th December [16]84, that his promises are as the laws of the Medes and Persians. He reminds his Grace of what he had said several times to him of Sir James Rocheid that he would be pleased to delay anything against him till Drummond informed him of his thoughts on the matter. The whole process having been fair and open, he is afraid the ending of it by his declared enemies, the magistrates, may not look so well. If his Grace will suffer Rocheid to inform him,

and if he can be serviceable, "I could be security for his performance of what he will undertake, so much I beleiv him cincere upon that head" . . .]

Morphath, 12 Dec^r : [16]84.

252. If ther had bein any thing uorthy your Grace's truble, I had sent it befor nou. The peapers my brother will giv your Grace; and all I hav to say is to begg that a party may be sent to Berwick to receav Ridell and a prisoner or tuo in this prison, for the delivery of whom a letter wold be sent to the Sheriff of Northumberland, uho has promised on your desire to deliuer them up. They are of the uorst sort of rebels. Ther names I cannot learn, it seims they use false ons. This wold be speediely done. Just now I met D. Gordon, and he seims to apprehend disorders abov, but had not time to be mor plaine. . .

London, 27 Dec^r : [16]84.

253. The favors your Grace has aluays shoun me hav imprinted in my beleif such ane opinione of your goodness that ther neids no neu argument to make me beleiv it. . . . As to Rocheid's affair uhat is convenient for you is uhat shal euer pleas me best, and therfor I am fully satisfied of the uhole mater . . .

Your Grace has done uell to mynde the prisoners in the English Borders. I shal not feal to obey your commands about Squire Dacres.

The business of the Army I shal minde, the poor Generall does dayly mor hurt to himself by his untouard humure; this to Belcarress, if it be as I am informed, will doe the Generall no good. By my last, I informed your Grace of Clauerhou, in which affair I did you all the justice imaginable, and at lest he is not aproued of by any. I had at first told your Grace of our safe arivall hear, if I had thought it uorth your truble; but your Grace is so obligeing to desire it, and therfor I shal tell you that all of us, God be thanked, came uell and continou so, excepting my uife, uho has not kept hir health since she came; but I am sure I and all myne are servant to your Grace in uhatuever circumstances they may be. As for the neu supply and leavies, I am certaine your Grace and my brother will not differ, and therfor I rather choose to recommend my frends to your Grace then to him. Sir Adam Blair uas oldest Cornett uhen the Comission for your sones Liv^t came down, and so in course uas to hav bein preferred; and I kno ye are not much concerned in Crighton, so that it has bein meer accident that made him be forgot. He had the Duke's promis too, so if he cannot be the first Liv^t, if it be convenient, lett him be amongst the Dragoons. Ther is yong Halyards for whom I spoek befor, aither a Liv^t of Dragoons or a Cornet of Horse he may deserve; but this I leav absulately both the particulars to your Grace, that ye may doe in them uhat may be most for the King's service, and good of the thing. Craigie is infinitely obliged to your Grace for your kindness to him, and I dare say he will deserve it in the King's service.

Your Grace's commands shal be obeyed, and a letter sent down to Duke Hamilton about Kintore's lodgings. I hav ordered it to be draun against nixt post.

The affair of the Justice Clerk I hav spoken in, and I am resolved to get Earl Morray to joyne in the demand. I am sure honest Colingtoun deserues all can be done for him. . . .

As for my opinione of placing the pictors of the King and Duke in the Councill chamber, I am of opinione they ought both to be at the upper end of the room; they are so in many places hear, especially in the Guildhall; nor is ther any doubt, he being nou Comissioner to boot of all other quality. As to that state the Duke of Lauderdale caried auay, I remember it uas of blue and gold floured veluet; but I beleiv it uas the Duke of Lauderdale his oun, and that is easy to be sein; for if in the accompts of Theasurer of that time it be not expressed, the King, I am affrayed, uill hav no claime to it. Besides I sau it in a bed since, and I verieli beleiv it uas his oun, for once I heard him say the King should get it if he payed for it, but things chaingeing, I beleiv he did not ask payment, but rather took his oun state. Houeuer, the Duke can best, togethir uith the accompts, clear that mater.

It's very luckie that Earl Tarrass should hang Gervaswood, uho is the greatest villan of the pack, and deserues the uorst, for many insolencies committed by him. I am sorry for Tarras having bein so late of making his discouery, for he uas not the uorst man of that gange.

The Duke is resolved to motion something of the Dutch affair to morrou in the Cabinet Councill, so by the nixt post I hope to be in a conditione to ansuer the letter I had the honor of from the Secret Comitty. We most think of some other uay, for men of uarr are not to be expected to transport thes rogues. I am confident ue shal light of some other method as good and less chargeible, aither hear or in Scotland. Thes whom ye desire down against the Parliament shal uneviteably come, ther being great use of them.

I am to lett your Grace see hou I am resolved to act. Last post came to my hands a remission for Houstoun, and that, least he might hav bein reacted upon the generall heads of his countrie, I remitt it to your Grace, that ye may informe my brother of it, and if ye think it fitt, or the Secret Comitty, it shal if otheruays. Notuithstanding my relation I shal not medle uith it, nor uold I mention it, if I had not thes protestations of his loyalty and zeal for the King's service, uich I cannot doubt, and his sone I dare ansuer for; houeuer, what your Grace commands shal be obeyed in evrything. I humbly thanke your Grace for your favor to Wallace; but he has deceived, for he suore he uas innocent, and so got me to ureat to Mr. Wallace. If he be guilty I begg a thousand pardons for my meddling in the mater, for to say truth it uas pure importunity prevealed, as my Lord Kinard got his pensione; of whos parts I hav honorable mention to make, if I be so hapie as to see your Grace at the Parliament. Gosford

will tell the adventure of the domine who fund him in ane undecent posture. The rest I most keip till meiting, but this introduction will serv to recommend me to his vunted favor . . .

Postscript:—The night befor I came away, the toun of Edinburgh offered me a present which I refused, and they gav it to Blair, who sealed it up and sent it to me. I should not hav medled with it, but that it was conforme to the exceptione made in all the debates befor the Exchequer. If ther be any wrong, it is not past time to helpe it yet.

London, 30 Dec^r. : 1684.

254. Since my last I received a letter from Sir James Rocheid, and ane informatione desireing I uold informe the Duke of the maner of his being turned out; but I uold not medle in the mater at all, nor concerne my self further then to see that what had bein done by the toun might not be condemned till they uer heard, which I assured them I uold doe if any such memoriall uer given in. So your Grace may be assured nothing shal be done in that mater but as is desired by your lordship ther. My ansuer to the Secret Comitty does so fully bear all that has passed since my last that I hav litle to add; only, by command from the Duke, I am by this to shou your Grace that it is humbly begged of him by Mrs. Brisbane that she may hav a summons in ordinary forme reased against the heirs of the Earl of Levin for mony due by him to the Lord Naiper, and that it is his pleasure that your lordships of the Secret Comitty doe in it according to law, he being inclineable to see Mrs. Brisbane get justice in any legall uay, aither befor the Parliament or Session, as the case requires. . . . The Duke has complained to the Dutch ambassador, and he has promised fair; but requires the proofs ue hav concerning Bracklie: but I hav fully ureaten of this to the Secret Comitty. Certainly Earlestone can doe much to win that mater if he will, and he ought to be put to it. I hav had a further oportunity to doe your Grace justice in that mater with Claverhous to the Duke; and I assure your Grace Claverhous is much blamed in the mater.

I hav not yet got all my visites so performed as to get informations of things as I uold, and therfor I shal not detain your Grace from your better employments. Only this day Earls Midleton and Morray told me they had a designe of begging the Duke to alter the fonde of ther gift from the Falconers to the fynes or forfaitures, and that they uold adress themselves to your Grace in it, which if they doe, and giv the King back the Falconers, I am humbly of opinione it's not uorth debating to men who can so uell requite such a kindness as this to your Grace . . .

London, Jan^r. first: 1685.

255. Wpon the favourable accompt ther lordships of the Secret Comitty gav his Royal Highness of Earl Tarrass, his R. H. did recommend him to his Majesty's mercy for his lyfe,

which his Majesty has granted; and tho' he thinks fitt to pardon his life, yet he thinks it fitt the tryall go on, and the evidence be heard, besides his own confession, that therby the world may see what the King remitts uas a clear and unquestionable treason. Not having had any letter from your Grace thes tuo posts, I hav nothing to ansuer: only Sir Andrew Forrester shoued me your Grace's to him concerning Claverhous. I humbly desire to kno the nature of the repremand by any insinouatione, and I shal doe my best, for I may in my designes go too high or too low, uithout that. I am sure the Duke does not approve of the actione at all, but he is luckie to be aluays meiting uith thes fanatiques and destroying mror of them then others, which does him much good hear wher he uants not frends. I wish your Grace a merry New Year. [I] doe assure you that I am intirely yours. Ther is no certainty of the Duke's going into Scotland, whither by land or sea, but it's thought by land.

London, 3 Jan^r . 1685.

256. I most in the first place tell your Grace the hapie neus of his Majesty's further recouery and that evry hour brings him mor health and strenth. Yesterday I received your Grace's of the 27 Jan^r 85, and am overjoyed to hear of Coll. Douglass' safety. He esceaped a scouring, and has given ane excellent accompt of his Comissione. I shoued it [to] the Duke, and he caused read it in the English Councill, in the King's closet. I spok to him according to your Grace's commands for Capt. Hamiltone, and he most graciously accorded my desire; and I hav ordered his Comission to be ureaten, and I hope to hav it amongst the first peapers to pass his Majesty's Royall hands. I uill assure your Grace ther uanted not pretenders, but no concerne shal ever be preferred to your Grace's so farr as my pouer goes, and uhen ever any thing goes otheruays, beleiv it's uant of pouer and not good uill to oblige you or any of your frends. I uill assure you this actione has good effects, and shous that ther are mor then one dare serve the King stoutely and honestly. I had by the same post a Comissione for Dury, and had upon your Grace's accompt befor that time procured the King's order for his pay; but not knoing hou to order it, it shal be apointed the 3 sh. p. diem out of the pay of him uho died last, and 2 shil. to mak up 5 in all, out of the mony apointed for contingent expenses, or by a generall claus out of any other fond your Grace shal think most proper; so his Comissione shal pass uith Hamiltone's, and his letter be sent down. I had a return to the letter I wrott to Claverhous by the Duke's command, and I find he is extremly piqued at the contents of myne.

I hav obeyed all the commands in all your Grace's letters, and I hope your Grace shal in deu time find the effects of my so doing. The King uas yesterday morning to hav considered the peapers sent up, and thereafter I uas to hav sent them down; but this allarme has destroyed all, and till things by the blessing of God, come into ther old chanell again, ue can expect no affairs to be done. I say so litle of the King in this, becaus my

brother's has a perfite relatione to sho your lordship of all as could get it, but it's only to you tuo. I had sent it to your Grace but the ureat uas not legible in some places. Ther is orders hear for seaseing all passangers coming into Ingland, and for detaineing of them till ther be orders from the Councell for dismissing of them againe; and this the Duke commanded me to signifie to the Secret Committy to be done lykeuays in Scotland, and this uill come time enough, tho' I uas persueder it uold be done so soon as my last came ther. If ever thes peopple intend any thing, it uill be upon this and the lyke occationes; so they uold strictly be looked into, but not by the Generall's uay of bringing the Army together; for in my opinione abandoning the country to them is to tempt them to doe mischeif, but you kno better ther. All continoued during the King's sickness extreamly quiet, and excepting all the uniuersall greif, ther uas nothing to be discovered tending to any alteratione. The Bishops hear are to propose a time and forme of thanks giving for his Majesty's recovery, and in it to hav prayers for restablisning and continouing his Majesty's healthe. This belou uold certainly be proper upon this occatione. I shal not this night giv your Grace any mor truble, being uith all imaginable respect sencible of your Grace's goodness to me in the mater of Monckland, and all my other concerns . . .

Postscript:—I forgott to tell your Grace that Staines has sent us all letters in his behalf uith one Kenady his cosingermane; but ther shal no thing be done for him hear.

London, Jan^r. 6: 1684[-5].

257. Your Grace's of the 30 December I had last post, and shal in ansuer to it tell you that I used my endeavour to hav the Duke take your advice in the giving hoerys to the Guards, but he thought the thing reasonable for to cloath the King's Trumpets, and therfor did immediately order it. This uas befor I had your Grace's letter; and since, he has renewed the same order; but I hav delayed it this post, till I knou hou the order is to be draun. As to Clauerhous, I hav sent to kno your mynd, but I durst not adventure my self to judge uhat might satisfy you; but, so soon as I kno your mynd, shal apply myself to the having it done. This post brings a letter to your Grace and another to the Duke of Hamiltone for the Duke's lodgings in the Abay. It uill be a kindness to the Duke's servants, and I beleiv a conveniency to thes Lords lodged ther, to leav the hangings in ther rooms, and cheairs, and only cary away ther beds; for thes the Duke's people uill bring doun uith them. I most begg of your Grace to kno if this uill be done; and if it be, hou many rooms the Duke may expect so furnished, and this by the first post.

The Duke has commanded the Protectione for the Earle of Annandale; so its prepareing, and the nixt post shal cary it to your hands. The Lord Livingstone is mynded, immediately after the dispatch of his troops clothing to repair home. The restriction of the Sess seimed to me necessary from the begining, as I am sure many mor are, befor the country be settled. Veatch

nor Gilchrist can be had hear by any art, and they shall still be looking after them. As for Craigie, his being chosen for Air, I am obliged for your Grace's care in it, but if they be honest men, that's no mater. The Secret Comitty's letter the Duke sau, and ordered Earl Bredalbin to see the petition of the Duke of Cathness, that he might ansuer it, so I gav it to him. The interlocutur against Duke Lauderdale is ill lookt on hear. It uer uell it uer softened, for so unhansum ane actione as that of Earl Lauderdale will hardly [go] down with men of honor and sence hear. . . . I am commanded to attend the Duke down . . .

London, Jan^v 10: 1684-5.

258. Tho' by my last I forgot to mentione the time that His Royal Highness' servants intended to call for the offices, stables, &c., yet I most now tell your Grace that it uill be fitt thes in possession of any such be informed by your Grace that they most always be ready to deliver thes offices, stables, &c., whenever any of the Duke's servants shal call for them for laying up provisions. I beleiv befor this I hav ane ansuer to my desire of knouing uhat rooms hung are to be left for the Duke's servants, therfor I shal not reiterat that desire. I am to ureat fully this by the black box.

London, 10 Jan^r : 1684-5.

259. By yesternight's post I had the honor of your Grace's of the 3 of Jan^r ., and shal first giv your Grace ane accompt of all the particulars in it as they lye in order. And therfor in the first place, I shal mention Rocheid's affair, who by his sone in lau hear addressed to His Royal Highness for remeid against his illegall out putting. He uold gladly hav me speake to the Duke but I uold not at all medle in it. The Duke gav me the peapers, and I read them over ; it was a narratione of the maner of his being turned out, with a grivous complaint against the Magistrats, but not in the leist inseinateing any thing against any body els. I told the Duke that it was a thing could not be judged off at a distance, and therfor gav him the toun's reasons that had made them turne him out, and desired him to beleiv uhat was done was uell done, till he came to Scotland and heard all upon the place. They uer for sequestering the profits, but I uold not suffer it to be by any means, least, as it had bein a favour to Rocheid, it might hav reflected on the magistrates, uho I thought in no hazard at the long run. . . .

I wish you may hav good sucess this good neu year, and that thes rogues may evanish. . . .

As for Claverhous, I am sure the Duke does not at all approve of his cariage, and I hav done as I ought ; but since I had your last, I hav not spoken to the Duke. I uold kno by the first if Claverhous took leav of your Grace befor he went west ; for in that point the Duke contradicted me, and said he had, which I said was mor then I kneu. So soon as I get the least insinuatione of the satisfaction ye desired in Sir Androu Forester's letter, I shal sett about it as becoms me to doe.

. . . I am glad the story of the Scot's Plott is to come out. Let one or mor copies of it be sent hither befor it can come abroad some time, otheruays it uill not be got reprinted hear as it ought. I shal say much mor by my nixt, and ansuer all the partiulars that are not hear and giv your Grace anscompt of seuerall things. This day I should hav bein at Lambeth, but his Grace is so ill I could not see him.

London, 13 Jan^r : 1685.

260. The last post brought me your Grace's, and I most confess that, if I sent ane open letter, I hav bein guilty of a conciderable fault, for which most humbly I crave pardone. But that packet was inclosed in a couer to Bannoekburn, and your letter tuice sealed with my oun hand, as by good signs is made plaine hear. If at any time I send a letter to your Grace or my brother, Sir Androu Forester puts them up, and uold redily hav sein it; but to lett me find out uher the fault has bein, if it be possible to hav the outer sealed cover, it uold cleir all. I am extreamply obliged for all the intimations your Grace has made to the Secret Comitty of things desired hear. The ansuers of them uill be most uelcome, and I am sure all is right uher your Grace is. I am extreamply sorry for the affair of Claverhous, but I hav again intreated of my brother to kno hou to cary in it, and I am confident the Duke uill sho his displeasure to some purpose in it, for he does think Claverhous uas in the urong; but I shal say mor of this so soon as the ansuer coms. . . .

The Generall's recouery has made us put up our pypes at this bout, but ue shal be prepareing for him. As to the transplations, it may doe tuo uays: the King of France uill take them certainly; or the King is sending frigats in the Spring: so if they can be brought hither, the King uill dispatch them; but of this ue most hav your opinions befor ue ingadge too far in it. I think the frigats may be induced to go by the north of Ireland, and so take them in; but I kno not this uell yet. I hav ane accompt that Armillan is in this toun, and that he uold fain speake to me, but I uill not. He offers to prove treason against Bargenie, if he may hav a pass: and if he can get a remissione, he uill pay all the mony urongusly taken; but I wold not medle. So lett me kno uhat your Grace's opinione is. In the meantime, I think this aditione to Kinnard's humor uill not be unpleasent companie; for on my conscience I think Bargenie has bein too busie with the rebels, as uell as uith his Lady, and both uays has burnt his fingers. If ther uer a uay to get Armillan to doe Bargenie's job uithout forging his monstrous knavery, it uer the best, and that perchance m[a]y be thought upon thair; but I doe not see it my self. If after all, ye uold hav him seased, I shal endeavour it; he has bein in Scotland lately for some time together. For God's sake, say nothing of uhat I told of Lord Charles Morray, seing the General is recouered, and it can doe no good nou. The Duke is nather resolved on time nor uay, for his family are intirely divided in it, and himself unresolved; but if he come not by land I uill come uith him; if he go by land I

shal go before him, and God willing, hav the hapieness to see your Grace, and to assure you againe that I am, mor then I can express, your fathfullest servant. My obligations increase, and I am sencible of it mor then is imaginable. The Duke told me that at your desire he had thought fitt that as the Earl of Midleton had continoued to him the pensione he had befor so he had continoued mine, which is mor then I could hav expected; but all I oue to your Grace, and therfor uill frankly spend it to serve your Grace in all that is your interest.

Postscript :—My Lord Rochester reneus his sute to your Grace for Mr. McEuan to be Wsher and Hous keiper. Send me your ansuer, and I shal use it as I ought.

London, 15 Jan^r : 1685.

261. Last post brought me the honor of your Grace's of the 8 of Jan^r, for which, amongst many other things, I returne my most humble thanks: and shal in the first place, assure your Grace that ther never was any designe of the King's medling in Rocheid's mater, nor in his sone in lau's aither, who is lykuays turned out from being Clerk of the Canongate. I uold not so much as take ane informatione of the mater, when I heard hou the magistrates had bestoued the place, judgeing the man a very deserving persone; but I shal say in generall, as I hav ever done, that things of that nature cannot be so uell considered hear as belou, uher ther contingencys uith the Government are more nearly sein and ther effects felt. And for the Summer Sessione, no doubt, befor any thing be concluded, in it, or any thing els, your lordship uill be fully advised uith; nor doe I imagine that it can be any body's interest to mov in it, except it be a tounsmen or lauer; and thes I think may doe it uithout the sentatione of ther mony. For my oun part, I ever dislyked the Act and its consequenses, being a precedent for tying up the King's prerogativ, and if that be salved, my concern is at ane end, for the thing is naither, or ever can be, aither advantage or disadvantage to me; or if it uer, I uill assure your Grace your opinione should suay mine intirely in it.

As for your Grace's desire concerning Claverhous, the fear your Grace had of seiming piqueish in it uas most just, and in my opinione, it was extreamply uell done to delay that prosecutione till ye kneu the Duke's mynd. The fear I had of the same interpretatione has made me studie a fitter oportunity then I hav yet had to make the propositione to the Duke; but nixt post, God uilling, I shal ureat most fully of it to you, and in the mean time shal doe it in the tenderest maner imaginable. I shall lykuays sho the Duke the state I hav of the Army, which by consequence uill hit some uher and doe good. I shal giv your Grace a full accompt of it my self.

The resolutions for the Parliament, uith the draught of the letter to the Parliament, and the Duke's instructions, are much longed for hear, as lykeuays the quota of the neu suplie, the peaper concerning Holland, and other things recommended, in which your Grace's opinione is lykuays most humbly begged,

that all things hear may be so done as may giv the greatest satisfacione to you, uho hav so eminently deserued by your zeal and prudence.

Postscript :—I hav inquired if ever the Dutchess of Landerdale blamed your Grace, and I cannot learn she ever did on any occatione.

I spock of Squire Dackers, uhos thretning letter ue sau from the Uhigs, and he uill get many thanks, but, I am affrayed, no Dragoons.

London, 17 Jan^r, 1684^½.

262. The last post brought me non of yours. All I hav at present to say is that the Duke, being so near his jurney that ther is but time for feu letters and returns, begins to long for thes things the Lords of the Secret Committy uer ordered to prepaire against his coming. Indeid it uer fitt they uer hear uith all possible diligence, and that not only the scheme, but the Acts themselves, uer penned, that ther might be as litle time lost as is possible ; for it's obvious hou uneasie any stay most be to the Duke in Scotland. Therfor I most begg of your Grace to take care to push others on in so necessary a deuty, and so becoming one of your prudence and abilitys to push on, since therby ue most neids expect to see the monarchy elevated to its just hight, and consequently put out of the reach of thes villanes, uho for some time hav rendered the Goverment uneasie, and the subjects insecure. This both your security and honors are ingadged in, it being impossible that the Duke can uithout great truble take a jurney into Scotland, and therfor most doe it seldome. But I kno your zeal and concerne so uell that this is only to show myne, and not uith any designe of reasing of your Grace's. We uer much surprised uith the Journalls bearing a proceeding befor the justices against thos the King at the Councill's or Secret Comitty ther desire ordered befor the Parliament. The King nor Duke could not be resolved of the reason, non of us having the least accompt of it; but all of us uer sure it uas for the best, and so cont[i]nou satisfied till the truth apear. Ther is no neus hear; only the Earl of Roscommon is at the point of death. The Master of the Rolls' place is given to Sir John Churchill; and the Duke's dyatt as uell as uay of comeing continous uncertaine. I hav still mor and mor obligatione to your Grace, which I am sory I can only repay in uords, as things stand; but your Grace may rest fully assured that as it is in my heart to serve you fathfully, all my actions shal sho the same, and I shal uatch evry oportunity that may evidence the truth and cincerity of my heart.

London, Jan^r 19: 1684-5.

263. . . . Last ueik uas taken a conventicle, uher Mr. Streits, whom I beleiv to be Clerk of the Conventione of the Whigs, preached. He esceaped, but ther are taken one Frazer, one Crauford, Foreman, Cunningham, Gray, and Oliphant. By the Duke's order I sent Sir Androu Forrester to Neugate to examin them, and all of them are of the highest principall of our rogues;

so I hav desired they may be sent into Scotland to be tryed, seing the law hear does not reach them. It uill hav severall good effects, and I hope uill be granted. The King of France has very unexpectedly given us a litle truble, by sending ane order to his ships to bring into Tholon all English ships that tread to Genoua, and to take out ther loadings and pay ther fraught; becaus, says he, contrary to the King of Britain's inclinatione and to the intentions we hav to ruine the tread of that place, they continou to cary on a commerce. The King has given the French ambassador a memoriall of it to get ansuered. It has allarmed the marchants, and is not uell uorded for the King's interest, besides a manifest breach of the treaty. The Memoriall for Holland is much longed for; and nou that the mater is complained of to the Ambassador, it uer very uell that it uer hear. We shal make the best ue can of it. I most humbly thank your Grace for your care of my affair with Wishau. It is not the only obligatione I hav, and of which I shal be sencible as long as I liv. Earl Roscomon being dead, his place of Master of Horse to the Dutchesse is given to Lord Charles Murray; and Lord Charles is to giv to Countes of Roscomon 2000 lib. Str., to compense which, he has leav to sell his place of Master of Horse to the Princess, which he has done for the same summe to Capt. Barelay, brother to the Earle of Falmouth. Armillan has petitioned the Duke, and in termes most innocent in appearance; but I think the Duke has givin him no ansuer, for he petitioned by the moyen of one of the Grooms of the Bed Chamber. I shal watech his waters for him, and if the Duke uill giv uay, hav him catched, for I think him no honest man. The time and maner of the Duke going into Scotland continous uncertaine; so soon as it is knoun, your Grace shal be sure to knou it. It's lyke Earle Dumbartone and I may go together; that is, if the Duke go by land, if he go by sea, I uill go uith him.

London, 20 Jan^r.: [16]85.

264. Since I wrott the other your Grace uill get by the same post, I hav got orders from his Royal Highness to send Claverhous such a repremand as, I hope, uill sufficiently sho his Royal Highnesses displeasure, and prevent thes sort of discourses for the future, and yet kept the mater intire till your Grace has time to informe the Duke upon the place.

London, Jan^r. 24: 1685.

265. The last post brought me non of your Grace's, and I uas surprised to see in Mr. Wallace[']s letter to Sir Androw Forrester, that, by the post befor that, your Grace had no letter from me. I wrott to your Grace, and Earl Drumlanerig, both of the 10 instant; but this I think a mistake only, for I should be much afflicted if I had a second trick played me by Bannockburn's, or his servants' negligence, as I kno that unsealed letter uas, having uith my oun hands inclosed it to Bannockburne: but nou to our business. I uaited for a fitt oportunity to mov the Duke in Claverhous' affair, and am nou

commanded to tell your Grace that tho' the Duke desires nothing in the tuo years' rent of the forfaulted esteats to be done till he coms to Scotland, yet he orders the fynes uplifted by Claverhous to be counted for, and payed in, or any other bond to be sued for, that he or any other may upon that accompt be owing to the King; so nou without a grudge, ye may call for them. I am affrayed that gentleman has mistaken his measures, and if he persist, I question not that he will find it so. . . .

Just nou Sir William Bruce coms to aske if ther uer any debate betuixt my brother and your Grace, which I told him uas as damned a lye as that I uas mufly, and desired him in my name to say it uas a damned ly to all that asked him the question therafter; and I with all assured him thes villanus stories uer the contrivances of the King's ennamys, but they uould not find ther end, for that frendship uas fixed beyond ther reach; so your Grace seies I am not to be allarmed a second time; things at this distance look not at first sight as they doe afteruards, and therfor perchance I uas too concerned; but I hope your Grace will forgiv me, when I tell you that in that frendship I think not only my uelfair consists, but the safety of the King's affairs, and that therfor your Grace may easiely think I had much at stake. The liverys for the Trumpets will be ordered to your mynd, the Duke having commanded me to inquire at Earl Feversham, uhat his coasts will certainly sho us, the true price of the King's; and I am certaine that shall be much uithin uhat they cost formerly. This I shal see done at Lord Livistone's sight too, that the King may not be cheated in any thing concerns them. I doe humbly begg to kno from your Grace uhat the King shal doe in Dutchess of Lauderdale's case, for she does so sollicite the King, and Duke, and all hir frends hear, that it uer for the King's ease the thing uer at ane end some uay or other; and I am sure nothing shal be pointed at but in the uay your Lordship or the Secret Comitty shal think fitt. One cannot imagine the noys such a thing maks hear, and the disreputacione it uould be to our lau if she should lose the thing; but my opinionone from the beginning uas that Lord Maitland fullfill the agreement he finished with him, in uich his honor is concerned, and that uould end all the mater. What the Lords' letter will be is not yet imagined hear; but it's talked that they are angry, uich I deny to evry body, for the Act of Parliament for the King's judgeing any caus is so plaine that I cannot imagine they will be so undutyfull as to repyne at it. If they doe, I am sure I take the best uay to conceal it, and contradict the report; but the measures in that mater ue most hav from your Grace, for if the King doe not in some instance or other exerceyse the prorogativ of that Act of Parliament mentioned, it may hear after be disputed as uhat the King has neuer done. So some time in evry reigne I uould hav all the prerogativ exerced, that ther may be frequent instances of evry thing that may agrandise the monarchy. Ther is yet naither time nor uay for the Duke's jurney layd down, and I assure your Grace of the first notice of it. He told me he uould go to Neumarket with the King, uich may be about the 7 of

March ; so the Parliament in that case most be adjurned, and I b[e]leiv a letter to the Councell to lye in the Secret Comitty ther hands, uill be sent to be made use of as occatione requires. Send me what I begged from your Grace concerning Arnillane, that is, uhat shal be done uith him, since he offers to forfault Bargaenie ; and if a safe conduct for that effect may be adviseable. Sir Androu Forester uill informe your Grace of Mr. Steuart in Holland his letter to Kennady, denying all things, and so nothing to our purpose. I hav a representatione from the Earl of Neubrugh of a case of his, of uich my nixt shal giv accompt. Since the beginning of this letter, Earl Eglintone is come in, who expects a recommendatione from your Grace to some command in the forces. I told him that mater uas put off till the Duke's going to Scotland, and he says he aluays resolved to go uith him and therfor is glead of that . . .

Postscript :—The Duke is this day at hunting, and the King uas at Detford. I am glead to hear Fyfe has done uell. What I sayd of Sir William Bruce uas not that he uas to blame ; but all that is only to your Grace.

London, 27 January: 1684 [1685].

266. Drummond expresses surprise at a letter from the Session, adverse to the King's retrying some of their decisions. He writes:—"But let the partys fight on, I am not concerned in the least, if no prerogativ be lost. That, I confess, is my only concerne. The King has not sein the letter, the business being hear mor urgent, and the Duke desireing upon what my brother [the Earl of Perth] wrott to see the copie first, and is this day hunting." Wishes Queensberry's private opinion about the King judging causes.

London, 29 January: [16]⁸⁴/₅.

267. Since the flying Packet came he had attended "lyke a dog." But the Duke had told he would have no flying Packet sent in return. The Duke was "extreamly satisfied uith your generus deportment in Sir William Lockart his affair," and with all his other conduct. "As for neu measures, fear them not, the suggestion of them is in enmity to the King and Duke, and what neuer entered in ther thought to doe. So think thes stories lyes, as all thes concerned uill find ; for the occatione uas the King's designe of letting out some loyall subjects imprisoned by reason of Oats' plott, and rest most assured that befor any such thing be you shal hav timeous knouledge. But on my cons[c]ience ther is not the least thought of it, and I am sure my principalls are so farr from that, that I uould clamor higts befor thes fanatiques get any rest to truble us mor." Armillan should have a safe conduct and be sent down, and "shal hav no pardon." Wishes Earl Tarras' Remission to be sent up, and it should be passed. "Duke Hamilton, if he continou, uill find himself in the urong ; but nou it draus near a Parliament, yet lett him hav a care, ther's difference of market days," &c.

London, 5 February : 1685.

268. Some attempts had been made to get the command of Queensberry's brother's Grenadiers, but he had prevented the motion. "The King continous to grou better and better, tho' the recouering so violent a deseas most neids be by slou steps and degrees. Last night he took some feaverish groupings, as ue say in Scotland, for uich he had Jesuites pouder twice giuen him in the night; but nou he is better then he has bein since the begining of his distemper; and God be thanked the Phisitians say he is not only past all danger, but in a better conditione then befor he greu ill. Ther are particular forms of prayer apointed for his recouery in all churches, and prayers said almost hourly. It uer not amiss if prayers uer appointed in the churches of Edinburgh, at least evry morning . . . I uill assure your Grace your interest is dear to me as my oun heart."

In a postscript about the Scottish Parliament, he says it was thought most unsafe for the Duke to be from the King at this time. He was sorry to hear that Earl Drumlanrig had been indisposed, &c. He also adds—"The claus your Grace thinks fitt to add to the Indemnity shous your justice and uill be gratefull to the nation. I shal propose it to the Duke, uho, I doubt not, uill think it just, and it shal be knoun to nou els."

London, 6 February : 1685.

Seven at night.

269. You may easiely (*sic*) the conditione of our hearts, when I tell you that the King Charles, our late most gracious and beloved Sovereaine, dyed this day betuixt eleven and tuelve in the forenoon, to the infinite regrate of his Royall brother, nou reigning, and all uho had the hapiness to be knoun to him. He dyed as he lived, the admiration of all men for his piety, his contempt of this uorld, and his resolutions against death, and the often reiterated expressions of the most tender loue to his Majesty nou reigning. It is not to be expected that I should continou upon this subject so grivous to me, and therfor I shal cut short, and tell you that the last uas what this is, the best Prince of the earth. His Majesty uas uith the usuall ceremonys proclaimed in all the places accustomed, the clergy, nobility, and Councell, attending in a numerous trayne of coaches. It is not doubted but all imaginable care uill be taken by your lordship to prevent any danger that may aryse upon this occatione. God be blessed, all things go uell hear, and as great acclamations at the proclamatioune of his Majesty as has bein heard at any time upon the lyke occatione, and not the least tendency to any disorder. Your Grace may rest secure of all my service, and so expect full ansuers to all the commands in yours, and I hope to your satisfacione. I shal for that end study to get some oportunity, if this mater uer something off, that I may speack of your brother and of Claverhous.

I having sate up all last night, and having just got the first meat since yesterday at noon, or drink, I am able to say no mor then uhat the flying Packet caries to the Councell. I am, etc.

February: 1685.

270. The state of affairs looked most hopeful, "all mankind acquiescing in the providence of God, and the Court crouded with addresses coming from all parts to congratulate his Majesty upon this occatione." Men's minds were changed by the declaration his Majesty made in Council, which removed their fears. "I am confident a Parliament and you Com. uold doe much good." The Officers were ordered down; all except "Airely" had already taken leave of the King. The liveries for the Guards, fine and ordinary cloaks, banners for trumpets, and kettledrums, which Queensberry said before came to £900, would now be about £360. "They most neids be layed up till ther be mor occatione for the fyne ones then theas Whigs." He refers to Earls Lauderdale and Aberdeen, and the sport they would afford Queensberry; to the Act of Indemnity; and at considerable length to Lady Obryan's affair. He mentions a letter from the Lord Advocate to Sir Joseph Williamson, showing that now was the time for him to get his feu duties sold, and for the Duchess of Portsmouth to get money to buy them, "seing ther uer so many fynes now undisposed of;" that she should secure some of those in a list he sent, and to shew the Duchess how much he was concerned for her and her son, and asking Williamson to say as much to the late King. "The fynes named in the list uer Douchall, Poog [Pollok], and the 2 Craigends. This I sheued the Duke, for I had the letter a night; and he and I concerted the mater that I should endeavour (if the Duchess of Portsmouth spock to me) to persuade the late King to try to haw it by lau. If that could not be done, then to make the cheapest bargane ue could. The Dutchess of Portsmouth did speak to me, and told me the King had a peaper to giv me. Some days afterwards the King did giv me a Memorial to the effect of the Advocate's letter, and I told him that the thing uas recoverable in lau; but he uold gratifie, as I understood, Lady Katherine Obryan, and so the Duke ordered me to make the best bargan I could, and this uas the Fryday befor the King's illness." He had never yet met Sir Joseph, but if they had, he would have seen how much of the £4,000 he would give down, and be free of all gratuities. Asks Queensberry to say nothing of it to the Advocate.

Lord Stair's letters to this place had no effect on anybody. He had made no application to the King. Was sensible of Queensberry's kindness in the matter of Monkland, &c. "I see in the Journalls of Councill a great mistake of one Anderson of Douhill, that he has deponed negative upon the lybell; wheras at Glasgow he confessed judicially converse seuerall times with Alexander Porterfeild, a declared traitor, as by our minutes uill appear, and my Lord Justice Clerk most neids remember it. Ther most neids be some cheat in the mater, and it ought to be inquired particularly into."

Mourning was as deep as possible. All noblemen and Councillors have their coaches and liveries in mourning, and all other gentlemen their liveries. It was said the King was to be

privately interred in Westminster on Saturday. The Prince of Denmark was to be chief mourner.

7 February: 1685.

271. All continued quiet and calm, "and ther is no man nou to be found who uill oun that ever he uas ane ennamy to the King, or frend to the Duke of Monmouth." The knowledge of this might have good effects with Queensberry to discourage any that would attempt anything, "if ther be any so mad, and therfor, I ureat it to your Grace and my brother, to the end it may be publickly [known] ther."

The Lord Mayor and Aldermen, Sheriffs, and 40 coaches of citizens, were to kiss the King's hands that day, as had also been the noblemen, and persons of quality about town. He rejoiced at the success of Queensberry's brother, "and shal not feal to doe him the best offices I can. I had a letter from Claverhous complaineing of a charge of horning for the Bond givn to your Grace for fynes collected by him and not payed in. He has writt to others upon the same point, but least it might hav bein thought, as indeid I found it uas, that it had bein upon the accompt of the tuo years' rent of Finch, I explained the mater so as he is thought as impudent for not paying, as he uold hav your Grace thought for chargeing him malicious. I shal uatch his motions hear; but I beleiv he may doe mor against himself, by coming up uithout leav, then you could uish to see come upon him. I hav some ground to beleiv he uill come hither. Keip it to your self as ye favor me, but make your oun wse of it." "Lusse's Signature and Sir William Ker's pretentions" would not pass unless they came recommended from below, as Drummond was to inform them. In reference to other business, bribing he thought, with Queensberry, ought to be excepted out of the Indemnity, and he was to propose so. "I am sure I very freely may, for I never had mony, but what all the world knous, and what has bein useuall; and for that caus I am apt to press the thing; for aither I am mistaken, or good esteats are not made up of ordinary uadges. I doubt not of ther tricks for the Sumer Session. If I uold hav bein ingadged, I might hav shared; but I remembred too uell the averseness of many to it (and my oun duty) to medle uith them. Nor shal I ever hav what I uill not oun befor the face of the uorld. I rejoyce that M^c.Gie of Polgouan is taken. It uill may be discover mor of thes concerned." Earl Eglintoun was hear, and asked Drummond daily if his Grace's recommendation was come for him. He was glad the account of the plot would be out, "you most take care to call it a conspiracy, Oats having turned the uord plott to signifie a sham plott." &c. There was no hope of seeing the King soon in Scotland. "The last part of your Grace's letter concerning Claverhous doe not truble your self nor be affrayed, for I hope the affair's hear are better then that it uill be in his pouer to get

any thing recalled according to his will; and if he adventure to come up, I shal endeavour to hav him sent down as he came." . . .

Postscript:—"The citations befor the Parliament falling, and thes forfaitures depending, it is uorthe the whyle to con sider hou to make up the defects uith all speid."

London, 10 February : 1685.

272. "The face of things continous so smooth that it looks lyke a miracle to imagine that ther should hav bein so great fears for a thing so litle dreedful in it self. I assur your Grace that ther is the fairest hopes that euer any King of England had. I pray God, it be so uith you in Scotland." The King desired to know Queensberry's opinion of a Scottish Parliament. "It is a mater of great concer[n]ment, and has tuo edges, for ther is hazard in delay, as uell as in precipitation." "I hav done Coll. Douglass justice to Claverhous expenses by shouing his letter to the King, tho' he has but litle time for any thing." Drummond wishes for Queensberry's thoughts of a Parliament, of his (Queensberry's) being Commissioner, "for nou I hop all scruples are remoued, and I shal not feal to serve you as your Grace shal apoint. . . . Caus reprint the King's speech in the Councell."

London, 14 February : 1684-5.

273. All were preparing to go down to the country either to elect honest men, or to be elected themselves. Some of the "rogues" would again stand to be elected; "but I hope they shal not, for the honest party are mor in heart then I ever sau them. The King is the darling of the City, and all hear; especially for tuo things, the shouing less favor to France, and the sending of a certaine lady, (who uas in Scotland,) beyond sea, uith out so much as seing hir." Since the late King dyed, it maks so wonderfull ane alteration upon the thoughts of the men, that ther is nothing to be heard but blissings of him, and admirations of his goodness and prudence, nor are ther any uho uill oune to hav ever bein against him." Longs to hear good news from Scotland. "This day I dyned at the Archbishop of Canterberys hous, and ther uas the Bishops of St. Asaph and Ely. Ue talked of the S[c]otish affair at leinth, and concluded that it uer absulately fitt to persue uith all vigor your resolutions of ordering Wniversitys, and converting that of Edinburgh to mor wsefull learning for that place, removing from it all students of Humanity and Philosophy; and that it uer uell to hav the service in all the Universitys and Bishop's houses to begin to mould the people to endure it. As for the propositione of the Chapell Royall, it seems yet unseasonable" Queensberry's conduct in other things was admired. A boy had been brought to them that day, who had gone to Holland with one Ogilvie, and thereafter was disbanded, and uho, having come through some of the French garrisons, said he saw there many of the Scotsmen, who had been disbanded in Holland and Flanders, taken on by the Earl of Argyle;

they had money and frocks instead of clothes allowed them, and pretended they were taken on to serve the Emperor. He saw Home, brother to the Earl of Home, who killed Hiltone, there; and he was to have office under the late Earl. This needed confirmation. "Yet look to your selves, tho' I confess I hav no fear of him at all. Wpon the renewing of the list of pensions, I am hopefull you uill take care of me." "This night at 7 in the evening, the late King's body is privately to be interred in Hendry the 7th Chapell at Westminster."

London, 16 February: 168 $\frac{1}{2}$.

274. Had received His Grace's of the 11th. Combats certain fears therein expressed, "nather Claverhous nor any other of your ennamys having interest to harne you in the least, nor Aberdein's having the least countinace from this." "Your Grace is pleased to attest me, it is not on this occatione only I hav done you justice; but I uill attest the King if I hav not always don so." The King's approbation of his conduct would come as soon as it could be prepared. Nothing was done here but by the King, "and I uill assure you nothing shal differ from your opinions but by him." Drummond was against the alterations in the Indemnity as differing from Queensberry's sentiments; and would have sent them down as opinions only, but the King would not have this. He inquired at His Majesty about Queensberry's coming up, "and he assured me it uas what he could not think fitt att this time by any means to condecend to." Owing to the great change and the sitting of a Parliament in England, he could not see how any of his officers could be dispensed with. Drummond was glad they should know the Secret Committee's thoughts so soon, and by so good a messenger as Lord Drumlanrig. "The calling of the Parliament uas by the King resolved, on sight of the Secret Comitty's letter. The sitting or not sitting depends on your lordships; and I confess I am for the sitting of it, the members being such as ue could uish. And as to my thoughts of a Comissioner, I can think but of one, and that is your self for many reasons; and I hope when the King has so much at stake, you uill not lett your modesty preveall so far as to make the least scruple in the mater. I shal euer doe your brother that justice he deserues, and that is what is deu from all men to a man of so much honor. As for Stair's peaper, the fellow who brought it uas so discouraged by my cariage to him, he never, for any thing I kno, presented it; and for the rest, the King laughed at them."

Mourning was to be as close as for the nearest relation, "only no cloaks. All noblemen and Councillors' coaches are in mourning, and all gentlemen's liuerys. The ladys hav all vailes, but they uear them only on Sundays. I am confident Claverhous has no ground to expect a precept for his mony. I admire much of his frendship uith Earl Aberdein; if it be true, he is a fyne man. I am confident it uill not be in his pouer to disturbe the King's

servants' peace in any thing; nor I hope uill he hav the impudence to designe it. . . . The Bishops' letter seimed by one I had from them, to be directed to me to deliuer to the King; but Earl Morray being in uaiting deliuered it, and had orders for ane ansuer befor I had my letters. So I could not preuent the Bishops sending up; but if you think it uorth the whyle to hinder it, upon nottice from you, I shal againe try uhat I can doe in it. This day Earl Rochester is made Lord High Thesaurer of Ingland, Lord Godolphin Chamberlane to the Quein, and Earl Arran is arived from France, whither Churchill is gon on this occatione." Was sorry his business at Monkland had given his Grace so much trouble.

London, 21 February: 1684.

275. Had received his Grace's letter of the 16th. Lord Drumlanrig would have one servant before him at all events, viz:—Drummond. . . . The Secret Committee's letter had been answered. The King would have none of the officers of state to stir from Edinburgh, but thought a parliament necessary; and preparations for it should be gone about with all speed. The King was well pleased with the good prospect Queensberry had sent up. The King was still gaining more and more of the people's love, but it was a love mixed with dutifull respect, and "not that prompts to saucieness and intrusione. Collonell Douglass' accompt I had and shoud the King, uith uich he uas satisfied, and has ordered me to prepare ane order for his hautboys pays as he desired them. The abuses comitted by the forces, as he represents them, are abominable; and really the officers ought to be punished uho are guilty of it. For God's sake aduert to it in time, for ther must be mor forces, and that is but smal incuragement for them, the offers of the shires." Meantime all furloughs should be forbidden, and musters made upon oath. "As for my opinione of a Comissioner, I continou in my former, that ther is no subject but your self capable of it, and I am confident the choise uill light ther; but the King does not speake of it yet to any body, for all I kno." Earl Aberdeen is left to Queensberry's disposal, who may freely prosecute him for any fault. . . . "I am not mistaken of the Lords Cochran and Montgomery. They are yong men, and may liv to repent them, but this time most bring about; only, if they continou, they uill find themselves in the urong. I am sory Claverhous should be such a fool as to continou after the King's commands. If the King come to take inspectione in the affair, Claverhous uill not find himself right in thes methods. The King imagined that the sending the Bishops hom to ther Dioceses uas to hinder one of them to come up; so having granted St. Andrews leav he thought that letter uas out of time, and so delayed it; but I beleiv the precedent hear uas the thing he thought of most in that mater.

"The King is uel satisfied uith uhat the Circuite has done in the north, and thinks the 10,000 lib. uas uell gott off Grant and the Brodies; and for the nature of the Comissions I never

questioned the use of them." He proceeds to speak of certain fees due to him and others. "I hav sent to my brother for ane impressiōe of the Broad Seal, one of the Quarter and Privy Seals. The Signet ue hav; and ther most be four of them, 3 of silver and one of steill: they cannot possibly be made below, for the King must deliuer them to us; and indeid, the rest should have bein destroyed in his presence. The silver ones uill not coast much, and the steil one is almost done. So soon as the impressions come, the prices shal be sent to your Grace to consider of." He had informed the King of the hazard Queensberry was in, in going to Edinburgh, and the hopes he had of laying £10,000 sterling in the Castle of Edinburgh. The King approved mightily of his service.

London, 24 February: 168 $\frac{1}{2}$.

276. He had received the Duke's letter of the 14th February by the Earl of Drumlanrig at the latter's own lodging. The Earl had come to Drummond's house, where they discoursed fully of all methods he was to take, "and thereafter I waited on him to the King, who received him very graciously and kindly, and carried him (after he had delivered his letters) to the closet, and ther perused his Instructions. Wherupon the King commanded us all to attend him this afternoon at 4." In the evening Drumlanrig kissed the Queen's hands, and was to wait on the Prince of Denmark, but the Princess was not to be seen. After that he supped with Drummond. This day Earl Drumlanrig, Earl Morray, Earl Middleton, and Drummond, waited on his Majesty; but he does not repeat what was done, as Earl Drumlanrig, and his own letter to the Secret Committee would inform the Duke. "I am really sorry at Claverhous' cariage, tho' ye kno my opiniōe of him befor this fell out; yet the King has uneasy consequenses. But if he uill play the fool, he most drink as he breus." He would have wished his Grace to come to this place for his (Drummond's) interest. "But the King uas so positiv and gav so good reasons, as non of us durst say any mor in the mater." &c.

London, 26 February: [16]85.

277. In his letter of the 22nd, Queensberry referred him to his brother [Earl of Perth] for what occurred there. "If all be against me, as he says, I am in a fyne takeing. But I hope ye think me mor a man of honor, and that I hav mor sence then to be guilty of things I find I am suspected for; but of this I hav said so much to him, I uill not repet; only beleiv me what I said I uold be, and all is uell. You'l find it so uhen ye come hither. . . . But in short, as for doing any thing relateing to Thesaury maters, it neuer uas designed. But the King hauing commanded us to drau all uarrants as they uer, himself having done all befor, as uell as nou, in that Kingdom, I sent your Grace ane accompt that if ye had any thing to propose, ye might in time, and so ye hav, for all shal stop. As to your Grace's comeing hither, I uas expecting this second adress, but not to be against me, but to furnish me uith arguments to promot your desire.

"I went to the King, and he appointed this night at six. Ue mett at seuen, and the King upon the arguments it seims ye held out, for it was his own motione, so soon as I began to name it, that now your Grace and my brother should come up hither before the Parliament; but expressly forbidding any other of the Councill or army to come so long as ye are absent. And for this cause he has ordered a letter to the Councill commanding their stay at Edinbrugh till your returne." Drummond requests the Duke therefore to make haste, for it was expected he would come off on Wednesday the 4th of March at furthest; "if not, ye most doe what's possible. All this I reioice at." The reason for calling him in this haste was "that the King thinks a session of parliament in Scotland necessary before the meeting of that of England. That of England is not to be put off, so ye most come hear speediely, or render a parliament of Scotland useless." The King appeared well satisfied with Earl Drumlanrig. Earl Arran pretended to the Bed-chamber. If St. Andrews were there before Queensberry, "I shall answer for him; but he dare not point at things your Grace mentions; but I am not to blame for him, and yet I am concerned he carry as becomes his character."

London, 28 February: 1684-5.

278. Drummond was hopeful that Queensberry was on the road. Protests his innocence of some things which had been laid to his charge "by some of your number," which would soon appear if his Grace were come. He wishes him to hasten his departure if he were not already set out. "Things here go on well, and daily better; addresses humble, loyal and numerous, and hopes of a good parliament here; and, if a wise, brave King over these may make a nation happy, we have the hopes of it.

"I had a letter from Claverhouse this day, and the King another. He desires to come up, but I shall prevent it till your Grace come, if I can; but I dare promise nothing. I hope ye are at ease as to Keigrell's and his friend. Edinburgh was much prayed to other days. Of this *mum* till meeting.

"My Lord Drumlanrig is well, and he, Dumbarton, and I dined this day together at the Old Blue Posts in Hay Market." The Court was now a continual crowd, and no pleasure was so great as to see those who some time ago were the greatest enemies now making the greatest professions. "God continue this King long to us; he seems ordained for such a charge, and I hope will bear it bravely."

[Without date. c. April 1685].

278A. "Since your Grace went from this place, I have been so ill, that it was not in my power to write, nor was there any thing worthy of your trouble which was not communicate to the Secret Comitty. The appearances these rebels make are the subject of much discourse here; and seeing the rooting of them out is a matter of so great ease, I have no doubt but it will now be so effectually gone about that we shall quickly see an end of that trouble."

The Queen was recovering to the great joy of all. He longed extremely to hear of his Grace's safe arrival, "and that so much the more, because of these rogues going towards the Border, as if to uay lay you."

Address:—For His Majesty's High Commissioner for the Kingdom of Scotland.

London, 11 April: 1685.

279. "It has pleased his Majesty to renew that Signature of Lorn which was formerly past by his royall brother, and composed in Exchequer, but by the negligence of the ureater was not passed the seals. There are lykeuays some others depending upon the same gift, which are laukuays sent down. I hope your Grace will doe me the favor to causs pass them so soon as conveniently [you] can, for your Grace knows that upon them depends my security of what ye see at so much paines at first to procure. . . . The Great Seal requireing hast shal lykeuays be sent. I am to see it to-morrow; but by what I said of it this day, it will require Monday and Tuesday's work to mak it as it ought to be."

Further about a party that was to be sent to Carrick-Fergus. "The story of ther Whigs' meeting in Holland holds, so as that they hav something on the wheils at this time that is of consequence to all of us. I kno the ports are so looked after that ther is no fear of any on's aryveing unexamined."

London 14 April: 1685.

280. Drummond was glad that his Grace was safely arrived, and that all things there had so good a prospect. It was as well here. Now the parliament here was almost complete, one could judge of it, and those who knew them best thought this would be the best parliament that ever was in England. His Majesty had sent the "yaught" straight to Greenock, with orders to send his Grace notice of his arrival and to obey his Grace's commands. The King desired that 20 soldiers might be put on board at Greenock, to continue during his cruising between this country and Ireland. His Majesty had ordered the forces in Ireland "so as to secure our coast from ther truble. . . . The seals, trumpets, coats, I took care of, tho' the seal was not finished at all, but the coats &c. are right. . . ."

"Yesterday the King called me and told me his designe for my Lord Tarbat, in which I acquiesced with all my heart; tho' if I had followed my own inclination, without regard to him, I had made a delay my most humble desire; but on his accompt, I went over all difficultys of my condition," &c.

London, 16 April: 1685.

281. The King had given him the inclosed to transmit. "The King, having notice that Claverhous has not bein to pay that civility that was fitt, has by this post ordered him to doe it, so concerned he is to hav that mater at ane end to your Grace's satisfacione. . . ."

This Report has been prepared, on behalf of the Historical Manuscripts Commissioners, by the Rev. William Scott, of 263, Dalkeith Road, Edinburgh.

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