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THE ACTS
DONE AND PAST
IN THE SECOND,
THIRD, FOURTH, AND FIFTH
SESSIONS OF THE
FIRST TRIENNALL
PARLIAMENT
OF OUR
SOVERAIGNE LORD
CHARLES,
By the grace of GOD, King of
Scotland, England, France, and *Ireland,*
Defender of the Faith.

Holden at EDINBURGH, STIRLING, PEARTH, and S. ANDREWS *respective:* Beginning at EDINBURGH the seventh of January 1645. and ending at S. ANDREWS the fourth of February 1646. according to the severall Diets of the foresaids Sessions.

EDINBURGH:
Printed by *Evan Tyler,* Printer to the Kings most Excellent Majestie. *Anno* 1646.

CUM PRIVILEGIO.

0381

ACTS
DONE AND PAST IN THE second Sesion of the first triennall Parliament:

Holden at *Edinburgh*, beginning the 7. of January 1645, and ending the 8. of March 1645.

ACT I.

Act ordaining the Earle of Lauderdale *to continue President during this Parliament.*

7. January 1645.

FOrsameikle as the Estates of Parliament now conveened this seventh of January 1645. years. To the which day this Parliament was continued by the last Act of the first Session thereof the 29. of July 1644. years. Taking to their consideration the desire of *John* Earle of Lauderdale President of Parliament, elected by the Estates of Parliament, in the foresaid first Sessionof this Parliament, Declaring that he as President of Parliament, had ministred the Oath of Parliament to the whole members thereof present. And therefore represented to them, and desired that they would proceed to the election of another President in his place, conforme to the 50. Act of the Parliament holden in *anno* 1641. Intituled, *Act anent the election of the President of Parliament.* The Estates of Parliament, after reading of the foresaid Act, anent the election of the President of Parliament: And of the first Act of the first Session of this Parliament, anent the election of the said *John* Earle of Lauderdale to be President in this

Parliament, Findes, That by the Act of the election of *John* Earle of Lauderdale to be Preſident of Parliament, He is elected to be Preſident in this Parliament, and during the time thereof. And ſo in reſpect of the Act of his election, and of the Act made anent the election of the Preſident of Parliament; there can be no other Preſident elected and choſen, during the time of this firſt Triennall Parliament.

ACT II.

Act anent the election of the Earle of Crawfurd to be Preſident of this Parliament, in place of the Umquhile Earl of Lauderdale.

20. *Januar.* 1645.

FOrſameikle as the Eſtates of Parliament now conveened in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in *anno* 1641. Taking in conſideration, That the place of Preſident in Parliament doth now vaike by the deceaſe of Umquhile *John* Earle of Lauderdale, laſt Preſident of Parliament. And herewith alſo conſidering, That by their Act the eleventh of January, they had nominated and choſen *John* Earle of Crawfurd-Lindſay to be Vice-Preſident of Parliament, in abſence and during the ſickneſs of the ſaid Umquhile *John* Earle of Lauderdale: And being aſſured of the fidelitie and abilities of the ſaid *John* Earle of Crawfurd, The ſaids Eſtates of Parliament did unanimouſly after voycing, elect and chooſe the ſaid *John* Earle of Crawfurd to be Preſident of this Parliament, conforme to the 50. Act of the laſt Parliament, made in *anno* 1641. anent the election of the Preſident of Parliament.

ACT III.

Act anent the Deficients and Run-aways.

24. *January* 1645.

THe Eſtates of Parliament preſently conveened, in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates in *Anno* 1641. Taking into their conſideration the great prejudice that befalls to the publike Service of this Kingdome, through the not due execution of theſe Acts formerly made againſt Deficients and Run-awayes of the firſt and ſecond Leavies: And finding it neceſſary that all means be uſed for remeid and prevention thereof

thereof in time coming, They do Statute and Ordain, that the Acts already made hereanent be put in due execution; And for that effect Ordains & Commands all and ſundry Officers (who are not members of Parliament ſitting therein) and Souldiers of any Regiments within the Kingdom, To repair to their ſeverall Colours, Theſe on this ſide of *Forthe* within Ten dayes after the publication hereof; And theſe on the other ſide of *Forthe* within Six dayes after the publication: And the Officers and Souldiers within any Regiments in *England*, To repair to their Colours, theſe on this ſide of *Forthe* within Fifteen dayes, and theſe on the other ſide of *Forthe* within Twenty dayes after intimation hereof: The Officers under the pain of loſing of their places, and the Souldiers under the pain of death: Certifying them that failzies, the ſaids pains ſhall be execute upon them without favour. And further, The Eſtates do hereby diſcharge all his Majeſties Subjects from Reſetting any of the ſaids Run-awayes, under the pains contained in the Act of Parliament made thereanent: And Ordains and commands the Committees of Warre in the Shires, To do exact diligence in making ſearch for the Deficients, Run-awayes, and their Reſetters within their Shires, and ſuch as ſhall come into their Shires without Paſſes from ſome of the generall Officers of the Army, or the Commander in chief of that Regiment wherein they ſerve: As alſo in up-lifting the Fines of the Reſetters and Heritors that are deficient in the Leavies, for which purpoſe they are hereby authoriſed to direct Precepts of Poinding, and give out ſuch order as they ſhall think fitting for lifting of the ſaids Fines: And that out of the firſt and readieſt thereof, and of the Exciſe, conform to the Act of Parliament herewith reprinted, the Run-away Souldiers be ſent to their Colours, to receive puniſhment according to their demerits. And Ordains the Committees in the Shires, to ſend in an accompt of their diligence herein to the Parliament or Committee thereof monethly at leaſt, and the firſt accompt to be ſent in upon the firſt day of March next: Wherein if they failzie, they ſhall be lyable for Five hundred merks for each Horſeman, and an hundred pounds Scots for each Footman, that are Run-awayes or Deficients in theſe Troops or Companies put out by that Shire: And Letters of Horning ſhall be direct againſt them for payment thereof. And the Eſtates of Parliament, Conſidering how neceſſar it is for the good of the publike Service, and better execution of this Act, That an exact triall be tane through the Shires of the numbers of Horſe and Foot put out by them, They do therefore ordain and command the Committees of War in the ſeverall Shires of this Kingdome, To cauſe make an exact Liſt of the whole perſons names who were put out of the Shires, either as Horſemen or Footmen in the firſt and ſecond Leavies; with the perſons names by whom they were put out, and the Officers names who received them, or money for them, and what was the proportion of money given therefore: Aud that they ſend in the ſame under their hand, with one or two of their own number, betwixt and the ſaid firſt day of March next, under the pain of Horning; With

With certification to them if they failzie, the said day being by-past, Letters shall he direct to denounce them Rebels, And to eschcat, &c. And to the effect that their Rolls, and the carriage of the Officers may be the better cleared, It is hereby Statute and Ordained, That the Officers in the severall Regiments, shall give in under their hands a List of the Persons or Moneys received by them, and from whom, That the same being compared with the Lists sent from the Shires, It may be best known where the deficiencie is, and a course taken for remeiding thereof: And discharges all Officers in time coming of taking of Moneys for up-lifting either of Horse or Foot, under the pains foresaids: And declares, That in case any persons shall give Moneys to any Commander, The samen shall no wayes be ane liberation to these that payes the Moneyes in time coming. And the Estates Ordains this Act, with the other made in the last Session of this Parliament concerning Run-aways, To be Printed, and Published at the Market crosses of the head Burrows of this Kingdom and severall Parish Kirks thereof, wherethrough none pretend ignorance of the samen.

ACT IV.

Anent the Excise, and collecting thereof.

Ult. Januarii.

THe Estates of Parliament now conveened in the second Session of this first Triennall Parliament, by vertue of the last Act of the last Parliament, holden by his Majestie and the three Estates in *Anno* 1641. Having taken to their consideration what may be the most expedient way for collecting the Excise, least chargeable to the Publike, and least troublesome to the Lieges: They after debate and resolution thereanent, Ordains the whole Excise of the Kingdom, to be collected and gathered in as follows, *viz.* They give power, warrand, and commission, to the Magistrates and Councell of the whole Royall Burrows of the Kingdom, and such as the Magistrates and Councell of ilk Burgh shall appoint and be answerable for, To collect, ingather, and up-lift the whole Excise within the bounds of their severall Burghs, Pendicles, and Liberties thereof, from all persons whatsomever within the samin, lyable in payment of Excise. And Ordains the saids Magistrates and Councell, and these to be appointed by them, and for whom they shall be answerable, as said is, To do their exact and faithfull diligence hereanent. And to make compt, reckoning, and payment of the whole Excise within their severall Burghs and bounds thereof *respective* foresaids, To the Commissioners for the Excise, as is appointed by their Acts set down thereanent. And allows to the saids Magistrates and Councell of ilk Burgh, ten of ilk hundreth of the Excise foresaid, appointed to be

to be collected by them, as said is, To be disposed upon by the several Burghs, for publick, pious, and charitable uses within their Burghs, and for payment to their Sub-Collectors of their Fees, at such proportion as the Magistrates and Councell of ilk Burgh shall appoint and think fit to give them. And als the Estates, gives likewise power, warrand, and commission to such persons as are Elders and Deacons of ilk Landwart Parochine of the Kingdom, and such as they shall appoint and be answerable for, To collect, uplift, and gather in the whole Excise, within their severall Paroches, from all persons lyable in payment thereof. And Ordains them, To do their exact and faithfull diligence thereanent. And to make compt, reckoning, and payment of the samin, To the Collectors of the severall Shires, within the which their saids Parochines lyes. And Ordains these Collectors of the severall Shires, To make compt, reckoning, and payment of the whole Excise of their Shires, to the said Commissioners for the Excise, in manner as is appointed and prescribed by the saids Commissioners for the Excise, their Acts made and set down by them thereanent; For taking compt and payment from the Collectors of the sevarall Shires of the Kingdome. And the Estates allows Ten of ilk hundred of the samine Excise for collection thereof, And for the other pious uses after specified, to be imployed as follows, *viz.* Sik part thereof to the Collectors of the Shires for their Fees, as the Commissioners for the Excise shall modifie, Not being within ane, nor exceeding four of the foresaid Ten for the hundred; And Ordains the superplus of Ten for ilk hundred of the said Excise to be disposed upon for publike, pious, and charitable uses within the severall Paroches *respective*, whereout of the Excise is collected, and for payment to the Collectors thereof, within the samine severall Paroches of their Fees for collection of the Excise, at the sight, and by the direction of the Kirk Sessions of the severall Paroches, and as they shall think fit to allow and modifie to the Collectors of the severall Parochines, for their Fees, pains and charges, as said is. And because there is Excise already up-lifted in sundry parts of the Kingdom, both to Burgh and Landwart by the Collectors formerly appointed for that effect, The Estates Ordains the Commissioners for the Excise, presently with all conveniencie, To call before them these Collectors, and cause them make compt, reckoning, and payment of their whole intromissions. And for the rest of the whole bygone Excise, not yet collected, Ordains the same to be collected, uplifted, and ingathered from all persons lyable in payment thereof, by the Magistrates, and sick as they shall appoint within their Burghs, Pendicles, and Liberties thereof: And by the Elders and Deacons, and sick as they shall appoint within the whole severall Landwart Paroches of the Kingdom, And to make compt, reckoning, and payment of the same, to the Commissioners for the Excise. And where they shall finde any persons, That in regard of their poverty, are not able to pay all bygone Excise, The Estates Ordains sick parts and portions of the bygone Excise, to be tane from these poor persons as they

they are able to give. And declares, That the Testificates of the Magistrates for the Burgh, and Kirk Sessions for Landwart *respectivè*, given upon their credits, anent the inhability of the saids persons, to pay their whole bygone Excise, being produced before the Commissioners for the Excise, shall be sufficient, to infer liberation to the saids Magistrates, Elders, and Deacons *respectivè pro tanto*, for the sums contained in these Testificates. And for the more cleare collecting of the Excise of Ale, Beer, and Wines, fra whom the samine shall be tane, The Estates Ordains the Excise of the Ale, Beer, and Wines, to be collected, uplifted, and gathered in from the Brewers, Topstars, and Vintners *respectivè*, of Ale, Beer, and Wines, according to the proportion and quantity *respectivè*, made use of, topted, or sold by them, with the provisions contained in the Act of Parliament. And Ordains this manner of the collecting of the Excise of the Ale, Beer, and Wines, to stand and be observed: Notwithstanding of the Acts made by the Committee of the Estates, and Commissioners for the Excise, upon the 20. and 21. dayes of December last by-past: Which Acts the Estates reschindes and discharges in so far as the samine are or may be derogatory hereto, in any manner of way. Likeas the Estates of Parliament, Ordains the Gudlines with the interest due, advanced, and payed by the Burrows, and their Burgesses *respectivè*, for Arms brought home to the Kingdom, and the prices of the Silver-work given in for the use of the Publick, With the quarterings of Souldiers to be first payed out of the foresaid Excise, conforme to the Act of the Committee of Estates made thereanent; and conform to the particular Acts granted to the severall Burghs, their Burgesses, and others persons *respectivè* for payment of their saids Gudlines and price of their Silver-work. And thereafter Ordains the annualrents of the Moneys addebted by the Publick, to any person in Burgh and Landwart, to be payed out of the foresaid Excise, conforme to these Creditors their Bands, Securities, and Warrands *respectivè*, granted to them by the Publick, for payment of their saids debts. With power also to the Commissioners for the Excise, To receive in, fit, and allow, as they shall think reasonable, the whole compts of the quarterings, with the Bands, Warrands, and Securities, granted for payment of the Gudlines, Silver-work, and others publick debts. And after sight thereof, and fitting and allowing of the compts of the quarterings, To give precepts and warrands for payment thereof out of the Excise, according to the order before prescribed, and conform to the Acts of the Commissioners for the Excise, anent the granting of the saids precepts. And sicklike the Estates of Parliament Ratifies and approves the Commission granted to the Commissioners for the Excise, and whole remanent Acts and Ordinances made and set down for ingathering thereof, and not hereby altered nor reschinded, in manner above-written. And Ordains the same to stand in force and strength, as is set down in the Act of Parliament, except in so far as the same are hereby reschinded or altered, as said is. And farther, the Estates by thir presents, Gives full power and warrand to the Commissioners for the Excise, To ferme the Excise of the Wines to the severall Burrows of the Kingdom, ilk Burgh for their own parts, as the Burrows shall desire the ferming thereof, and that for payment of sick duety therefore, and upon sick security for payment thereof, as the Commissioners for the Excise shall finde most usefull and profitable for the benefit of the Publick. And Ordaines Letters of Horning to be direct, charging these persons who shall be nominate and appointed Collectors of the Excise, to the effect *respectivè* above specified, to accept of the samine Office. And Ordains thir presents to be published and Printed.

ACT V.

Commission for the Exchequer.

1. *February* 1645.

THE Estates of Parliament now conveened, in the second Session of this first Trienniall Parliament, by vertue of the last Act of the last Parliament, holden by his Majesty and three Estates, in *Anno* 1641. Taking to their consideration, That there was ane Commission of Exchequer granted to ane certain number of Noblemen, and others, by whose help, counsell, and advice, the managing and government of his Majesties Rents, and others after-mentioned, competent to the Exchequer, In manner underwritten, was to be guided, ruled, and directed, Did expire at the beginning of this present Parliament, whereby his Majesties service, and good of the Lieges would be greatly prejudged, if the said Commission were not renewed. As also considering, that for the good of his Majesties service, and ease of his Subjects, They have made and constitute *John* Earle of Crawfurd-Lindsay, Commissioner for the Thesaurarie, Comptrollarie, and Thesaurarie of his Majesties new Augmentations within this Kingdome: But prejudice alwayes to Sir *James Carmichael* of that Ilk, Knight, Thesaurer-Deputy of his gifts of his Office foresaid, and whole Liberties, Power, and Priviledges belonging to the samen, as the Acts of Parliament made thereanent bears. Therefore they have made, named, and constitute, and by the tenor of thir presents makes, names, and constitutes, *John* Earle of Lowdoun Chancellour, *Robert* Earle of Roxburgh Privie Seale, *William* Earle of Lanerk Secretary, Sir *Alexander Gibsone* of Durie Clerk of Register, Sir *Thomas Hope* of Craighall Knight, his Majesties Advocate, Sir *John Hammiltoun* of Orbestoun Knight, Justice-Clerk, Sir *Andrew Fletcher* of Innerpefer Knight, Sir *James Leirmonth* of Balcomie, Sir *James Macgill* of Cranstoun-riddell, Sir *John Hope* Fiar of Craighall, Sir *Alex. Falconer* of Halkertoun, Sir *John Leslie* of Newtoun Knight, Sir *John Scot* of Scottisturbet Knight, ordinary Lords of the Session, and Sir *James Lockhart* of Ley, Commissioners of Exchequer,

chequer, That they concurre and assist the said *John* Earle of Crawfurd-Lindsay, Commissioner for the Thesaurarie, and representing the place of high Thesaurer, Comptroller, and Collector of his Majesties new Augmentations within this Kingdom, & the said Sir *Iames Carmichael* of that Ilk, Knight, his Majesties Deputy in the saids Offices. Likeas, The saids Estates of Parliament, have given, and by thir presents gives full power and Commission to the said *John* Earle of Crawfurd-Lindsay Commissioner, and representing the place of high Thesaurer, and the said Sir *Iames Carmichael* his Majesties Deputy Thesaurer in his absence: Together with any two of the saids Commissioners, To receive Resignations, Surrenders, and Commissions of all Lands, Baronies, Castles, Towres, Fortalices, Kirks, Benefices, Teinds, Patronages, and others whatsomever, lying within this Kingdome of Scotland, which of their own nature may be resigned, surrendred, and dimitted in his Majesties hands for himself, or as administrator to his deareſt son the Prince, either in their own favours *ad perpetuam remanentiam*, or in the favours of whatsomever his Majesties Subjects, and to give, grant, and expede all and whatsomever Signators, Gifts, Infeftments, Confirmations, Dispositions, and others Rights and Securities requisite upon the saids Resignations, Surrenders, and Dimissions, or vacand by any other manner of way, whereby the saids Lands, Baronies, Kirks, Teinds, Patronages, and others foresaids shall happen to vaike in his Majesties hands, or the Prince his hands, by reason of Recognition, Bastardries, last heir, Disclamation, Reduction, Apprysing, or other manner of way. And to give and expede new Gifts and Dispositions, with all clauses necessary and used in the like cases, To be holden conform to the tenour of their old Infeftments, and for payment of the Duties and Conditions therein expreſt. Likewise with power to give and expede all gifts of Wairds, Non-entresses, Escheits, Life-rents, and others Casualities whatsomever vaiking, or which in whatsomever manner of way vaik in his Majesties hands, or the Prince his hands, and for payment of reasonable compositions therefore: And also to set Tacks of his Majesties Customes and Imposts, according to the forme contained in former Commissions: And likewise to grant Remissions to transgressors of whatsomever perill Statutes, upon reasonable compositions, as said is: And to grant Remissions for slaughter, upon sight of Letters of slaynes; and for Adultery, upon testimoniall of their repentance and satisfaction to the Kirk. Reserving alwayes to his Majesty to grant Remissions for crymes of greater moment and consequence. And generally, to compone, transact, and agree in all and whatsomever things touching his Majesty, or the Princes Rents, Customes, or Casualities of this Kingdome, or that in any wayes may belong to the saids Offices of Thesaurarie, Comptrollarie, or Thesaurarie of new augmentations pertaining or that in any ways may pertain to his Majesty, or the Prince, upon reasonable compositions, as said is. And with power to the said *John* Earle of Crawfurd-Lindsay, Commissioner, and representing the place of high Thesaurer foresaid, and in his

his absence, to the said Sir *Iames Carmichael* Deputy Thesaurer, with any two of the other Commissioners of Exchequer foresaids, To sit, cognosce, and determine in all actions and causes incumbent or touching his Majesties Rents, and others incumbent to the Exchequer sicklike, and als freely as may be done by the Lawes of the Kingdome, and last Act of Parliament. And for that effect, With power to the said *John* Earle of Crawfurd-Lindsay, Commissioner, and representing the place of high Thesaurer, and in his absence the said Sir *Iames Carmichael*, with the saids Commissioners, or any two of them, To conveen and meet at such times and occasions, and in such places as they shall think expedient, and there, all and sundry businesse publikely to do and expede, which may concern the premisses, and no farther. And Ordains Letters of Horning and Poinding, and others Executorialls necessary, according to the custome observed in the like cases. And that the Compositions to be payed by his Majesties Subjects, for expeding of the saids Gifts, Signators, and others Rights foresaid, chiefly of his Majesties Propertie and Principalitie, may be done with a due proportion and consi deration of the benefit arising thereby. Therefore the saids Estates Wills and Ordains the said *John* Earle of Crawfurd-Lindsay, Commissioner foresaid, and in his absence the said Sir *Iames Carmichael*, Deputy-Thesaurer, To meet and conveen certain dayes in the ordinary Exchequer-house, where the saids Signators are to be presented, To treat, deal, do, and consider with the Parties presenting the saids Signators, and for trying the worth, casualitie, and benefit sought thereby, and to move the Parties to pay reasonable Compositions, and to consult upon the saids Compositions: And the saids Estates Wills, That the Compositions of every Signator be publickly set down, and in open Exchequer in publick meetings, by the said *John* Earle of Crawfurd-Lindsay, and in his absence by the said Sir *Iames Carmichael*, Thesaurer Depute, with consent of the saids Commissioners, or any two of them, as said is, and not within the said number. And the saids Estates Declares, That this present Commission shall be but prejudice of the said Sir *Iames Carmichael* his gift of Thesaurer Depute during his life time, and of the whole Priviledges & Liberties therein contained, which are holden as herein expreſt, and without adding or pairing thereanent, as said is. And also the saids Estates Declares this present Commission to endure to the next Session of this present Parliament, Discharging hereby all former Commissions of Exchequer, granted before the date of this present Commission: With provision alwayes, that this present Commission, nor any thing therein contained, shall not derogate from the Commission of Privie Councell, Commission of Teinds and Surrenders, But that they remain in their own vigor, unprejudged, stopped, or any wayes altered, notwithstanding of whatsomever heads and clauses contained in this present Commission. Which Commission the Estates declares shall onely endure to the said next Session of this present Parliament.

ACT VI.

Act anent the In-bringing of the Loan and Taxt.

1. *February* 1645.

THe Estates of Parliament now conveened in the second Session of this first Triennial Parliament, by vertue of the last Act of the last Parliament, holden by his Majesty and three Estates in *Anno* 1641. Taking in consideration the great slowneſſe and backwardneſſe in the Shires to pay their Loan and Taxt granted by the Convention of Estates, and appointed to have been payed eighteen moneths since, or thereby. Insomuch as the most part of the Shires have not, nor will not give in their Accompts of their Loan and Taxt: Notwithstanding the necessity and prejudice, the service of the Publick sustains for want of Money, albeit there be nothing more due than the Loan and Taxt granted by the Estates for that service; They do therefore Command and Ordain, The whole Subcollectors of the Loan and Taxt, who hes not yet given in, cleared, and perfected their Compts thereof, To bring in to the Collector generall of the Loan and Taxt, and his Deputes, their whole Accompts of the famine, Together with the diligence done by the Sub-collectors, conforme to the Act of the Convention of Estates for ingetting of the Loan and Taxt. And to cleare and perfect their saids Accompts and diligence done by them thereanent, betwixt and the dayes underwritten, *viz.* These Sub-collectors for the Shires be-south *Spey*, betwixt and the twenty day of February instant, and the Sub-collectors for the Shires be-north *Spey*, betwixt and the first day of March next without farther delay: That thereby it may be cleared wha hes payed, and wha not, and where the fault and deficiencie is; With certification to the Sub-collectors and they failzie, They shall be compelled to pay the whole Loan and Taxt layed on the Shires whereof they are Sub-collectors, without any allowance or deduction whatsomeyer to be granted of any deburſements for Leavie money, Transport money, or any other cause. And als, The saids Estates hereby ordaines and Commands the whole Heritors and others lyable in payment of Loan and Taxt, who hes not yet payed the same, To make payment thereof or suspend betwixt and the dayes *respective* above-written, To the Sub-collectors of their Shires, That the Sub-collectors may the more clearly compleat their Compts, and report their diligence at the time and in manner before ordained: With certification to the Heritors and others lyable in payment of the Loan and Taxt, and they failzie, They shall be compelled to pay the whole Loan and Taxt not yet payed without deduction of Leavie money, and Transport money, either for Horse or Foot, or any other deduction appointed by the Act of Convention, to be granted to timeous payers.

And

And farther, To the effect it may be seen to the Estates of Parliament, That the valuations of the severall Shires are made conform to the order prescribed by the Act of Convention of Estates; They therefore Ordains and Commands the Commissioners and Valuers for the whole several Shires of the Kingdom, nominate and appointed by the said Act of Convention for valuation of their said severall Shires, To bring in and produce to the Collector-Generall and his Deputes, betwixt and the dayes *respective* above-mentioned, the whole valuations of their severall Shires and Paroches thereof, conform to the said Act of Convention, *viz.* These Valuers for the Shires be-South *Spey*, betwixt and the twenty day of February instant; and these for the Shires be-North *Spey*, betwixt and the first day of March next, under the pain of Rebellion, and putting of them to the Horn: And if they failzie, To denounce and escheat, &c. And in respect That there are some Shires and persons that questions the payment of their Loan and Taxt, without they get deduction therein of Leavie-money and Transport-money, for the Horse and Foot put out by them in the second Leavie; Which desire, The Estates findes groundlesse and unreasonable, The same not being sought nor granted to any of these wha hes already paid their Loan and Taxt for the Horse or Foot put out by them in the second Leavie, And so is far lesse due to such as hes not yet payed their Loan and Taxt. The Estates for clearing hereof, Findes and Declares, That there is no deduction of Transport-money or Leavie-money, due to be granted of the Loan and Taxt for the Horse or Foot put out in the second Leavies: And therefore they discharge *simpliciter* the seeking or granting of any deduction therefore in the payment of the Loan and Taxt. And that none pretend ignorance anent the premisses, Ordains thir presents to be Printed, and published by sound of Trumpet at the Market Crosse of Edinburgh, and by Messengers of Arms at the head Burghs of the severall Shires of the Kingdom.

ACT VII.

Discharging the Printing or Re-printing of some Books.

12. *February* 1645.

THe Estates of Parliament now conveened, in the second Session of this first Triennall Parliament, by vertue of the last Act of the last Parliament holden by his Majestie and three Estates in *Anno* 1641. Ratifies and approves the Act of the Generall Assembly of the tenth of February instant, whereof the tenour follows. The Generall Assembly having appointed M. *Robert Boyd* of Trochrig his Commentary upon the Ephesians to be Printed by *Robert Bryson*, and having appointed the Continuation of the History of this Kirk to be revised by the Commissioners of the

Assembly,

Aſſembly, and thereafter to be Printed within the Kingdom, by the conſent of the Authour; And underſtanding that M. *David Dickſon* hath already Printed a ſhort Explication of all the Apoſtolicall Epiſtles, Therefore that their undertaking of the Printing of the ſaids Books be not wronged, Diſcharges any to Print, Re-Print, or bring from other Kingdoms the ſaids Works, without conſent of M. *John Boyd* of Trochrig, and of the Authors of the other Works *reſpectivè*: And moſt ſeriouſly recommends to the Honourable Convention of Parliament, that their authority with their civill ſanction be interponed thereto, in the whole Heads and Articles above-mentioned of the ſaid Act. And the Eſtates of Parliament do hereby interpone the authority of Parliament to the foreſaid Act, And Ordains the ſame to have the ſtrength and effect of a Law for the ſpace of fifteen yeers following the date hereof.

ACT VIII.

Anent the Printing of the Warning from the Generall Aſſembly.

13. *February* 1645.

THe Eſtates of Parliament now conveened, in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates in *Anno* 1641. Having heard the Warning preſented unto them from the Generall Aſſembly read in their audience, Received the ſame cheerfully as a ſeaſonable Warning, and appoints the ſame to be Printed; And ordains the Earle of *Crawfurd-Lindſey* Preſident of the Parliament, to give thanks from the Parliament to the Aſſembly for their care, paines, and vigilancie expreſſed thereintill.

ACT IX.

Anent the ſelling of the Lands of forfaulted perſons.

20. *February* 1645.

THe Eſtates of Parliament now conveened in the ſecond Seſsion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates in *Anno* 1641. Conſidering that the Eſtates of Parliament by their Act of the date the 27. of July 1644. Conſidering that it was againſt all equitie and reaſon, That the Vaſſals, Cautioners, and true and reall Creditors of any perſon or perſons, of whatſoever qualitie, that ſhould be forfeulted in this preſent Parliament, or at any time thereafter, ſhould be prejudged by the forfaulture of the ſaids perſons off their right of propertie of any Lands, Woodſets, and others

others, holden by them of the ſaids forfaulted perſons, or of the payment of their juſt Debts, and relief of their true and reall Cautionries, for payment and relief whereof the ſaids forfaulted perſons ſtood obliged, the ſaids Vaſſals, Creditors, and Cautioners foreſaids, not being airt, pairt, acceſſarie, nor aſsiſting to the crimes for which the ſentence and doom of forfaulture was or ſhould be decerned: Therefore the ſaids Eſtates fand, decerned, and declared, That the Vaſſals of any perſon or perſons of whatſoever qualitie, who were or ſhould happen to be forfaulted in that preſent Parliament, or at any time thereafter, for whatſoever cauſe, ground, or occaſion, whereupon ſentence and doom of forfaulture ſhould be given and pronounced againſt them, ſhould not be prejudged anent their right and property of the Lands, Annuall-rents, Wodſets, and others holden by them of the ſaids forfaulted perſons; but that the ſaids Vaſſals ſhould be in that ſame caſe and condition with theſe who comes in the right and place of the ſaids forfaulted perſons, as the ſaids Vaſſals were with the ſamin forfaulted perſons, their Superiors, before the ſentence and doom of forfaulter, The ſaids Vaſſals no wayes being airt, pairt, acceſſory, nor aſſiſting to the ſaids forfaulted perſons, in the committing of the crimes or deeds, for the which the ſentence or doom of forfaulter was, or ſhould be given againſt them, as ſaid is. And alſo found and declared, That the true Creditors and Cautioners of the ſaids forfaulted perſons, or theſe who had any part of the Fines aſſigned to them by the Publike, ſhould no wayes be prejudged by the foreſaid forfaulter, anent the payment of the ſaids Creditors, or their reall, juſt, and due debts owing and aſſigned to them, and anent the ſaids Cautioners their relief of their juſt and true Ingagements, and Cautionries, but that the ſaids Creditors and Cautioners *reſpectivè*, ſhould have action and execution for their payment and relief *reſpectivè*, againſt the Lands and Eſtate of the forfaulted perſons, their Debters ſicklike, and in the ſamin manner, as if they had not been forfaulted; Providing the ſaids Creditors and Cautioners have not been airt, part, acceſſory, nor aſsiſting to the ſaids forfaulted perſons in the committing of the Crimes for which they were, or ſhould be forfaulted: And with proviſion, That they be Vaſſalls, Creditors, and Cautioners, before the committing of the Crimes, whereupon the forfaulter follows, as the ſaid Act of the date foreſaid proports. And, The ſaids Eſtates of Parliament now preſently conveened alſo, conſidering, That ſeveral perſons were forfaulted in the laſt Seſsion of this preſent Parliament, And that divers and ſundry perſons are and have been forfaulted in this preſent Seſsion of Parliament, As alſo conſidering, That it is expedient both for the weale of the lawfull Creditors and Cautioners of perſons forfaulted heretofore, or who ſhall happen to be forfaulted hereafter: And for the weale of theſe to whom the perſons forfaulted, or who ſhal happen to be forfaulted in this preſent Seſsion of Parliament, are bound as Cautioners for any other perſon or perſons. And als, for the weal of the Publick, for defraying of the Publick charges of the Eſtates of this Kingdom, That a juſt and expedite

dite way be taken for the discovery of the just and lawful debts, owing by any person or persons, either already forfaulted before the date of thir presents, or who shall happen to be forfaulted hereafter in this present Session of Parliament, to their just and lawfull Creditors; to whom the saids persons forfaulted, or to be forfaulted, are Debters as Principals, or whom the saids persons forfaulted, or to be forfaulted, are Debters in the way of lawfull relief: They being Cautioners for the saids persons forfaulted, or to be forfaulted, or to whom the saids persons forfaulted, or to be forfaulted, are Cautioners for any other person or persons. And to the effect, that all person or persons, who are either Creditors or Cautioners to the persons forfaulted, or to be forafulted, or to whom the saids persons forfaulted, or to bee forfaulted, are Cautioners, May in due time, both for their own, and the Publick weal, make their Debts owing to them by the saids persons forfaulted, or to be forfaulted, either as Principals or Cautioners in manner abovespecified, known to the Estates of this Kingdom, that they may have the benefit of the foresaid Act of the date the 27. July 1644. And that their Debts being known and satisfied, and payed by the course afterspecified; The remainder of the Lands, Estate, and Goods of the foresaids persons forfaulted, or to be forfaulted, and hail farther benefit thereof, may expeditely and conveniently come in to the Estates of this Kingdome, for the weale of the Publick, and for the relief of the Publick Burdens. Therefore the saids Estates of Parliament, Statutes and Ordains, That all person or persons whatsoever, to whom any person already forfaulted before the date of thir presents, or who shall happen to be forfaulted in this present Session of Parliament, Is addebted justly and really in any sums of money, or any otherwise, either as Principall Debters, or as Cautioners for any other persons. And als, that all persons who are Cautioners for any persons already forfaulted, or who shal happen to be forfaulted in this present Session of Parliament, to their lawfull Creditors; Shall exhibite and produce before the Committee of Estates, to be appointed to sit at *Edinburgh*, or where it shall happen them to be for the time after the rising of this present Sesion of Parliament, Their whole Rights, Writs, Evidents, and other lawful Securities, wherby the saids persons forfaulted, or to be forfaulted in this present Sesion of Parl. are their just and reall Debters, either as Principal Debters to them, or as Debters to them as Cautioners for other persons, or whereby they are Cautioners for the saids forfaulted persons, or to be forfaulted in this present Sesion of Parl. And which Cautioners the saids forfaulted, or to be forfaulted persons in this present Sesion, are obliged in law to relieve. And that the production of the foresaids Writs, Evidents, and Securities, in so far concerns any persons forfaulted heretofore, or in the present Sesion of Parl. be made by the Creditors & Cautioners, so many of them as are without the Countrey, within three moneths; and these that are within the Countrey, within threescore dayes after publication hereof at the Head Burghs of the severall Sheriffdomes within the Kingdom: With certification to all and whatsomever the Creditors

Creditors of the persons already forefaulted heretofore, or to be forefaulted in this present Session, That if they failzie, To exhibit and produce before the Committe of Estates Their foresaids Writs, Evidents, and Securities, made to them by the saids forefaulted persons within the Diets *respective* foresaids: That the foresaids Creditors, shal never in any time thereafter, Have any action against the Lands, Estates, and Goods of the foresaids forefaulted persons, for payment of their debts upon the pretence of the foresaid Act of the 27. July last, or upon any other pretence whatsoever: But that the Lands, Estate, and Goods of the foresaids forefaulted persons shall pertain to the Publick. Neither shall they have any action against their Cautioners, but prejudice alwayes to them after production, in manner, and at the time foresaid, to take presently back their Writs and Pursue: But prejudice also to the saids Creditors of their action and execution competent to them against their Cautioners, conforme to their Bands and Rights. It is also declared for the Cautioners of the saids forefaulted, or to be forefaulted persons, that they shall not be holden to produce the Writs and Bands wherein they are Cautioners, But onely to give in a note under their hands of the names of the Creditors to whom they are Cautioners, and of the sums contained thereintill (Because the Writs and other Securities wherein they are Cautioners, are not their envidents and in their option, but in the hands of the Creditors to whom they are principally made) Like as the saids Estates of Parliament, Finds and discerns the samin, To pertain to the publick for relief of their publick Debts and Burdens in all time hereafter, without any Burden of payment of the Debts owing to the saids Creditors failzing, to produce and make known their Debts, at the time, and in maner foresaid. It is also declared, That where the Creditors or Cautioners are Minors, Their Tutors and Curators are obliged in the like manner, To produce their Bands, Rights, or Notes; or otherwise be lyable to their Minors, for refounding their damnage and interest. Likeas also the Estates of Parliament, considering That the foresaid persons already forfaulted, may be ingaged in manner above specified, either as principals or Cautioners to divers and severall persons their Creditors: To which Creditors no present payment of their Debts can be made in a present convenient and expedit way, without the selling of the Lands, Heritages, and Estates, which pertained to the foresaids persons forefaulted before their forefaulter; The sale whereof can not be expeditely done, neither for the weale of the saids Creditors, nor for the weale of the publick. And to the effect the saids Creditors may receive satisfaction in a just and reasonable way, out of the saids forefaulted persons, their Lands, Heritages, and Estate, And that the benefit of the residue thereof, may come into the Publick of this Kingdome; Therefore the Estates of Parliament, Decernes and Ordaines, That the foresaids Creditors or Cautioners shall be obliged, To accept a proportionall part of the Lands and Heritages of the saids persons forefaulted their Debtors *respective*, for their Debts owing to them, being instructed at the time and in manner abovespecified, at

the ſight and determitte of the ſaid Committe of Eſtates: And that at the rate and proportion of One hundreth Merks of ordinar yeerly conſtant Rent, for ilk ſum of Two thouſand Merks, addebted by the ſaids forefaulted perſons, to their ſaids Creditors or Cautioners, or otherwiſe to be deprived of the benefit of the Act of Parliament 27. July 1644. and to be reduced to the old eſtate of the Creditors of forefaulted perſons, as if the ſamin had never been made. Likeas alſo, It is ſtatute and Ordained, That the ſuperplus of the Lands, Heritages, and Eſtate of the foreſaids forfaulted perſons (their Creditors foreſaids being ſatisfied in manner aboveſpecified) ſhall and may be divided in parcels, and ſold and diſponed by the Eſtates of this Kingdom, or by the ſaid Committee of Eſtates to any buyer whatſomever, paying preſent money over the Table, at the rate of one hundreth Merks of yeerly conſtant Rent for ilk ſum of One thouſand Merks, as the price thereof: And where preſent money for the Lands cannot be had nor offered, that then they may be ſold and diſponed to any perſon to whom the Publick is addebted, They advancing in ready money the one half, at ten years purchaſe, and accompting in payment of their debts, being lent money, or furniſhing to the Armies: the other half, at the rate of fifeteene yeers purchaſe. Likeas, The ſaids Eſtates of Parliament, do by thir preſents, give full power and Commiſſion to the ſaid Committe of Eſtates, To divide the Lands, and others of the foreſaids forfeited Perſons; And to that effect, To take up the juſt and true Rentall thereof, and to eſtimat and convert Victuall and other Rent (not being ſilver Rent) and to reduct the ſamine to money Rent, and to ſell and diſpone the reſidue and remainder of the Lands, Heritages, and Eſtates of the foreſaids forfeited Perſons to any Buyer, at the rate and in manner foreſaid. Likeas, The Eſtates of Parliament decerns and declares, That the Diſpoſitions ſo to be made thereof to the foreſaids Creditors above-ſpecified, and to the ſaids Buyers, ſhall be valide ſureties to them thereof, in all time coming. And ſiclike Ordains Infeftments to paſſe under the Great Seal, upon the foreſaids Diſpoſitions, to be made by the ſaid Committee of Eſtates, of the Lands and others, holden of the Kings Majeſtie, and Prince. And Preſentations to be granted by the ſaid Committee of Eſtates, to other Superiours, of ſo many of the foreſaids Lands, and others aboveſpecified, as are holden of the ſaids others Superiours.

ACT X.

ACT X.

Anent the allowing of Quarters where the Quarter-maſters and Officers Tickets are not given.

22. *February* 1645.

THE Eſtates of Parliament having heard and conſidered the *Quære* from the Commiſsioners for the Exciſe, deſiring to be reſolved, what they ſhall do in this caſe, *viz. When theſe people who has given Quarters to Souldiers comes in to the Commiſsioners of Exciſe, to make Compt and ſeek payment for their Quarters, and do not produce Tickets from the Officers under their hands, nor any publike Order for their Quartering*; Together with the opinion of the ſaid Committee thereanent.

The Eſtates declares, That where there is no Tickets left by the Officers or Quarter-maſters for the Quarters, In that caſe twa of the Kirk-Seſſion of any Parochine, with any ane of the Committee of War of the Shire where that Parochine lyes in Landward; And the Magiſtrates within Royall Burghs, or any twa of them, Shall take the Oaths of the Heretors, Tenants, and Inhabitants, on whom the Companies and Troops are Quartered, upon what is due for Quartering: Which being reported under the hands of theſe ſo appointed, Shall be ane ſufficient qualification to the Commiſſioners for the Exciſe to allow the ſame, that they may be paid accordingly.

ACT XI.

Anent the Maintenance of the Armie, and Moneys to be raiſed for that effect.

February 27. 1645.

THE Eſtates of Parliament now conveened, in the ſecond Seſsion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates, in *Anno* 1641. Taking to their conſideration the great prejudice and danger which the Kingdom and Religion have already ſuſtained, by the late Invaſion of the Iriſh Rebels, and our unnaturall Countreymen; and how neceſſarily it is incumbent to them being now conveened, to provide for all ſpeedy and ſolid remedies againſt the ſame: For which effect, finding it moſt expedient, That not onely this Kingdom may be put in ane juſt Poſture of Defence; but alſo, That ane conſtant and ſetled way may be eſtabliſhed for proſecuting, with Gods aſsiſtance, the War againſt the ſaids Invaders in an hoſtile manner, to their utter overthrow and deſtruction; Have therefore thought fitting for the more ſpeedy execution hereof, and for leavying and recruting their

Forcesafter-mentioned,and for the constant Maintenance of the same in the most easie and proportionable equall way for the Lieges; To enact,statute,and ordain: Likeas for that effect,they enact,statute,and ordain thir presents following, To be obeyed and observed by all the Subjects of this Kingdom, under all the pains hereafter expreſt.

In the first, That the Country may be freed of Quarterings, Billettings,and Plunderings,and that the Laborers and Tradesmen may do their labour at home,except upon extream necessity; It is thought fit for the ease of the Kingdom, and most certain for the pay of the Armie, That every Shire and Burgh shall entertain from the first day of March next to come, to the last day of August next thereafter *inclusivè*, a proportion of Forces, Horse and Foot, as well Souldier as Officer,according to the rule of Loan and Taxt,extending in the particular to the number and sums contained in the Rols following, which is declared to be the two part of the pay due to be paid within Scotland, to the Officers of Horse and Foot, and to the Souldiers of Foot, and Fourteen shillings to the Trouper: The third to run in arrears to the saids Officers and Foot Souldiers,and Four shillings to the Horse,and a proportionable part to the Dragooners.

Here follows the tenor of the saids Rols,payable to the Officers of Horse,Foot,and Dragooners,by the Shires and Burrows,conform to the division and proportion following, *viz.* The monethly pay of ane Regiment of Horse in their Quarters, being the two part of their Pay, conform to the Scots establishment: Officers of the Staffe, Colonell *per mensem* 333 l. 6 s. 8 d. Lieutenant Colonel 200 l. Major 133 l. 6 s. 8 d. Minister 26 l. 13 s. 4 d. Regiment Quarter-Master 45 l. Chyrurgion 30 l. Eight Root-masters, each of them 100 l. *per mensem inde* 800 l. Eight Lieutenants, each of them 45 l. *per mensem inde* 360 l. Eight Cornets, each of them 36 l. *per mensem inde* 288 l. Eight Quarter-masters,each of them 30 l. *per mensem inde* 240 l. Twenty four Corporals, each of them 24 l. *per mensem inde* 576 l. Eight Trumpeters, each of them 20 l. *per mensem inde* 160 l. Six hundred Troupers,each of them 14 s. *per diem*, is 21 l. *per mensem inde* 12600 l. The monethly Pay of a Regiment of Foot in their Quarters,conform to the Scots establishment, being two part of their Pay: Colonel *per mensem* 222 l. 4 s. 4 d. Lieutenant Colonel *per mensem* 133 l. 6 s. 8 d. Major *per mensem* 88 l. 17 s. 4 d. Minister *per mensem* 26 l. 13 s. 4 d. Regiment Quarter-master *per mensem* 30 l. Chyrurgion 30 l. Drummer-Major *per mensem* 12 l. Regiment Scriver *per mensem* 20 l. Provest Mershal *per mensem* 12 l. Ten Captains *per mensem* 666 l. 13 s. 4 d. Ten Lieutenants *per mensem* 300 l. Ten Ensignes *per mensem* 240 l. Twenty Sergeants *per mensem* 200 l. Thirty Corporals *per mensem* 240 l. Ten Captains at Arms *per mensem* 100 l. Nineteen Drummers *per mensem* 152 l. Ane thousand common Souldiers *per mensem* 6000 l.

Follows the sums Monethly payable according to thirty dayes *per mensem*: Together with the number of men to be entertained by the Shires and Burghs according to the Taxt, *viz.* Orknay 127 men, monethly

monethly Pay 1143 l. Innernesse 464 men, monethly Pay 4176 l. Caithnesse 105 men, monethly Pay 945 l. Cromarty 11 men, monethly Pay 99 l. Sutherland 47 men, monethly Pay 423 l. Nairne 35 men, monethly Pay 315 l. Elgine 210 men, monethly Pay 1890 l. Aberdene 727 men, monethly Pay 6543 l. Bamff 159 men, monethly Pay 1431 l. Kincardine 174 men, monethly Pay 1566 l. Forfar 556 men, monethly Pay 5004 l. Perth 889 men, monethly Pay 8001 l. Fyfe 738 men, monethly pay 6642 l. Stirling 282 men, monethly Pay 2538 l. Kinrosse 16 men, monethly Pay 144 l. Clackmannan 58 men, monethly Pay 522 l. Edinburgh 463 men, monethly Pay 4167 l. Linlithgow 194 men, monethly Pay 1746 l. Hadington 376 men, monethly Pay 3384 l. Berwick 395 men, monethly Pay 3555 l. Roxburgh 642 men, monethly pay 5778 l. Selkirk 142 men, monethly pay 1278 l. Peebles 182 men, monethly pay 1638 l. Lanerk 598 men, monethly pay 5382 l. Aire 674 men, monethly pay 6066 l. Wigtoun and Stewartrie of Kircudbright 486 men, monethly pay 4374 l. Drumfreis 494 men, monethly pay 4446 l. Renfrew 245 men, monethly pay 2205 l. Dumbartan 137 men, monethly pay 1233 l. Argyle 323 men, monethly pay 2907 l. Bute 51 men, monethly pay 459 l.

Followes the summes payable monethly, together with the number of men to be entertained by the Burrows; Edinburgh 574 men, at 6 s. *per diem*, *inde per mensem* 5166 l. Perth 110 men at 6 s. *per diem*, *inde per mensem* 990 l. Dundee 186 men, monethly pay 1674 l. Aberdene 160 men, monethly pay 1440 l. Stirling 36 men, monethly pay 324 l. Linlithgow 30 men, monethly pay 270 l. S. Andrews 60 men, monethly pay 540 l. Glasgow 110 men, monethly pay 990 l. Air 41 men, monethly pay 369 l. Hadingtoun 36 men, monethly pay 324 l. Dysert 30 men, monethly pay 270 l. Kirkaldie 46 men, monethly pay 414 l. Montros 53 men, monethly pay 477 l. Cowper 24 men, monethly pay 216 l. Anstruther easter 31 men, monethly pay 279 l. Drumfreis 44 men, monethly pay 396 l. Innernesse 40 men, monethly pay 360 l. Breichen 20 men, monethly pay 180 l. Irving 23 men, monethly pay 207 l. Elgine 20 men, monethly pay 180 l. Jedburgh 18 men, monethly pay 162 l. Wigtoun 15 men, monethly pay 135 l. Pittinweyme 15 men, monethly pay 135 l. Dumferling 12 men, monethly pay 108 l. Dumbartan 12 men, monethly pay 108 l. Ranfrew 10 men, monethly pay 90 l. Lanerk 16 men, monethly pay 144 l. Kircudbright 20 men, monethly pay 180 l. Aberbrothok 10 men, monethly pay 90 l. Bruntiland 16 men, monethly pay 144 l. Peibles 10 men, monethly pay 90 l. Carrail 24 men, monethly pay 216 l. Kinghorn 14 men, monethly pay 126 l. Thayne 12 men, monethly pay 108 l. Selkirk 10 men, monethly pay 90 l. Anstruther-wester 6 men, monethly pay 54 l. Culros 12 men, monethly pay 108 l. Dumbar 12 men, monethly pay 108 l. Bamff 8 men, monethly pay 72 l. Whithorne 5 men, monethly pay 45 l. Forfar 6 men, monethly pay 54 l. Forres 6 men, monethly pay 54 l. Rothesay 5 men, monethly pay 45 l. Rutherglen 5 men, monethly pay 45 l. Northberwick 4 men, monethly

monethly pay 36 l. Culane 4 men, monethly pay 36 l. Nairn 4 men, monethly pay 36 l. Lawder 5 men, monethly pay 45 l. Innerkeithing 10 men, monethly pay 90 l. Kilrynnie 3 men, monethly pay 27 l. Annand 3 men, monethly pay 27 l. Lochmaben 3 men, monethly pay 27 l. Sanchuer 3 men, monethly pay 27 l. Galloway 1 man, monethly pay 9 l. Queens ferrie 7 men, monethly pay 63 l.

Item, It is ordained for proſecution of the War againſt the Rebels within the Kingdom, That there be made up of the preſent Regiments upon foot, by Recrues or otherways, 9000. foot, and theſe to be in Eleven Regiments, each Regiment in 8. or 10. Companies, and in each Company 100. men, and where they are to be recruted, That each Company be made up of 126 men, where the ſame may be commodiouſly gotten done. And that 600 Horſe be imployed in this Service, with their Officers and Commanders, to be made up and commanded as the Parliament and their Committees have given, or ſhall give order. And that the 500 Dragoneers, with a Lieutenant Colonel Major, and other inferiour Officers, to be divided in 8. Companies, and to be payed conform to the Roll of eſtabliſhment, which Officers and Souldiers are to be entertained at the Rates contained in the Table above-written, which they are to receive duely in money and proviſions monethly, The one half at leaſt in money, and the other half in Oat-meal, or other proviſions uſeful for the Army, at the ordinary Rates for the time. And for the better collecting and ingathering of the ſaids ſums of money, for payment and entertainment of the ſaids Officers and Souldiers: The Eſtates nominates and appoints Sir *Adam Hepburn* of Humbie Generall Collector, with power to him to ſubſtitute Deputes in ilk Shire, and that other Collectors in Burghs and Paroches be appointed in ſicklike manner, as is contained in the Act of Taxt and Loane; with power to the ſaid Generall Collector to appoint a Clerk of Collection; Which Collector-deputs, alſwel of Shires as of Burghs and Paroches and Clerk of Collection, ſhall have ſuch like Fees as is allowed in the ſaid Act of Taxt and Loane, and that to be uplifted out of the ſaid Shires and Paroches, by and attour the ſaid maintenance: And the Burghs to be free, in reſpect they collect their Taxt upon their owne charges.

Item, If any Shire, Burgh, or Perſon therein deſigned, be deficient in paying their monethly proportion, ſo that the Souldiers for want be put to Quarters in any other Shire or Burgh, In that caſe it is ordained, that the Shire or Burgh, who ſhall Quarter the Officers or Souldiers, ſhall have repetition of the failzies, with a third part more in name of failzie. And after compt and reckoning with the Commiſſar of theſe Regiments or Troupes, The Shires or Burghs ſhall have aſſignation *pro tanto*, and a third part more to their localitie for their relief and ſatisfaction: And incaſe of their refuſal, the Committe of Eſtates with the Army, is to give order thereanent to the Committe of War of the Shire, deſigned by the Eſtates, being conjunctly lyable for the proportion of the Shires, and the Magiſtrats of Burghs for the Burghs except for ſuch lands of Burghs, as ſhall be found by the Committee of

of Eſtates with the Army to be ſtil poſſeſſed by the enemy, or to have bin altogether waſted and burnt by them, ſo that they cannot be profitable to the Heritors, which deficiencie is to be ſupplyed by the Committee of Eſtates, out of the Fines, Forfeitures, or any other Moneys due to the Publick: And the Committee of Warre to have their relief of the diſobedients to the double, and als to have the aſſiſtance of the Forces, if they require the ſamine. And with power to the ſaids Committees of War in every Shire (who are hereby declared to be lyable in the monethly maintenance due to the Souldiers) to call unto them any Heritor within their Shire *reſpective*, and to cauſe them binde with the ſaid Committee for all ſummes of Money to be contracted for the ſaid maintenance: But it is alwayes provided, That the Burghs that ſhall happen to bee upon the ſaids Committees of Warre of the Shire ſhall be no farther liable nor anſwerable for the maintenance due by the Shire, but allanerly for the lands pertaining to the ſaids Burgeſſes lying within the Shire, if they any have.

Item, To the effect that the Shires and Burghs be not deceived with falſe muſters, and ſo pay for men who are not really in ſervice, It is ordained, That theſe who ſhal be appointed for muſtering, ſhall monethly, as they ſhall be required, take a ſurvey of each Regiment and Company, as well Horſe, Foot, as Dragooners, and that the Shires and Burghs who ſhal pay their proportion, or ſhal happen to quarter them, may have one, with ſuch as ſhall be appointed by the Committee, to muſter them, if he be preſent with the Armie; otherwiſe, in abſence of that Muſter-maſter, the perſons ſo nominate by the Shire or Burgh, may muſter them: And theſe Officers who are required to muſter their men, and refuſes, ſhall forfeit their place and by-gone pay; And whatſoever Horſe ſhal be found to be made uſe of for making of falſe muſters, the Horſe ſhal be confiſcate, and the owner of the Horſe ſhall pay one hundred pounds to the Publike, whenſoever it ſhall be tried: And a Footman who ſhall be made uſe of for making of falſe muſters, ſhall be puniſhable by ſcourging or burning. And the Roor-maſter, Captain, or any other Officer of Horſe, Foot, or Dragooners, ſhall be found guilty of ſuch falſe muſters, ſhall loſe his place inſtantly, and all his by-gone pay.

Item, It is ordained, That Magazines of Victuall be provided out of the moneys to be raiſed in part of what ſhall be due, and put in convenient and ſure places of the Kingdom, from which it may be moſt commodiouſly carried to the Army: And that there be Provant Maſters appointed, as well for the North as for the South. And to the end that theſe Magazines may be timouſly provided, the Provant Maſters are appointed to go about the ſame diligently: And the Shires and Burghs are hereby ordained, before the firſt day of April next, To advance three moneths of the ſummes laid upon them. And becauſe by the preſent Stent laid upon the Shires, the burden may be unequall, which cannot preſently be known, in reſpect the valuations of Loan and Taxt are not come in, It is appointed, That the whole valuations within the Kingdom, not already brought in to the Clerk of the Loan and

and Taxt,be brought in before the first day of May next,done & perfected,conform to the Act of Convention made thereanent: And that they may be compared by ane person to be appointed for ilk Shire,and the comparing to be perfected betwixt and the first day of June next. And if it shall be found that some Shires maintains more Officers and Souldiers than others,they shall be eased thereof,and each Shire proportioned in an equall way,conform to their Rents: And if the Shire shall failzie, and not bring in the valuations betwixt and the said first day of May next, They shall not onely be debarred from any benefit or ease to be granted to them,but also shal bear the burden of any ease shall be granted to these Shires who shall be found to be overburdened. And for the Burrows part of this Taxt, it shall be rectified and altered,according as their Taxt Roll shall be altered.

Item,The Retention of six for the hundred of annual-rents to be for the yeer of God 1645. *viz.* From Martimasse 1644. to Martimasse 1645. Providing alwayes the annual-rents be fully payed within the same yeer 1645.otherwise no Retention to be granted by the Creditour, who notwithstanding hereof, shall have power to charge his Debter at any Terme,conform to his Band.

Item,That all Heritors of Land within Burgh,or Pendicles and Liberties thereof,all Burgesses,all Traffiquers exercising any Trade,shal be subject to Taxation within Burgh, but prejudice for the time to come of the whole Members of the Colledge of Justice,their former Rights,Priviledges,and Immunities, wherewith for the present in regard of the present Exigence they do dispense.

Item,It is ordained,That no Suspension be granted of any charge to follow upon this present Act, without a discharge from the party charger,or consignation of the summe charged for,(if so be it be upon a speciall charge) and whilk consignation shall be made in the hands of the Collectors *respectivè*,*viz*.In the hands of the Collectors within the Shire for the Shire, and within the Burgh for the Burgh, Pendicles,and Liberties thereof,including within the Pendicles of *Edinburgh*,the Houses,Tenements,and Yards within Leith,Cannigate, and Pleasance,so far as pertains to the Town of *Edinburgh* in property or superiority, and within the Pendicles of other Burrows, all that hath been in use to have been taxed with them:And all other Suspensions to be null; And that it be granted by the Committee of Estates. And these Suspensions to be past by the Clerk Register, and his Deputes,upon production of the Discharge from the Collectors of the Shires or Burghs,or a Testificate that the summes were consigned in their hands: And the same Suspensions to be discussed by the Committees or Estates of Parliament.

Item,It is statute and ordained,That all Fines,Forfaultures,Moneys for Forfaulted Lands,Rents, and others past and done in this Session of Parliament,and in time coming, shall be imployed for the present use of the Army: As also that all Fines, Forfaulters, and Moneyes for Forfaulters,past and done in the former Session of this Parliament,which are not already disposed upon by the said former Session of

of Parliament,or their Committees, shall be likewise imployed for the use foresaid.

It is alwayes expressely declared,statute,and ordained,That no Retention shall be granted of this present Maintenance hereby imposed upon Shires,and Burghs, for any debt,cause,or occasion whatsoever, and that no exemption shall be granted therefrom to any person or persons whatsoever, except only for Lands,Rents,Annual-Rents,and other duties mortified to Colledges,Schools,Hospitals,Ministers and Readers stipends,and for upholding of Kirks and Bridges, but that all other Heritors, Life-Renters,Taksmen,Titulars,Proper Wodsetters, Pentioners, Conjunctfiars,and Lady-terces, and others subject to the valuation within Shires or Burghs,whereby profit or commodity ariseth,shall be lyable to their proportionable part of this Maintenance; And that the Lands and Teinds shal pay as they lye locally in Shires, and not by annexation,conform to the Act of Convention for Taxt and Loan.

Further it is declared,That the payment of the said Maintenance to be made by the Shires, shall begin the said first day of March next to come,and pay for the first four moneths,conform to the former valuation, and thereafter as they shall be rectified and given in by the Shires,after the famine shall be revised by the former Valuers: For the which effect the Estates of Parliament renewes the former Commission granted by Act of Convention.

And finally it is Declared and Ordained, That the Letters and Charges to follow upon this present Act and Ordinance, shall be raised at the instance of the Generall Collector and his Deputes, against the Committees of Shires, and Magistrates of Burrows, and Letters for their relief, at the instance of the Committee of the Shire, and their Collectors, against Heritors, Fewers, Fermorers, in the common forme: And all these Letters to be direct in the same manner, with the same provisions,and with the same certifications, contained in the Act of Convention of Estates, made for the Loan and Taxt.

ACT XII.

For relief of the Commissioners of Shires and Burghs, anent these Moneys which they presently advance for Maintenance of the Army.

28. *February* 1645.

FOrsameikle as the Estates of Parliament now conveened in the second Session of this first Triennall Parliament, by vertue of the last Act of the last Parliament, holden by his Majesty and three Estates, in *Anno* 1641. Taking to their consideration,that the Commissioners for Shires,& the Commissioners for Burrows that are this day present, have undertane the advancement and payment of their proportionall parts of the first

Moneths Maintenance for the Army for their Shires and Burghs, To be given in to the Generall Commiſſar, betwixt and the firſt of March next; Therefore the Eſtates of Parliament hereby aſſignes to the ſaids Commiſſioners of Shires and Burrows, and to ſuch Noblemen, Gentle-men, and Burgeſſes, as Bindes with the Commiſsioners *reſpectivè* foreſaids, for the preſent advancement & getting of the ſaid Money, The ſaid firſt Moneths proportion of the Maintenance appointed to be paid by the Act for Maintenance for the Moneth of March next to come, To be up-liſted and collected from their Shires and Burghs proportionally for their relief of that which is advanced now by them, as ſaid is. And the Eſtates Ordains ſicklike Letters and Execution to be direct at the inſtances of the ſaids Commiſsioners of Shires and Burghs, for payment of the foreſaid Maintenance for the Moneth of March next, as might have been direct at the inſtance of the Eſtates and their Collectors, if the ſamine had not been advanced, as ſaid is: And declares, that the ſaids Commiſsioners, and theſe who Bindes with them, ſhall have Annual-rent for the Money advanced by them, off their Shires and Burghs, fra the time of their advancement, while the repayment.

ACT XIII.

Of Aſſurance to theſe that ſhall buy the Forfaulted Lands.

1. *March* 1645.

THe Eſtates of Parliament now conveened in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates, in *Anno* 1641. Conſidering, that they by their Act of the 20. of February laſt, have condeſcended upon the rate and price for ſelling of the Lands of Forfaulted perſons to ſick as are not their Creditors, to be ane thouſand Merks for every hundred Merks of yeerly Rent; And for theſe who are Creditors to the foreſaids Forfaulted Perſons, To be Two thouſand Merks for every Hundred Merks of yeerly Rent, for ſatisfaction of their Debts: And this benefit given to the Buyers that are not Creditors, is to invite all willingly to buy at the rate foreſaid: And yet for their farther encouragement to buy the ſaids Forfaulted Lands at the price abovewritten, The Eſtates do hereby declare, That they will not onely eſteem the ſamine good ſervice to the Publick, and take it as a ſingular mark of their generoſitie, of their conſtancie in affection to the Cauſe in hand, and fidelitie to their Countrey; But alſo will give to theſe Buyers ſufficient ſecuritie and warrandiſe of the Lands to be diſponed to them; And by thir preſents bindes and obliges the Eſtates of this Kingdom, now, and in all time coming, To warrant the ſamine to be ſufficient Rights and Sureties to the Buyers, for bruiking of the ſaids Lands againſt

againſt all deadly: As alſo declares, That they will take, and hereby takes in their Protection the ſaids Buyers, againſt all perſons whatſoever, who ſhall quarrell, or preſſe to wrong them that buyes the ſaids Forfaulted Lands, or troubles the Buyers thereof, directly or indirectly, in the Right and Poſſeſſion of the ſamine. Likeas, the Eſtates declares the ſamine Perſons who ſhall directly or indirectly, wrong, quarrell, trouble, or moleſt the ſaids Buyers in their Right and Poſſeſsion foreſaid, To be Enemies to the Eſtates of the Kingdome, and to the Good and Peace thereof, And that the Eſtates will purſue and puniſh them accordingly, ſeeing theſe Perſons are to be eſteemed as Favourers of the Forfaulted Perſons, and Haters of the Eſtates, and Good of the Kingdome, and of the Cauſe in hand: And that the Malignancie, perfidious and wicked doings of the Forfaulted Perſons has occaſioned the Troubles and Evils that are upon this Kingdome, and in equitie and reaſon, they and their eſtates ought to ſuffer therefore, and be ſold & applied for the ſupply of the preſent neceſsities of the Kingdome, which may be a juſtencouragement to all honeſt men to buy the ſamine, that thereby the preſent Neceſsities of the Kingdome may be ſupplied by the Lands and Means of theſe who have wronged the ſamine. And farther, the Eſtates declares, That theſe who ſhall firſt come in and offer to buy, ſhall be preferred to all others of whatſoever qualitie, who ſhall come in thereafter, and offer to buy the ſamine Lands aimed at by the firſt Buyers.

ACT XIV.

In favours of the Manufactories, and of the Maſters Actuall Workers, Servants, and Prentiſes thereintill.

3. *March* 1645.

FOrſameikle as the Eſtates of Parliamentt now conveened, in the ſecond Seſsion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in *Anno* 1641. Taking in conſideration the good and benefit That the Erecting, Entertaining, and Maintaining of Manufactories within the Kingdome doth produce, both to the credit of the Kingdome and profit of the Lieges, and for the breeding of poor indigent perſons in vertuous Exerciſes: The Eſtates for cheriſhing and incouraging of thoſe who have already Erected, or ſhall Erect and Advance any Manufactories, And herewith alſo the Eſtates conſidering the hinderance and prejudice that may come to the Manufactories by putting out any of the Maſters who are actuall Workers in the Manufactories, or their Servants, Prentiſes, or any other actuall Workers thereintill, In any Expedition or Leavies to be raiſed or put out by the Kingdome, or by Quartering of any Souldiers Horſe or Foot upon them, or impoſing upon them any Taxations or Impoſitions whatſomever.

For remeid whereof, The Estates Statutes and Ordains, That the foresaids Manufactories, and the Masters who are actuall Workers thereintill, their Servants, Prentises, and actuall Workmen in the samine, Are and shall be Liberate and free in all time coming, for going out as Souldiers either Horse or Foot, in any Expedition or Forces raised or to be raised by the Kingdome now and hereafter: And discharges all Magistrates, Officers, and others persons whatsoever, to Burgh or Land concerned hereintill, Off all troubling the saids Masters actuall Workers, Servants, Prentises, and actuall Workmen in the foresaids Manufactories hereanent: And of all Quartering of Souldiers Horse or Foot upon them in any time hereafter, But suffer them peaceably to attend their Works untroubled thereintill. And further, The Estates declares the foresaids Manufactories, the Masters actuall Workers thereintill, Servants, Prentises, and actuall Workmen in the samine, Free of all Taxations, Impositions, and all other Publike dues, either already Imposed or to be Imposed, and ordained to be done or paid by order of the Estates of Parliament or Committees of Parliament, for the Publike service of the Kingdome, in time coming, or during the time of the troubles of this Kingdome.

ACT XV.

Anent the putting of the Kingdom in a Posture of War, for Defence.

March 6. 1645.

FOr sameikle as in the moneth of September 1643. The Estates then conveened, considering the dangers of Religion, his Majesties person and authority, and Peace of the Kingdom, by Papists, Prelats, and their adherents then in Arms in *England* and *Ireland*, Did ordain the Kingdom to be put in a Posture of Defence, and made choice of Colonels for Horse and Foot, and appointed Committees within the severall Shires and Bounds of the Kingdom for that effect; and for making perfect Lists of the Fensible persons betwixt Sixtie and Sixteene, and seeing them provided with Armes conforme to the Act of Posture then made. Likeas in the moneth of February 1644 thereafter, the saids Estates being sensible of the desolations of *Ireland*, the blood-shed in *England*, and increasing dangers of the Kingdome, which moved them to set forth an Armie in pursuance of the Covenant, and thereby to empty the Kingdome of great numbers of Armes and Ammunition, Did for strengthning of the same against Intestine Commotions and Forraign Invasion, renew and inlarge the said Act of Posture of Defence, and the execution thereof was often and most seriously urged by the Committee of Estates, upon incidents meerly concerning the safety of the Kingdom; which notwithstanding, by the security and neglect of the most part of the Countrey, hath taken small effect, To the sensible

sible and deplorable losse of the Kingdom, and advantage of the Enemie; specially *James Grahame* sometime Earle of *Montrose*, the Irish Rebels, and others degenerate and perfidious Countrymen, who have cruelly killed and murdred great numbers of the Subjects, depopulate and wasted many parts of the Countrey, and are going on with full resolution to undo the whole Nation, and overthrow the Liberties of Kirk and Kingdom; so happily established by Gods mercifull providence. For remeid whereof, as all good Patriots and true Christians ought to take this matter deeply to heart, and spare no pains, expences, nor their own persons, in pursuance of their Covenant (to the which they are so straitly tied before God and man) against this Intestine Enemy and Forraign threatned Invasion: So the Estates of this Kingdom presently conveened, finde themselves bound in conscience and dutie, to presse the said Act of Posture of Defence, and see the same presently put in execution: And do therefore Statute and Ordain the Colonels and Committees of War foresaid, appointed in each Shire, to muster the whole fensible persons within the Shire upon one day, every Parish within some part of the bounds of their Presbyteries, to be designed by the Committees and Colonels, by whom some are to be appointed to make up the List of the saids fensible persons, armed and unarmed, so as it may be known that none shall borrow Arms from others, and how many, and what sort of Arms are wanting, and to be provided for every Shire. The Musters of these be-south *Dee*, to be betwixt and the last Tuesday of March instant, and these be-north *Dee*, betwixt and the tenth of April next: And ordains the Burrows within the bounds *respective* foresaids, to make their Musters within themselves, conform to the former Acts of Convention, and to make their reports accordingly. And if any fensible person betwixt Sixtie and Sixteene be not already provided with Arms, It is hereby Statute and Ordained, That they shall arm themselves sufficiently against the said Muster day *respective*, under the pain of Twenty pound, to be paid by each person who shall be found by the Committee to want a Musket and Sword, and able to buy the same, and Ten merks by each person able to buy a Pike, and wanting the same: And where neither Yeoman nor Servant is able to buy Arms, It is ordained, That their Master or Heritor of the Land shall be obliged to buy the same, and furnish their men therewith, under the pains foresaids. As also Statutes and Ordains the Committees of War in ilk Shire, To provide and lay in Magazine Two pound weight of Powder, Four pound weight of Match and Ball, conform for every fensible person within the Shire: And that the saids Committees of War make report of their diligence to the Committee of Parliament, betwixt and the 15 of April next.

And to the effect there may be a sufficient number of trained men in each Shire and Burgh for the ends foresaids, The saids Estates ordains the Colonels and Committees foresaids, and Magistrates of Burgh, To reduce the whole fensible persons within their bounds, as well to Burgh as Land, into Regiments, Foot Companies, and Horse Troops, conform

conform to the former Printed Acts of the Convention, for putting the Kingdom in a Poſture of Defence. And ordains the whole fenſible perſons to be Drilled and Exerciſed in handling their Arms, every Regiment once in the moneth, and every Company and Troop once in the Week, at the places to be appointed by the Committees, Colonels, and Magiſtrates within Burgh: And that each Shire and Burgh ſhall entertain an able and expert Souldier, to have the care and inſpection of Exerciſing the Regiments and Companies of the Shire or Burgh. And in regard of the prevailing and raging cruelty of the preſent enemy within the Kingdom, Ordains the Captains of each Company to be provided with Colours and Drums, the Root-maſters with Trumpets and Cornets, to be in readineſſe upon orders from the Committee of Eſtates, to bring forth ſuch proportion of their Regiments, with ſufficient Furniture, Arms, and thirty dayes proviſion, as they ſhall be required: And to be ready to defend the Countrey, oppoſe any Invaſion, purſue the Invaders, and be aſſiſting and aiding to others, and ready to march to any place within the Kingdom of Scotland, where the Invaſion ſhall happen to be, or to ſuch places of Rendezvous as upon correſpondence amongſt theſe who command, ſhall be thought moſt fitting for oppoſing and purſuing the Enemie. And if any of the Heritors be aged and known to be infirm, That they ſend out able men with their beſt Horſe and Armes. And Ordains the whole Forces, Horſe and Foot, to be ready to march upon advertiſement, by putting forth of Beacons upon the accuſtomed places, or ſuch other advertiſement as ſhall be given.

And to the effect, the Forces of the Shires may be the better provided with Arms, and more ſpeedily and exactly brought forth; Ordains the Colonels, or Rootmaſters formerly appointed in the Shires, by the Convention of Eſtates and their Committes, to remain and continue in that charge in the ſaids Shires where they are nominat (except in the Sheriffdoms of Kincardin, Aberdene, and Bamff) the chief charge and command whereof is hereby committed to the Earl Marſhall, who is alſo to have his choice of any one of the Regiments, Horſe or foot, of theſe three Shires: And appoints the Earle of Finlater Colonell, and Laird of Aboyne his Lieutenant Colonell, within the Sheriffdome of Bamff, and the Viſcount of Frendraucht, Maſter of Forbes, Lord Fraſer, or the Maſter of Fraſer, to have command of the remanent Forces within the Sheriffdom of Aberdene, and to have their diviſions aſſigned to them as the Earle Marſhall and Commitees of Warre in theſe bounds ſhall appoint: As likewiſe the ſame Diviſions and Conjunctions of Shires to ſtand. And likewiſe ordaines the whole Noblemen and Committes of War of the ſeverall Shires and Diviſions, to meet all in their own ſeverall Committees, in their ordinary place of meeting, within ſix dayes after the intimation hereof at the Market Croſſes of the Shires; And there to determine upon the ſaids Regiments, both Horſe and Foot, and according to the number of the ſame Horſe and Foot within ilk ſeverall Shire and Diviſion to appoint moe Colonels, Rootmaſters, and others Officers neceſſary for leading

leading and commanding their Forces, Horſe and Foot, and to provide als many Arms and Ammunition as will arm all the able men in the Shire, either by giving preſent money for them, or Bands for the price thereof at a certain day, and they to have Letters of relief againſt the Heritors for repayment of the ſame: With power to the Committees foreſaids and Heritors, To diſtribute the arms in the ſeverall Shires and Diviſions to theſe perſons that wants. And ordains all fenſible perſons betwixt ſixtie and ſixteen to come forth upon advertiſement foreſaid under the pains following; *viz.* Ilk Nobleman, Gentleman, Heritor, and Burgeſſe, (except Edinburgh and Stirling, who are to put all the fenſible perſons in their Towne in Poſture of Defence) under the paine of a years rent; ilk Yeoman under the pain of confiſcation of their whole moveables to the uſe of the publick, and to be farther puniſhed as contemners of the Orders and authority of Parliament, and breakers of their Covenant. And ordaines ane Magazine to be provided by ilk Shire by the Committee of Warre, in one or moe places where they ſhall thinke the ſamine may be moſt ſecure, and the Heretors to be ſtented by them therefore, and the Burrows to provide Magazines within themſelves. And ordains this Act to be publiſhed.

ACT XVI.

Commiſsion to the Committee of Eſtates.

8. *March* 1645.

THE Eſtates of Parliament now conveened, in the ſecond Seſſion of this firſt Trienniall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates, in *Anno* 1641. Conſidering that by the 28 Act of the firſt Seſſion of this Parliament, Intituled, *Commiſsion to the Committee of Eſtates of Parliament*, There was Commiſſion then granted by the Parliament to the perſons therein nominate, Givand power to them or their Quorum, in manner, and to the effect particularly condiſcended upon in the ſaid Commiſſion: And generally to do all and every thing requiſite anent the ordering and managing of all affaires and buſineſſe which might conduce to the good and Peace of the Kingdom, and promoving of the common Cauſe, as is expreſſed in the Covenant and Treaties, as the Commiſſion in the ſelf more fully proports. And herewith alſo conſidering that the ſame Cauſes not onely ſtill remains, but are increaſed, which moved the Eſtates of Parliament in the firſt Seſſion of this Parliament to grant the foreſaid Commiſſion: Therefore the Eſtates of Parliament now conveened, do hereby nominate, authorize, and appoint the perſons following, *viz.* *John* Earle of Loudoun high Chancellor of Scotland, *Alexander* Earle of Levin Lord Generall, and *James* Earle of Callender Lord Lieutenant

Lieutenant Generall, as ſupernumerarie in this Commiſſion for the Nobility, and *John* Earle of Crawfurd and Lindſay, *William* Earle of Merſhall, *John* Earle of Sutherland, *William* Earle of Mortoun Earle of Buchane, *Alexander* Earle of Eglintoun, *William* Earle of Glencairne, *John* Earle of Caſſils, *Charles* Earle of Dumfermling, *John* Earle of Kinghorne, *James* Earle of Tullibardine, *Robert* Earle of Roxburgh, *Francis* Earle of Bucleugh, Earle of Seaforth, *William* Earle of Lowthian, *David* Earle of Southesk, *John* Earle of Weymes, *William* Earle of Dalhouſie, *James* Earle of Findlator, *William* Earle of Lanerk, Vicount of Arbuthnot, Vicount of Frendraught, *John* Lord Zeſter, *John* Lord Sinclar, *Alexander* Lord Elphingſtoun, *Robert* Lord Burghley, *James* Lord Cowper, *George* Lord Forreſter, *Thomas* Lord Kirkcudbright, *Alexander* Lord Balcarras, Lord Fraſer, *John* Lord Barganie, and *Patrick* Lord Elibank: Sir *Patrick Hammiltoun* of Preſtoun, M. *Robert Meldrum* of Brughley, Sir *John Sinclar* of Hiremeſtoun, Sir *Robert Greirſon* of Lorg, Sir *William Carmichael*, Sir *Thomas Nicolſon* of Carnock, *Patrick Cockburn* of Clerkingtoun, M. *Alex. Belſches* of Toftis, Sir *William Cochran* of Cowdoun, Sir *John Crawfurd* of Kelburnie, M. *Francis Hay* of Balhouſie, *James Macdowell* of Garthland, Sir *William Forbes* of Cragievar, *John Birsbane* of Biſhoptoun, Sir *John Hope* of Craighall one of the Lords of Seſſion, Sir *John Hamiltoun* of Beill, *Hugh Campbell* of Ceſnock, *Brodie* of that ilk, Sir *Alexander Erskene* of Dun, Sir *Arthur Erskene* of Scottiſcraig, Sir *Pat. Hepburne* of Wauchtoun, Sir *Alexander Falkoner* of Halkertoun one of the Lords of Seſſion, M. *George Winrahame* of Libertoun, Sir *John Wauchope* of Niddrie, Sir *David Hume* of Wedderburn, Sir *William Scot* of Harden, *William Scot* of Ardros, Sir *William Dowglas* of Cavers Sheriffe of Tiviotdaill, Sir *William Mure* of Rowallane, Sir *John Hamiltoun* of Orbeſtoun Juſtice-Clerk, one of the Lords of Seſſion, *Schaw* of Sauchie, *Udnie* of that ilk, Sir *Archibald Campbell*, and Sir *Alexander Gibſone* of Durie Clerk of Regiſter, and Sir *Adam Hepburn* of Humbie To be ſupernumerarie in this Commiſſion for the Barons: *Robert Mackeane* Burgeſſe of Edinburgh, Sir *William Dick* of Braid, Colonell *James Rae*, *Archibald Sydſerfe*, *John Binnie*, and *James Stewart* Burgeſſes of Edinburgh, *Robert Arnot* Burgeſſe of Perth, *Alex. Halyburtoun* Burgeſſe of Dundee, M. *Robert Farquhar* and *Patrick Leſlie* Burgeſſes of Aberdene, *Thomas Bruce* Burgeſſe of Stirling, *George Bell* Burgeſſe of Linlithgow, *John Lepar* and *James Sword* Burgeſſes of S. Andrews, *James Bell* and *George Porterfield* Burgeſſes of Glaſgow, *John Kennedie* Burgeſſe of Air, *Richard Chaiplane* Burgeſſe of Hadingtoun, *David Simpſone* Burgeſſe of Dyſert, *James Law* Burgeſſe of Kirkcaldie, *Tho. Machirnie* Burgeſſe of Drumfreis, *George Jameſon* Burgeſſe of Couper, *Duncane Forbes* Burgeſſe of Innerneſſe, *Robert Tailzeor* Burgeſſe of Montroſe, *George Gardyne* Burgeſſe of Bruntiland, M. *Rob. Cunnighame* Burgeſſe of Kinghorne, *John Rutherfurd* Burgeſſe of Jedburgh, *William Lyoun* Burgeſſe of Breichen, *William Glendoning* Burgeſſe of Kirkcudbright, *Gideon Jack* Burgeſſe of Lanerk, M. *John Dowglas* Burgeſſe of

of Elgine, *John Semple* Burgeſſe of Dumbartan, M. *Alexander Dowglas* Burgeſſe of Bamff; *Edward Edgar* Burgeſſe of Edinburgh, and *James Pierſon* Proveſt of Dundee ſupernumerary in this Commiſſion for the Burrows. And thir by and attour the ſaid *John* Earle of Loudoun Chancellor, *Archibald* Marqueſſe of Argyle, *John* Earle of Lauderdale, *John* Lord Balmerinoch, Sir *Archibald Johnſtoun* of Wariſtoun, Sir *Charles Erskene*, M. *George Dundas* of Maner, Sir *John Smith* Proveſt of Edinburgh, *Hugh Kennedie* Burgeſſe of Air, and M. *Robert Barclay* Burgeſſe of Irving, who are Commiſſioners appointed by the Parliament to go to London, and are alſo to be upon this Commiſſion as ane Committee of the Eſtates of Parliament, To whom, or Quorum under-written, The ſaids Eſtates of Parliament, Renews, and hereby Grants the ſame Power, Commiſsion, and Warrand, in all points, heads, clauſes, and conditions contained in the foreſaid 28. Act of the firſt Seſsion of this preſent Parliament then granted to the Committee of Eſtates of Parliament, and conform to the tenor thereof, in every head and article of the ſame: Excepting onely herefra the Commiſsion now granted by the Eſtates of Parliament to *Archibald* Marqueſſe of Argyle, *John* Earle of Caſsils, *John* Lord Balmerinoch, *Robert* Lord Burghley, Sir *William Cochrane* of Cowdoun, M. *George Dundas* of Maner, M. *Francis Hay* of Balhouſie, Sir *Michael Balfoure* of Deanmylne, Sir *John Smith* Proveſt of Edinburgh, *John Kennedie* Burgeſſe of Air, *George Gardyne* Burgeſſe of Bruntiland, *William Glendoning* Burgeſſe of Kirkcudbright, or any five of them, ane being of every eſtate, and the Lord Chancellor, the Preſident of Parliament, and Sir *Adam Hepburne* of Humbie ſupernumerary in this Commiſsion; As ane Committee of Parliament for Inbringing and diſtributing of moneys, and for regulating of the publike Accounts and Burdens of the Kingdom, conform to the Commiſsion granted to them hereanent of the date hereof; With power and warrand thereby granted to them, in manner, and to the effect *reſpective* therein contained, which Commiſsion and power thereby granted is expreſly excepted fra this Commiſsion granted to the ſaid Committee of Eſtates. And farther, Becauſe there was ane Committee appointed by the Eſtates of Parliament, To conſider and try the yeerly rent and worth of the lands and eſtates of forefaulted perſons, with the quality of the rents and duties thereof, whether Victuall, Money, or other duties and caſualities, And to reduce the Victuall and other duties (not being ſilver dutie) in money: And thereafter to try for buyers, according to the rate and prizes ſet down in the Act of Parliament in the 20. of February laſt: And alſo to conſider and try the validity of the Bands, Writs, Rights, and Securities of the Creditors and Cautioners of the forefaulted perſons, with the truth, reality, and quantity of their debts and cautionries, that diſpoſitions might be granted to them of the forefaulted eſtates, at the price contained in the ſaid Act, In ſatisfaction of their debts, and to do every thing thereanent as might beſt clear the trueth, and be moſt uſefull for the Publike, To whom power was alſo given To conſider and try the rights and ſecurities to have been

given to them by the Ladies and wives of the forefaulted perſons, with their ſupplications, craving the benefit of their rights, notwithſtanding of the forefaulter of their husbands, and what proportion ſhould be given to theſe Ladies and wives, and upon what terms and conditions the ſamine ſhould be given unto them: Which tryall and conſideration, with the Committee their opinion thereanent, was ordained to be reported to the Parliament, or Committee of Eſtates after the Parliament, That thereafter ſick courſe might be tane concerning the ſamine, as the Parliament or Committee of Parliament ſhould think fit, as the Act granted to the Committee thereanent of the date the 28. day of February laſt proports, which Commiſſion now expires. Therefore the Eſtates of Parliament Renews, and hereby grants and adds the foreſaid power concerning the eſtates of forefaulted perſons To the Committe of Eſtates now nominate, With power to them or their Quorum foreſaid, to do every thing thereanent, as they ſhall think expedient and moſt uſefull for the Publike, in the ſame manner as the Parliament might have done if they were ſitting; But prejudice alwayes of the power contained in the foreſaid other Commiſſion granted to the Committee for inbringing and diſtributing of moneys, and regulating of the Publike Accounts and Burdens of the Kingdom, which with the power therein contained is excepted herefra, as ſaid is.

And the Eſtates likewiſe conſidering how neceſſary it is, That a part of the foreſaid great Committee of Eſtates above-named remain with the Armie in England, and another part with the Armie within the Kingdom, and a third part thereof to ſtay at Edinburgh, Do therefore Nominate and appoint *William* Earle of Mortoun, *John* Earle of Caſsils, *William* Earle of Lowthian, *John* Earle of Weymes, *Alexander* Lord Elphingſtoun, *John* Lord Balmerinoch, *Robert* Lord Burghley, *George* Lord Forreſter, *John* Lord Barganie, *Patrick* Lord Elibank, Sir *Patrick Hamiltoun* of Preſtoun, Sir *Robert Greirſon* of Lag, Sir *William Carmichael*, Sir *Thomas Nicolſon* of Carnok, M. *Alexander Belſches* of Toftis, *Patrick Cockburne* of Clerkingtoun, Sir *William Cochrane* of Cowdoun, *James Macdowell* of Garthland, *John Birsbane* of Biſhoptoun, Sir *John Hope* of Craighall, *Hugh Campbel* of Ceſnok, Sir *John Hamiltoun* of Orbeſtoun, Sir *Archibald Campbel*, Sir *John Smith* Proveſt of Edinburgh, *Rob. Mackeane*, Sir *William Dick*, *James Stewart*, and *John Binnie* Burgeſſes of Edinburgh, *Thomas Bruce* for Stirling, *George Bell* for Linlithgow, *John Lepar* Proveſt of S. Andrews, *James Bell* for Glaſgow, *John Kennedie* for Air, *Richard Chaiplane* for Hadingtoun, *George Gardyne* for Bruntiland, M. *Rob. Cuningham* for Kinghorn, *William Glendoning* for Kirkcudbright, *Gideon Jack* for Lanerk, and *John Semple* for Dumbartan. And ordains the whole remanent Commiſsioners above-named who are not appointed for the Committees under-written, *viz.* for the Committee that goes with the Army to England, and the Committee that goes to the North, with theſe that are in the Commiſſion to go to London, and theſe that are ſupernumerary to be upon this Committee that reſides at Edinburgh;

burgh; as alſo upon the other tua Committees under-written, as they ſhall have occaſion: And likewiſe nominates and appoints *John* Lord Balmerinoch to be Preſident of this Committee reſiding at Edinburgh in abſence of the Lord Chancellor, and in abſence of them both Ordains this Committee to chooſe a Preſident, Or any ſeven of them, there being one of every eſtate; To be the Committee to reſide at Edinburgh: And do hereby authoriſe them with the full charge and whole power above-mentioned, contained in the ſaid former Commiſſion, and now hereby added for the whole affairs within the Countrey, except before excepted. And Nominates and appoints *Alexander* Earle of Levin Lord Generall, *James* Earle of Calender Lord Lieutenant Generall, *Archibald* Marqueſſe of Argyle, *Alexander* Earle of Eglintoun, Earle of Buchane, *Charles* Earle of Dumferling, *William* Earle of Dalhouſie, *John* Lord Zeſter, *Francis* Earle of Bucleuch, *John* Lord Sinclar, *James* Lord Cowper, *Thomas* Lord Kirkcudbright, Sir *William Mure* of Rowallane, Sir *David Hume* of Wedderburne, Sir *John Wauchope* of Niddrie, Sir *William Scot* of Harden, Sir *John Hamiltoun* of Beill, M. *Robert Meldrum* of Brughlie, Sir *Patrick Hepburne* of Wauchtoun, Sir *William Dowglas* of Cavers Sheriffe of Tiviotdaill, Colonell *James Rae*, *George Porterfield* Burgeſſe of Glaſgow, *Thomas Macbirnie* Burgeſſe of Dumfreis, *John Rutherfurd* Burgeſſe of Jedburgh, *James Sword* Burgeſſe of S. Andrews, and *David Simpſon* Burgeſſe of Dyſert: And appoints *Archibald* Marqueſſe of Argyle to be Preſident of this Committee in abſence of the Lord Chancellor, and in abſence of them both Ordains this Committee to chooſe their own Preſident, And Sir *Adam Hepburne* of Humbie to be at this or any of the other Committees, as he ſhall have occaſion, Or any five of them, there being one of every eſtate, To be the Committee to remain with the Armie in England. As alſo nominates and appoints *John* Earle of Crawfurd, *William* Earle of Merſhall, *John* Earle of Sutherland, *William* Earle of Glencairn, *John* Earle of Kinghorn, Earle of Tullibardin, Earle of Seaforth, *David* Earle of Southesk, Earle of Findlater, *William* Earle of Lanerk, Vicount of Arbuthnot, Vicount of Frendraught, *Alexander* Lord Balcarras, Lord Fraſer, M. *George Winrahame* of Libertoun, *Brodie* of that ilk, *Udnie* of that ilk, Sir *William Forbes* of Cragievar, M. *Francis Hay* of Balhouſie, *William Scot* of Ardros, Sir *John Crawfurd* of Kilburnie, Sir *Alexander Erskene* of Dun, Sir *Alex. Falconer* of Halkertoun, *Schaw* of Sauchie, Sir *John Sinclar* of Hiremeſtoun, Sir *Arthur Erskene* of Scottiſcraig, *Arch. Sydſerf* Burgeſſe of Edinburgh, *Rob. Arnot* Burgeſſe of Perth, *Iames Pierſon* Proveſt of Dundee, *Alex. Halyburtoun* Burgeſſe there, M. *Robert Farquhar* Burgeſſe of Aberdene, *Pat. Leſlie* Burgeſſe there, *Wil. Lyoun* Burgeſſe of Brechen, *Rob. Tailzeor* Burgeſſe of Montroſe, M. *Alex. Dowglas* Burgeſſe of Bamff, M. *Iohn Dowglas* Burgeſſe of Elgine, *Duncane Forbes* Burgeſſe of Innerneſſe, *George Iameſon* Burgeſſe of Cowper, *Iames Law* Burgeſſe of Kircaldie, And any one Burgeſſe that is upon the Committee for the Money.

And Ordaines *Iohn* Earle of *Crawfurd* to bee Preſident in abſence of the Chancellor, and in abſence of them both, Ordaines this Committee to chooſe a Preſident; And Ordaines this Committee to meet at Perth on Fryday the fourteenth of this inſtant, And Sir *Adam Hepburn* to be at this Committee, as he ſhall have occaſion, Or any five of them, there being one of every eſtate, To be a Committee to go alongs and remaine with the Army within the Kingdome, Which two Committees appointed for the Army in England, and the Army within the countrey are hereby authorized with the government of the affaires of the Armies *reſpectivè*, (Except ſo farre as concernes the power granted to the foreſaid Committee for the Moneys, Compts, and Burdens, as ſaid is;) And to give their beſt adviſe, counſell and aſſiſtance, in what may conduce to the good and ſafetie of the ſaids Armies. And Ordaines all the ſaids three Committees, to keep correſpondence and intelligence with others anent their proceedings and condition of Affaires, and to give their orders and concluſions, in manner conteined in the foreſaid former Commiſſion, which is hereby renewed.

Providing, That none of the Committees enter in Treaty anent the points and articles in queſtion betwixt his Majeſtie and the Eſtates of this kingdome, or betwixt the kingdomes themſelves, without conſent of a Quorum of the whole three Committees; And if any one of the Commiſſioners places ſhall vaik by deceaſe or otherwiſe, the Eſtates grants power to the reſt of the Quorum of that Committee To make choice of ane other of that ſame degree to ſupply the vaik-and place, And grants power likewiſe to the ſaids Committees, and ilk ane of them as they ſhall have occaſion, To conveene ſuch Noblemen, Barons and Burgeſſes for their advice and aſſiſtance, as they ſhall think fitting. And if any matter of importance doth occurre, that requires the reſolution of the Eſtates, In that caſe, the Commitee remaining at *Edinburgh*, Hath hereby power to call the Eſtates of Parliament; And the Eſtates Ordaines the ſaids Commiſſioners at their firſt meeting, To accept the Commiſſion, and give their Oathes for faithfull diſcharge of the truſt committed to them, And to fine ſuch of their number as ſhall not give diligent attendance of their meetings. And the Eſtates declares, that the generall Officers of the Armies, and *William Thomſon* Depute to the Theſaurer of the Armie, are hereby Priviledged to be preſent in all the ſaids Committees, as they ſhall have occaſion. And ſicklike, it is hereby declared, that the whole perſons authorized in Commiſſion to the Kingdom of *England*, and every ane of them ſhall have place and vote in all the ſaids three Committees, as they ſhal happen to be preſent. And the Eſtates hereby holds firme and ſtable whatſomever things the ſaids Commiſſioners or Quorum foreſaid ſhall do, in manner, and for the ends contained in this and the other Commiſſion, whereunto this is relative, and according to the power therein contained; They being anſwerable to the Parliament for their proceedings in the foreſaid Commiſſion and Committees *reſpectivè* abovewritten, Which is to indure to

to the next Seſſion of Parliament. And the Eſtates addeth this power to the Commiſſion, *viz.* To exact three Dollors from everie Noblemen, two Dollors from every Barron, and a Dollor from every Burges for ilk dayes abſence from the Committes, within the times divided and appointed for their ſeverall attendancee, according as ſhall be condiſcended by the ſaid Committee, With power alſo to the Committee to depoſe ſuch as they ſhall think fit for not attendance, and keeping of the dyets of the Commiſſion, and to put others in their place.

ACT XVII.

Commiſsion for inbringing and diſtributing of Moneys, and for regulating of the Publike Accompts and Burdens of the Kingdome.

8. *March* 1645.

THe Eſtates of Parliament now conveened in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates in *Anno* 1641. Having taken to their conſideration how neceſſar it is for advancement of the Publike Affaires of the Kingdome, and for the right ordering and regulating of the matter of Moneyes, and Publike Accompts, That a ſelect Committee be nominat, authorized, and intruſted by the Parliament, for ordering and regulating of the haill Publike Accompts, Debts, and Burdens of the Kingdome, And for bringing in of Moneys, and other Proviſion, and diſtributing the ſamine for the maintenance and entertainment of the Armies, and for the other publike and neceſſar Affairs of the Kingdome, conforme to the Commiſsion after mentioned. Therefore the ſaids Eſtates of Parliament hereby nominates, authorizes, and appoints the perſons following, *viz.* *Archbald* Marques of Argyle, *Iohn* Earle of Caſsils, *Iohn* Lord Balmerino, *Robert* Lord Burghley for the Noblemen. Sir *William Cochrane* of Cowdoun, M. *George Dundas* of Manor, M. *Francis Hay* of Balhouſsie, Sir *Michael Balfoure* of Denmylne for the Barons. Sir *Iohn Smyth* Proveſt of Edinburgh, *Iohn Kennedie* Burgeſſe of Air, *George Gardine* Burgeſſe of Bruntiland, and *William Glendonning* Burgeſſe of Kirkcudbright for the Burrows. And *Iohn* Earle of Lowdoun Chancellour, *Iohn* Earle of Crawfurd-Lindſay Preſident of Parliament, and Sir *Adam Hepburn* of Humbie Generall Commiſſar ſupernumerarie in this Commiſſion. To whom, or any five of them, there being ane of every Eſtate: The ſaids Eſtates hereby grants full Power and Commiſſion, To proſecute the wayes and means already laid down, for bringing in of Moneys for the uſe and entertainment of the Armies within this Kingdome, and for ſuch other neceſſar and urgent Publike Affairs thereof

thereof as shall occurre. And for that effect, To prosecute and follow forth the course already establisshed by the Act of Parliament for borrowing of Money. And to grant and subscribe Publike Acts and Securities for the same, conform to the order formerly establisshed and observed, and to call for all by-run summes decerned already, and not payed, and to cause execute these Decreets; and to assist the generall Collector in calling in the Moneys and summes imposed upon the severall Shires and Burghs of this Kingdome, for the maintenance of the Armies, conform to the Act of Maintenance past in this present Session of Parliament: And to call in the Accompts of the Rents, Summes, Goods, and others belonging to all Malignants and Forfaulted Persons, Together with all other Accompts concerning the Publick, and to close, allow, controll, or disallow thereof, as they shall find the same just and reasonable, and to give Commissions for uplifting and intromitting therewith, and to take securitie for the same: And to call for payment and compt of all Respondies and Debts addebted and due by any person to the Publike: And with power to them to direct such Orders, Letters, and Execution, as shall be necessar for inbringing of the saids Moneys, Compts, Respondies, Rents, and others foresaids, belonging to the Publike, and to pronounce Decreets and Sentences thereanent, and cause put the same to execution, and to reduce the haill Compts and Debts of the Kingdome in such order as the Debts and Burdens of the Publick may be known. And for the better clearing and regulating of the saids Publike Accompts and Debts of the Kingdome, With power to the forenamed persons, or their *Quorum* foresaid, To call for inspection of the Registers, Records, and Warrands of all other Committees, To the effect that all Respondies may be exactly extracted forth thereof, and the persons lyable therein, may be made comptable for the same: And with power to them, To call for, and receive the Warrants of all former Compts already past by the Parliament, or their Committees. Likeas the saids Estates of Parliament hereby commits and intrusts to the foresaid Committee, The sole and onely power of disposing and distributing of all Moneys which shall come in and be due to the Publick: Together with the haill Rents and Duties of Lands, Summes of Money, Moveables, and others belonging to Malignants and Forfaulted persons, with all fines and prices of Forfaulted Lands, and others whatsomever pertaining to the Publick, and to imploy the same in the first place for the Maintenance and entertainment of the Armies within this Kingdome, in manner after mentioned. And for this effect grants to them, The sole and onely power, to give out and subscribe Precepts for the pay and maintenance of the Armies, and for Intelligence, Posts, buying of Arms and Ammunition, the Train of the Artillery Carriages, and such other pressing and urging Affairs as concerns the out-reik, expedition, and maintenance of the Armies allanerly. And Ordains every Precept to be subscribed by a full *Quorum* of the said Committee at the least, which persons subscribers thereof, shall be answerable to the Parliament, That they subscribe no

no Precepts but for the causes foresaids, till the Affairs and maintenance of the Armies be first dispatched and satisfied: Wherein if the said Committee contraveen and failzie, The saids Estates of Parliament hereby declares and ordains the subscribers of the saids Precepts, to be lyable in repayment to the Publick of all such summes for which they shall draw Precepts for any other cause, till first the affairs and maintenance of the Armies be satisfied. With power to the said Committee in the next place, To dispose and grant Precepts upon borrowed moneys, and the Excise moneys, for other necessar uses: The Armies being first payed and entertained, excepting alwayes these particulars contained in the Act of Parliament, which are ordained to be first paid out of the Excise, aswell to Burgh as Land: And ordains them frequently to consider the estate of the Publick Cash, and what moneys are therein fra time to time, and to draw no Precepts but when there is money in the Cashe to satisfie and answer the same. Likeas, the saids Estates Ordains the foresaid Committee in their distribution and ordering of the payment of moneys to the Armies, to distribute the same equally, & to take such constant course, as all Regiments of Foot and Horse be put & keeped in equality of pay, either in Money, Proveant, or other Provision, according to their strength and Muster-Rolls, being mustered, as is provided in the Act of Maintenance. And to the effect that both Officers and Souldiers of the Armies may know their own proportion due to them of all moneyes to be payed to them, It is ordained, that all precepts to be direct by the said Committee for that effect, shall bear *in cumulo* what proportion of the haill summes contained in the precept is allowed to be payd to the Officers, and what proportion thereof to the Souldiers of the Regiment, Troop, or Company for which the saids precepts are granted. And where matters of difficultie or importance shall occurre, The saids Estates of Parliament Ordains the Committee of Estates to give their advice to the foresaid Committee hereby appointed, as they shall necessarily desire the same. And because the Subjects above-written of the matters of Money, Compts, and Debts of the Kingdome will necessarily require constant and continuall attendance, and great care and pains to be taken by the Members thereof for the exact managing and regulating of the samine subjects, hereby intrusted to them. Therefore the Estates declares, that at their next meeting, they will take in speciall consideration their pains and charges, and give unto them present allowance for defraying the samine. And the saids Estates Ordains, That the Clerk to be appointed by the Clerk-Register for this Commission, shal have the trust & keeping of the Respondie-Books, and of all the Accompts, Instructions, and Warrands thereof, which concernes the Publike. And if any of the saids Commissioners places shall vaike by decease, or otherwise, the rest of the *Quorum*, with advice of the Committee of Estates, shall have power to make choice of others of that same degree, to supply the vaiking places, one or moe: Which Commissioners shall at their first meeting, accept this Commission, and give their solemn Oaths for

for the faithfull diſcharge of that truſt hereby committed to them, and ſhall have power to fine ſuch of their members as ſhall not give diligent attendance, And which Commiſſioners ſhall bee anſwerable to the Parliament for their proceedings, fidelitie, and attendance in this Commiſſion, Which is to endure till the next Seſſion of Parliament. And the Eſtates declares, that the ſecurities to be granted to the Lenders of Money, by order of the foreſaid Committee ſitting at *Edinburgh*, ſhall be ſufficient being ſubſcrived by five, there being ane for ilk eſtate, Which is the Quorum of the ſaid Committee; And the ſecuritie to be granted to the Lenders of Money, by order of the Committee at the Army, or in the Countrey, ſhall be ſufficient, being ſubſcrived by three of the ſaid Committee, Together with any foure of the Committee of Eſtates being at the Army, there being one of every eſtate; And declares this Commiſſion to bee but prejudice to *James Hamiltoun* of Boiges, and *James Stewart*, anent their aſſignations of borrowed Money formerly granted to them, they accepting Deputations or Precepts from the Generall Commiſſioner, for uplifting the Moneys conteined in their aſſignations, and giving bands to be comptable to him; but prejudice of their aſſignations, as ſaid is.

ACT XVIII.

Anent Defeaſance for the Burnt and Waſted Lands.

March 8. 1645.

THe Eſtates of Parliament now conveened, in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by His Majeſtie and three Eſtates, in *Anno* 1641. Conſidering That forſameikle as the Committees of Warre of the ſeverall Shires of this Kingdome are appointed by the Act made anent the Maintenanance of the Armies to be ſent forth againſt the Iriſh Rebels, who have lately invaded this Kingdome, and their aſſociates, To be anſwerable for the proportion of the ſaid Maintenance impoſed upon their Shires, except the Lands poſſeſſed by the Enemie, or totally burnt and waſted, as the ſaid Act at length bears. And conſidering That certain Noblemen and Gentlemen of the Shires have undertaken preſently to advance their whole firſt Moneths Maintenance of the ſamine Shires but any defalcation for the Lands within the ſamine Shires totally burnt, waſted, or poſſeſſed by the Enemy: Therefore do hereby Statute and Ordaine, That the Committee of Warre of the ſaids Shires ſhall have Defeaſance forth of their ſecond Moneths Maintenance foreſaid of their proportion thereof, which is due forth of the Lands or Burghs within the ſamine Shires poſſeſſed by the Enemie, or totally burnt and waſted, both for the firſt and ſecond Moneths Maintenance

Maintenance foreſaid, and ſo forth Monethly thereafter, during the time of the ſaid Maintenance. And for the clearing thereof, doe hereby give power to the Committee which goes with the Armie, after due tryall, To ſet down a Roll or Inventar of the particular Lands or Burghs of the ſaids Shires totally burnt, waſted, or poſſeſſed by the Enemie, and of the ſeverall proportions of the ſaid Monethly Maintenance due forth thereof, and to ſend the ſamine to the Collector of the ſaid Maintenance, ſubſcribed by the Preſident of the ſaid Committee, and by the Clerk thereof. And declares, That there ſhall be no Retention while the loſſes be declared.

ACT XIX.

Act Salvo jure cujuſlibet.

8. *March* 1645.

THe Eſtates of Parliament now conveened in the ſecond Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by His Majeſtie and three Eſtates, in *Anno* 1641. Conſidering That in this preſent Seſſion of Parliament, there are many Particular Acts, and Acts of Ratification, made in favours of particular Perſons, Which may be prejudiciall to the parties having intereſt and not heard; Albeit the meaning of the Eſtates be at this time, as it was ever in all preceding Parliaments, that by no Particular Act, or Act of Ratification granted to any particular Perſon, any other parties ſhould be hurt or prejudged of their lawfull Rights and Defences, competent to them of the Law. For remeed whereof, It is Statute and Ordained, That no Ratification or other particular Act whatſoever made in favours of any particular Perſon in this preſent Seſſion of Parliament, Be prejudiciall to any other parties Rights or Defences, competent to them of the Law; But that the ſaids Particular Acts, and Acts of Ratification made in favours of particular parties, be alwayes underſtood, *Salvo jure cujuſlibet.*

ACT XX.

Of continuation of the Parliament to the second Tuesday of July next.

8. *March* 1645.

THe Estates of Parliament now conveened in the second Session of this first Triennall Parliament, by vertue of the last Act of the last Parliament, holden by his Majesty and the three Estates, in *Anno* 1641. Continues this present Parliament, and all Summonds, Processes, and Actions belonging thereto, which are not remitted to the Committee of Estates of Parliament, while the second Tuesday of *July* next to come: At the which day, or sooner, as the Committee of Estates or Quorum thereof shall appoint, Ordains the whole Estates to be present, and to attend at *Edinburgh*, or where it shall happen the samine to be holden for the time. And in the meane time, The Estates declares this present Parliament currant to the day foresaid: And Ordains the whole Acts and Statutes made and concluded in this Session of Parliament, To stand, and have the force and strength of Lawes and Acts of Parliament, conforme to the tenors thereof, Sicklike as any Acts and Statutes of any preceding Parliaments in any time bygone. And Ordaines publike Proclamation to bee made hereof at the Market Crosse of *Edinburgh* by sound of Trumpet.

ACTS

ACTS
DONE IN THE THIRD
Session of the aforesaid Parliament: Holden
at *Stirling*, beginning the eighth of July, 1645.
and ending the eleventh thereof.

ACT I.

Act anent the outputting of Forces for the present necessitie.

July 9. 1645.

THe Estates of Parliament now conveened, in this third Session of the first Trienniall Parliament, by vertue of the last Act of the last Parliament holden by his Majesty and three Estates, in *Anno* 1641. Taking into their consideration the present condition of this kingdom, and how that the peace of the same hath been troubled thir Moneths bygone, by a base crew of Irish Rebels, joyned with unnatural Countrymen, who hes had the greater successe in their traiterous attempts, That they have never yet been pursued with that strength was necessarie, Some weakned Regiments, and Countrey people raised in the Shires, being only employed against them, without the assistance or countenance of the Nobilitie, Gentrie, and strength of these bounds from which they were lifted. And there with all considering, that by the blessing of God upon the forces of their brethren in *England*, and good posture of the Scots Armie there, This kingdome is for the present fred of all fears from without; Have thought fit, to apply themselves and their power for suppressing this rebellion within: And for that effect, Do statute, ordaine, and command, all the Noblemen, Gentlemen, and Heritors within the Kingdome upon their alleageance, To rise presently in armes after the intimation hereof, with all the able Horse they can raise. As also, that the particular numbers of Horse and Foot underwritten, be presently raised in the Shires following, *viz.* In the Sheriffedomes of Roxburgh and Selkirk, a thousand Foot, and fiftie Horse. The Sheriffedome of Berwick six hundreth Foot, and thirtie Horse. The Sheriffedome of Hadingtoun six hundreth Foot, and thirtie Horse. The Sheriffedome of Edinburgh principall, six hundreth Foot, and thirtie Horse. And the Bailliarie of Lauderdale their proportionall number. The Sheriffedome of

Peibles two hundreth Foot, and ten Horse. The Sheriffedome of Lithgow two hundreth and fiftie Foot, and fifteene Horse. The Sheriffedome of Stirling and Clackmannan thirtie Horse. The Sheriffedome of Lanerik seven hundreth and fiftie Foot, and fiftie Horse. Wigtoun and Kircudbright six hundreth Foot, and thirtie Horse. The Sheriffedome of Drumfreis six hundreth Foot, and thirtie Horse. Air and Renfrew a thousand Foot, and threescore Horse. The Sheriffedome of Fyfe twelve hundreth Foot, and threescore Horse. The Sheriffedome of Pearth twelve hundreth Foot, and threescore Horse. Dumbartan Shire two hundreth Foot: And that both Horse and Foot aforesaid, and haill Noblemen, Gentlemen, and Heritors, be provided with sufficient armes, and the Foot with eight dayes provision, and the Horse with fourtie dayes provision; and march forthwith to the randezvous underwritten, *viz.* The Shires of Hadingtoun, Edinburgh, Peibles, Lithgow, Lanerick, Fyfe, Pearth, and Dumbartan, to be at the Burgh of Pearth upon the nineteenth of this Moneth of July; And the Shires of Roxburgh, Selkirk, Berwick, Wigtoun, Kircudbright, Drumfreis, Air, and Renfrew, to be at the Town of Pearth upon the twentie fourth of this Moneth, where they are to receive farther orders. And ordaines the Committees of Warre in the severall Shires aforesaids, and Magistrates of Burrows within their own bounds, To be answerable for bringing the numbers particularlie abovewritten layed on them to the randezvous aforesaid, With power to them for that effect, To appoint one or moe in each Parish, for convoy of the forces of that Parish, and to take such other courses for procuring effectuall and present obedience to this Act, and bringing out of their forces as hes beene allowed in any former Leavies: As also, that they be carefull that the Deficients and Runawayes both Horse and Foot of the former Leavies, be brought to the said randezvous; Certifying hereby all such Noblemen, Gentlemen, Heritors, Committees of Warre, Magistrates of Burrowes, and others persons of whatsomever degree or qualitie that shall fail herein, or not keep the dyets of randezvous aforesaid; They shall be esteemed and punished as enemies to Religion and the safetie of the Kingdome, and as accessorie to the rebellion, and airt and pairt of the same. And to the effect, it may be the better known who shall be neglective of their duetie herein; It is appointed, that the Noblemen, Gentlemen, Heritors, Committees of Warre, and Magistrates of Burrows, shall under the paine aforesaid, bring alongs with them to the Randezvous, a list of all such persons within their bounds as shall not come out conforme to the Act, That the same may be presented to the Parliament, who have resolved to meet at Pearth, upon the said twentie fourth day of this moneth, To give their concurrence and authoritie for pursuing the Rebells, and punishing such as shall not give ready obedience hereto. And the Estates ordaines this Act to be printed and published at the Market Crosses and Parish Kirkes of the Shyres aforesaid, wherethrough none pretend ignorance thereof.

ACT II.

ACT II.

For inbringing and prorogating the Commissions to the Committee of Estates, and Committee for inbringing and distributing of Moneys.

10. *July* 1645.

THe Estates of Parliament presently conveened in the third Session of this first Triennall Parliament, by vertue of the last Act of the last Parliament, holden by his Majesty and three Estates, in *Anno* 1641. Renewes and prorogates the Commission granted to the Committee of Estates by the Estates of Parliament, in the second Session of this Parliament, upon the 8. of March 1645. To the persons, for the cause, and to the effect therein mentioned, and conform to the tenour thereof in all points. As also renewes and prorogates the Commission for inbringing and distributing of Moneyes, and for regulating the publick accompts and burdens of the Kingdome, granted by the Estates of Parliament in the foresaid second Sesion of this Parliament, upon the said 8. of March last bypast, to the persons therein nominate, and conform to the tenor of the famine Commission in all points. And likewise renewes and prorogates the Commission granted by the Estates of Parliament, in the second Session thereof foresaid, upon the day of last bypast, to the Commissioners of Exchequer therein specified, conform to the tenor of the famine Commission, and with the power therein mentioned, with the haill remanent Commissions formerly granted in the second Session of this Parliament. Which haill Commissions hereby renewed, The Estates of Parliament Ordains the samine haill Commissions, and every one of them, To stand in full force and effect, conforme to the tenours thereof *respective* in all points unprejudged by the interveening of this present Session of Parliament, while the twenty fourth day of July instant.

ACT III.

Restraining any to go out of the Countrey without licence.

10. *July* 1645.

THe Estates of Parliament presently conveened in the third Session of this first Triennall Parliament, by vertue of the last Act of the last Parliament, holden by his Majesty and three Estates in *Anno* 1641. Considering how necessar it is that the haill Forces within the Kingdome be put in a Posture for defence thereof, and suppressing of the present Rebellion: and being informed of the prejudice that ariseth through the weakening of many of the Shires and Burrows, by transportation of men to Ireland and other places forth of this Kingdome, who are thereby made unable to perform these duties required of them by the Estates, Do therefore Statute and Ordain, That no person whatsoever transport themselves

ſelves forth of this Kingdome to Ireland,or any other place, without a ſufficient Paſſe granted by the Committee of Eſtates, or Committees of War within Shires, or Magiſtrates within Burghs, who are only permitted to grant Paſſes to ſuch as are actual Reſidenters within their Shires and Burrows *reſpectivè*, with Certification to any that ſhall tranſport themſelves without the Warrand foreſaid,ſhall forfeit their haill moveable Goods,To be intrometted with by the Heritors of the ground where they dwell in Shires, and by the Magiſtrates of Burghs within Burgh, for the uſe of the Burgh : and the one half to pertain to the Heritors,and the other half to pertain and be compted for by them to the uſe of the Publick: With power to the Committees of Shires within the Shires, & Heritors of the Lands where they ſhall be found,and Magiſtrates of Burrows within Burghs, To apprehend the perſons, and put them in priſon, till the Committee of Eſtates inflict ſuch puniſhment as they ſhall think fit. Likeas alſo it is ſtatute and ordained, That no Mariner, Maſters of Ships, Boat or Bark,tranſport,nor ſuffer to be tranſported,any perſon without Warrand foreſaid out of the Kingdome, under the foreſaid pain of confiſcation of the Barks and Veſſels that ſhall happen to tranſport them, and to be lyable to the Heritors and Maſters of the tranſported perſons,for the payment of all debts or other duties to be performed by them to the Maſters, Heritors of the Land where they dwell. With power to the Committees of the Shires, Magiſtrates of Burghs, To apprehend their perſons,ſeaze on their Veſſels, and take their Sailes from their Roes,till they be cenſured in manner foreſaid. And with power alſo to the Committees of Shires,and Magiſtrates of Burrows, to ſeaze upon any Veſſels that ſhall come out of Ireland or any forreign place,till they finde caution to obſerve the premiſſes.

ACT IV.

Continuing the Parliament to the 24. of July inſtant,to be holden at Pearth.

11. *July* 1645.

THe Eſtates of Parliament now conveened in the third Seſſion of this firſt Triennall Parliament,by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates in *Anno* 1641. Continues this preſent Parliament,and all Summonds,Proceſſe, Actions, and matters belonging thereto,while the 24. of July inſtant,with continuation of dayes; At which day,or ſooner,as the Committee of Eſtates,or Quorum thereof ſhall appoint, Ordains the haill Eſtates to be preſent and attend at *Perth*,or where it ſhal happen the ſaid Committe to appoint the ſame. And in the meantime the Eſtates declares this preſent Parliament current to the day foreſaid. And ordains the Acts made in this Seſſion of Parliament, to ſtand,and have the force and ſtrength of Laws and Acts of Parliament,conform to the tenours thereof, ſicklike as any Acts of any preceeding Parliaments in any time bygane. And Ordains publick Proclamation to be made hereof at the Market Croſſe of Stirling,by ſound of Trumpet.

ACT

ACTS
DONE IN THE FOURTH
Seſsion of the aforeſaid Parliament: Holden
at *Pearth*, beginning the twentie fourth of July, 1645.
and ending the ſeventh of Auguſt, 1645.

ACT I.

Act anent theſe who goes away from the Armie.

29. *July* 1645.

THe Eſtates of Parliament now conveened, in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſty and three Eſtates,in *Anno* 1641. Taking to their conſideration, that divers of the Subjects who have now lately conveened here for proſecution of the Rebells, Have now returned to their own homes without permiſſion obtained for that effect; And thereby, ſo far as in them lyeth, hath weakened the Good Cauſe by withdrawing their help therefra: Therefore they ſtatute and ordaine, That no Perſon of whatſomever ſtate or qualitie, goe to their own Homes from the Army and Quarters under the pain to be reputed and holden as Malignants, and perſons diſaffected to the good of Religion, and the Kingdome; And to be proceeded againſt conforme to the Certification conteined in the Act of Parliament made at Stirling: And ordaines thir preſents to be publiſhed at the Market Croſſe of Pearth by ſound of Trumpet, And to be ſent to the Lieutenant General,to be publiſhed by him in the Leaguer,and in the Quarters where the Army lyeth, which the Eſtates declares to be a ſufficient publication hereof, to put all the tranſgreſſours of the premiſſes *in mala fide*.

ACT II.

ACT II.

Act of approbation of the Directorie, and for recording, publiſhing, and practiſing of the ſame, conforme to the Printed Copie.

2. *Auguſt* 1645.

THe Eſtates of Parliament now conveened, in the fourth Seſſion of this firſt Triennal Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates in *Anno* 1641. Having ſeriouſlie conſidered the Printed Copie of the Directorie for publike worſhip, now preſented unto them from the Commiſſioners of the Generall Aſſembly; And finding the ſame agreeable to the Copie preſented from the late Generall Aſſembly in the preceding Seſſion of this Parliament, Doe therefore ratifie and approve the ſaid Printed Copie, & ordains the Directory for the publike worſhip to be recorded, publiſhed, and practiſed, according to the tenor thereof.

ACT III.

Act for puniſhing and fining of theſe who have not keeped the Randezvous.

2. *Auguſt* 1645.

THe Eſtates of Parliament preſently conveened, in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by His Majeſtie and three Eſtates, in *Anno* 1641. Conſidering how neceſſar it is for the good of the preſent ſervice, and encouragement of ſuch as in obedience of the Act of Parliament made at Stirling the ninth of July laſt bypaſt, Hes keeped the Randezvous appointed at this place; That ſome preſent exemplar courſe be taken with ſuch as have ſtayed at home, in contemning the publike call of the Kingdome, and withdrawing their aſſiſtance from it in ſuch an exigencie: Doe therefore ſtatute and ordaine, that the fourth part of every ones Land Rent, Money Rent, and caſuall Rent, according to the valuation without deduction; Be forthwith exacted from all ſuch Noblemen, Gentlemen, and Heritors, who were appointed to keep the Randezvous on the nineteenth day of July laſt, and are not alreadie come: And from ſuch as wes ordained to keepe the Randezvous upon the twentie fourth of this Moneth, and hes not come before the laſt day of July. And the Eſtates declares, that theſe who have gone away without leave, ſhall be in like condition with the abſents: As alſo, aged and infirme perſons, who hes not put out Horſes for themſelves, to

to be in the ſame condition; Which fines, the ſaids Eſtates Ordaines to be imployed for the ſecond outreeke of Horſes out of the particular Shires; and the Committee of Warre in ilk Shire, to bee obleiged for the imployment of the ſuperplus thereof, upon an Magazine of Armes and Ammunition, and theſe Shires onely to have benefit thereof, that ſhall ſatisfie their dues: As alſo, ordaines the Committees of ilk Shires to be uplifters of the ſaids fines, and to be judges of all the excuſes of Noblemen, Gentlemen, Burrowes, and Commons, and to have letters of horning directed at their inſtance, for that effect upon their decreets to be pronounced by them, for not fulfilling of the Act of Parliament made at Stirling the ninth of July laſt, for their not compearance at Pearth at this time, conforme to the publike orders.

ACT IIII.

Act for managing of the Warre.

Auguſt 5. 1645.

THe Eſtates of Parliament now conveened, in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates in *Anno* 1641. After hearing of the report made by the Committee for mannaging of the Warre, and after debating thereupon, and publike voicing in the houſe: Doe enact, ſtatute, and ordaine, That the directing of the Warre, ſhall be by the Parliament or Committee of Parliament; And the actuall mannaging and executing of the directions, To be by the Commander in chief, As he will be anſwerable to the Parliament or their Committee.

ACT. V.

Act anent the attendance of Officers.

Auguſt 5. 1645.

THe Eſtates of Parliament preſently conveened, in the fourth Seſſion of this laſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates in *Anno* 1641. Conſidering the prejudice formerly occurred to the publike ſervice, Through the not attendance of the Officers upon their ſeverall charges: Doe therefore enact and ordaine, That all Officers of the Armie attend their charges, Unleſſe they be called by publike warrand for ſome other ſervices of the State, or have ane foirloofe from the Commander in cheife, with certification to them who failzies; That

they ſhall loſe their places; And the Parliament or their Committee ſhall make new election of Colonells and Rootmaſters, who are not in formed Regiments.

ACT VI.

For the new Recrute, and diviſion thereof.

5. *Auguſt* 1645.

THe Eſtates of Parliament preſently conveened in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates in *Anno* 1641. Conſidering, That for purſuing of the Rebells within this Kingdome, There be made up the number of a thouſand Horſes: And for that effect, that each Shire doe preſently furniſh out the like number of ſufficient Horſemen, as was layed upon them by the Act of Parliament made at Stirling; And that to eaſe themſelves of a burden in ſtaying all here preſent with the Army, which number now to be furniſhed out, are by and attour that number layed upon ilk Shire at Stirling, And which doubled number, with ſuch as are already on foot, are conceived to bee neceſſarie for the preſent ſervice, conforme to the Act made thereanent, dated the ſecond of Auguſt inſtant; For better managing of which Horſe now to bee Leavyed, and of the particular number of Foot, appointed to have beene Leavied out of the ſeverall Shires, by the ſaid Act made at Stirling: The ſaids Eſtates of Parliament, Hes adjoyned and appointed the ſaids Horſes and Foot, to ſerve and be under command, as followeth, *viz.* Threeſcore Horſe out of the Sheriffedome of Hadingtoun, Threeſcore Horſe out of the Sheriffedome of Edinburgh, A hundreth and twentie Horſes out of the Sheriffedome of Air and Baronie of Renfrew, And a hundreth and twentie Horſes out of the Sheriffedome of Fyfe; To ſerve and be under the command of *Alexander* Lord Balcarras. Threeſcore Horſe out of the Sheriffedome of Berwick, Threeſcore Horſe out of the Sheriffedom of Lithgow, A hundreth Horſe out of the Sheriffedome of Teviotdaill, Threeſcore Horſe out of the Sheriffdome of Niddiſdaile, Threeſcore Horſe out of the Sheriffdome of Wigtoun and Stewartrie of Kirkcudbright, A hundreth Horſe out of the Sheriffedome of Lanerk, Threeſcore Horſe out of the Sheriffedome of Stirling, And a hundreth and twentie Horſe out of the Sheriffedom of Pearth; Thir to be made up in a Regimint, and Major *Mungo Murray* to be Lieutenant Colonell of that Regiment: And is to make up his owne Troup out of the readieſt Horſe of Lanerk and Lithgow, *Harie Bruce*, eldeſt Son to the young Laird of Clakmannan, to be ane of the Rootmaſters, and to have the charge of the threeſcore Horſe of Stirling

Stirling Shyre, and *Mackulloch* to be Rootmaſter of the threeſcore Horſe of Wigtoun and Kirkcudbright: Twentie Horſe out of the Sheriffedome of Peebles, to be joyned to *Lawers* Troup, for recruting thereof: Six hundreth Foot out of the Sheriffedome of Berwick: Two hundreth and fiftie Foot out of the Sheriffedome of Linlithgow, for recruting the Earle of Callenders Regiment: Six hundreth Foot out of the Sheriffedome of Hadingtoun, Six hundreth Foot out of the Sheriffedome of Edinburgh, And two hundreth Foot out of the Sheriffedome of Peebles; Whereof eight hundreth out of the readieſt of theſe of Hadingtoun and Edinburgh, for the Earle of Lauderdails Reigment, And two hundreth out of the readieſt of the remainder of theſe two Sheriffedomes, of Hadingtown and Edinburgh, and out of the Sheriffedome of Peebles, for the Lord Chancellors Regiment; A thouſand Foot out of the Sheriffedome of Teviotdale, to be ſent into New Caſtle: Six hundreth Foot out of the Sheriffedome of Drumfreis, for recruting Colonell *Homes* Regiment: Six hundreth Foot out of the Sheriffedome of Wigtoun and Stewartrie of Kirkcudbright, for the Earle of Caſſills Regiment: Six hundreth Foot out of the Sheriffedome of Lanerk, for Colonell Robert *Cuninghame* his Regiment: A thouſand Foot out of the Sheriffedome of Air and Barronnie of Renfrew, whereof ſix hundreth for the Lord Chancellors Regiment, and the other four hundreth to bee divided betwixt the Earle of Caſſils and Colonell *Robert Cuninghame*: A thouſand and two hundreth Foot out of the Sheriffedome of Fyfe, to be divided equallie betwixt the Earle of *Crawfoord* and Colonell *Arnot*: A thouſand and two hundreth Foot out of the Sheriffedome of Pearth, for recruting of *Lawers* Regiment: And two hundreth Foot out of the Sheriffedome of Dumbartan, for recruting the Marques of Argyles Regiment.

ACT VII.

For retention of the three Moneths Maintenance, for payment of the Quarterings.

5. *Auguſt* 1645.

THe Eſtates of Parliament now conveened in the fourth Seſſion of this firſt Triennall Parliament, Having taken to their conſideration the Reſults exhibite unto them from their ſeverall bodies, upon the continuation of the Act of maintenance; Doe ordain, and enact, that one Moneth of the firſt three Moneths now to be Prorogate, be preſently advanced; Poviding alwayes, That where there hes been any quartering of Souldiours in any Shires ſince the twentieth day of March laſt, The perſons who have furniſhed quarters, Shall have retention *pro tanto* in the firſt end of their Maintenance, for their quarterings ſince that time.

ACT VIII.

Against Swearing, Drinking, and mocking of Pietie.

August 7. 1645.

THe Estates of Parliament, considering that by the solemn Nationall Covenant, sworn and subscribed by people of all ranks within this Kingdom, and ratified in Parliament in *Anno* 1641. The whole Lieges have bound themselves before God with a solemn Oath so to behave themselves in their lives and conversations as beseemeth Christians who have renewed their Covenant with God, and have faithfully promitted for themselves, their followers, and all others under them, both in publike and their particular families and personall carriage, to endeavour to keep themselves within the bounds of Christian liberty; and to be good examples to others of all godlinesse, sobriety, and righteousnesse, and of every dutie they owe to God and man: And also calling to minde that the neglecting of the performance of that part of the solemne Oath of the National Covenant, and the open abundance of all vices, dishonourable to God, and reproachfull to the said Nationall Covenant, hath without doubt occasioned the heavie judgments which the Lord in his great wrath hath powred out upon this Land, as appeareth this day. Therefore the Estates for curbing such vices as are grose and most usuall, and for testifying their detestation therof, and for putting a mark upon the committers of the same, Statute and Ordain, That whosoever shal Swear, Curse, or Blaspheme, & whosoever shall Drink excessively, especially under the name of Healths; and also all mockers and reproachers of pietie, or the exercise thereof, or who shall be found culpable of all or any ane or other of the foresaids vices by any Kirk Judicatorie whereunto they are subject, having beene once already censured by the saids Kirk Judicatories for the same vice before, shall after the second conviction before the saids Kirk Judicatories be censurable in manner following *viz.* That Ilk Nobleman shall pay Twenty pounds for the said second conviction, and ilk fault thereafter *toties quoties*: Ilk Baron, Twenty merks: Ilk Gentleman Heritor Burgesse, Ten marks: Ilk Yeoman, Fourty shillings: Ilk Servant, Twenty shillings: Ilk Minister, the fift part of their yeers stipend: And that the Wives delinquents against this Act be punished according to the quality of their husbands, and that their husbands be lyable for payment of their wives fines. And it is ordained, That the saids fines be imployed *ad pios usus* in the Parish where the offenders dwells. And it is further ordained, That ilk Master who shall keep and maintain any of his Servants offending in the premisses in his company, after they shall be sentenced conforme to this present Statute, shall be lyable in payment of the Servants fine. And it is declared, that the executing of this Act shall be beside and without prejudice of the Kirk censure.

ACT IX.

ACT IX.

For up-lifting of Pecuniall pains to be bestowed upon Pious uses.

7. *August* 1645.

FOrsameikle as many Acts of Parliament tending to the glory of God, punishment of vice, and to the Common weale of this Kirk and Kingdome, cannot take effect except some good course be prescribed for putting these Acts to execution; Therefore the Estates finding that there can be no better way for executing these Acts, then by giving Commission for the same, Gives full power and Commission to the Magistrates within Burghs, and to such person or persons in Landwart Parishes, as shall be nominate by the Heritors within the Parish, or the most part of them (who are hereby appointed to meet among themselves, upon the desire of the Kirk Session, to nominate one or mo for that effect) To put to execution the Act past in this present Parliament, against Swearing, Drinking, and mocking of Pietie; and all other Acts of Parliament already made, or to be made hereafter, for restraint and punishment of Vice, or for advancement of Pietie and Vertue, under pecuniall pains or corporall punishment, such as Stocks, Irons, Jogges, Scourging, and suchlike, and to lift and exact the pecuniall pains, and being received, to cause deliver the same to Kirk Judicatories, to be imployed to Pious uses, and to inflict the corporall pains above specified. And to that effect makes them his Majesties Justices in that part within their own bounds, with power to hold and fense Courts, and to create all Members of Court necessary, To summond, warne and swear, Affize and Witnesses, Unlaws and Amerciaments of Court, to raise and uplift, to poynd and distrein: And generally all and sundry things to do, that to the execution of the saids Acts of Parliament is necessarily required. But prejudice alwayes to the Lords of Secret Councell to grant Commissions upon the representation of Presbyteries, for executing all or any of the saids Acts to any other persons their Lordships shall think more convenient. And sicklike in case Heretors shall not make nomination of persons to exerce the Commission above specified, The saids Lords of Councell shall also in that case grant Commissions to such persons as they shal finde most fit, which Commissions shal be past *gratis*, with all expedition. And the Estates Ordains, that Magistrates, Heritors, and other Commissioners whatsoever, be answerable for their diligence and fidelity in discharging their Commissions to the Lords of Secret Councell.

ACT X.

ACT X.

Prorogating the Act of Maintenance.

7. *Auguſt* 1645.

THe Eſtates of Parliament Renewes and prorogates the Act anent the Maintenance of the Army, made by the Eſtates of Parliament, in the ſecond Seſſion of this Parliament, upon the 26. day of February 1645. yeers; Together with the proportionable retention of Annualrent, which makes nine of ilk hundred Annualrent to be retained for the yeer 1645. yeers; In the haill heads, articles, clauſes, and conditions thereof, conform to the tenour of the ſamine in all points, and with the power therein contained, during the ſpace of Three moneths farther nor is contained in the ſamine former Act abovewritten, *viz.* Fra the firſt day of September next 1645. yeers, to the laſt day of November *incluſivè*. Which Act of Maintenance and proportionable retention foreſaid, hereby renewed and prorogate, The Eſtates of Parliament Ordains the ſamine to ſtand in full force and effect, conform to the tenor thereof in all points during the prorogation abovementioned, with this addition and declaration alwayes, That it ſhall be leiſome to any who findes themſelves prejudged and hurt by the former valuation, To lead and deduce a new valuation of their Land Rent, or other Rent, and that for the three moneths Maintenance now further granted, providing they lead and deduce the ſamin betwixt and the firſt day of October. As alſo with power to any who hes advanced and payed the firſt moneth of the three moneths Maintenance abovewritten, To retain in their own hands their proportionall part of their Land rent, and caſuall rent of the Lands and others belonging to them, conform to their valuations, and that for the haill three moneths above ſpecified. As alſo to detain ſick other part of the ſix Moneths Maintenance as is not yet payed by them, and that ay and while they be fully refounded and repayed of the ſaid Moneths Maintenance now advanced by them, incaſe their proportion of the three moneths now enacted, or their reſts of the firſt ſix moneths yet unpayed by them ſhall extend to the ſame: otherwiſe, incaſe their proportion of the haill nine moneths Maintenance ſhall exceed the ſumme now advanced, they ſhall be holden to pay the ſuperplus. And ordains theſe who ſhall make payment, or give Band, To have relief of the Committee of the Shire and Collector thereof. And declares, That the Commiſſioners Ticket of Receipt ſhall be a ſufficient diſcharge to the advancers of the ſums of money, and theſe who ſhall give Band for that effect: As alſo ſhall have ane quarters intereſt of the Moneyes payed by them, as ſaid is.

ACT XI.

ACT XI.

Anent the preſent Recrutes.

7. *Auguſt* 1645.

THe Eſtates of Parliament Ordaines and Enacts; That all the recrutes of Horſe and Foot conforme to the Act made at Stirling, be brought to the Armie, in manner, and at the times following, *viz.* Theſe dwelling be north Forth, betwixt and the nineteenth day of this inſtant Moneth of Auguſt; And theſe dwelling be ſouth Forth, betwixt and the twentie two day of this Moneth of Auguſt; And theſe dwelling in the Sheriffedoms of Berwick, Roxburgh, Selkirk, and Niddiſdale, betwixt and the twentie fifth day of this inſtant Moneth: And alſo Ordaines, that two of the Committee of Warre of each Shire, with the Officers to be appointed for that effect, bring and conduct the Souldiers from the Randezvous of the Shires to the Armie, where the ſamine ſhall happen to be for the time; Providing alwayes, that there be in each Company, by the Officers, a hundreth of Souldiers: And ſicklike, that all runawayes be brought to the Armie. And alſo Ordaines, That all Acts of Parliament or Committees, be put to execution againſt runawayes, and this be done Monethly by Order from the Committes of Warre.

ACT XII.

Anent the prorogation of the Committee of Eſtates, Committe for regulating and inbringing of Moneys, Exchequer, and Exciſe.

7. *Auguſt* 1645.

THe Eſtates of Parliament preſently conveened in the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament; holden by his Majeſty and three Eſtates, in *Anno* 1641. Conſidering that there was Commiſſion granted to the Committee of Eſtates, by the Eſtates of Parliament, in the ſecond Seſſion of this Parliament, upon the 8. day of March 1645. To the perſons, for the cauſe, and to the effect therein mentioned: As alſo, that there was Commiſſion granted for inbringing and diſtributing of Moneys, and for regulating the publick burdens and accompts of the Kingdome, To the perſons therein nominate: And likewiſe, ane other Commiſſion upon the day of laſt by paſt, To the Commiſſioners of Exchequer therein ſpecified; And that the ſamine Commiſſions with the haill remanent Commiſſions formerly granted, in the ſecond Seſſion of this Parliament, were ſenſyne renewed & prorogate by the Eſtates of Parliament in the third Seſſion of this Parliament, at Stirling,

ling, upon the tenth of July laſt, to the twentiefourth day of the ſame Moneth. And ſeeing that the ſamine Commiſſions and Prorogation thereof foreſaid are new expired: Therefore the ſaids Eſtates of new againe, renewes and prorogates the foreſaid Commiſſions particularlie and generallie *reſpectivè* abovementioned; In the haill Heads, Articles, Clauſes, and Conditions thereof conforme to the tenors of the ſamine, and with the power *reſpectivè* therein contained in all points, Which haill Commiſſions hereby renewed and prorogate, the ſaids Eſtates of Parliament Ordaines the ſamine and every ane of them to ſtand in full force and effect, conforme to the tenors thereof *reſpectivè* in all points, unprejudged by the interveening of this preſent Seſſion of Parliament, while the day of Except anent the ſubdiviſion of that Committee which was appointed to ſtay within the Kingdome, and which ſubdiviſion is now hereby diſcharged, and ordained that there ſhall be only one Commiſſion within this Kingdom, conſiſting of the two branches of the former ſubdiviſion: And likewiſe addes Sir *Harie Gib* to the ſaid Committee of Eſtates, and nominates and addes to the ſaid Committee, Maſter *Alexander Wedderburn* in place of *Alexander Halyburtoun* for the town of Dundie: As likewiſe nominates Sir *Michaell Balfour* in place of Sir *Archibald Campbell*, and *James Pedie* for *Robert Tailzour* for Arontroiſe, with this proviſion, that the Committee for borrowing of Money, returne not upon theſe who lent before: And alſo the ſaids Eſtates prorogates and continues the act anent the impoſition of Exciſe, Together with the Committee appointed for uplifting thereof, unto the firſt day of Auguſt next 1646. Providing alwayes the foreſaid Exciſe be aſſigned for payment of the Maintenance of the Shire, after that the Quarterings and Anualrents are firſt payed.

ACT XIII.

Anent the crying up of the Moneys.

7. *Auguſt* 1645.

THe Eſtates of Parliament now conveened, in the fourth Seſſion of the firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament holden by his Majeſty and three Eſtates, in *Anno* 1641. For the weale and good of the Countrey: Ordaines the ſpaces of Money to paſſe in the Kingdome for the availes afterſpecified, *viz.* The Rex Dollor to give fiftie eight ſhillings, The Croſſe Dollor fiftie five ſhillings, The Ryall of Eight fiftie ſix ſhillings, The Roſe Noble eleven punds, The Kairdique twentie ſhilling, The Double Piſtoll nine pund, The Hungars Ducate five punds: Providing all the ſpaces aboveſpecified be of the weight contained in the Act of Counſell. And the ſaids Eſtates Ordaines this Act to begin and take effect, and the foreſaid ſpaces of Money to be current at the pryces and value abovewritten, after the date and Proclamation thereof.

ACT XIV.

ACT XIV.

Againſt the in goers to the Rebels.

7. *Auguſt* 1645.

THe Eſtates of Parliament now conveened, in the the fourth Seſſion of this firſt Triennall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates in *Anno* 1641. Conſidering that it is ſurmiſed there are divers perſons within this Kingdom who is gone, & are dayly going in for aſſiſting of the preſent rebellion of ſome unnatural Countreymen, who will have the right of ſucceſsion to Titles of dignity, Lands, Bands, Annual-rents, and other Benefits within this kingdom; to the great prejudice thereof, and incouragement of others to do the like in time coming, Do therefore find and declare, all ſuch perſons who hes already gone in, and do not returne and give in their names to the Parliament, or Committee of Parliament, betwixt and the fifteenth day of September next to come: As alſo all others who ſhall hereafter go in, and the heires procreate of their bodies, incapable of any ſucceſsion whatſomever within this Kingdome, either of titles of dignity, Rents of Lands, Bands, Annual-rents, or any Benefits within the ſamine: And ſicklike findes and declares, that this ſhall be ſufficient for debarring of them fra the ſucceſsion foreſaid, Which the ſaids Eſtates ordains to be received aſwell by way of exception, as reply. And whoſoever ſhall come in betwixt and the day foreſaid, The ſaids Eſtates declares them free of all cenſure of Parliament, or other Judicatory whatſomever; They giving ſatisfaction to the orders appointed, or to be appointed by the Kirk Judicatories. Providing alwayes, likeas it is hereby provided, That the Act foreſaid be no wayes extended to any perſon whatſomever that ſhall be brought by any that ſhall have warrand from Parliament, or Committee of Parliament, after the day foreſaid: As alſo excluding from the benefite of the ſaid Act, or any part thereof, the particular perſons following, *viz.* *James Grahame* ſometime Earle of Montroſe, *James Ogilvie* ſometime Earle of Airlie, *James Gordoun* ſometime Lord Aboyne, *Alaſter Mac-Donald*, *Grahame* younger of Inchbrekie, *Grahame* of Gorthie, Sir *William Rollock*, *Nathaniel Gordoun*: With power to the Committee of Eſtates to give the benefite of this Act to ſick other perſons as are forfaulted, notwithſtanding of their forfaulture. And declares, that the publication hereof at the Market Croſſe of Pearth ſhall be als ſufficient as if the ſamine had been publiſhed at the Market Croſſe of Edinburgh, and remanent Burghs within this Kingdome.

ACT XV.

SALVO JURE CUJUSLIBET.

7. *August* 1645.

THe Estates of Parliament now conveened, in the fourth Session of this first Triennall Parliament, by vertue of the last Act of the last Parliament holden by His Majestie and three Estates, in *Anno* 1641. Considering That in this present Session of Parliament, there are many Particular Acts, and Acts of Ratification, made in favours of particular Persons, Which may be prejudiciall to the parties having interest and not heard; Albeit the meaning of the Estates be at this time, as it was ever in all preceding Parliaments, that by no Particular Act, or Act of Ratification granted to any particular Person, any other parties should be hurt or prejudged of their lawfull Rights and Defences, competent to them of the Law. For remeed whereof, It is Statute and Ordained, That no Ratification or other particular Act whatsoever made in favours of any particular Person in this present Session of Parliament, Be prejudiciall to any other parties Rights or Defences, competent to them of the Law; But that the saids Particular Acts, and Acts of Ratification made in favours of particular parties, be alwayes understood, *Salvo jure cujuslibet.*

ACT XVI.

Of continuation of the Parliament to the last Wednesday of Novem. 1645.

7. *August* 1645.

THe Estates of Parliament now conveened in the fourth Session of this first Triennall Parliament, by vertue of the last Act of the last Parliament, holden by his Majesty and three Estates, in *Anno* 1641. Continues this present Parliament, and all Summonds, Processe, and Actions belonging thereto, which are not remitted to the Committe of Estates of Parliament, while the last Wednesday of *November* next to come: At the which day, or sooner, as the Committee of Estates or Quorum thereof shall appoint, Ordains the whole Estates to be present, and to attend at *Edinburgh*, or where it shall happen the Committee to appoint the same to be holden for the time: With power likewise to the Committee of Estates to Conveene the Parliament sooner if they think fitting, and to appoint another place at that time, in case they find the same expedient. And in the meane time, The Estates declares this present Parliament currant to the day foresaid: And Ordains the whole Acts and Statutes made and concluded in this Session of Parliament, To stand, and have the full force & strength of Acts of Parliament, conform to the tenors thereof, Sicklike as any Acts and Statutes of any preceding Parliaments in any time bygone. And Ordains publike Proclamation to be made hereof at the Market Crosse of *Perth* by sound of Trumpet.

ACTS

ACTS
DONE IN THE FIFTH
Session of the above-written Parliament,

Holden at *S. Andrews*; Beginning the 26. of November 1645. And ending the 4. of February 1646.

ACT I.

Anent the Training and Arming of the Fourth Man.

December 18. 1645.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Taking in consideration the good and Service of the Kingdome and Shires thereof, They Ordain the Committees of War of every severall Shire of the Kingdom, To make new Rolls of the whole sensible persons within ilk ane of their severall Shires, and to cause the Fourth man of the whole number of their sensible persons, be Trained, Armed, and formed in Companies, and made ready upon all occasions for the Publike Service, and good of the Shires and Kingdome, according to the Rules and Acts formerly set down. And the Estates declares, that these persons who shall be inrolled as the Fourth man in the several Shires, by vertue of this Act, to the effect foresaid, shall no wayes be imployed for Recruting of former Regiments: And Ordains the Shires to have the nomination and election of the Officers of their severall Companies & Regiments that be made up of the Fourth man in their said Shires; Which nomination and election The Estates Ordains the Committees of Warre of the severall Shires to represent to the Committee of the Estates of Parliament, To whom the Parliament hereby gives power to allow or disallow of the same nomination and election, as the Committee shall think fit, and to place others for sick as they shall not allow, for the good of the Publike Service. And the Estates declares, That this present Act is alwayes but prejudice and derogation to any former Acts made for putting of the Kingdome in a Posture of Defence and ordaining all betwixt Sixtie and Sixteen to be Trained and Armed.

ACT II.

Act in favours of the Officers of the Regiments, against the resetters of Runawayes.

18. *December* 1645.

THe Estates of Parliament now conveened, in the fifth Session of this Triennall Parliament, Having taken in consideration the prejudice that the service of the publike sustaines, by not punishing of the resetters of runawayes, and not putting of the Acts made against them to due execution; They for remeed hereor, Gives hereby power and warrand to the Officers of the severall Regiments, to try out and pursue the resetters of the runawayes of their Regiments *respectivè*, before the Committees of Warre of the Shires and divisions where the resetters remaines, for payment to the Officers of the sum of ane hundreth punds Scots for the resetting of ilk runaway, to be payed to them by the resetters, according to the Act made against the resetters of runawayes: And to the effect that none pretend ignorance hereof; The Estates ordaines this Act to be sent to the Committees of Warre of the severall Shires, And ordaines them to cause publish the samine at their severall Paroch Kirks, and the same Act to have effect and execution within fourteene dayes after the publication thereof: And farther, that the publike service be not prejudged nor slighted through the Officers their componing with parties, or not bringing out of the runawayes from whose resetters they are to get the foresaid sum of ane hundreth punds of penaltie: The Estates declares, that the Officers of the Regiments shal be lyable for these runawayes, to be put out in the service for whom they shall get payment from the resetters of the foresaid sum of ane hundreth punds, so that the payment of the penaltie of ane hundreth punds, shall not supplie the outputting of the runawayes or men for them: And incase the Officers shall compone with the resetters in that case; The Estates ordaines the Officers to be lyable for the men in that same condition, as if they were to be put forth in a new Leavie, and conforme to the Acts made thereanent, against the taking of Money in the out putting of Leavies in place of men.

ACT III.

ACT III.

Act anent the Forces to be imployed in Garisons and in the fields for the publike service, and anent the inbringing of Moneys.

18. *December* 1645.

THe Estates of Parliament now conveened, in this fifth Session of this first Triennall Parliament; Having heard & considered the report of the Committee of Dispatches anent the service of the Countrey, and keeping of Garisons, and prosecution of the War in the fields; They ordain and appoint sufficient Garisons to be placed in the Towns following, *viz.* In Innernes a thousand Foot, two Troops of Horse: In Aberdeene a thousand Foot, two Troops of Horse: In Monrose two hundreth Foot: In Dundee foure hundreth Foot: In Pearth foure hundreth Foot: In Stirling and the Castle thereof, three hundreth Foot, one Troop of Horse: In Glasgow eight hundreth Foot, one Troop of Horse: And in Dumbartan two hundreth Foot, extending in all to four thousand three hundreth Foot, and six Troops of Horse. *Item*, the Estates findes it necessary for prosecution of the Warre in the fields, That there be six thousand Foot over and above these appointed for the severall Garisons abovementioned; And ordaines the haill, both within and without the Garisons, to be divided in twelve Regiments: As also, the Estates ordaines sixteene hundreth Horse to be imployed in the foresaid service, and divided in three Regiments, and eight single Troops, with a Major to be likewise imployed in the publike service as other Regiments. *Item*, eight hundreth Dragouns to be likewise imployed for the service foresaid in eight Companies. And in regard, that a small proportion of the Monethly maintenance is to be expected in Money, and so in all probabilitie will be exhausted by Quarterings and Provision in meat; The Estates findes it necessar, for the intertainment of the Officers, buying of Armes and Ammunition, and for incident Charges, That a present and speedy course bee taken for bringing in of Moneys upon forefaltors, fines, or penalties, by the Parliament it self, or by Committees to be sent through severall places of the Kingdome for that purpose.

ACT IV.

ACT IV.

Act for Publishing and Printing of the Declaration of the Commissioners of the Generall Assemblie.

26. December 1645.

THe Estates of Parliament now conveened, in the fifth Session of this Triennall Parliament, Having heard and considered the Declaration presented unto them by the Commissioners of the Generall Assembly, read in their audience; They received the samine chearfully as ane seasonable Declaration, And appoints the same to be Published and Printed: And ordaines the Earle of Cassils Vice-President of Parliament, To give thanks from the Parliament to the Commissioners of the Generall Assembly, for their care, paines, and vigilancie, expressed in the said Declaration.

ACT V.

Act anent the Classes of Delinquents.

8. January 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Have ordained, and ordaines, That these who have only been present at the battell of Philiphauch with the rebells, or who have received and exerced Commissions, or received and execute orders for promoving the service of the Rebells, or perswaded and compelled others to rise with them, or hes assessed Shires, Persons, or Burghs, or hes raised, or forced men in the Shires to rise, and hes caryed them alongs to the said Battel, whose persons the Parliament or their Committees hes not nor shall not think fit to processe to death; Be fined by payment of so many years rent, as shall not be within four, nor without six years of their Rent, Leaving the latitude thereof to the Parliament or their Committe, to be dispensed with as they shal think fit, after consideration of the former cariage of the partie, With power to the Parliament or Committee of Estates, after finding by exact tryall made by the said Parliament or Committee, that the partie delinquent is burdened with extraordinarie debt, That is to say, when the third part of his rent is exhausted by payment of annualrents, upon the delinquents supplication, payment being first made of the three parts of the fine, To mitigate the fourth part of the fine, or so much thereof as the Committee shal think fit; And so foorth proportionallie for the other two subsequent classes underwritten. It is alwayes hereby

hereby declared, That there shall be no mitigation of the foresaid fourth part, except the three parts be fullie satisfied at the tearmes of payment to be appointed for that effect: And it is declared, That these who have beene sentenced or fined, or confined by the Parliament or their Committees, for their acting, plotting, consulting, or corresponding with the enemy, since the Act of Oblivion in *Anno* 1641. against the publike in this cause, and hes now been relaps therein, or hes joyned with the Rebells in former Battells or parties, are not included under the compasse of this Act, but shall be remitted to the Parliaments determination or their Committees, And that by and attour any personall punishment to bee enjoyned by Parliament, or Committees of Parliament, by confining, banishment, or imprisonment.

That these who have put out Horse or Foot, or hes furnished Armes or Ammunition for the assistance of the Rebells, by themselves, or any others by their command or allowance, or hes joyned in any partie with the Rebels, or hes marched and stayed by the space of twentie four houres with the Rebells forces, or hes drawn themselves together in any considerable number to joyne with the Rebels, or hes keeped Randezvouses, or Committees, or publike Meetings, with or for the advancement of the Rebells service, or hes received Commissions or Orders for promoving the service of the Rebells, and hes concealed the samine, or hes gone about to execute, though they did not execute the same; Be fined by payment of so many years rent, as shall not exceed four, nor be within two yeers rent.

That these who (not being compelled by force) of themselves went or sent into the Rebels Leaguer, and intercommuned with *James Grahame*, *Alastar Mackdonald*, or any of their prime and chief Commanders, without knowledge or allowance of some of the Generall Officers of our Army, or members of the Committee of Estates for intelligence, or hes interchanged Letters with them, or hes assisted and supplyed the Rebells with Money, or given Band therefore, or hes without compulsion entertained them in their house, or hes received and keeped or procured or dispersed protections, or safeguards from the Rebells; Be fined by payment of so much of their Rent as shall not exceed two yeers, nor be within half ane yeers Rent, With Latitude to the Judges upon consideration of the circumstances of the fact, and of the former carriage and affection of the parties, To dispense with the fines, or any part thereof, of these who are onely subject to Censure, for receiving or purchasing to themselves Protections, or for simple going in to the Leaguer, or speaking with them without any promise of performance of assistance, or for giving Money or Band, or reserring any of the Rebells being compelled; It being alwayes understood, That what hes been exacted of before from them for these Delinquencies since the fifteenth day of August last by any publike order, shall be allowed *pro tanto*.

That these whose estates or any part thereof consists of goods and moveables, or in Money, upon whatsomever, securitie, heritable, or moveable

moveable, in their owne names or any others to their behove, or that did belong to them the time of the committing of the crimes contained in the firſt claſſe, Be fined in ſo much of their eſtate as ſhal not exceed a third part thereof, nor under two parts of that third part, which is betwixt threttie three Merks and twenty two Merks for ilk hundreth Merks of ſtock.

That theſe guilty of any of the crimes conteined in the ſecond claſſe, be fined by payment of ſo much of their money or moveables in manner foreſaid, as ſhall not exceed the two part of the third, nor under the third of that third part: And theſe guiltie of any of the Crimes contained in the third claſſe, Be fined by payment of ſo much of their Money or Moveables in manner foreſaid, as ſhall not exceed the third part of the third, nor be within the quarter of the ſaid third part, Which is betwixt twentie two Merks and eleven Merks of ilk hundreth Merks of ſtock for the ſecond claſſe, and betwixt eleven Merks and thirtie ſix ſhillings eight pence for ilk hundreth Merks of ſtock.

For the better and more ſpeedy tryall of the Rents and Eſtates of Delinquents; That each Delinquent give up ane juſt and true inventar of his yearly Rent, and of the Moneys and Moveables belonging to him, with certification that the upgiver ſhall loſe the triple of that which ſhall be concealed, The third part whereof ſhall belong to the delater, and the other two parts to the publike, With power to the judge to take tryal of the ſaids Eſtates Heritable or Moveable by oath, or valuation of Taxt and Loane, or witneſſe, with deduction of ſuch few dutie and others burdens as the judge ſhall finde doeth really affect and burden the Land: And where Lands are affected with wodſets, compryſings, aſſignments, or backtakes, That the ſame may be firſt compted in the burdens of the Delinquents eſtate, and that the ſame and all other burdens be only for making up ſo much as will affect the third part of his yearly duty allanerlie; But prejudice to the proper wodſetters and others having reall rights: And where their debt exceeds the fifth part of the ſtock of their Money and Moveables, they ſhall have the ſame deduction of the fourth part, as in the firſt claſſe for the Land rent.

That the tearme of payment of the fine doe not exceed twentie dayes after the pronouncing of the ſentence, with power to the judge (the third part being ſo payed) to ſuperſede the payment of the other two partes, to be payed at two tearms within ſix Moneths immediatly thereafter.

And if the partie Delinquent be a Liferenter or a Fiar, or hes ane eſtate contracted to him, That his fine exceed not the half, nor bee within the third of the fine due to be payed by the Heritors that are in poſſeſſion, according to their Crimes *reſpectivè* foreſaids; But prejudice alwayes to them to pay for theſe Lands whereof they are in poſſeſſion as any other Heritor, With power to the judge (the third part being payed by the Fiar or Liferenter within twentie dayes after the ſentence) to ſuperſede the payment of the other two parts to bee payed

payed within ane yeare immediatly thereafter, with deduction for debts according to the proportion abovewritten: With certification to ſuch as ſhall be fined, and makes not payment of their fines at the tearmes of payment appointed by the Judge, They ſhall be lyable in payment of the double of ilk tearmes payment, within twentie dayes thereafter.

That the perſons guiltie of any crimes contained in the firſt claſſe, Be ſimply diſcharged from all places of publike truſt, and from having place or voice in Parliament, Committees, Counſell, Seſſion, Office of Eſtate, Armies within or without the Kingdome, and from having voice in the elections of Commiſſioners for Shires or Burghs, and from being Collectors, Sheriffes, Bailies of Regalities, Stewarts of Stewartries, Magiſtates within Burghs, or any other publike Judge, Miniſter or Officer, either in Burgh or Landward, Commiſſioners, or any Clerks whatſoever, And that during the continuance of thir troubles, and till the peace of the Kingdome be ſetled: But prejudice to theſe who are not included in this Act of their right of preſentation to fill the ſaids places to Burgh or Landward: And declares, That incaſe any heritable Officer ſhall loſe his office as falling within the compaſſe of the delinquencie againſt the firſt Claſſe; Then the Parliament, their Committee, or Counſell, ſhall fill the ſaids places.

That theſe guiltie of the crimes contained in the ſecond claſſe, Be ſuſpended from all places of publike truſt, and from having place or voice in Parliament, Committees, Counſell, Seſſion, Offices of eſtate, Armies within or without the Kingdome, and from being Collectors of Shires, Sheriffs, Bailies of Regalities, Stewarts of Stewartries, Magiſtrates within Burghs, or any other publike Judge, Miniſter, or Officer, Commiſſioners and Clerks whatſoever, while the next Seſſion of Parliament and further till they be reſtored.

That the perſons guiltie of any of the crimes contained in the third claſſe, Be remitted to the Judges, to be either ſuſpended or not, as they think fit.

With power to the judge to cenſure or fine any perſons of whatſoever qualitie, whom they ſhall finde after tryall to be guilty of any ſuch other Correſpondence, Intelligence, Aſſiſtance, Advices, or other Cariage with or for the Rebells, as did or might advance or further the rebels ſervice, & are not innumerate in the Articles of the three ſeverall claſſes abovementioned, and to proportion the cenſure or fine, according as they ſhall find the faults or crimes to correſpond to the guiltineſſe expreſt in the rules of the three claſſes *reſpectivè*.

And Remits to the Commiſſion for the proceſſe to decerne againſt any of the delinquents, cenſurable for any of the Crimes contained in the claſſes abovewritten, according to the rules thereby preſcribed, during this Seſſion of Parliament.

And the ſaids Eſtates of Parliament declares, That notwithſtanding for good cauſe and reaſons, They have abſtained from execution of the rigor of the Law, againſt ſuch Perſons as are guiltie of the Crimes contained in the claſſes abovewritten, Yet, That none

may wreſt the intention of the Eſtates of Parliament, To the encouraging of any future rebellion, or defection from this Cauſe and Covenant, by the mitigation of the puniſhment of the faults above-ſpecified: They declare the former Acts of Parliament to ſtand ſtill in full vigor and force, againſt all correſpondencie and complyance with the enemies of God and this Kingdome, as is mentioned therein: And appoints the Letters of intercommuning to be againe renewed and publiſhed, That none pretend ignorance thereof, and the tranſgreſſours of the ſame to be puniſhed with all rigor, without mitigation or favour: And ordaines publication to bee made hereof, and of the Letters of intercommuning, By open Proclamation at the Market Croſſes of Edinburgh, Pearth, Dundee, Aberdene, Stirling, S. Andrews, and Glaſgow; Which the Eſtates declares to be ſufficient for the full certioration of the haill Lieges.

ACT VI.

Anent the fining of appeirand heires.

15. *January* 1646.

THe Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Having taken to their conſideration this *Quære* underwritten anent appeirand heirs, *viz. What courſe ſhall be taken for fining of appeirand heirs, who are not ſeiſed nor have their eſtates provided or contracted to them, but may ſucceed thereto?* They finde and declares, the fine of the appeirand heirs Not to exceed one year and ane halfe years rent of that whereunto they are apparant to ſucceed, and not to be within ane years rent thereof, with deduction of the whole debts wherewith the Lands or eſtate whereunto they are to ſucceed is burdened: And grants power to the Judge to take tryall and determine the quantitie they are apparantly to ſucceed to, And this to be extended only to appeirand heirs *in recta linea*, and the terms of payment to be according to the former rule in the act of Claſſes.

ACT VII.

Act in favours of the Coale and Salt Maſters.

22. *January* 1646.

FOrſameikle as the Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Taking to their conſideration the deſire of the Petitions given in to them, by *John* Earle of Weymes, *Alexander* Lord Elphingſtone, *George* Lord Forreſter, and Sir *Alexander Shaw* of Sauchie, for themſelves, and in name of the remanent Maſters of Coale and Salt within this Kingdome, Complaining that

that the commoditie of their Coale and Salt Rent could not be ſtented for the laſt five monthes of the nine moneths Maintenance, according to the firſt valuation when their trade of Coale and Salt was great (Newcaſtle being then cloſed up) in reſpect of the great diſproportion of the benefit of the Coale and Salt ſince that time, the trade of Coale and Salt of Newcaſtle being patent; And herewith alſo, The Eſtates of Parliament, conſidering that the Committee of Eſtates by their Act the ſecond of May 1645. Did, in reſpect of the knowne diminution of the trade of Coale and Salt within the Sheriffdome of Fyſe, recommend to the Committee for valuations of that Sheriffdom, the tryall concerning the rectifying of their valuations upon the benefit of the trade of Coale and Salt, according to the preſent proportion of the trade and benefit thereof: But prejudice of the preſent payment of the firſt foure Moneths pay. The ſaids Eſtates recommends to the Committe for valuations of the ſaid Sheriffdom of Fyſe, and to the Committees for valuations in the remanent Shires of the Kingdome where the trade and benefit of Coale and Salt is valued, The deſire of the ſaid ſupplicants, and tryall concerning the rectifying of the ſaids valuations upon the benefit of the trade of Coale and Salt, according to the preſent proportion of the trade and benefit thereof; And ordains the ſupplicants and remanent Maſters of the Coale and Salt within the kingdome to pay the monethly Maintenance for the laſt five moneths of the whole nine moneths, according to the valuations of the trade, commoditie, and benefit of their ſaid Coale and Salt ſo to be rectified, ilk ane of them ſeverally, conforme to their own proportionall parts in their ſeverall Shires, according to the valuations to be ſet downe hereanent.

ACT VIII.

Diſcharging Officers and Souldiers to exact Moneys, they getting free Quarters.

22. *January* 1646.

THe Eſtates of Parliament now conveened, in this fifth Seſſion of the firſt Triennal Parliament, after conſideration, of the deſire of the Committee of Warre of the Sheriffdom of Fyſe, concerning the Quartering in that Shire of the Earle of Dalhouſie and Generall of Artillery their Regiments, Diſcharges the Commanders, Officers, Troupers, and Souldiers of theſe two Regiments, and all others, of all taking or exacting of any moneys from any of the ſaid Shire, or from any others whatſoever, They getting ſufficient free Quarters for their entertainment, where they are or ſhall be Quartered, whereanent thir preſents ſhall be ane ſufficient warrand.

ACT IX.

Act anent the Monethly Maintenance for the space of eight Moneths.

27. *Januar* 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament; Taking to their serious consideration the long continuance of the present Rebellion, and great expences that they must be at for suppressing thereof, and carrying on of the Warre, and how necessar it is and incumbent to them, that some solide and settled way be provided for the constant Maintenance of the Forces, Horse and Foot, already Leavied and to be Leavied or brought in within this Kingdome, towards the prosecution of the Warre against these horrid Rebels, untill the same, by the blessing of the God of Hosts, bee brought to ane happy end, Have therefore thought fit, Statute and Ordained, Likeas, for that effect they Enact and Ordaine, That ilk Shire and Burgh within this Kingdome shall bee still lyable in payment of the particular sums of Money Monethly, for entertainment of the severall proportions of Forces, Horse and Foot, contained in the Rolls following: And that for the space of Eight Moneths next and immediatly following the first of December last by-past 1645 yeers, and to continue till the last of July next to come inclusive. And that the payment be made by the saids severall Shires and Burghs from two Moneths to two Moneths, Beginning the first two Moneths payment betwixt and the second day of February next, for the Moneths of December and January instant: The second two Moneths payment to be betwixt and the first day of March, for the Moneths of February and March: And the third two Moneths payment to be betwixt and the first of May, for the Moneths of April and May: And the last two Moneths payment to be betwixt and the first day of July next to come, for the Moneths of June and July.

Follows the sums of Money Monethly payable by the Shires, *viz.* Orknay of Monethly pay 1143 l. Innernesse 4176 l. Caithnesse 945 l. Cromartie 99 l. Sutherland 4231. Nairne 315 l. Elgine 1890 l. Aberdene 6543 l. Bamffe 1431 l. Kincardine 1566 l. Forfar 5004 l. Perth 8001 l. Fyfe 6642 l. Stirling 2538 l. Kinrosse 144 l. Clackmannan 522 l. Edinburgh 4167 l. Linlithgow 1746 l. Hadington 3384 l. Berwick 3555 l. Roxburgh 5778 l. Selkirk 1278 l. Peebles 1638 l. Lanerk 5382 l. Air 6066 l. Wigtoun and Stewartrie of Kircudbright 4374 l. Drumfreis 4446 l. Renfrew 2205 l. Dumbartan 1233 l. Argyle 2907 l. Bute 459 l.

Follows the sums payable Monethly by the Burrows, *viz.* Edinburgh 5166 l. Perth 990 l. Dundee 1674 l. Aberdene 1440 l. Stirling 324 l. Linlithgow 270 l. S. Andrews 540 l. Glasgow 990 l. Air 369 l. Hadingtoun 324 l. Dysert 270 l. Kirkaldie 414 l. Monrose 477 l. Cowper 216 l. Anstruther easter 279 l. Drumfreis 296 l. Innernesse 360 l. Brechen 180 l. Irving 207 l. Elgine 180 l. Jedburgh 162 l. Wigtoun 135 l. Pittinweeme 135 l. Dumfermling 108 l. Dumbartan 108 l. Renfrew 90 l. Lanerk 144 l. Kirkcudbright 180 l. Aberbrothok 90 l. Bruntiland 144 l. Peebles 90 l. Carrail 216 l. Kinghorn 126 l. Tayne 108 l. Selkirk 90 l. Anstruther wester 54 l. Culros 108 l. Dumbar 108 l. Bamff 72 l. Whithorn 45 l. Forfar 54 l. Forres 54 l. Rothelay 45 l. Rutherglen 45 l. Northberwick 36 l. Culane 36 l. Nairne 36 l. Lawder 45 l. Innerkeithing 90 l. Kilrynnie 27 l. Annan 27 l. Lochmaben 27 l. Sanchuer 27 l. Galloway 9 l. Queensferry 63 l.

And for the better Inbringing and Collecting of the foresaids sums of Money, for payment and entertainment of the saids Forces, aswell Officers as Souldiers, The Estates nominates and appoints Sir *Adam Hepburn* of Humbie Thesaurer of the Armies Generall Collector, with power to him to substitute Deputies in ilk Shire, and that other Collectors in Burghs and Paroches bee appointed in sicklike manner as is contained in the Act of Loan and Taxt; Which Collector Deputes, as well of Shires as Paroches, and Clerks of Shires, shall have such Fees as is allowed in the Act of Convention anent the Fees for Ingathering of the said Loan and Taxt. And that to be up-lifted out of the saids Shires and Paroches within the same, by and attour the Monethly Maintenance. And the Burghs to be free, in respect they Collect their proportions upon their own charges. And with power to the said Generall Collector to appoint a Clerk of Collection, which Clerk of Collection to be appointed as said is, Shall have the sum of two hundred pounds Sterline to bee payed out of the said Monethly Maintenance, for his pains and charges in the said Collection of the foresaid Eight Moneths Maintenance. And it is declared and ordained, That the Letters and charges to follow upon this present Act, shall be raised and direct at the instance of the said Generall Collector, against the said subcollectors of the Shires, Magistrates of Burrows, Collectors of Parochines, Heretors, Fewars, and others addebted in payment of their severall proportions of the foresaid Maintenance, in the same manner, with the same provisions and certifications contained in the Act of Convention of Estates made for the Loan and Taxt, and they to have Letters of relief, as in the said Act of Convention.

Item, If any Shire, Burgh, or Person therein designed, be deficient in paying of their Monethly proportion, after ordinar diligence shall be used against them. The Estates of Parliament appoints all Officers of Warre to be assistant to the Generall Collector and his Deputies, by giving Troopers or Footmen to Quarter upon free Quarters, any and while payment be made: And if need be, The Estates of Parliament authorize the Generall Collector or his Deputies, by the advice and concurrence of the Committee of Warre of the Shire, to raise Six or Eight Horsemen for ingathering of the said Maintenance, to bee entertained as ordinar Troopers, at Eighteene shillings Scots

per

per diem, upon such Deficients of ilk Shire and Burgh, as the Committee of Warre of the Shire shall appoint and direct: And in case of the refuse or neglect of the Committee of the Shire, With power to the said Collector or his Deputies, after the instruction of the Deficiencie, and Horning against the Deficients, to direct the saids Troopers for up-lifting of the saids Maintenance from the Deficients.

It is hereby declared, That such Lands and Burghs as shall bee found by the Committees *respectivè*, who shall be appointed for that effect, or by Commissioners from any of them, to bee still possessed by the Enemie, or to have beene burnt or wasted by the Enemie, our owne Forces, or the Plague, so that the Heretors thereof are disabled therethrough to make payment of their severall proportions imposed upon the saids Lands, shall bee free of the said Monethlie Maintenance *pro tanto*: Which Deficiencie is to bee supplied by the Committee of Estates, out of the Fines, Forfaltors, or any other Moneys due to the Publike, which is not or shall not be disposed on in this Session of Parliament.

And it is further ordained, That wherein the said Monethly Maintenance imposed upon the severall Shires and Burghs of this Kingdome, shall fall short, or be Deficient in payment and satisfaction of the Forces, Horse and Foot that shall bee on foot for prosecution of the foresaid Warre, the same be supplied out of the Fines, Forfaultors, Moneys for forfaulted Lands and Rents, past and done, or to be done by this present Parliament or their Committees.

Item, It is ordained, That no suspension be granted to any persons whatsoever, without consignation of the sums charged for in the hands of the Collector of the Shire, and of the Burgh for the Burghs, unlesse the reasons thereof can be instantly verified by Discharge, or instructed by Count of Quarterings, conform to the Act of Quartering. And these Quarterings to bee within the eight Moneths now condiscended to, or verified by Sentences of the Committee, declaring such and such Burghs or Lands to bee burnt or wasted by the Enemie, our own Forces or the Plague, or that the saids reasons bee made notor at the passing of the Bills *in presentia*, or by any three of the Committee of Estates or Committee for Moneys and Accompts, to the which Suspensions the said Committee of Estates shall be onely Judges, and these Suspensions to be past by the Clerk of Register and his Deputies.

Item, It is enacted and ordained, That there be Retention of Eight of each hundred of Annual Rents, being one for ilk hundred monethly, to be allowed by the Creditor at the Terms following, *viz.* Of Six for ilk hundred, as said is, if the Annuall Rents bee payable at Whitsunday next, and of the other two at Mertimes thereafter, and of the whole Eight for ilk hundred at the Terme of Lambes next to come, if the saids Annuall Rents of the principall sum bee then payable. And it is declared, That the Creditor shall have power to charge his Debtor at any Terme or time conforme to his surety. And

And sicklike, It is Declared, Statute, and Ordained, That no Retention of this present Maintenance shall bee granted for any debts, Cause, or Occasion whatsoever, and that no exemption other nor is abovewritten shall be granted therefrom to any person or persons, except onely for Lands, Rents, Annual-rents, and other duties mortified to Colledges, Schools, Hospitals, Ministers and Schoolmasters stipends, and for upholding Kirks or Bridges: But that all other Heretors, Liferenters, Taksmen, Titulars, Proper Wodsetters, Pensioners, Conjunctfiars, and Ladie-terces, and others subject to the valuation within Shires or Burghs, shall be lyable to their proportionable part of this Maintenance: And that the Lands and Teinds shall pay as they lie locally in Shires, conform to the Act of Convention for the Loan and Taxt, or last Act of Maintenance.

And lastly, where there is any wrong done in valuation, The saids Estates appoints the valuers of each Shire, or Quorum thereof, or of so many as are on life and not censurable conform to the Act of Parliament dated the 8 of January instant, To meet and rectifie the same, at any time and place as they shall appoint; Declaring alwayes, That this Warrand for a new Valuation shall bee no hinderance or diminution to the payment of the Maintenance. And where there is not a full Quorum of the Valuers on life, and not in Rebellion, That the number be supplied by the Parliament, or Committee of Estates: And for the Burrows part, it shall be rectified and altered according as their Taxt Roll shall be altered, there being no diminution of the totall sum. But prejudice of the Lords of Session their priviledges conform to the former Acts of Maintenance.

ACT X.

Anent the Quarterings, and payment thereof.

27. January 1646.

THe Estates of Parliament now conveened, In the fifth Session of this first Triennall Parliament, Taking to their consideration the great burden under which the Countrey groneth, through the exorbitant Quarterings of the Forces Horse and Foot, that have been this long time bygone, and still is, And how unreasonable it were that the Lieges should both be lyable to the saids Quarterings, and also in payment of the Monethly Maintenance imposed upon the Kingdom, Have therefore thought fit to Statute and Ordain, Likeas by thir presents they Statute and Ordain, That all the Quarterings within this Kingdom yet unpaid preceding the first of March last in *Anno* 1645. Be duely satisfied and paid out of the first and readiest of the Excise, and that upon Compt, Conform to the Act of Parliament made thereanent, and out of the rest of the Taxt and Loan, if any be as yet undisponed upon: And doth Declare and Ordain,

dain, That the Quarterings reſtand awand ſince the firſt of March laſt and preceding the firſt of December, the ſamen being proven, Conforme to the probation contained in the Act of the date the twenty tua day of Februar 1645 yeers, as well to Heritor as Tenant ſhall be allowed to the Heretor, he producand the Tenants warrand for that effect, out of that which reſts unpaid of the firſt ſeven Moneths Maintenance, and what is reſtand unaſſigned of the other tua of the nine Moneths, and where it is totally exhauſted to be out of the Exciſe which is not already diſpoſed upon: And Ordains the ſuper expences of the Generall Commiſſar in his accompts fitted in the Moneth of Januar inſtant; And the Meale furniſhed by certain Noblemen and others ſince the ſaid firſt of March and before the firſt of December, for Maintaining of the Army and Gariſons in *Scotland*, To be paid out of the Maintenance of the Shires that are not exhauſted with Quarterings: And Ordains five hundred Bolls Meale to be ſent to *Argyle*, to be out of the firſt end of the byrun Maintenance of *Galloway* and *Kircudbright*. And Ordains the remanent of the ſaid ſeven Moneths Maintenance (the allowance of the Quarterings and payment of the particulars foreſaids being firſt made) to be imployed for the relief of ſuch Shires and Burghs as ſhall be further over burdened with Quarterings nor their Maintenance will pay. And becauſe there be many who through want of Billets atteſted under the Officers hands, may ſuſtain great prejudice and loſſe, unleſſe remeid be provided: It is therefore Enacted and Ordained, That the Officers of ſuch Regiments and Troops as are within the Kingdome ſhall compeir upon the firſt Tueſday of Februar next, either by themſelves or any for them in their name: And the Officers or any for them, for the Regiments and Troops in *England*, and which were in *Scotland* upon the laſt Tueſday of March next to come thereafter, at the head Burgh of each Shire, or the ordinary places of meeting of the Committees of War within within the ſamen, Or ſuch place as the Committe of the Shire ſhal appoint; To hear & ſee the accounts of the Quarterings taken up by them, as well for the Officer as Souldier, made and fitted, and probation led therein before the Committee of War of ilk Shire, or any tua of them, with certification, if they, or ſome in their names compeir not at the dayes and places *reſpectivè* abovewritten, probation ſhal be led againſt them and ilk ane of them: which probation ſhall be led before the Committees of War in ilk Shire, or any tua of them, who are hereby fully authoriſed for that effect, To deduce the ſaid probation either by Writ or Witneſſes in *Communi forma*, which probation being ſo cloſed and made ſhall be ane charge upon ilk ane of the ſaids Regiments, Troops, and Companies *pro tanto*, and a ſufficient Warrand to the party to receive payment or allowance, Conform to the eſtabliſhment after the compt fitted, and no other wayes.

And for the more orderly Quartering and relief of thoſe who may be overburdened thereby, It is Statute and Ordained, That where any Quarterings are within any Shire or Brugh, or have been ſince the firſt of March laſt to the firſt of December, upon particular perſons or

or Paroches, That the remanent Heretors and others of that Shire or Burgh ſhall contribute for relief of thoſe Paroches or Perſons upon whom the Quarterings are, ſua far as the nine Moneths Maintenance will extend, *viz.* Fra the firſt of March to the laſt of November. And ſicklike thoſe who ſhall be overburdened fra the firſt of December to the firſt of Auguſt following, to have the like relief. And where the Maintenance of the Shire will not relieve the Quarterings thereof, that relief bee made out of the Maintenance of the remanent Shires.

And for Quarterings in time coming, It is further Statute and Ordained, That what ever Officers of the Army within this Kingdom ſhall not give Billets or Notes for their Quarterings, That it being proven that they Quartered in ſuch and ſuch places, and did not leave Notes or Billets for the ſamine, Conform to the juſt numbers Quartered, both Officers and Souldiers, That then, and in that caſe, no pay ſhall be given to the ſaids Officers and Souldiers ſo failzeing, untill the Notes and Billets bee given to the perſons, Paroches, and Shires upon whom they were Quartered, as ſaid is.

And it is likewiſe Enacted and Ordained, That the firſt Tueſday of every Moneth ſhall bee appointed at the ordinar places of meeting for making of the Quartering Compts within ilk Shire, and leading the probation as ſaid is; And it is ordained that the Collector of ilk Shire be warned to be preſent, either by himſelf or ſome in his name, at the ſaids times and places *reſpectivè*.

ACT XI.

Act anent perſonall and reall execution againſt Delinquents.

Ult. January 1646.

THE Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament; Taking to their conſideration, That for the better execution of the ſentence or ſentences to bee pronounced by the Commiſſioners for the proceſſes, during this Seſſion of Parliament and thereafter, by ſuch Commiſſioners as the Parliament ſhall appoint for that effect againſt any Delinquents, conforme to the rules hereby preſcribed: And for the more ſpeedie and ready inbringing of their fines, It is Statute, and Ordained that the perſons fined, incaſe they give not ſufficient ſecuritie for the ſums impoſed upon them, ſhall be preſently put in ward, in any ward or priſon within this Kingdome, as the Commiſſioners appointed or to be appointed thinks fit therein, to remaine till they make payment of their ſaid fine; And that Letters of horning upon ſix dayes warning, and Letters of Poinding and appryſing in forme as effeires be direct upon any ſentence to bee pronounced by the Commiſſioners of Proceſſes, during this Seſſion of Parliament, or by any Committees the Parliament ſhall appoint for that effect thereafter, againſt the ſaids Delinquents or any of them, for pay-

ment of their ſaids fines. And farther but prejudice of the wairding, Letters of horning, poinding, and appryſing foreſaid, and all that may follow thereupon, incaſe the ſaids Delinquents ſhall failzie to make payment of their ſaids fines, or any part thereof, at the termes appointed for payment of the ſame, either firſt, ſecond, or third termes payment thereof; Then, and in that caſe, the ſaids Eſtates of Parliament, By thir preſents, Gives full power and Commiſſion to the ſaid Commiſſioners of Proceſſes during this preſent ſitting of this preſent Seſſion of Parliament, and thereafter to the Committee or Committees to be appointed by the ſaids Eſtates of Parliament for that effect (immediatly after the firſt failzie to be committed by the ſaids delinquents, or any of them, of the payment of their fines or any part thereof) To cauſe ſequeſtrate, the ſaids Delinquents haill Rents and Eſtates, uplift and ingather the ſamine, to the publike uſe for payment of the ſaids fines, And to take their houſes and put Gariſons therein upon the charges of the Delinquents, and that by and attour their fines and failzies appointed or to be appointed to bee payed by them. And alſo ordaines the ſaids Delinquents, To ſell and diſpone Heritablie and Irredeemablie, the Lands, Heritages, Teynds, and others whatſomever, with the pertinents pertaining to the ſaids Delinquents (who ſhall happen to failzie in payment of their fines as ſaid is) at the leaſt ſo much thereof as will be equivalent to their ſaids fines and failzies at the rate of ſeven years purchaſe: And thereupon, to make, ſeal, and ſubſcribe, Diſpoſitions and Alienations thereof, and all other Writs and Securities requiſite to any perſon that will pleaſe to accept and buy the ſame at the ſaid rate, with abſolute warrandiſe to be contained therein againſt all deadly: Which right and diſpoſition ſua to be made of the ſaids Lands and others foreſaids To the buyers; The Eſtates of Parliament By thir preſents declares, ſhall bee in all time thereafter ane good and valide right to the buyers their heires and aſſignes, to brook the ſamine Lands and others *in perpetuum*, als freely and als peaceably as the ſaids Delinquents themſelves might have brooked the ſamine, by vertue of their preceding Rights and Titles: And if the ſaids Delinquents ſhal either refuſe and poſtpone, or be abſent; To diſpone and annalie their Lands, Heritages and others foreſaids, at the leaſt ſo meekle thereof as will pay their fines and failzies: Then, and in that caſe, The Eſtates of Parliament gives full power and Commiſſion to the ſaids Commiſſioners *reſpectivè* aboveſpecified, To ſell annalie and diſpone to any buyer that will accept of the ſamine, any Lands, Heritages, Teynds, or others whatſomever with their pertainments pertaining to the ſaids Delinquents, at the leaſt ſo meekle thereof as will ſatisfie and pay their ſaids fines and failzies, at the ſaid rate of ſeven years purchaſe; Which diſpoſitions ſo to bee made by the ſaids Committees *reſpectivè* foreſaid, The ſaids Eſtates of Parliament, declares to be als good and valide a right to brook the ſaids Lands and others foreſaids, as if the ſamine were made by the Delinquents themſelves, and gives warrand to the Theſaurer or Commiſſioners for the Exchequer, to

to receive the ſaids buyers upon the diſpoſitions ſua to be made *gratis*: And to the effect The ſaids buyers may the more peaceably Bruik and Poſſeſſe the ſaids Lands, The ſaids Eſtates of Parliament Ordaines the ſaids Delinquents, diſponers foreſaid, of their ſaids Lands, Teynds, and others foreſaids, To deliver the evidents of ſuch Lands as they ſhal diſpone upon oath to the partie buyer, if there be no other Lands comprehended within the ſaid evidences of greater value then the ſaids Lands diſponed; And if there ſhall be Lands within the ſaids evidents of greater value nor the Lands diſponed, Then the ſaids Eſtates Ordaines the ſaids Buyers to have the principall Writs and Evidencies, and the Sellers to have the authentick tranſumpts thereof; With power likewiſe to the ſaid Commiſſioners appointed or to be appointed, to ſeaze upon their haill Evidents, and detaine them till they make payment of their fines and failzies: And alſo incaſe any of the ſaids Delinquents ſhall poſtpone, be abſent, or refuſe and delay to make payment of their ſaids fines as ſhall bee impoſed upon them by vertue of this preſent Act; Then, and in that caſe, The Eſtates of Parliament Statutes and Ordaines, That any perſon or perſons whatſomever who are reſting any ſums of Money to the ſaids Delinquents by whatſoever manner of way, ſhall be cited and conveened before the ſaids Commiſſioners for the Proceſſes during their ſitting, and thereafter before the Commiſſioners to beappointed for that effect, and decerned to make payment of ſuch ſums of Money as they are reſting to the ſaids Delinquents to the publike, in contentation of the ſaids Delinquents their fines *pro tanto*, upon ane diſcharge to be granted to them thereupon by the ſaids Commiſſioners or their Theſaurer *reſpectivè* forſaids with abſolute warrandiſe: Which diſcharge, The Eſtates of Parliament declares ſhall bee as valide a diſcharge to the receivers thereof, as if the ſamine were made and granted by the ſaids Delinquents themſelves, To free them at the hands of the ſaids Delinquents, and at the hand of all perſons whatſomever. And to the effect, it may be conceived what ſums of Money are aughtand by any perſon to the ſaids Delinquents; The ſaids Eſtates Ordaines publication to be made at the Market Croſſe of Edinburgh, the Market Croſſe of the Town where the Committee ſhall ſit, and Market Croſſe of the Shire where the Delinquents dwells; That ſuch perſons are decerned and declared to be Delinquents, and hes not made payment of their fines, and commanding all perſons whatſomever addebted to the ſaids Delinquents in any ſums of Money by Band or otherway, To come and give up the ſame to the ſaids Commiſſioners preſent, or to be appointed, which perſons upgivers ſhall have the fifth part of the ſums aughtand by them to the ſaids Delinquents allowed and quit to them: And incaſe the ſaids Perſons Debtors to the ſaids Delinquents ſhal failzie to come in and give up the ſaid ſums aughtand by them to the ſaids Delinquents, after publication made in manner aboveſpecified; Then, and in that caſe, the foreſaids Perſons Debters ſhal be lyable in payment of a fifth part more nor that which they were formerly aughtand, in reſpect of their contumacie.

ACT XII.

Anent the Committees of Warre in the severall Shires.

2. *February* 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Taking to their consideration, That the same causes that moved the Convention of Estates in August 1643. and the Parliament sensyne to appoint Committees of War in the whole severall Shires of this Kingdom, for the furtherance of the Service of the Kingdom, Do not onely yet remain, but are further increased; Therefore the Estates of Parliament Nominates and Appoints the persons *respective* after specified, To be upon the Committees of War of the severall Shires *respective* underwritten, both for Burgh and Land, *viz.*

For the Sheriffdom of Stirling, *James* Earle of Calender, the Laird of Harbertshire, the Laird of Bonhard, the Laird of Dederse, the Laird of Quarrell, the Laird of Stanhows, the Laird of Lantown, the Laird of Balgonie, the Laird of Cardene, the Laird of Leckie, the Laird of Boquhane, the Laird of Baucloiche, *Thomas Bruce* old Provest of Stirling, *John Schort* Provest of Stirling, M. *John Cowane* in Stirling, the Laird of Boquchanan, the Laird of Woodheid, *Robert Blair* of Finnick, *John Grahame* of Poldaire, *Thomas Boquhanan* of Boquhane, the Laird of Drumikill, the guid man of Boquharrage, the Laird of Polmais. Seven to be the Quorum, and to be Conveener for the first time.

Item, For the Sheriffdom of Angus, Panmure younger, *Peter Young* of Seaton, *John Acherlownie* of Guind elder, *John Ogilvy* of Pitmoues, *William Ruthven* of Gairdene, *John Aucherlonie* for Arbrothe, *James Arbuthnet* of Arbeikie. Presbytery of Brechin: *Robert Arbuthnote* of Findourie, *George Summer* of Balzodie, *John Fullertoun* of Kynnaber, *James Scot* of Loigie, *James Guthrie* of Pitforthie, *James Peadie* for Montrose, *William Lion* for Brechin. Presbytery of Forfar: *Frederick Lion* of Bridgtoun, *Wil. Grahame* of Cleberhouse, *Tho. Fothringhame* of Donoone, the Laird of Cossens elder, *James Pierson* of Balmadies, M. *David Lindsay* of Pitscandly, M. *William Oliphant*, *Henry Maule* of Melgince, *John Mill* for Forfar. Presbytery of Dundee: The Laird of Tailling, *John Scrumgoure* of Kirktoun, *Alex Watherburne* of Kinginie, *Durhame* of Grange, M. *John Fothringham*, M. *James Kid* of Craigie, *Geo. Campbel* of Carsgownie, *Thomas Haliburtoun* for Dundee. Presbytery of Meigell: *James Creichtoun* of Ruthven, *John Ogilvy* of Balfoure, Sir *William Blair* of Bargillo, *John Neaw* of Meathie, *Alex. Arbuthnot* of Blackstoun, *Durhame* of Powrie, M. *Alex. Wedderburne*, M. *James Durhame* of Pitkero. Six to be a Quorum, and to be Conveener for the first time.

Item,

Item, For the Sheriffdom of Wigtoun, The Earle of Cassils, the Earle of Galloway, the Lord Garleis, Sir *Patrick Agnew* of Lochnaw, *Andrew Agnew* appeirand of Lochnaw, Lairds of Barnbarroch, L. Craichlaw, L. Marton, L. Mochrum, L. Mochrum younger, L. Ardwell, L. Freuch, L. Logan, L. Craigcaffie, L. Parkhay, *James Rosse* of Balneill, *Thomas Adair* Provest of Stranrawr, Sir *Robert Adair* of Kinhilt, *Hugh Macdowall* of Knocklas, *Hugh Kennedy* of Sinnes, *William Kennedy* of Killespie, *Andrew Macdowal* of Kilaster younger, *Francis Hay* of Ariuland, *James Kennedy* Factor to the Earle of Cassils, *Anch. Stuart* of Fintalloch, *Alex. Stuart* younger of Phisgill, *David Dumbar* of Baldon, *John Haustoun* of Drumastoun, *William Maxwell* of Munreith, *Patrick Ahanny* Provest of Wigtoun, *Patrick Agnew* of Seuchan, *Andrew Macdowall* of Lesnow, *William Gordoun* of Grange, *Robert Macculloch* of Drummorres, *Hugh Mackdowall* of Dalregill, Laird of Garthland; with power to the said persons to meet in the severall divisions appointed to the Earle of Cassils and Lord Garleis, according to the Act of Parliament in August 1644. Or joyntly, as shall be most expedient for the publike service, and to be conveened by the Commissioners of the Shire, or either of them. Nine a Quorum of either of the Divisions, and to be Conveener for the first time.

Item, For the Sheriffdom of Clakmannan, Sir *Robert Bruce* elder of Clakmannan, Sir *Charles Erskin* of Cambuskenneth, Sir *James Rollock* sier of Dunkrub, Sir *George Morison* of Tillidbody, M. *Robert Bruce* of Kennet, *James Haddon* of Myrtoun, *Robert Mastertoun* of Parkmylne, *William Grahame* of Hiltoun, M. *Wil. Blackburn* Factor of Campbell, *Thomas Rollock* Sheriffe-Depute, *James Patton* of Scfort, Sir *Alex. Shaw* of Sauche. Five to be Quorum, and to be Conveener for the first time.

Item, For the Sheriffdom of Hadington, The Earles of Wintoun, Lauderdale, Hadington: L. Yester, L. Angus, L. Elibank: Lairds of Wauchton, Beile, Aderstoun, Clerkington, *Robert Hepburn*, Innerweik, L. Humbie, Sir *John Sinclar* of Stenison, Sir *Arch. Dowglas* of Spot, Beinstoun, Smetoun, Craig, Ruchlaw, Elvingston, Prestongrange, Preston, Colstoun, Foord, Whytlaw, Congilton, M. *Alex. Hay* of Barra, M. *John Pringle* sier of Woodhead, *John Cockburn* Provest of Hadington, *James Purves* Baily of Dumbar, Sir *William Dick*, *Home* elder in Northberwick, L. *Lewingston*, and *Andr. Hamilton*. Seven the Quorum, and to be Conveener for the first time.

Item, For the Sheriffdom of Berwick, The Earle of Hadington, the Lord Angus, L. Wedderburns elder and younger, Sir *William Scot* of Harden, the Laird of Langtoun, the Laird of Blacader, the Lairds of Swintoun elder and younger, the Laird of Haliburton, the Laird of Lambertoun, the Laird of Cumunsden, *John Home* of Nynhollis, *Patrick Home* of Coldinghamlaw, M. *George Home* of Bedscheill, *John Pringle* Flar of Stitchell, the Lairds of Foulden elder and younger, M. *Henry Home* of Heredrig, *John Ker* in Mersington,

William

William Home of Linthell, *Alexander Home* of Baſſindean, *Robert Dickſon* of Bucherig, *Henry Carmichael* of Edrem, the Laird of Thorniedykes, *James Home* of Caſtellaw, M. *Alexander Home* of S. Leonards, *Alexander Wilkieſon* younger for the Burgh of Lawder, the Laird of Tottis, Sir *Iames Nicolſon* of Cobethſpeath, Sir *Patrick Home* of Polwart: Whereof ſeven to be a Quorum, and to be conveener for the firſt time.

Item, For the Sheriffedome of Roxburgh, *Francis* Earle of Balcleugh, the Earle of Louthian, Sir *William Douglas* of Cavers, the Laird of Edname, Sir *Andrew Ker* of Greinheid, Sir *Walter Riddel* of that ilk, Sir *Thomas Ker* of Cavers, *Archibald Douglas* ſiar of Cavers, *William Elliot* of Stobes, *John Ker* of Lochtour, *Walter Scot* of Goudilands, *Robert Pringle* of Stichell, *Gideon Scot* of Harden, *John Rutherfurd* of Edgerſtone, the Laird of Langlands, Maſter *Gilbert Eliot* of Craigend, *Archibald Eliot* of Falneſche, *John Scot* of Breideiyards, *Robert Ker* of Middelmeſt vales, *Andrew Ker* of Meſendew, *John Rutherfurd* of Bankend, *Andrew Bell* of Mow, *Gideon Wauchope*, Maſter *William More* of Otterburn, *Robert Scot* in Braidhanch, *Walter Riddel* in Langhanch, *William Ker* in Snynſyd, *William Ker* of Newton, *John Rutherfurd* of Tarphope, the Laird of Beirope, M. *John Brown*. Seven to be a Quorum, and the Laird of Stobs to be conveener for the firſt time.

Item, For the Sheriffdome of Perth, the Earle of Tillibardine, the Laird of Inchmartin, the Laird of Balthyock, *Bruce* of Fingask, Sir *Peter Hay* of Megans, the Laird of Inchſtuir, Laird Frieland, Laird of Addie, *Ballegerna*, *George Hay* of Pitskellie, Kinarochie Kethlick younger of Crowmane of Bamff, of Furdiſtoun, the Laird of Craighall, the Laird of Airdblair, *VVilliam Lindſay* of Kinlogie, the Laird of Inermay, the Baron of Fingask, the Laird of Eiſter Moncrief, *VVilliam Moncrief* of Kintillo, the Laird of Balmano, the Laird of Balmedie, the Laird of Pitlochie, the Laird of Balhouſie, the Lairds of Cultmalundie, of Williamſtoun, of Woodend, of Gask, of Kuikell, younger of Maquene, of Auchtertyre, of Glenegleſe; Barons of Achyell elder and younger, Olyphant of Bauchtelltoun, Sir *George Iohnſtoun*, Sir *John Erskine* of Balgoune, *Archibald Mercer* in Culros, *Iames Chrichtoun* in Weſteraldie, *VVilliam Houtoun* of Bellilisk, *Robert Arnot* Proveſt of Perth, *Iohn Conquerer* Theſaurer there; *Andrew Grant*, *Iohn Elder* Clerk, Bailies there: With power to any five of them to be a Quorum, and that the Quorum have power to ſit be-eaſt Tay, betwixt Tay and Earne, or be-weſt the Water of Earne, for the better diſpatch of the Affairs of the Shire, with ſick caurions and limitations as the Eſtates ſhall think meet, and that the ſaid Quorum ſit diſtinctly in the ſaid places, as neceſſitie ſhall require.

Item, For the Sheriffdome of Air, *John* Earle of Loudoun Lord Chancellour, Earle of Eglintoun, Earle of Glencairne, Earle of Caſſils, Lord Cathcart, Lord Barganie, Lairds of Cuninghamheid, Blair, Kilburnie, Rowallands, Gaitgirth, Coudoun, Corsbie, Collen,

len, Greimet Mac-kilwein, Kirkmichels, Penkil, Balloch, Keers, Corſcleys, Kildonand younger, *Gilbert Kennedie* in Danger, *Adam VVhitefoord*, *Fergus Maccubine*, M. *Hugh Cathcart*, Galſtoun younger, Barre. Guilmidſcroſt younger, Kingancleuche, Carnell younger, Parke, Privike, Colnok, Staire, *John Kennedie* Proveſt of Air, M. *Robert Barclay*, Faile, Crafurdland, Corſell younger, Baidland, Dullape, Ralſtoun, Kerſland, Heiſlot, *Iames Blair* Proveſt of Irving, *Adam Ritchie* Bailie of Air, 7. *Quorum*, and Cuninghamheid to bee Conveener.

Item, For the Sheriffdom of Kincardin, *VVilliam* Earle Marſhal, the Viſcount of Arbuthnet, Sir *Alexander Falconer* of Halcartoun, Sir *Alexander Carnegie* of Pittarro, *Alexander Straitoun* of Laureſtoun, Sir *Robert Grames* elder and younger of Morphie, Sir *Gilbert Ramſay* of Balmaine, *David Ramſay* younger of Balmaine, *William Reate* of Halgrein, *Burnet* younger of Leyes, M. *David Falconer* of Glenfarquher, *Iames Douglas* of Steanipeth, *Patrick Falconer* of Newtoun, *Robert Keith* of Whiterigs, *Patrick Levingſtoun* of over Benholme, *Robert Douglas* of Brigfuird, *Iohn Barclay* of Johnſtoun, *Alexander Keith* of Kirktonhill, M. *Alexander Burnet* of Cregmyle, M. *Alexander Wood* of nether Benholme, *Andro Straiton* of Greenleyes, *Arthur Straiton* of Snatone, *Iames Ardes* Tutor of Ardes, *Reate* of Kincauſie, Lord Fraſer, or Maſter of Fraſer, L. Thornton younger, L. Balbigno, L. Leſlie elder, 7. the *Quorum*, and to be Conveener for the firſt time.

Item, For the Sheriffdom of Bamff, *James* Earle of Finlater, *Walter Ogilvie* of Boynd, Sir *Alexander Abercrombie* of Birkinboig, *Alexander Ogilvie* of Knock, *VValter Ogilvie* of Reidhyth, *Iames Ogilvie* of Ragvell, *James Baird* of Auchmeden, *Robert VVilſon* of Brackenhills, *William Lawtie* in Myrehouſe, *Thomas Abercrombie* of Skeith, *George Ogilvie* of Halyeards, *George Lawtie* in Tocheneill, *Alexander VVenchester* Baylie of Bamff, 5. the *Quorum*, and the Earle of Findlater to be conveener for the firſt time.

Item, For the Sheriffdome of Selkirk for Forreſt, *Francis* Earle of Bacleugh, Sir *John Murray* of Philiphauch, Sir *VVilliam Scot* of Hardin younger, *VValter Scot* of Whiteſlaid, *James Pringle* of Torretlie, Colonel *VValter Scot* of Hartwoodburn, *Francis Scot* of Sintoun, *William Scot* of Mangertoun, *Thomas Scot* of Todrig, *James Scot* of Gallaſheils, *Robert Scot* of Hartwoodmyres, *Andro Ker* of Sunderlandhall, *Patrick Scot* of Thirlſtaine, *VVilliam Scot* of Tiſchalaw, *Robert Scot* of Bonhill, *Robert Scot* of Braidmiddaes, *Archbald Scot* of Midleſteid, *Archbald Ellot* of Philip, *James Murray* of Deucharre, *Thomas Scot* Burgeſſe of Selkirk, 7. the *Quorum*, and Conveener for the firſt time.

Item, For the Sheriffdome of Drumfreis, and ſtewartrie of Annandale, *Gawin* Earle of Carnweth, the Laid of Lag, *VVilliam Douglas* of Kelhead, Maſter *George Douglas* of Pynerie, Sir *John Greirſon*, *Robert Kirkpatrick* of Closburne, *John Crichtoun* of Crawfurdſton, *Robert Ferguſon* of Craigdarroche, *Thomas Ferguſon* of Caitloche, *John Lowrie*

Lowrie of Maxweltoun, *John Wilson* of Crogleme, *James Greirson* of Dalgonner, *James Kirkho* younger of Sunday-well, *John Dalrumple* of Waterside, *Archbald Johnstoun* of Lauchrie, *John Douglas* of Stenhouse, *Andro Cunninghame* of Snaid. For Annandale, The Laird of Apilgirth, *James Douglas* of Mousfell, *Archbald Douglas* of Dromock, *John Johnstoun* of Wamphray, *Francis Scot* of Cairtertoun, *Matthew Wilson* in Greinhill, *William Jardan* of Balgrey, *James Steill* in Breirihill, *William Irwing* of Cleucheid. For Drumfreis, *John Irwing* Provest Conveener, *John Johnstoun* Bailie, *William Phareis* Bailie, *John Copland* Bailie, *John Cunninghame* late Bailie, 7. the *Quorum*, and the Conveener for the first time.

Item, For the Sheriffdome of Edinburgh principall, *Francis* Earle of Bacleuch, Earle of Hadington, Earle of Lowthian, Earle of Lauderdale, Earle of Dalhousie, Lord Borthwick, Lord Ros, Lord Balmerino, Lord Forrester, M. of Balmerino, Sir *Archbald Johnstoun* of Waristoun, Sir *James Foules* of Colintoun, Sir *James Dundas* of Armeistoun, Sir *John Cowper* of Gogar, Sir *Patrick Hamiltoun* of Preston, Sir *William Scot* of Clerkingtoun, Sir *William Nisbit* of Dean, Sir *John Wachob* of Niddrie, Sir *William Dick* of Braid, M. *George Winrame* of Libbertoun, *Inglis* of Inglistoun, *Gilbert Kirkwood* of Pilrig, *George Foules* of Ravilstoun, M. *Adam Cunninghame* of Woodhall, M. *John Inglis* of Cramond, *John Niccolson* of Poltoun, *Mark Cas* of Cockpen, *James Boyd* of Temple, *James Murray*, *Dobie* of Stonihill, *William Fairley* of Brunsfield, *William Douglas* of Gogar, *Simmervell* of Drum, M. *William Little* of Libertoun, M. *Laurence Scot* of Beavelaw, M. *James Scot* of Bonnitoun, *William Murray* of Hermeistoun, M. *Samuel Johnstoun*, *David Mackullo*, the Laird of Riccartoun, the Laird of Craigmiller, *Alexander Hay* of Revelrig, *John Gibson* of Haddistoun, *Patrick Eleis* of Southside, Sir *John Hope* of Craighall, *Hay* of Muntain, *Andro Hammiltoun* of Redhall younger, *Thomas Kinkaid* of Waristoun, *James Ruchhead*, *James Stewart*, *John Pierson*, *Laurence Henderson* Bailies of Edinburgh, M. *John Skeine*, *Thomas Paterson*, 9. *Quorum*, and to be Conveener for the first time.

Item, For the Sheriffedome of Fyfe, and Burghs within that Shire, Sir *Alexander Gibson* of Durie Lord Register, Scottiscraig, Lund elder or younger, Arnot elder or younger, Creich, Rireese, Inschdinni, Forthir elder or younger, Cambo, Craighall, Fairnie elder or younger, Balmuill, Denmuire, Sir *James Halkheid*, Denmylne or his son, Bogy, Kirknes, Randefurde, Ardrois, Nachtoun younger, S. Monance, Aredrie elder or younger, Lathreish younger, Cullairny, Sir *James Scot* of Tarvet, Sir *John Erskine*, Fingask, Auchmuty, Ballo, Cleish, Sir *Henry Wartlaw*, Sir *John Carstairs*, Tilliboll, *Rankilor Macgill* younger, Earlshall, Balfoure elder or younger, Sir *George Hammiltoun*, Barnes, Halyards Canuchie, M. *Alex. Colvil*, Rossie, Pitmillie, Kirkforther, Kingask, Randerstoun, Balcommie younger, Sir *James Melvill*. For the Burghs, S. Andrews, Cowper,

Cowper, Craill and Kilrinnie, Dumfermline and Innerkeithing, Kirkaldy and Dysert, Anstruther Eastern and Western, Pittinweim, Bruntiland and Kinghorn. For S. Andrews, *John Lepar* Provest, or *James Robertson* younger Bailie. For Cowper, *George Jameson*, or *David Robertson* elder. For Kirkaldie, *Robert White*, or *John Colliar*. For Dysert *David Simson*. For Anstruther Eastern, Captain *Alexander*, or *John Alexander* Bailie. For Anstruther Western, *Andro Richardson*. For Pittinweim, *Walter* or *James Airths*. For Crail, *Andro Daw*. For Bruntiland, *George Gardne*, or *Thomas Gourlay*. For Dumfermline, *James Reid* or *Peter Walker*. For Kinghorne, *James Robertson*, or *William Key*. For Innerkeithing, *Mark Kinglassie*, or *Andro Dickson*. For Kilrinnie, *Andro Howison*. *John* Earle of Crawfurd-Lindsay, *Charles* Earle of Dumfermling, *William* Earle of Dalhousie, *John* Earle of Weemes, Lord Elcho, *Robert* Lord Burghley, *Alexander* Lord Balcarras. 9. the Quorum.

Item, For the Sheriffedome of Lanerk, *William* Earle of Lanerk, the Earle of Carnwath, Sir *William Bailie* of Lamington, Sir *James Lockhart* of Ley, Sir *William Carmichaell*, Sir *William Lokhart*, *Gawen Hammiltoun* of Raploch, *Robert Hammiltoun* of Torrence, *John Hammiltoun* of Gilkerscleugh, *James Windrame* of Wousfoun, *Alexander Meinzies* of Culterallers, *John Hammiltoun* of Wodstoun, *James Hammiltoun* of Halcraig, *James Cunninghame* of Bonitoun, *George Lockhart* of Tarbrax, *James Cunninghame* of Coblehauch, *George Weir* of Harwood, *Robert Dormon* of Nestsheal, *William Bailie* of Hardingtoun, *William Hammiltoun* of Dalserf, *Quintine Hammiltoun* of Barncleuch, *Robert Bailie* of Ierristoun, *James Hammiltoun* of Boigs, *William Hammiltoun* of Mains, the Bailies of Lanerk, Lord Angus, Lord Barganie, M. *John Carmichael*, M. *John Cheislie*. Seven the Quorum. The Provest and Bailies of Glasgow, These of the upper Ward to be divided from these of the nether Ward, except where it concerns the whole Shire, and then they to meet all together at Lanerk or Hammiltoun.

Item, For the Sheriffdom of Renfrew, *Alexander* Earle of Eglintoun, the Earle of Glencairne, the Laird of Houstoun, the Laird of New-wark, the Laird of Craigance, the Laird of Fulwood, the Laird of Cowdoun, the Laird of Kilbirnie, the Laird of Barrochane, the Goodman of Duchell, the Goodman of Caldwell, the Laird of Ralstoun, M. *James Montgomerie* of Weitlands, *Robert Hall* of Fulbare, *William Muire* of Glannerstoun, *John Sprewl* Provest of Renfrew. Seven the Quorum, and and to be Conveener for the first time.

Item, For the Stuartrie of Kirkcudbright, The Vicount of Kenmure, the Lord Kirkcudbright, Urchartoun, Balmaghie, Bargertoun, Cairltoun, Calie, Earlestoun and his son M. *William Gordoun*, Cassincarie, Barcaple, the Laird of Haircleuch, *Thomas Macklellan* of Coline, *John Stuart* of Schambellie, *Thomas Roome* of Irngray, *Robert Gordoun* of Knokbrax, *Alexander Gordoun* of Knokgray, *William Glendoning*

doning Proveſt of Kirkcudbright, *Johne Carſan* Bailie thereof, *Brown* of Cerſluith, *Robert Gordoun* of Robertoun, Sir *Patrick Mackie* of Larg, Colonell *Stuart*, *John Gordoun* of Culreoch. Seven the Quorum, and to bee Conveener for the firſt time.

Item, For the Sheriffedome of Linlithgow, *James* Earle of Calender, *William* Earle of Lanerk, the Lord Levingſtoun, the Lord Bargenie, *George Dundas* of that ilk, *Walter Dundas* younger of that ilk, *George Dundas* of Dudiſtoun, Sir *Robert Drumond* of Meidhop, *Johne Cornwall* of Bonhard, M. *George Dundas* of Maner, Sir *Joſeph Dowglas* of Pompherſtoun, Sir *VValter Murray* of Levingſtoun, *John Hammiltoun* of Boighall, *Andrew Hammiltoun* younger of Ridhall, *Alexander Hammiltoun* of Binnie, M. *John Bruce* of Wrea, *VVilliam Bruce* of Kincavill, M. *David Hay* of Woodcoackdaill, Sir *William Dick* of Bread, *Francis Durhame* of Dintervie, *David Dundas* of Philipſtoun, M. *James Eaſtoun*, *Alexander Maxwell* of Dechmonth, *Alexander Crawfurd* Merchant Burgeſſe in Linlithgow, *James Dawlcm* in Queensferry, *Alexander Hammiltoun* of Parkley, M. *James Whythead* of Park. Seven to be the Quorum, and to be Conveener for the firſt time.

Item, For the Sheriffdome of Aberdene, *William* Earle Marſhall, *James* Vicount of Frendraught, Lord Fraſer, Maſter of Forbes, Sir *William Forbes* of Cragivar, *Arthur Forbes* of Echt, *James Skene* of that ilk, *Thomas Johnſtoun* of Craig, *Francis Fraſer* of Kinmwndie, *Gilbert Skene* of Dyce, *Thomas Forbes* of Watertoun, *John Kennedie* of Kirmuckis, *John Forbes* of Aſlowne, *Thomas Erskin* of Pittodrie, Sir *William Forbes* of Monymusk, *William Forbes* younger of Corſinday, *Alexander Strauchan* of Glenkindie, *Alexander Fraſer* of Phillorth, *Duncan Forbes* of Camphell, *William Forbes* younger of Leſlie, *Arthur Forbes* of Invernochtie, *George Leſlie*, younger of Kincragie, *Iohn Forbes* of Knockquhairne, *John Leyth* of Whythauch, *John Forbes* of Ardmurdo, *James Forbes* of Cloak, *William Dalgarno* of Garneiſtoun Sir *Alexander Abercrombie* of Birkinboig, Sir *William Keith* younger of Ludquharne, *Alexander Forbes* Tutor of Pitſligo, *Thomas Fraſer* of Streichen, *Walter Forbes* of Tolquhen, *John Forbes* of Bythe, *Iohn Keith* of Clakreach, *Patrick Leſlie* ſometime Proveſt of Aberdene, M. *Robert Farquhar* late Proveſt there, *Alexander Jaffray* and M. *William Moir* Bailies thereof, and *Walter Cochrane* late Deane of Guild of the ſaid Burgh, and nine promiſcuouſly to be the Quorum.

To the which Committees of War of the ſeveral Shires *reſpectivè* above-mentioned and Quorums thereof *reſpectivè* foreſaids, The ſaids Eſtates of Parliament Do hereby Renew and grant the ſame Commiſſion, Power, and warrand, contained in the Printed Act of the foreſaid Convention of Eſtates, dated 26 of Auguſt 1643 yeers, To the ends and with the ſame Liberties and Proviſions therein ſpecified, and conform to the Tenor thereof in all points: And ordains the foreſaids Committees of War of the ſeverall Shires *reſpectivè* before rehearſed

To

To meet and conveene with all conveniencie, And appoints theſe perſons abovenamed of the ſeverall Committees abovewritten, who are Commiſſioners for the ſaids Shires to this preſent Seſſion of Parliament, To be conveeners of the foreſaids Committes for the firſt meetings thereof, and to preſeid in the ſaids ſeverall Committees at the ſame firſt meetings thereof, With power thereafter to the ſaids ſeveral Committees, or Quorums thereof *reſpective* before rehearſed, To nominate and chuſe their own ſeverall Conveeners to preſeid at their meetings as they ſhall finde expedient; Reſervand power nevertheleſſe hereof, to the Committee of Eſtates of Parliament or their Quorum, To alter and change the foreſaids Committees of War, or any of the perſons abovenamed, nominate to be upon the ſaids Committee, As the Committee of Eſtates or Quorum thereof ſhall think fit or finde expedient. And farther, the Eſtates of Parliament Remits to the Committee of Eſtates the ſettling of Committees of War in the remanent ſeveral Shires of the Kingdom, by the particular Shires abovewritten for whom Committees of Warre are hereby appointed, in maner before-rehearſed.

ACT XIII.

Diſcharging the Printing of any thing concerning Religion or the Kirk without Licence.

2. February 1646.

THe Eſtates of Parliament preſently conveened, in the fifth Seſſion of this firſt Triennall Parliament, Underſtanding from the Generall Aſſembly the great abuſe of Printing and Publiſhing Books, Letters, and other Papers concerning Religion and the Kirk without Licence; Therefore for Remeid thereof, Inhibites and diſcharges all and every one to preſume hereafter to Print or Reprint any Declarations, Proteſtations, Covenants, Confeſſions, Letters, Acts, or any thing iſſuing from Kirk Judicatories, or any Books, Treatiſes, Hiſtories, Sermons, Commentaries, Diſputes, or other Papers whatſomever treating of Religion, or any point of Religion, in Doctrine, Worſhip, or Diſcipline; Or concerning the Kirk, the Officers, Government, or condition of affaires thereof, without ſpeciall Licence and and Priviledge of the Generall Aſſembly or their Commiſſioners, or ſuch as ſhall have power from them; And that under the pain of Confiſcation of the ſaids Books and other papers printed without Licence aforeſaid; and of the Preſſes, Types, and other moveable goods whatſomever belonging to the Printers thereof; The one halfe whereof ſhall belong to the Kirk, to be made uſe of and imployed upon pious uſes; Beſide any further perſonal puniſhment of the ſaids Printers that the Lords of Secret Counſell or the Committees of Parliament or Convention ſhall think fit to inflict. And the ſaids Eſtates Ordains Magiſtrates of Burghs where Printers dwell, upon Information from

the Generall Assembly, their Commissioners, or others having power from them, to arrest, take, and apprehend the saids Printers, contraveeners of this Act, with the Books and other Papers aforesaid, to be presented to the Lords of Counsell, or Committees of Parliament, or Convention, to Underly the Law for the said offence, that after tryall thereof, the saids Books and Papers, and all the other goods aforementioned may be confiscate, in maner aforesaid, and the offenders further punished at the discretion of the saids Judges.

ACT XIV.

Prorogating the Commission for the Exchequer.

2. *February* 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Taking to their consideration That the Commission for the Exchequer did become void by the meeting of the Estates in this Session of Parliament, And herewith also considering how necessary it is that the said Commission be renewed, for the good and dispatch of the Lieges, They do hereby renew and prorogate the former Commission for the Exchequer granted by the Estates of Parliament to the persons therein mentioned in the second Session of this first Triennall Parliament, of the date the first day of February 1645 yeers; And ordains the same to stand in full force, strength, and effect, conform to the tenor thereof in all points, While the next Session of this Parliament, and longer ay and while the same be discharged by the Parliament or Committee of Parliament; And in the mean time ordains sick of the persons contained in the said former Commission as are under suspition, to forbear the exercing of their charge therein while they be cleared of the same suspition.

ACT XV.

Against keeping Faires upon Monday and Saterday.

2. *February* 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Considering that the prophanation of the Sabbath is occasioned by keeping Fairs upon Saterday and Monday, as it was by keeping weekly Markets upon these dayes, Do therefore inhibit and discharge all Burghs and Towns To keep Fairs upon Monday and Saterday, under the pains contained in the Act past in Parliament in June 1640 against keeping weekly Markets on these dayes; Which Act The Estates do hereby extend against keeping of Fairs upon these dayes, in the whole tenor and effect thereof.

ACT XVI.

ACT XVI.

Anent non-Covenanting Patrones.

2. *February* 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Taking to their consideration the ninth Act of his Majesties second Parliament, in the yeer 1641, anent non-Covenanting Patrones, and other non-Covenanters therein mentioned, Think it very reasonable that the same be extended in manner following; And therefore declare, That Presbyteries shall not onely have right *proprio jure*, to plant and provide all and sundry Kirks of the Patronages belonging to any person that have not subscribed the Nationall Covenant, but also all Kirks of the Patronages belonging to any person that hath not subscribed the League and Covenant of the three Kingdoms, or that is, or shall be Excommunicate, And that from the time of the publike enjoying the Covenant by the Kirk, and of pronouncing the sentence of Excommunication, ay and while they subscribe the saids Covenants, and be relaxed from Excommunication *respective*. And it is also declared and ordained, That all Kirks of the Patronages belonging to any person that is, or shall be forfaulted for whatsoever cause, be provided and planted hereafter by Presbyteries within whose bounds they lye, and that the right of planting thereof shall belong to Presbyteries *pleno & proprio jure* in time comming; Declaring also hereby, that the planting and providing of all and sundry the Kirks above-mentioned, shall alwayes be according to the Propositions of Ordination of Ministers agreed upon by the Assemblies of both Churches, and ratified by the Parliament of this Kingdom. And further, The Estates extends the Act of Parliament above-mentioned against the refusers of the League and Covenant of the three Kingdoms, and Excommunicate persons, in the whole tenor and effect thereof; Ordaining the same to be as effectuall in all points against them, as against the refusers of the Nationall Covenant therein expressed.

ACT XVII.

For founding Schools in every Parish.

2. *Febr.* 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Considering how prejudiciall the want of Schools in many congregations hath been, and how beneficiall the founding thereof in every congregation will be to this Kirk and Kingdom; Do therefore Statute and Ordain, That there be a Schoole founded,

founded,and a Schoole maſter appointed in every Pariſh (not already provided) by advice of the Presbyterie: And to this purpoſe, that the Heritors in every congregation meet among themſelves, and provide a commodious houſe for a Schoole, and modifie a ſtipend to the Schoole maſter, which ſhall not be under Ane hundred Merks, nor above Tua hundred Merks, to be paid yeerly at two Terms: And to this effect that they ſet down a ſtent upon every ones Rent of ſtock and teind in the Pariſh,proportionally to the worth thereof,for maintenance of the Schoole,and payment of the Schoole maſters ſtipend; Which ſtipend is declared to be due to the Schoole maſters by and attour the caſualities which formerly belonged to Readers and Clerks of Kirk Seſſions. And if the Heritors ſhall not conveene, or being conveened ſhall not agree amongſt themſelves, Then,and in that caſe the Presbyterie ſhall nominate twelve honeſt men within the bounds of the Presbyterie, who ſhall have power to eſtabliſh a Schoole, modifie a ſtipend for the Schoole maſter, with the latitude before expreſſed, and ſet down a ſtent for payment thereof upon the Heritors, which ſhall be as valide and effectuall as if the ſame had been done by the Heritors themſelves. And becauſe the proportions impoſed will be very ſmall, Therefore for the better and more ready payment thereof: It is further ordained, That if two Termes proportions run in the third unpaid, Then theſe that ſo faile in payment ſhall be lyable in the double of their proportions then reſting, and in the double of every Termes proportion that ſhall be reſting thereafter, ay and while the Schoole maſter be compleatly paid, and that without any defalcation: And that Letters of Horning and all other Executorials neceſſary be directed, at the inſtance of the Schoolemaſter, for payment of the double of the proportions, in manner foreſaid: Diſcharging hereby any Suſpenſion to paſſe againſt the Schoole maſters without conſignation. And it is declared, that Life-renters during their life time ſhall be lyable in payment of the proportion impoſed upon the Lands Life-rented, and execution in the manner before expreſſed, ſhall paſſe againſt them for that effect: And the Heritors ſhall be alwayes free of the ſame during the Life-renters life time. And if any perſons findes themſelves wronged by the inequality of the proportions impoſed, It ſhall be lawfull for them to ſeek redreſſe thereof before the Lords of Secret Councell or Seſſion, within yeer and day after the impoſing of the ſtent, and no otherwayes.

ACT XVIII.

ACT XVIII.

Act diſcharging Lyke-wakes.

2. *February* 1646.

THe Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Conſidering the great abuſe of Lyke-wakes, Do therefore Inhibite and Diſcharge all perſons of whatſoever quality, To have Lyke-wakes hereafter,and that under the pain of Twenty punds Scots to be paid by the contraveener *toties quoties* to the Kirk Seſsion for pious uſes: And ordains thir fines and penalties to be uplifted conform to the Act made at *Pearth* anent the uplifting of pecuniall paines.

ACT XIX.

Diſcharging the Printing of Bookes, Chronicles, or Libels without Licence.

2. *February* 1646.

THe Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Having heard and conſidered the Act of the Committee of Eſtates of the 29 of November 1644. Whereof the Tenour follows:

The Committee of Eſtates taking into their conſideration the prejudice that doth enſue through the uncontrolled libertie that Printers take to themſelves to Print and Publiſh Books and Papers at their pleaſure without any Warrant; And that in all well-governed kingdoms it is expreſly prohibite that any Subject take upon hand to Print or Publiſh any Books, of whatſomever Diſcipline or Science, but ſpecially Libels, or Chronicles concerning the ſtate of the Kingdom or ages paſt, without Warrant or allowance for that effect: Therefore the Committee of Eſtates, according to the practice of the Convention of Eſtates in former times, Statutes and Ordains,That no perſons, of whatſomever ranke, degree, or calling, take upon hand to Print, Publiſh, or ſet out any manner of Book, Libell, Hiſtory, or other Paper: As alſo that no Book being Printed out of the Kingdom be brought in and ſold within the ſame, while they be firſt ſeen and Reviſed by his Majeſties Secretary; Certifying them that do in contrary, they ſhall forfeit their ſaids Books and Papers, and their whole other moveable goods; and ſhall be further puniſhed, at the diſcretion of the Councell or Committee of Eſtates. And this Act to endure till the next Seſsion of Parliament, and to be without prejudice of the Act of the Generall Aſſembly anent Printing,or any order to be given by the publike Judicatories of the Kingdom.

The

The ſaids Eſtates renews the foreſaid Act, and do hereby Statute and Ordain, That no Act, Libell, or any manner of Book, Hiſtory, or other Papers concerning the Eſtate of this Kingdom, Be Printed, or brought in and ſold, without advice and Licence of ſome of the ſupreame Judicatories within this Kingdome, or Secretary thereof: Without prejudice alwayes of the Act of Parliament of the date of thir preſents made in favours of the Commiſsioners of the Kirk: And alſo but prejudice to the Clerk of Regiſter his power for Printing of the Acts of Parliament.

ACT XX.

Commiſsion anent the Loſſes.

3. Febr. 1646.

FOrſameikle as the Committee appointed by the Eſtates of Parliament, Taking to their ſerious conſideration the great and many loſſes and skaith occaſioned by the crueltie and barbaritie of the Rebels, and the late troubles of the Kingdome; And they being willing and readie that there be ane uniform way thorow the whole Kingdom for tryal of the loſſes both by Sea and Land, that after the exact tryall thereof courſe may be taken for their reparation; And for the effectuating and expeding of the ſame, The ſaids Eſtates having found it neceſſarie and expedient that there be ane particular Committee appointed for the effect above ſpecified, And therefore the ſaids Eſtates by their Act having given power and Commiſſion to the ſaid Committee to direct forth Commiſſions for tryall of the loſſes within the Kingdom by Sea and Land, and waſte and burnt Lands, and who are altogether diſabled to pay rent, either by the Enemie or our own forces during the Seſſion of Parliament, and thereafter to the Committee that ſhall be appointed for that effect, to particular Shires, Burghs, or perſons, as they ſhall be required, that the ſame being tried it may be reported to the ſaid Committee, that courſe may be accordingly taken for their reparation: as likewiſe to receive all reports by vertue of Commiſſions already granted, or by whatſomever Commiſſions hereafter to be granted; And for the better clearing of the way of tryall, Have found that the partie grieved or complaning may prove by ſufficient witneſſes, that he had in his poſſeſſion immediatly before the Enemy came to his ground or houſe, ſuch goods and geir as he condiſcends upon in his complaint, And that the Enemy being there, they were taken away and deſtroyed by the Enemy, and were never ſeen thereafter in theſe places: And for the inſight and houſhold pleniſhing, and whatſoever other goods or others were in the complainers houſe, that the ſervants of the complainers be examined upon oath as witneſſes thereanent, as ane adminacle of the probation; And in ſupplement of all the probation, the parties complainers to give their oaths, that to their beſt knowledge all theſe goods were taken and deſtroyed by the Enemy, aſwel theſe on the ground as theſe

theſe within the houſe; And that this maner of probation be extended likewiſe to theſe goods and loſſes by Sea, which ſhall be entered by the parties owners, or others having power to give up entries to ſhips and goods, uſing the manner and way before preſcribed as accords, leaving latitude after the report of the probation foreſaid to the Committee to be appointed for that effect, according to the vote thereanent; And the Committee foreſaid being informed that have ſuffered great loſſes by burning their houſes and corn, away taking of their goods and geir, waſting of their lands, and by their other loſſes occaſioned by the preſent troubles: And the ſaid Committee being Petitioned to grant ane Commiſſion for the tryall thereof, The Lords and others of the Committee foreſaid, Do hereby give Warrand, Power, and Commiſſion,

To or any of them, the Quorum being promiſcuous, To take and receive the tryall and probation of their loſſes, in maner before preſcribed; With power to the Commiſſioners or their Quorum to chuſe a Clerk and other Officers and members of Court needfull, and to take their Oaths *de fideli adminiſtratione*; And to direct their owne precepts for Citation of witneſſes and other parties who are intereſt and concerned in the buſineſſe, And to amerciate the abſents being charged, perſonallie apprehended, in money for ilk diets abſence: And that they take the oaths of the witneſſes and the parties who ſhall be preſent, and whoſe depoſitions ſhal be admitted by them, and to doe every thing for tryall of the ſaids parties loſſes, the cauſe thereof, and the perſons by whom the ſame was done, obſerving the order before preſcribed: which manner of tryall is found by the Eſtates of Parliament to be allowed in this caſe (with reſervation alwayes of the modification to the Judge of what ſhall not be legally proven by writ or witneſſes) notwithſtanding the parties committers of the wrongs are not cited thereto: And this tryall being taken in manner foreſaid, Ordains the ſeverall parties loſſes, the quantities thereof, the cauſe and occaſion of the ſamen, with the parties owne carriage and deſervings, to be ſubſcribed by the ſaids Commiſſioners their Quorum, and to report the ſame to the Committee appointed by the Parliament for that effect, that they may take ſuch courſe therewith as accords, and cauſe regiſtrat the ſame in the regiſter appointed for that effect by the Clerk of Regiſter, and to be regiſtrat by Maſter *Andro Baird* Clerk Depute for keeping of the ſame regiſter by the Clerk of Regiſter. And the Eſtates declares, That the Commiſſion abovementioned is but prejudice of the former Acts of Commiſſion iſſued out of before for tryall of the ſaids loſſes by the Parliament or Committee of Eſtates.

ACT XXI.

Commission for the Moneys, Excise, and Processe against Malignants and Delinquents.

3. *February* 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Taking to their serious consideration how necessary it is for the good of the Kingdome, and for the right and more orderly regulating of the matter of Moneys and publike Accompts, debts and burdens thereof, and for bringing in of Moneys and other Provision, and distributing of the famine for maintenance and entertainment of the Armies and Garisons within the Kingdome, That a select Committee be nominate, authorized, and appointed by them for that effect: Therefore, The saids Estates of Parliament hereby nominates, authorizes, and appoints the persons following, *viz.* *William* Earle Marshall, *John* Earle of Cassils, *James* Earle of Tullibardin, *James* Earle of Findlater Vicount of Arbuthnot, *Robert* Lord Burghley, and *James* Lord Cowper for the Noblemen. Sir *John Hope* of Craighall Knight, ane of the Lords of Session *Wemss* of Bogie, Sir *William Cochrane* of Cowdane, Sir *William Forbes* of Craigivar, M. *George Dundas* of Maner, *Forbes* of Echt, and *Arbuthnot* of Findowry for the Barons. *James Stuart* Bailie Merchant Burgesse of Edinburgh, *George Gardyne* Merchant Burgesse of Bruntiland, *Alexander Jaffray* Merchant Burgesse of Aberdene, *George Jameson* Provest of Cowper, M. *James Campbell* Burgesse of Dumbartan, *Iames Pedie* Burgesse of Monrose, and *Robert Lokhart* Merchant Burgesse of Edinburgh, and Sir *Adam Hepburne* of Humbie Thesaurer of the Armie.

To whom or Quorums *respective* after mentioned; The Estates of Parliament grants hereby full power and Commission, To prosecute the wayes and meanes already layed down, for bringing in of Moneys for the use and entertainment of the Armies and Garisons within this kingdom. And for this effect, The Estates prorogates the power for borrowing of Moneys for the use foresaid, to the next Session of this present Parliament; And hereby Restricts the power of the foresaid Committee and Quorum thereof, anent the borrowing of Money in time coming, during the said space to be rented and limited as followeth, *viz.* That they shall not borrow from any person any sum above that which the Committee or Quorum thereof shall find to be the halfe of ane years free Rent, pertaining to that person fra whom the Money is to be borrowed, nor above the twenty part of the stock in Money or Moveables, or both, which the Committee or Quorum foresaid shall finde to bee the stock of that person, or persons from whom

whom the Money is to bee borrowed. 2. That there shall bee no borrowing from any who have alreadie lent and is not repayed. 3. That these to whom any considerable sum of Money is addebted by the publike, shall not bee troubled with lending of Money to the publike. 4. That these who are actually imployed in the service of the severall Armies, shall not be troubled with lending of Money to the publike for the use aforesaid. 5. That these whose estate shall not be found by the Committee or Quorum thereof to bee in Land Rent, or otherwayes worth five hundreth Merks Scots yearly of free Rent; As also these whose stock in Money, or Moveable Goods, shall not bee found worth five thousand Merks Scots, Shall not bee troubled nor urged to lend Moneys for the use of the publike. And the Estates recommends to the foresaid Committe and Quorum thereof, To have a speciall regard in the borrowing of Money for the cause abovespecified, in manner before prescribed, To the affection and former cariage of the persons or parties fra whom it is to be borrowed, and to their sufferings, their burden, and way of living, and what charge of children they have: And ordaines the said Committee and their Quorum, To have a speciall care for the dispatch of all persons and parties that shall bee conveened, or cited before them for lending of Moneys, That they be not delayed after their appearance for obedience of the citation given to them for lending of Money: And that none be cited to the effect aforesaid, but by warrand past *in praesentia* of the Committee or Quorum thereof: As also the Estates grants power to the Committee or Quorum thereof, to call for payment of all byrun sums alreadie decerned to be lent and not yet payed, and to grant and subscribe publike acts and securities for any sums alreadie decerned, or to bee decerned to bee lent for the use of the publike in manner before prescribed; Which Acts and Securities to be granted and subscribed by the said Committee or their Quorum *respective*: The Estates declares to be valide and sufficient to the receivers for repayment of the sums to bee lent by them. And sicklike, The saids Estates do hereby nominate and appoint the persons abovenamed, To be Commissioners for the Excise, And grants power and warrand to them or their Quorum foresaid, or sick of their number as they shall substitute and appoint, To governe the office of Excise, And appoint Collectors, Surveyers, and other under Officers, and set down such Acts and Ordinances as shall be necessary and expedient for the speedy uplifting and ingathering of the said Excise, and to doe every other thing necessary and requisite for that effect, conforme to the Act of Parliament in July 1644. concerning the Commission and Ratification anent the foresaid Excise, and according to the Act of Parliament made the last of January 1645. anent the said Excise and collecting thereof; And to prosecute the wayes and acts already set down anent the said Excise, as they shall think fit. And likewise, The saids Estates by thir presents, doe give power to the Committee or Quorum thereof, To try, examine, processe, and sentence, or to issue out Summonds or Commissions for all just and legall tryall,

conforme to the Laws and practiſe of the Kingdome, againſt all Malignants, except ſick as the Committee of Eſtates and this Committee with mutuall conſent of the Quorums of both at the leaſt, ſhall finde fit to proceſſe to death; With power likewiſe to the Committee or Quorum thereof, to impoſe fines upon the faids Malignants, conform to their ſeverall degrees or Claſſes of Deliquencie, according to the rules and appointment of the Act of Parliament made thereanent in this preſent Seſſion of Parliament; And likewiſe with power to the Committee or their Quorum, to ſet, intake, or ſell the Delinquents Lands or Moveables, and to uplift the ſums of Money due to theſe who are forefaulted or ſhall be forefaulted, and who are fined or ſhall be fined, and pays not the ſame; And to doe all other things contained in the Act of Parliament of this preſent Seſſion, made anent reall and perſonall execution; With power to the Committe or their Quorum, upon the ſupplication of any Delinquents, after payment of three parts of his fine, To mitigate the fourth part thereof, where the annualrent of his debt exceeds the third part of his Rent, conforme to that article of the Act of Claſſes ſet downe hereanent: As alſo with power to impriſon any accuſed for Delinquencie, and to liberate them out of priſon if the Committee or their Quorum ſhall finde them not to be guiltie, and to give warrand to Officers for Tranſporting of thoſe who are in priſon from one priſon to another; With power likewiſe to the Committee or Quorum, to fill the places vakand of ſuch Delinquents as are in Places and Offices within this Kingdome, and ſhall be found to loſe the ſamine conforme to the Act of Claſſes; With power in like manner to the Committee or their Quorum, to give order and warrand to the haill Officers, To Muſter the forces of the Kingdome, as the ſaid Committee or Quorum foreſaid ſhall think fit, That equal payment may be made to Officers and Souldiers: And alsgrants power to the ſaid Committee or their Quorum, to conveen and purſue thoſe who have bought or reſet plundered goods, And after tryall, to doe as they ſhall think fit; With power alſo to the Committee or Quorum foreſaid, to compone in groſſe, for the Exciſe of Tobacco bygone and to come; With power to the ſaid Committee or Quorum thereof, to provide for the ſubſiſtance of laimed Suldiers in the publcik ſervice, neceſſitous perſons, widows and children, whoſe fathers and husbands were killed in the ſervice of the publike: And the Eſtates Ordaines and Appoints the ſaid Committee or their Quorum, To adviſe with the Committee of Eſtates what further perſonall puniſhment ſhall be inflicted, by confinement, baniſhment, or impriſonment, after payment of the fines in manner preſcribed in the Act of Claſſes; And in like manner, With power to the Committee or their Quorum, To aſſiſt the Collector Generall, in calling in the Monethlie Maintenance impoſed upon the ſeverall Shires and Burghs of this Kingdome for maintenance of the Armies, conform to the Act paſt in this preſent Seſſion of Parliament, concerning the ſaid Maintenance; And to call in the Accompts of the Rents, Sums, Goods, and others belonging to all Malignants and forefaulted perſons,

ſons, Together with all other Accompts concerning the publike, and to cloſe, allow, controll, or diſallow thereof, as they ſhall find the ſame juſt and reaſonable, and to give Commiſſions for uplifting and intrometting therewith, and to take ſecuritie for the ſamine; And with power to them to examine and recall all Commiſſions formerly granted, for uplifting and intrometting with any of the faids Rents, Sums, Goods, and others aforſaid, ſuch as the Committe or Quorum thereof ſhall think fitting, except the Commiſſion or Factorie granted to the Marques of Argyle, of the Lands and Barrony of Mugdock, and others therein contained; And ſicklike, excepting the Commiſſion granted to Sir *William Forbes* of Cragivar, ay and while he be liberate or ſatisfied of ſick ſums as hee hes given band for, by vertue thereof: As alſo, ay and while he bee ſatisfied of ſick ſums, as are reſtand owand to himſelf, and which he ſhall inſtruct to the Commiſſioners or their Quorum, to be clearly owand to him, with the Commiſſions granted to the Earles of Marſhall and Findlater, and others Commiſſions granted in this Seſſion of Parliament; And in like manner, with power to the Committee or their Quorum, To call for Payment and Compt of all reſpondies and debts, addebted and due by any perſon whatſomever to the publike; With power alſo to the Committee or their Quorum, To conveene before them any perſons who hes beene deficient in any publike dues, And after cleare tryall and probation thereof, To uplift and exact from theſe perſons, the penalties contained in the Acts of Parliament, convention of Eſtates, or their Committees: But prejudice of the Act made in this Seſſion of Parliament, In favours of the Officers of the Armies, anent the exacting of the penalties againſt the reſetters of Runaways by the Officers; With power likewiſe to the Committee or their Quorum, To finde and declare what Lands are burnt and waſted, either by the Enemie, or by the forces of the Kingdome, or the Plague, and ſo ſhould be free of Maintenance: And to conſider, grant and diſcuſſe the reaſons of ſuſpenſion, anent the payment of the Maintenance upon inſtructed Compts of Quarterings, or other reaſons expreſſed in the Act of Maintenance, and to receive in the reports of waſte and burnt Lands, and other loſſes by Sea or Land, And to conſider who are utterly ruined by the Enemie, and ſtands in need of Maintenance for their preſent ſubſiſtance, and with the Maintenance of the Armies; To diſtribute to thoſe out of the remainder of the publike dues, or by diſpoſing ſome part of forefaulted Lands, what ſhall bee thought neceſſary for their ſubſiſtance: And ſicklike with power to the ſaid Committee or Quorum thereof, To grant and direct ſuch orders, letters, and execution, as ſhall be neceſſary for inbringing of the faids Moneys, Compts, Reſpondies, Rents, and others goods foreſaid belonging to the publike, and to pronounce Decreits and Sentences thereanent, and cauſe put the ſame to execution, and to reduce the haill Debts and Compts of the Kingdome, in ſuch order as the burdens of the publick may be known. And for the better clearing of the faids publike Accompts and Debts of the Kingdome; With power

power to the forenamed perſons or their Quorum foreſaid, to call for inſpection of the Regiſters, Records, and Warrands of Parliament, and of all other Committees; To the effect that all Compts, Acts, Bands, Reſts, and Reſpondies may be exactlie extracted foorth thereof, and the perſons lyable therein may bee made Comptable for the ſame. Likeas, The ſaids Eſtates of Parliament hereby commits & inſtructs to the forſaid Committe, The ſole and only power of diſpoſing and diſtributing of all Moneys, which ſhall come in and be due to the publike, Together with the whole Rents and Dueties of Lands, Sums of Money, Moveables, and others belonging to Maligners and forefaulted Perſons, with all fines and pryces of forefaulted Lands, and others whatſomever pertaining to the publike, and to imploy the ſame in the firſt place for the maintenance and intertainment of the Armies within the Kingdome, and ſubſiſtance of theſe who ſhall bee found utterly ruined in manner after mentioned: And for that effect grants to them the ſole and onely power, to give out and ſubſcribe precepts for the pay and maintenance of the Armies, and ſatisfying any perſons of ſick ſums as are or ſhall be appointed by Parliament or Committee of Parliament, for taking or killing of any perſon in the rebellion: And for intelligence, poſts, buying of Armes, Ammunition, the traine of Artillierie, Carriages, and ſuch other preſſing and urging affaires, as concernes the outreak, expedition, and maintenance of the Armies allanerlie: And Ordaines every precept to be ſubſcribed by a full Quorum of the ſaid Committee at the leaſt, Which perſons ſubſcribers thereof, ſhall be anſwerable to the Parliament, That they ſubſcribe no precepts, but for the cauſes foreſaids, Till the affaires and maintenance of the Armies bee firſt diſpatched and ſatisfied (except where there is aſſignements for ane Moneths pay to the Regiments that come from England; And if the ſamine fail, with power to the ſaid Committee, to make the ſame otherways up, and where the aſſignements exceeds ane Moneths pay that the ſuperplus accreſſe to the Eſtate) wherein if the ſaid Committee contraveene and failzie; The ſaids Eſtates of Parliament hereby declares and ordaines the ſubſcribers of the ſaids precepts, To be lyable in payment to the publike of all ſuch ſums, for the which they ſhal draw precepts for any other cauſe, till firſt the affaires and maintenance of the Armies be ſatisfied; With power to the ſaid Committee in the next place, To diſpoſe and grant precepts upon borrowed Moneys and Exciſe Moneys for other neceſſary uſes, The Armie being firſt payed & entertained: Excepting alwayes the particulars contained in the Act of Parliament, which are ordained to be payed out of the Exciſe, als well to Burgh as Land; And ordaines the ſaid Committee frequently to conſider the eſtate of the publike caſhe, and what Moneys are therein fra time to time, and to draw no precepts but when there is Money in the caſhe to ſatisfie and anſwere the ſame. Likeas, The ſaids Eſtates ordaines the foreſaid Committee in their diſtributions, and ordering of the payment of the Moneys for the Armies, To diſtribute the ſame equally, and to take ſuch conſtant courſe as

as all Regiments of Foot and Horſe, be put and keeped in equalities, either in Money, Provant, or Proviſion, according to their ſtrength and Muſter Rolls, being Muſtered as is provided in the Act of Maintenance. And to the effect that both Officers and Souldiers of the Armies may know their own proportion due to them, for all Moneys to be payed to them; It is ordained, That all precepts to bee direct by the ſaid Committee for that effect ſhall bear *in cumulo*, what proportion of the haill ſums contained in the precept, is allowed to be payed to the Officers, and what proportion there of to the Souldiers of the Regiment, Troup, or Company, for which the ſaids precepts are granted: And where matters of difficultie or importance ſhall occure, The ſaids Eſtates of Parliament ordaines the Committee of Eſtates, To give their adviſe to the foreſaid Committee hereby appointed, as they ſhall neceſſarilie deſire the ſame: And the ſaids Eſtates Ordaines, that the Clerk to bee appointed by the Clerk Regiſter for this Commiſſion, ſhall have the truſt and keeping of the reſpondie Books, and of all the Accompts, Inſtructions, and Warrands thereof which concerns the publike; And if any of the ſaids Commiſſioners places ſhall happen to vake by deceaſe, or otherwayes; The reſt of the Quorum of the ſaid Committee, with advice of the Committee of Eſtates, ſhall have power to make choice of others of that ſame degree, to ſupplie the vaking places one or more; Which Commiſſioners abovenamed ſhall at their firſt meeting accept this Commiſsion, and give their ſolemne oaths for the faithfull diſcharge of that truſt hereby committed to them, And ſhall have power to fine ſuch of their number as ſhall not give diligent attendance, and which Commiſſioners ſhall bee anſwerable to the Parliament for their proceedings, fidelitie, and attendance in this Commiſſion, which is to endure to the next Seſſion of Parliament: And becauſe it will bee expedient for the better eaſe of the Lieges be North Fay, That there be a ſelect number of the foreſaids perſons Commiſſioners abovenamed, appointed for the ordering and regulating of the matter of Money, Exciſe, and publike Accompts, and for inbringing of the Moneys, Exciſe, Rents, Fines, Goods, and others belonging to, & payable by all Malignants, forefaulted Perſons, and others within the Sheriffedomes of Forfar, Mearns, Aberdene, Bamf, Murray, Nairne, Innernes, Cromartie, Sutherland, Caithnes, and Orkney, both to Burgh and Land, for theſe Shires, and for diſpoſing and diſtributing thereof, for the ends, and to the effect in manner before preſcribed: Therefore, The ſaids Eſtates of Parliament nominats and appoints *William* Earle Marſhall, *James* Earle of Findlater, Viſcount of Arthbuthnot, Sir *William Forbes* of Cragivar, *Arthur Forbes* of Echt, *Arbuthnot* of Findowrie, *Alexander Jaffray* Burgeſſe of Aberdene, *James Pedie* Burgeſſe of Monroſe, and *Robert Lockhart* Burgeſſe of Edinburgh,

Or any five of them to reſide at or any other places within

in the foreſaids Shires, as they or their Quorum ſhall think moſt convenient for the good of the ſervice within the ſaids bounds of the foreſaids particular Shires abovementioned, both to Burgh and Land: And the Eſtates doe hereby grant to this ſelect Committee or their Quorum foreſaid the like power, within the bounds foreſaid, as is before contained and ſet downe in this Commiſſion abovewritten, in manner before rehearſed in all points; And ordaines and appoints the remanent Commiſſioners abovenamed, Or any ſeven of them as ane Quorum, To be upon this Commiſſion for the haill remanent Shires and partes of the Kingdome, both to Burgh and Land, by the foreſaid Shires of Forfar, Mearnes, Aberdene, Bamf, Murray, Nairn, Innernes, Cromartie, Sutherland, Caithnes, and Orkney, appointed to the forſaid ſelect Committee for the North, And to reſide at Edinburgh or any other place they ſhall think moſt convenient, and conduceable for the good of the ſervice: And in reſpect that the foreſaids two Committees abovementioned, are in effect both but one Committee for ane and the ſame cauſe; The ſaids Eſtates of Parliament ordaines both the ſaids Committees to keepe correſpondence one with another, and what the Committee of Eſtates ſhall require for carrying on of the Warre and Maintenance of the Armies, They ſhall doe therein as they will bee anſwerable to the Parliament, upon the truſt committed to them by their Commiſsion: But the Eſtates of Parliament declares, That neither the foreſaids two Committees ſhall have power to invert or diſpoſe upon the Fines, Rents, Forefaulters, Goods, or Moneys allotted for the entertainment of the Armie, to any other uſe whatſomever; And declares the Commiſsion abovewritten, to bee but prejudice to Sir *William Dick*, *James Stuart*, and *James Hammiltoun* of Boigs, anent their aſsignations of Borrowed Money formerly granted to them, They accepting Deputations or Precepts from the Generall Commiſſar, for upliſting of the Money contained in their aſsignations, and giving Bands to be comptable to him; But prejudice of their aſsignations as ſaid is. And it is declared that theſe of the Committee of the North being in the South, ſhall have power to ſit with the Committee there, As als theſe in the Committee of the South being in the North; To ſit in the Committee there.

ACT XXII.

Commiſsion to the Committee of Eſtates.

3. *February* 1646.

FOrſameikle as the Eſtates of Parliament now conveened, in the fifth Seſſion of this firſt Triennall Parliament, Taking to their conſideration how neceſſary it is, That a grave Committee of Eſtates ſhould bee nominate and authorized by this preſent Parliament, for ordering and governing of this

this Kingdome and affaires thereof, during the not ſitting of the Parliament: They doe therefore nominate, appoint, and authoriſe, *Alexander* Earle of Eglintoun, *William* Earle of Glencairne, *Charles* Earle of Dumfermling, *Francis* Earle of Bucleuch, *William* Earle of Lowthian, *John* Earle of Weims, *William* Earle of Dalhouſie, *William* Earle of Lanerk, *John* Lord *Hay* of Yeſter, *Thomas* Lord Kirkcudbright, *Alexander* Lord Balcarras, and *John* Lord Barganie for the Noblemen. *John* Earle of Lowdoun High Chancellour of Scotland, *Alexander* Earle Leven Lord Generall, *John* Earle of Crawfurd-Lindſay Preſident of the Parliament, and *James* Earle of Calender Lord Lieutenant Generall,

ſupernumerarie in this Commiſſion for the Noblemen. *David Beatoun* of Creich, Sir *James Foules* of Collingtoun, *James Mackdowell* of Garthland, Sir *Thomas Ruthven* of Frieland, Sir *John Hammiltoun* of Beill, Sir *James Lockhart* of Ley, Sir *David Hume* of Wedderburne, Sir *Hugh Campbell* of Ceſnock; M. *Alexander Belſhes* of Toſtes, Sir *Gilbert Ramſay* of Balmaine, *Patrick Maxwell* of Teilling, and Sir *Thomas Ker* of Cavers for the Barrons. Sir *Alexander Gibſon* of Durie Knight Clerk Regiſter, and Sir *Adam Hepburn* of Humbie Theſaurer of the Armies, as ſupernumerarie for the Barrons. Sir *William Dick* of Braid Burgeſſe of Edinburgh, *Archbald Sidſerf* Burgeſſe there, *Robert Arnot* Proveſt of Pearth, M. *Alexander Wedderburn* Clerk of Dundee, M. *Robert Forquhar* Burgeſſe of Aberdene, *Thomas Bruce* Burgeſſe of Stirling, *George Porterfield* Proveſt of Glaſgow, *John Kennedie* Proveſt of Air, *John Johnſtoun* Burgeſſe of Drumfreis, *William Glendoning* Proveſt of Kirkcudbright, *John Auchterlonie* Burgeſſe of Aberbrothick, and M. *Robert Cunninghame* Burgeſſe of Kinghorne for the Burrows, and *John Lepar* Proveſt of S. Andrews ſupernumerarie for the Burrows. As alſo, The Eſtates nominates, appoints, and authoriſes theſe Noblemen, Barrons, and Burrows, who are in the Commiſſion for England, To be likewiſe upon this Commiſſion with the remanent perſons of the ſeveral Eſtates abovenamed; To whom, or any nine of the whole Commiſſioners above deſigned, there being two of every Eſtate as ane *Quorum*: The ſaids Eſtates of Parliament Renews, and hereby grants the ſame Power, Commiſsion, and Warrand, In all Points, Heads, Clauſes, and conditions contained in the former Commiſſions granted by the Parliament to the Committee of Eſtates, in the firſt and ſecond Seſsions of this firſt Triennall Parliament, *viz.* In the Act of Commiſsion of the Committee of Eſtates, the twentie ſixth of July 1644. and the eighth of March 1645. *reſpectivè*, & conform to the tennors of the ſamine Acts, in every head and Article thereof; Excepting only therefra the power and warrand contained in that Commiſsion, granted by the Eſtates in this preſent Seſsion of Parliament of the date hereof, to the perſons therin nominat, concerning the inbringing & diſtributing of Moneys, the office of Exciſe, the fining of Delinquents, the loſſes of the Kingdom, & the regulating of the publike accompts & burdens therof, conform to the Comiſſion granted hereanent; which is hereby reſerved in

the full force and power thereof, to the perſons, and for the ends thereinſpecified, unprejudged hereby: And becauſe it is neceſſary that there bee ane Committee appointed to attend the Scottiſh Armie in England, and another to attend the Scottiſh Army in Ireland; Therefore the Eſtates of Parliament do hereby nominate and appoint *Charles* Earle of Dumfermling, *William* Earle of Lowthian, *Alexander* Lord Balcarras, Sir *David Hume* of Wedderburne, Sir *Thomas Ruthven* of Frieland, Sir *Thomas Ker* of Cavers, *William Glendoning* Proveſt of Kirkcudbright, *John Johnſtoun* Burgeſſe of Drumfreis, and *John Auchterlony* Burgeſſe of Aberbrothock, To be ane Committee to attend the foreſaid Armie in England, and appoints the *Quorum* thereof to be promiſcuous, three of the haill: As alſo nominates and appoints *William* Earle of Glencairne, *Thomas* Lord Kirkcudbright, Generall Major Monro, *Iames Mackdowell* of Garthland, *Patrick Maxwell* of New-wark, *George Porterfield* Proveſt of Glaſgow, and *John Kennedie* Proveſt of Air, To be an Committe to be with the Scots Army in Ireland; And the Eſtates appoints the *Quorum* of that Committe to be promiſcuous, *viz.* any three of the hail of that Committe: And likewiſe grants power to the Committee of Eſtates or *Quorums* thereof, to appoint ſome of their own number, or others as they ſhall think fit, as ane Committee to attend the Armie in Scotland if they ſhall finde it neceſſar, and to appoint the *Quorum* thereof, and give to them ſick power and inſtruction as they ſhall finde requiſite and expedient; With power likewiſe to the ſaid Committee of Eſtates or Quorum thereof, To give inſtructions to the ſaids Committees appointed for the Scots Armies in England and Ireland, as the ſaid Committee or Quorum ſhall think expedient.

Item, The Eſtates of Parliament appoints and ordaines, That ſeven of every Eſtate of the Committee of Eſtates abovenamed, ſhall conſtantly reſide in Scotland for the ordering of the affaires thereof, and the Quorum to be nine as ſaid is, two being of every Eſtate: As alſo ordaines the Quorum of the ſaids Commiſſioners at the Parliament of England for Scotland to bee promiſcuous, *viz.* three of the haill number, conſiſting of four Noblemen, three Barrons, and three Burrows, contained in the Commiſsion formerly granted: Which the Eſtates hereby Ratifies, And Ordaines theſe Commiſsioners and the others upon the Committees appointed for the Scots Armies in England and Ireland, and every ane of them to have place and voice in this Committee of Eſtates, as they ſhall happen to bee preſent; With power alſo to the ſaid Committee of Eſtates or Quorum thereof, or any other whom they ſhall appoint, To treate with ſuch of the Rebells as they ſhall think fit for reclaiming them to their due obedience: And for that effect, To give full Pardon, Remiſsion, and Diſcharge to ſuch as they ſhall think fitting, who are now in the rebellion and will quit the ſame, and live in time comming as becometh dutifull and loyall Subjects, of all deeds done by them in the ſaid rebellion or in relation thereto; And to reſtore and repone them to the poſſeſsion of their Lands or Titles of Honour, not diſponed or conferred

ferred before their reclaiming, and to give full aſſurance that the Parliament ſhall at their next Seſsion reſcind all Decreets or Sentences given againſt them, whereby they are excluded from their Honours and Dignities, and grant to them ane Act of oblivion; As alſo with power to the ſaid Committee or Quorum foreſaid, To doe everie thing concerning the governing and ordering of the Affaires of the Kingdome, and anent the forefaulting and proceſsing to death of Delinquents, as the ſaid Committee or their Quorum foreſaid ſhal finde expedient and moſt uſefull for the good and benefit of the publick, in the ſame manner, and with the ſame power and authority, as the Parliament might doe if they were ſitting: But prejudice alwayes of the foreſaid Commiſsion for the Moneys, which is heereby reſerved *ut ſupra*, The ſaid Committee of Eſtates being anſwerable to the Parliament for their proceedings. And farther, The Eſtates declares, That the haill generall Officers of the Armies are hereby priviledged to be preſent in the foreſaid Committee, as they ſhall have occaſion: And Ordaines this Commiſsion to endure to the next Seſsion of Parliament.

ACT XXIII.

Act anent the charges allowed to theſe upon the Committees of Eſtate, and for the Moneys.

3. *February* 1646.

FOrſameikle as the Eſtates of Parliament, Taking to their conſideration, That the perſons nominate by them To be upon the Committee of Eſtates, for ordering and governing of this Kingdom and affairs thereof, And thoſe others appointed by them for inbringing and diſtributing of Moneys, and regulating the Compts of the common burdens of the Kingdome, Will be ſubject to attendance for diſcharge of the truſt *reſpectivè*, thereby committed to them, To their prejudice in their own private affaires and buſineſſe: Therefore the Eſtates of Parliament, Grants the allowance following to the ſaids Commiſſioners for their attendance upon every one of the ſaids two ſeverall Committees aboveſpecified, the time of their ſederunts in the ſaid ſervice, *viz.* To ilk Nobleman Monethly, three hundreth merks Scots. Ilk Barron Monethly, two hundreth merks Scots. And to ilk Commiſſioner for Burrows, ane hundreth thirtie three merks, foure ſhillings, foure pennies Scots Monethly, for their charges in attendance upon the ſaids Committes during the time of their attendance and ſederunts thereintill: And ſicklike, the ſaids Eſtates allowes to thoſe that are upon the Committee for the Armie in England, and upon the Committee for the Armie in Ireland, and who ſhall attend the ſamine Committes *reſpectivè*, The ſum of thirtie ſhillings Sterling for ilk Nobleman. Twenty ſhillings Sterling for ilk Barron. And thirteen ſhillings four

pence Sterling for ilk Burrow that are to be upon the saids Committees *respective*, for their charges and expenses ilk day of their attendance in England or Ireland; And ordaines this allowance foresaid, to be compted up to those Officers of the Army that are upon thir Committees in their Monethly pay as ane part thereof: And sicklike, The saids Estates Grants the like allowance to these Commissioners that were upon the former Commission for the Moneys for their bygone attendance in that Commission, according to their sederunts, as is hereby granted to the Commissioners that are either upon the Committee of Estates, or Committee for the Moneys. And further, the Estates of Parliament considering that *William Thomson* Depute to the Thesaurer of the Armie, and others his Deputes will have often occasion in respect of their charge, to bee present with the foresaids Committees of Estates, and for the Moneys; Therefore the Estates declares, that they are hereby priviledged to have accesse to the foresaids Committees, and to be present, as they have occasion at every ane of the saids Commitees abovementioned.

ACT XXIV.

Ordinance anent the Quartering of Officers and Souldiers.

4. *February* 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Having heard and considered the overtures underwritten, whereof the tennor follows: The humble desire of the Burrows to the Honourable House of Parliament. 1. That they will be pleased to give warrand for discharging Quarter Masters of Regiments and all others, to Quarter any Regiments or Souldiers within Burghs, but that the Magistrates of the Burrows may have the charge thereof, because Quarter Masters takes Money and makes free whom they please, and layes heavier burthens upon others nor they are able to bear. 2. To condiscend and set down order, how, and at what rate all Officers of Regiments shall be entertained upon free Quarters within Burghs, because some are very implaceable and at extraordinary expenses to these upon whom they are Quartered, not only taking free Quarters to themselves, but to all such their Comrades whom they shall please to bring in with them, and doe enforce poore men to serve them with Wine, both at Table and extraordinary times. 3. To condiscend what of the inferiour Officers shall bee oblieged to live upon Provant as doeth the Souldiers, and who shall be entertained for payment in Moneys. 4. To condiscend how many Horses is allowed upon the Officers of Foot Regiments, because some of them doe keep four or five Horse with them upon free Quarters, which doeth draw to great expenses. The saids Estates ordaines the Quarterings within Burghs

Burghs, To be as the Magistrates of the Burghs shall appoint, conform to the desire of the first Article: And also, The Estates ordains and appoints the Committee for the Moneys, To condiscend on the wayes, rules, and orders, how, and at what rate all officers of Regiments shall be entertained upon free Quarters within Burghs, or in Landward, according to the desire of the second Article, which the Estates findes just. And sicklike, The saids Estates of Parliament remits and recommends the third and fourth Articles abovewritten as just and reasonable to the said Committee for the moneys, And ordains them to condiscend what of the inferiour Officers shall be obliged to live upon Provant, as doth the Souldiers, and who shall be entertained for payment in moneys; As also to condiscend how many horses is to be allowed upon the Officers of Foot Regiments to be kept upon free Quarters conform to the desire of the foresaid third and fourth Articles.

ACT XXV.

Anent the Recruting of the Armies.

4. *February* 1646.

THe Estates of Parliament now conveened in the fifth Session of this first Triennall Parliament, Having upon consideration of the continuing troubles of this Kingdom, and of the condition of their Armies, both at home, and in England, bethought themselves of the duty which in the present conjuncture of affairs they owe unto God in defence of his Truth, against all opposition, and to this Kingdom (whom they represent) the maintenance of its Lawes and Liberties, according to the Covenant, Have thought it necessary, that the Armies within this Kingdom and in England, be recruted, strengthened, and inabled, so to prosecute the Warre this ensuing Summer, as by the blessing of God upon their endeavours, the long-lasting troubles of this Kingdom may end in an happy and safe Peace; which being so much desired by all good Christians and Countreymen, The Estates of Parliament have reason to be confident of their ready & cheerful concurrence with their persons and fortunes in the way and mean for attaining the same, whereunto also (albeit Religion were not in hazard) the Kingdomes honour so much interessed, were of it self a motive strong enough to prevail with every true Scottish heart: And therefore have statute and ordained, that any Leavies formerly appointed by warrant of the Parliament, Convention of Estates, or any Committee from them *respective*, or Run-aways from any Regiments, who have returned back to their Shires, and are now lurking in the same, be with all expedition put out and delivered to those Regiments unto which they are assigned by any Acts of Parliament, Convention, or Committee, or from which they are Run-awayes, and that there be no neglect in the due execution hereof, The saids

saids Estates Ordains the Committees of War in ilk Shire *respective*, to be careful herein, as one of the most speciall and necessary points of the trust committed unto them. And because the number of the saids Deficients and Runaways wil not be sufficient to make up the ten thousand Foot, appointed to be entertained within, and for the service of this Kingdom, and also to strenghen and recrute the Armies in England, they have therefore statute and ordained, that a new leavie of Foot to be laid on and raised out of the severall Shires and Burghs of this Kingdom, according to such proportions, and for the Recrues of such Regiments as shall be contained in the List to be made up by the Committee of Estates: And because upon the speedie and effectuall execution of this Ordinance (as the only probable humane means) so much dependeth all the honour and happinesse of this Kingdome, The Estates of Parliament have thought fitting seriously to recommend to the Committees of Warre of the severall Shires, heartily and with publike spirits, over all difficulties, to adde unto the former, this new testimony of their resolutions, to pursue the ends expreset in their Covenant, with their lives, fortunes, and estates, and speedily to deliver their severall proportions of men, to such Officers of the aforesaid Regiments *respective*, as shall be appointed for receiving of the same from them. And further Statutes and Ordains, that the saids numbers of men appointed to be raised out of the severall Shires and Burghs, be in readinesse, and be delivered betwixt and the Tenth day of March next, to such Officers as shall be appointed by the Colonels *respective* foresaids for receiving of the same. And that betwixt and the said Tenth day of March, the Committees of Warre of the severall Shires, shall send some of their own number, fully instructed, to give an accompt of their diligence, both in putting out this new Leavy, and their former Deficients, unto the Committee of Estates.

ACT XXVI.

Anent the forefaulting of the Lands and estate of these who refuse to pay their Fines.

4. *February* 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Gives full power and warrand to the Committee for the Moneys or Quorum thereof, upon refusall to pay the fines imposed already, or to be imposed upon any person, who in the rigour of Law might have been punished in life for acts of malignancie, and now falls within the compasse of the first or second classe, to forfit their Lands and estates or any part therof, as the said Committee or their Quorum shall think fitting, and not their lives.

ACT XXVII.

ACT XXVII.

SALVO JURE CUJUSLIBET.

4. *February* 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Considering that in this present Session of Parliament, there are some particular Acts and Acts of Ratifications made in favours of particular Persons, which may bee prejudiciall to the parties having interest, and not heard; Albeit the meaning of the Estates bee at this time, as it was ever in all preceding Parliaments, That by no particular Act, or Act of Ratification granted to any particular Person, Any other parties should bee hurt or prejudged of their lawfull rights and defences competent to them of the Law: For remeed whereof, It is Statute and Ordained, That no Ratification, or other particular Act whatsomever made in favours of any particular Person, in this present Session of Parliament, be prejudiciall to any other Parties Rights or Defences, competent to them of the Law; But that the saids particular Acts, and Acts of Ratification made in favours of particular parties, be alwayes understood, *Salvo jure cujuslibet.*

ACT XXVIII.

Act of continuation of the Parliament to the first Tuesday of November 1646.

4. *February* 1646.

THe Estates of Parliament now conveened, in the fifth Session of this first Triennall Parliament, Continues this present Parliament and all matters belonging thereto (which are not committed or remitted *respectivè* to the Committee of Estates of Parliament, or to other Commissions granted in this Session of Parliament) while the first Tuesday of November next to come; At which day, or sooner, as the Committee of Estates or Quorum thereof shall appoint, Ordaines the haill Estates to be present, and to attend at Edinburgh, or where it shall happen the Committee of Estates to appoint the Parliament to bee holden for the time; With power likewise to the Committee of Estates, To conveen the Parliament sooner if they think fitting, and to appoint any other place at that time if they finde the same expedient: And in the meane time, The Estates declares this present Parliament curarnt to the day foresaid; And ordaines the haill Acts and Statutes made and concluded in this Session of Parliament, To stand, and have the force and strength

ſtrength of Acts of Parliament, conforme to the tenors thereof, ſicklike, as any Acts and Statutes of any preceding Parliaments in any time bygone: And ordaines publike Proclamation to bee made hereof, at the Market Croſſe of S. Andrews by ſound of Trumpet. And the Eſtates continues the Excile, and ordaines the Act alreadie made, to ſtand and endure till the firſt day of November next, conform to the Acts already made thereanent: And alſo ordains the Lords of Seſſion, to conveene and ſit down in Seſſion for Adminiſtration of juſtice to the lieges, the firſt day of June next to come, and to continue at the ordinary times appointed for the ſitting of the Seſſion at Edinburgh, while they be diſcharged by Parliament, Committee of Parliament, or Counſell.

Collected, Viſied, and Extracted forth of the Bookes and Regiſter of the Acts of Parliament by me Sir Alexander Gibſone *of Durie Knight, Clerk of his Majeſties Councell, Regiſter, and Rolls, Under my Signe and Subſcription Manuall.*

Alex. Gibſone Cler. Regiſtri.

THE

The Table of the Printed Acts done in the ſecond Seſſion of the firſt Triennall Parliament of our Soveraign Lord King *Charles*, &c. Holden at Edinburgh, Beginning the 7. of January 1645. and ending the 8. of March 1645.

7. January 1645. *Act ordaining the Earle of Lauderdale to continue Preſident during this Parliament.* 1
20. Jan. *Act anent the election of the Earle of Crawfurd to be Preſident of this Parliament in place of the unwhile Earle of Lauderdale.* 2
24. Jan. *Act anent the Deficients and Runawayes.* Ib.
Ult. Jan. *Act anent the Exciſe and collecting thereof.* 4
1. Febr. *Commiſſion for the Exchequer.* 7
Act anent the Inbringing of the Loane and Taxt. 10
12. Febr. *Act diſcharging the Printing or Reprinting of ſome Books.* 11
13. Febr. *Act for Printing of the Warning from the Generall Aſſembly.* 12
20. Febr. *Act anent the ſelling of Forefault Lands, and payment of the Forefaulted perſons their creditors.* Ib.
22. Febr. *Act anent the allowing of Quarters where the Quarter-Maſters and Officers Tickets are not given.* 17
27. Febr. *Act anent the Monethly Maintenance for the Armies.* Ib.
28. Febr. *Act for relief of the Commiſſioners of Shires and Burrows anent the payment of the firſt Moneths Maintenance undertaken by them.* 23
1. March *Act of aſſurance to theſe that buyes forefaulted Lands.* 24
3. March *Act in favours of Manufactories, and of the Maſters and actuall Workers thereintill.* 25
6. March *Act anent the putting the Kingdom in a poſture of War for defence.* 26
8. March *Commiſſion to the Committee of Eſtates of Parliament.* 29
Commiſſion for Inbringing and diſtributing of Moneys, and regulating of the publike accounts and burdens of the Kingdom. 35
Act anent the defeaſance for burnt and waſted Lands. 38
Act Salvo jure cujuſlibet. 39
Act continuing the Parliament to the ſecond Tueſday of July 1645. 40

The Table of the Printed Acts done in the third Seſſion of the aforeſaid firſt Triennall Parliament holden at Stirling, Beginning the 8. of July 1645. And ending the 11. day thereof.

9. July 1645. *Act anent the outputting of Forces for the preſent neceſſity.* 41
10. July *Act renewing and prorogating the Commiſſions to the Committee of Eſtates and Committee for Inbringing and diſtributing of Moneys.* 43
Act reſtraining any to go out of the Countrey without licence. Ib.
11. July *Act continuing the Parl. to 24. July inſtant to be holden at* Pearth. 44

The Table of the Printed Acts done in the fourth Seſſion of the firſt Triennall Parliament holden at Pearth, Beginning the 24. of July 1645. And ending the 7. of Auguſt 1645.

29. July 1645. *Act againſt theſe who goes away from the Armie.* 45
2. Auguſt *Act of approbation, and for publiſhing and practiſing of the Directory for publike Worſhip.* 46
Act for puniſhing and fining of theſe who have not kept the Randezvous. Ib.

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5. August *Act for mannaging the War.* 47
Act anent the attendance of the Officers of the Armie. lb.
Act for the new Recruit and division thereof. 48
Act for Retention of the three Moneths Maintenance for payment of the Quarterings. 49
7. August *Act against Swearing, Drinking, and mocking of Pietie.* 50
Act anent the uplifting of pecuniall pains. 51
Act prorogating the Act of Maintenance. 52
Act anent the present Recruits. 53
Act prorogating the Committees of Estates, Moneys, Exchequer, & Excise. lb.
Act anent the crying up of the Moneys. 54
Act against the Ingoers to the Rebels. 55
Act Salvo jure cujuslibet. 56
Act continuing the Parliament to the last Wednesday of Novem. 1645. lb.

The Table of the Printed Acts done in the fifth Session of the aforesaid first Triennall Parliament holden at S. Andrews, Beginning November 26. 1645. And ending February 4. 1646.

18. December 1645. *Act anent the training and arming the fourth man.* 57
Act in favours of the Officers of the Regiments against the Resetters of Runawayes. 58
Act anent the Forces to be imployed in Garisons and in the Fields for the publike Service. 59
26. Decem. *Act for Printing and publishing of the Declaration of the Commissioners of the Generall Assembly.* 60
8. January *Act anent the Classes of Delinquents.* lb.
15. January *Act anent the fining of appeirand heires.* 64
22. January *Act in favours of the Coal and Salt Masters.* lb.
Act discharging Officers and Souldiers to exact Moneys, they getting free Quarters. 65
27. Jan. *Act anent the monthly Maintenance for the space of 8 moneths.* 66
Act anent Quarterings and payment thereof. 69
Ult. Jan. *Act anent personall and reall execution against delinquents.* 71
2. Febr. *Act for the Committees of War of the severall Shires.* 74
Act discharging the Printing of any thing concerning Religion or the Kirk without Licence. 81
Act prorogating the Commission to the Exchequer. 82
Act against keeping of Fairs on Saterday and Monday. lb.
Act anent non-Covenanting Patrones. 83
Act anent Schooles. lb.
Act discharging Lykewakes. 85
Act discharging the Printing of Books, Chronicles or Libels without licence. lb.
3. Febr. *Commission for the Losses.* 86
Commission for the Moneys, Excise, and Processe against Malignants and Delinquents. 88
Act anent the Committee of Estates. 94
Act anent the charges allowed to these upon the Committees of Estate, and for the Moneys. 97
4. Febr. *Ordinance anent Quartering of Officers and Souldiers.* 98
Act anent the Recruting of the armies. 99
Act for forfaulting of the lands and estates of these that pay not their fines. 100
Act Salvo jure cujuslibet. 101
Act continuing the Parliament to the first Tuesday of November 1646. Ibid.

The

The Table of the speciall unprinted Acts and Ratifications past in the second, third, fourth, and fifth Sessions of the first Triennall Parliament, Beginning the Seventh of Januar, 1645. and ending the Fourth of February, 1646. Holden at Edinburgh, Stirling, Perth, and Saint Andrews.

Follows the Acts done in the second Session at Edinburgh.

Act appointing the President of Parliament to bee President, and Supernumerary in all Committees.
Commission to the Committee anent borrowing of money and Malignants rents.
Commission for discussing the relievance and receiving of probation of the summonds and Dittayes against Delinquents.
Act of approbation to the delegat Committee in the first Session of this Parliament.
Commission for assisting Lieutenant Generall Baillie.
Decreet of forfaulter against the Earle of Montrose and his assistants, for their invasion in the South.
Decreet of forfaulter against Montrose and his assistants, for the invasion in the North.
Act anent the Delinquents at Newcastle.
Act for transplanting of the Kirk of Kirkmabrek.
Approbation to the Sheriffe of Teviotdail
Approbation to the Marques of Argyle.
Act anent the Sheriffe and Sheriffe Clerk of Air.
Act anent the erection of a new Kirk for the landward Parochine of Saint Andrews.
Commission for the Lady Alexander, and remanent creditors of the Earle of Stirling.
Act of approbation to the Lord Burghlie, and remanent Committee for the north.
Decreet of forefaulter against the Earle of Carnwath.
Commission to Sir John Hurrey.
Commission to Lieutenant Generall Baillie.
Commission in favours of Robert Keith Wryter.
Warrand to the Lord Humbie for collection of the monethly maintenance.
Ratification of James Stuarts pardon anent the killing of the Lord Kilpont.
Ratification of Lieutenant Generall Baillies Commission.
Act of approbation of the Lord Humbies accompts.
Ratification of the Act of Counsel, for apprehending and detaining of Coil Mackgillespick, and his sons.
Ratification to Sir James Lumsden of his Commission to be governour of Newcastle.
Act in favours of Sir William Dick.
Act in favours of the Marques of Argyle.
Decreet of forfaulter against the Marques of Huntlie.
Decreet of Parliament against the Earle of Traquair.
Act anent the 31000 sterling due to the Scots Army in England.
Commission for the University of Aberdene.
Act in favours of the Committee of Warre of the Sheriffedome of Berwick.
Act anent the answere of the Estates to the Remonstrance of the Commissioners of the Generall Assembly.
Approbation to the Proqutors and Agent for the Estates.
Act in favours of Generall Major David Leslie to be Lievetenant General of the Horse.
Act anent the remitting of Bills and Supplications.
Act anent the erection of the Kirk of Carfearn.
Answer of Parliament to the Papers given in by the English Commissioners.
Ratification in favours of the principall and second Ministers at Paisley.
Ratification in favours of the Earle of Leaven.
Ratification in favours of David Mackulloch of Guthers.
Ratification in favours of the Lord Kirkcudbright.
Ratification in favours of the Laird of Barns.
Ratification in favours of Sir Andro Fletcher of Innerpeffer.
2. Ratifications in favours of Sir William Nizbet of Deane.
Ratifications in favours of M. Robert Bruce Advocate.
Ratification in favours of Iohn Halyburtoun.
Ratification in favours of Alexander Maxwel of Dechmont.
Ratification in favours of the Burgh of Elgin.
2. Ratifications in favours of M. Iames Durhame of Pitkerro.
Ratification in favors of the Earle of Cassils.
Ratification in favours of George Home Fear of Wedirburn
Ratification in favours of Alexander Stuart.
Protestation thereagainst.
Ratification in favors of Daniel Carmichael.
Ratif. in favors of S. John Vaitch of Dawick.
Rat. in favours of Maxwel of Orchzeardtoun.
Ratification in favours of Florence Jamison.
Protestation thereagainst.
Ratification in favours of Patrick Vaitch.
Ratificat. in favors of M. David Drummond.
Ratificat. in favours of the Marques of Argyle
Ratific. in favours of Iolin Forbes of Lesly.

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Follows the Acts done in the third Session at Stirling.

Act continuing the Earle of Crawford President of Parliament.
Act of approbation to Lieut. General Baillie.
Commission to the Committee with the Army at Perth.
Act in favours of the Marquess of Argyle.
Act in favours of the Earle of Marshell.
Act in favours of these who have suffered losses for the publike.
Act in favours of the town of Dundie.
Act anent the Northern businesse.
Act of approbation to General Major Hurrey.

Follows the Acts done in the fourth Session at Perth.

Act of approbation to the Earle of Lowdoun Chancellour.
Act of approbation to Lieut. General Baillie.
Act in favours of the Shirisdome of Lanerk.
Commission for treating with the English Commissioners.
Commis. Earle Marshel for malignants rents.
Commission Earle of Findlater for malignants rents.
Commission Vicount of Frendraught, and Lord of Boyn for malignants rents.
Comission Lord Fraser for malignants rents.
Commis. Earle of Errol for malignants rents.
Ratification of the Act of the Committee, in Favours of the house of the Lawers.
Act in Favours of the Parishioners of Saint Andrews.
Ratification in favors of the Earl of Crawford
Ratification in favors of the Lard of Balthyok
Ratification in favours of John Malcolm.

Follows the Acts done in the fifth Session at S. Andrews.

Commission for the processe.
Commission for trying the Earle of Tullibardan and his friends, and tenants their losses.
Commission to Sir Robert Drummond.
Comission to the Provest & Baillies of Tayn.
Committee anent the losses.
2. Commissions anent the prisoners in Jedburgh and Selkirk.
Act in favours of the Marques of Argyle for an High-land Regiment.
Ordinance for putting Garisons in certain houses for the High-land Regiment.
Act in favours of the Lords of Session.
Answer of Parliament to the remonstrance of the Kirk.
Act of exoneration and approbation to the Lord Humby of his accompts.
Commission to the Lord Generall and others, anent New wark of Trent.
Act in Favours of the Town of Dundy.
Act in Favours of Archbald Hay.
4. Decreets of Forefaltour against S. Robert Spotiswood, Nathaniel Gordon, William Murray, and M. Andrew Guthree.
Commission for trying Belsie Cannan.
Commission for visiting of the Universities of Aberdeene.
Decreet Earle of Lanerk contra the Lairds of Lamyngtoun and Lag.
Act in Favours of the Lords Montgomery, Levingstoun, and Sinclare.
Act and ratification in Favours of M. James Baird Advocat.
Approbation in favours of Lieutenant Generall Bailie.
Commission for trying of Robert Forrester.
Act anent the Commissar Clerk of Wigtoun.
Act in favours of the Univertsity of S. Andrees.
Overtures for the Kirk, and Ordinance of Parliament thereanent.
Act anent the Sheriffe of Berwick.
Commission for tryall of the losses of the Sheriffedome of Aberdene.
Instructions to the Comissioners at London.
2. Commissions in favours of Generall Major Midletoun.
Act anent the advancement of ane Moneths Maintenance by the Shires and Burghs.
Commission to Generall Major Hopburne.
Overtures concerning the Generall Commissar.
Decreet Master Iohn Williamson, and Archibald Moodie.
Commission for ane new valuation of the Shire of Aberdene.
Ordinance anent the overtur's for the Burrows.
Act in favours of the Universtity of S. Andrees and anent the Creditors of Sir Robert Spotiswood.
Instructions to the Marques of Argyle and others for Ireland.
Act of exoneration to the Proquturs and Agent for the Estate.
Ratification to the Earle of Crawford.
Ratification to the Lord Forrester.
Ratification to M. Robert Bruce Minister at Aberdour.
Ratification to Hugh Lindsay.
Ratification to Patrick Lentron.
Ratification to Iohn Dickson of Hairtrie.
Ratification to the Lord Pitsligo.
Ratification to Iames Allan.
Ratification of the Act and Proclamation anent Manufactories.
Ratification in favours of the Lady Naper.

FINIS.