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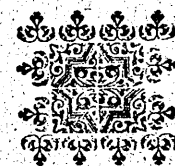


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ACTS
DONE AND PAST IN
THE SIXTH SESSION
OF THE FIRST TRIENNIAL
PARLIAMENT
OF OUR
SOVERAIGNE LORD
CHARLES.

By the grace of GOD, King of
Scotland, England, France and Ireland,
Defender of the Faith.

Holden at EDINBURGH; Beginning the third
of November 1646. and ending the twenty
seventh of March 1647.



EDINBURGH,

Printed by *Evan Tyler*, Printer to the Kings most
excellent Majesty. *Anno 1647.*

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ACTS

DONE AND PAST IN THE

Sixth Session of the first Triennial Parliament:

Holden at EDINBURGH, beginning the third of November 1646. and ending the 27. of March, 1647.

ACT I.

Act anent Quarterings, and payment of Officers and Souldiers in their Quarterings.

19. November, 1646.



He Estates of Parliament now convened in this Sixth Session of the first Triennial Parliament, by virtue of the last Act of the last Parliament, holden by His Majesty and three Estates, in Anno 1641. Taking to their consideration the great abuses committed by Officers and Souldiers, in their unorderly Quartering through the Countrey, And the heavy burden lying upon His Majesties good Subjects, And being resolved to apply their authority for redresse of these disorders, and protection of the Lieges, Do therefore Statute, Ordain, and Enact, That in time coming after the twenty sixth day of November instant, All Officers and Souldiers have their pay delivered to them at the end of every 14 dayes (or sooner if they remove) by the Shire in which they and their Regiments are Quartered, according to the establishment hereafter subjoyned. And that the saids Officers shall pay ready money for whatsoever they take up for themselves, their Horse and Servants, at the ordinary rates of these places where they are Quartered, without extortion. And also that when they receive their payment ilk fourteen dayes, at the receipt of their pay, they bring with them, and exhibite certificates and discharges of the true payment

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made

made by them of all their furnishing and expences from these persons where they have lived, or from the Commissioners of Parishes or Magistrates of Burrowes where they have been Quartered. Here followeth the establishment for the Officers for their daily pay in their Quarters, viz. A Colonel to Horse 7 l. 4 s. Scots money *per diem*. A Lieutenant Colonel to Horse daily 3 l. 12 s. A Major to Horse daily 48 s. A Regiment Quarter-Master to Horse daily 30 s. A Chirurgion to Horse where there is one daily 20 s. Each Root-Master daily 3 l. 6 s. 8 d. Each Lieutenant daily 30 s. Each Cornet daily 24 s. Each Quarter-Master daily 20 s. Each Corporal, being three allowed to each Troop daily 16 s. Each Trumpeter daily 13 s. 4 d. And to each Trooper daily half a peck of Oates, six sheaves of Straw, and 6 s. 8 d. in Money: Or otherwise 12 s. in Money, in the option of the persons where they are Quartered.

Item, For a Foot Regiment, The Colonel to Foot to have daily 4 l. 16 s. A Lieutenant Colonel to Foot daily 48 s. A Major to Foot daily 32 s. Regiment Quarter-Master daily 20 s. Chirurgion, where there is one daily 20 s. Drummer Major daily 8 s. Regiment Scriber daily 13 s. 4 d. Provest Marshall daily 8 s. Each of ten Captains daily 44 s. 5 d. Each of ten Lieutenants daily 20 s. Each of ten Ensignes daily 16 s. Each of twenty Serjeants daily 6 s. 8 d. Each of thirty Corporals daily 5 s. 9 d. Each of ten Captains at Arms daily 6 s. 8 d. Each of 19 Drummers daily 5 s. 4 d. Each Foot Souldier allowance in Meal & Quarters, or 4 s. daily, in the option of the persons where they are Quartered.

Item, For a Regiment of Dragoons, The Colonel of Dragoons daily 6 l. Lieutenant Colonel to the Dragoons daily 3 l. Major to the Dragoons daily 40 s. Quarter-Master daily 25 s. Chirurgion, if there be one daily 20 s. A Captain of Dragoons daily 45 s. A Lieutenant to Dragoons daily 25 s. An Ensigne to the Dragoons daily 20 s. Each Serjeant to the Dragoons daily 11 s. 4 d. Each Corporal of Dragoons daily 10 s. Each Drummer daily 10 s. Each Souldier of Dragoons to have daily 9 s. or else six sheaves Straw, one fourth part Oates, and 5 s. money, in the option of the persons upon whom they are Quartered.

And it is Statute and Ordained, That the Troopers and Souldiers of Foot be equally Quartered through the Shires by the respective Committees thereof, And that upon no pretence whatsoever any exemption be allowed to any person, but by Warrant of Parliament or their Committee, except for lands burnt, wasted, or possessed by the Enemy: For it is declared hereby, that such Lands or Burghs as shall be found by the Committee of Estates of Parliament, or Commissioners appointed by them for that effect, to be still possessed by the enemy, or to have been burnt or wasted by the enemy, our own Forces, or the Plague, so that the Heritors thereof are disabled therethrough to bear any publick burdens, shall be free *pro tanto* of any pay, or giving of Quarters to Officers or Souldiers, unless in case of necessity for the good of the Service, which is remitted to the Commander in chief where these Forces are.

And

And the Forces being thus proportionably Quartered in the Shires to Burgh and Land equally, conform to their valuation and Maintenance; It is ordained, That no Shire nor Burgh pay any Quarters to any common Souldiers Horse or Foot, but such as are actually and locally Quartered within the bounds, and that none of these common Souldiers, Horse or Foot, be payed when they are personally absent from their Quarters. And it is declared, That the whole premitted Articles are to be understood of the Winter Quarters allowed to the Officers and Souldiers for their residence and Maintenance, conform as they are severally divided and appointed through the whole Kingdom, and no wayes to be understood of passing or transient Quartering, nor extended to the Shires where the body of Forces shall be commanded for the prosecution of the War, so that no Shire shall be burdened above their proportion, but that the Estates of Parliament in their particular Act for Maintenance and entertainment of the Forces, shall set down the way of relief of the Shires of *Aberdene, Banff, and Murray* presently, and generally of all Shires which may happen hereafter to be over-burdened in the prosecution of the War.

As likewise it is Ordained, that in passing Quarters, the Officers and Souldiers shall be equally and proportionably Quartered in the Parish by the advice of the Commissioners thereof: So that the Officers shall not over-burden any person or place at their pleasure. In which case of transient Quarters, It is appointed that the Quarter-Master or Commander of the party, shall deliver to the Commissioner of the Parish, or one of the chief Heritors resident therein, or their Baillies, Officers or Chamberlains, or Magistrates within Burgh, the names of all the Souldiers to be Quartered in that Parish or Burgh, in a Roll subscribed with his hand. And declares, that in these Parishes either in Burgh or Land, so Quartered upon in these transient Quarters, shall have their proportionall relief of the remanent Shire. And it is also declared, that the houses of Heritors and Liferenters shall be free of Quartering, they furnishing Quarters upon their own Tennants, or in Inns upon their own bounds. And also that such Royall Burghs, where there is Garrisons of Foot, be free of the locall Quartering of Horsemen, They alwayes paying their proportion with the Shire according to their valuation and maintenance.

And farther it is hereby Ordained, That the Officers of the severall Regiments within the Kingdome, and all the Souldiers thereof shall repair to their charges and Quarters within six dayes after the publication hereof at the Market Crosse of the head Burgh of every Shire (and for *Pearth* Shire, Ordaines the publication to be at the Market Crosse of *Abernethy*) And not to remove from their severall Quarters and attendance of their charges, without one forloff and licence from the Generall Major, Parliament, or their Committee to the Colonel, and from the Colonel to all inferiour Officers under him (they alwayes leaving sufficient Officers to attend the charge) under the pain of cashiering and losse of their Arrears. And likewise, The Estates of Parliament, Ordains and commands the Committees of War in the severall Shires

of

of this Kingdome (who are hereby continued in their constant places, untill the Parliament give new order thereanent) To bee assisting to see this Act punctually observed in the whole Heads thereof. And for that end that they send in weekly to their Commissioners, during the sitting of the Parliament, an accompt of each Troope and Company, with the Officers and Souldiers names, according as they are Quartered within their bounds, and of the obedience given herein by the Officers. And for that effect, That they call upon the Commissioners of Parishes, to give in to them upon oath, an accompt of the number locally Quartered in each Parish, and of the carriage of Officers and Souldiers Quartered upon them : With this certification, that where the Commissioners of the Parishes sends not such an accompt, it shall be reputed and holden that there is none Quartered upon their Parish, nor any disorders committed therein.

And likewise it is Ordained, That it shall not be lawful to the Officers or Souldiers to Horse or Foot, upon the not timous advancement to them of the pay above-written, to send out parties for up-lifting the same at their own hand, untill first it be represented by them to the Committee of the Shire, or Magistrate within Burgh, That they may give warrand for the same. And appoints the Committees of Shires to meet every fourteen dayes for that effect.

And the Estates hes hereby declared, that no allowance, maintenance or Quarters is to bee given to any Officers or Souldiers for the tenth man, or the Pediese or Boys and Horse, But totally and absolutely discharges the same in all time coming.

And last it is hereby declared, That if any of the Subjects of this Kingdom be injured in body and goods by any Souldiers within the same, that the party wronged make his complaint to the said Souldiers Officer, and upon his refusall or delay to redresse the wrong, That the party addresse himself to the Colonel, Lieutenant Colonel, or Major of the Regiment, if they be within the Shire for the time, and make known his complaint to them, upon whose absence, or neglect, or delay of justice, the parties wronged are to mean themselves to the Committee of Warre in the Shire, or within Burgh to the Magistrates thereof; By whom the same is to be represented to the Parliament or Committee of Estates, that they may give orders thereanent for punishing the saids offenders, and also the Officers for their neglect. And ordains the Lord Register to cause presently Print this Act.

ACT II.

Act of approbation to the Committee of Estates, anent the taking off of the Rebels.

27. November, 1646.



He Estates of Parliament having heard and considered that report from the Committee appointed for revising of the Acts of the Committee of Estates, anent their carriage and proceedings in bringing off of the Rebels, and reducing them to dutifull obedience from their former Rebellion: and having at length after full debate considered the same, with the reasons and grounds of their procedor thereanent, exprest in the Paper given in by the said Committee of Estates, bearing their hails proceedings in the foresaid particular, with the grounds and reasons thereof, They finde that the said Committee of Estates hes warrandably, carefully, faithfully, wisely and diligently behaved themselves therein till, answerable to the trust and warrand granted and committed to them; and that their carriage therein deserves publick thanks and approbation. And therefore the Estates of Parliament do hereby Ratifie and approve the same, as well and warrandable done for the good and peace of the Kingdome, and gives them publick thanks.

ACT III.

Act anent Liferenters, that they pay publick Dues, and bear publick Burdens.

10. Decemb. 1646.



He Estates of Parliament now presently convened in the sixth Session of this first Trienniall Parliament, by vertue of the last Act of the last Parliament holden by his Majesty and Estates of Parliament in Anno 1641. Taking to their consideration, That the payment of Taxt, Loane, Monethly Maintenance of the Army, out-putting of Horse and Foot, and other publick Impositions hes been retarded and hindred heretofore, and may be hereafter in severall Shires of this Kingdome, upon this doubt and Quare, viz. Whether or not Liferenters who are infest in ane yearly annualrent of money out of Lands for their lifetime, Or who hes disposed the Right of their life-rent

6 *The third Parliament* Sess. 6.
 rent Infeftment whereby they were infeft in Land for their lifetime for
 ane obligeement of new infeftment of liferent in ane annualrent of mo-
 ney out of lands in contentation of their conjunctie, or who hes set their
 liferent lands for ane back tak duety, hes been, are, and are to be lyable
 To the out-reik of Horfe according to their proportion of rent, To the
 payment of Taxt, Loane, and monethly Maintenance, and to all other
 publick Impositions and Burdens, whereunto Lady liferenters that are
 in possession of lands are obliged unto. The Estates of Parliament for
 clearing hereof, findes and declares, That it was always their meaning
 and will, and of the Convention of Estates, That all persons and sub-
 jects of this Kingdome, should be lyable to their proportionable part of
 all publick Burdens imposed for prosecuting the ends of the Covenant,
 and that no exemption was given to any whatsoever, but for lands,
 rents, annualrents, and other duties mortified to Colledges, Schooles,
 Hospitals, Ministers and Readers stipends, and for upholding of Kirks
 and Bridges: And in particular findes and declares, it was and is their
 meaning and will, and was the minde of the Convention of Estates,
 That all Liferenters who are infeft in ane yearly annualrent of Money
 out of lands for their lifetime, Or who hes disposed the right of their
 liferent Infeftment whereby they were infeft in lands for their lifetime
 for ane obligeement of new infeftment of liferent in ane annualrent of
 Money out of lands in contentation of their Conjunctie, although
 they be not actually infeft thereupon, or who hes set their liferent lands
 for ane back tak duety, hes been for all times bypast, are, and are to be for
 all times coming, lyable to the out-reik of Horfe, according to their pro-
 portion of rent, To the payment of Taxt and Loane, and monethly
 Maintenance of the Army, and to all other publick Impositions and
 Burdens whereunto Ladyes liferenters that are in possession of lands are
 obliged unto, And that notwithstanding of any claufe of warrandise
 mentioned or contained in their securities of their saids annualrents, ex-
 cept the said claufe of warrandise specific per expresse, To warrand
 from Taxt, Loane, Monethly Maintenance, and out-reik of Horfe, Be-
 cause it were against all reason and equity, and beyond the meaning of
 parties contractours in these securities, To oblige them to warrand
 their Rights from unexpected publick Burdens imposed since the ma-
 king and granting of the saids Rights and Securities, seeing it is just and
 reasonable, That ilk ane of the Lieges who hes Rent within this King-
 dome, should bear their proportionable part of the publick Burdens of
 this Kingdome, conforme to the proportion of their Rents. It is al-
 wayes declared, That this Act shall no wayes be extended to Improper
 Wadsetts.

ACT IV.

Sess. 6. of King CHARLES.

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ACT IV.

Act anent allowing of Quarters.

1. January 1647.

THe Estates of Parliament now convened in this Sixth
 session of the first triennial Parliament, for clearing of a-
 ny doubt or question that may be made in the allowing
 of Quarterings in payment of the monethly Maintenance,
 aswell Quarterings since Lambmes last 1646. yeares,
 as before that time; Findes, Declares, Statutes and
 Ordaines, That Quarterings aswell since Lambmes last, as before
 Lambmes, shall be allowed in payment of the Monethly Maintenance,
 except onely for these first three Moneths Maintenance following, viz.
 March 1645. which is the first Moneth of the six Moneths Mainte-
 nance granted by the Parliament at Edinburgh in February 1645. Item,
 September 1645. which is the first of the three Moneths Mainte-
 nance granted by the Parliament at Perth in August 1645. And the mo-
 neth of December 1645. which is the first of the eight Moneths Main-
 tenance granted by the Parliament at S. Andrewes in January 1646.
 Which three Moneths above designed, were ordained to have beene
 payed without allowing of any Quarterings in the payment thereof, and
 which three Moneths are now ordained by the Parliament to be uplif-
 ted and intromitted with by Sir Adam Hepburne of Humbie, so farre as
 the samine are unpaid or unassigned, in payment to him of his super-
 expences of his Scots accompts, so far as the samine will extend to, con-
 forme to the Act granted in his favours hereanent of the date hereof.

ACT V.

Act anent Recording of Losses.

2. January 1647.

THe Paper under-written, whereof the tenour follows:
 The Committee appointed by the Parliament for con-
 sidering of the particular Losses recommended to
 them, do humbly represent to the Parliament, That
 whilst they were about the discharge of what was com-
 mitted to them, there occurred ane particular which
 they conceive very prejudiciall to the Subjects, and no wayes usefull or
 necessary either to the Publick or to the parties interest, viz. When
 Commissions are given out for trying of Losses, The Reports of the try-
 all are appointed to be registrate: Some whereof as they are drawne in
 the particulars by these who are Commissioners for the tryall, will take
 up the writing of five or six score sheets of Paper; of which fort, one

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was

was before them this day; And it is hard to put the party sufferer to the trouble of Registrating of so long Reports: And therefore it is the opinion of the Committee, That the Parliament would appoint, That only one Abridgement of these Reports be recorded, containing the parties names who are sufferers, and the *summa* of their Losses and sufferings: And the principall Report to be given back, marked to the party: And that the Parliament would either themselves, or warrand this Committee to set down a price to be payed for this Registration, as is done in Comprisings: Being publickly read in audience of the Estates of Parliament, and the same being advised and considered by the Estates of Parliament, They agree to the opinion above-written of the foresaid Committee. And enacts, ordaines and appoints, That there shall be onely one Abridgement of the foresaid Reports recorded, which shall containe the parties names who are sufferers, and the *summa* of their Losses and sufferings; And Ordaines the principall Report to be given back to the party marked, recorded *ut supra*. And also, The Estates of Parliament, Gives hereby warrand to the foresaid Committee, To set down a price to be payed for the foresaid Recording of the saids Reports, as is done in Comprisings.

ACT VI.

*Act anent those that are, or shall be restored
against their Forfaltours.*

12. January 1647.

THe Estates of Parliament, Taking to their consideration, That there are sundry Noblemen and others, who have been forfaitured in the preceeding Sessions of this Parliament, for taking up Armes against this Country or Cause in hand, who are now seeking to be restored and reponed against these Forfaltours. The saids Estates findes and declares, That notwithstanding of the restoring and reponing of them, or any of them against the saids Forfaltours, yet it shall nowayes be lesome to them, or any of them, to repaire to the Parliament, and have place or voyce thereintill, without speciall licence or warrand from the Parliament for admitting them thereunto.

ACT VII.

ACT VII.

*Ratification of the Commission for changing Waird
Haldings holden by the Kings Majestie.*

14. January, 1647.



He Estates of Parliament now convened in this sixth Session of the first Triennial Parliament, having seen and considered ane Signatour or Commission granted by his Majesty to the L. Thesaurer principal, Thesaurer Depute, & remanent Commissioners of Exchequer therein expressed, giving power to them to compone and agree with all his Majesties vassals who holds their Lands by Ward & Relief, or Few with the marriage, for sik summes of Money as they shall think reasonable of syne and composition, alswe for alteration of their saids Tenours of Ward to Few-ferm, as for what yearly canon or Few-duty should be payed hereafter in all time-coming to his Majesty and his Successours in Exchequer for ever Chalder of victuall of money rent thereof; As likewise to compone, transact and agree anent what augmentation of yearly Few-duty should be made for quiting of the marriage of all the said Vassals who holds few with the marriage, Bearing date at Newcastle the twenty ninth day of June 1646. Hath Ratified and approven, and by the tenour hereof Ratifies and approves the foresaid Commission in all the Heads and Articles of the same, and declares the Rights and Securities hereafter to be made and granted of any Lands by the said Thesaurer, Thesaurer Depute, (and *Quorum* exprest in the said Commission) changing and altering them from Waird to Few, or abolishing the marriage in few charters for a greater few-duty, shall be valide, good, and sufficient charters and securities to the receivers, and never be quarrelled in judgement nor outwith to them nor their posterity. And declares, that the generalitie hereof shalbe als sufficient to all persons who shall hereafter agree with the Thesaurer anent any sik Lands, as if every one of the saids Charters were particularly ratified and confirmed in Parliament. And the Estates of Parliament adds Sir Archibald Johnston of Waristoun his Majesties Advocate and one of the Lords of Session, To be one of the number of these Commissioners in the foresaid Commission and *Quorum* therein exprest, and holds him hereby as insert thereintill: And ordaines this present Act to be published at all places needfull with all diligence.

ACT VIII,

*Act anent the payment of the dutie for the
Light of the Meye.*

14 January, 1647.

FOrsameikle as the Estates of Parliament now convened in this sixt Session of the first Triennial Parliament, Taking to their consideration, That *James Maxwell* of Innerweik, and *John Cunningham* of Barnes, Having procured from his Majesty under the great Seale, ane power of erecting ane Light upon the Meye; And for maintenance thereof ane impost and dutie of twa shillings Scots to be payed upon the Tun of all Ships and Vessels coming within Dunnottir and Saint Tobs head, by Natives, And foure shillings Scots to be payed by Strangers, as their Gift and Letters Patent at mair length beares. And herewith also considering, That the saids Patentars being willing to give all reasonable satisfaction to the Commissioners of Burrowes hereanent, they have restricted their said Patent and duty foresaid therein mentioned, To eighteen pennies Scots to be payed by the Natives, and three shillings Scots by Strangers upon ilk Tun, of Ships and others coming within the foresaid bounds. And hes declared all Barks, Creeres, and others Vessels coming from any part within this Kingdome within the saids bounds, or passing to any part within the same, during the moneths of May, June, July, and fifteen dayes of August, and Northland Victuallers to be free of all duty whatsoever, whereupon the Commissioners of Burrowes by their Act at *Edinburgh* of the 13. of December 1639. yeares, Hes therefore obliged them to cause their neighbours make good and thankfull payment of the said restricted duty, and not onely to assit in uplifting of the same from the neighbours, but also to concurre and assit for uplifting of the said restricted duty from the Strangers whensoever they should come within their bounds and liberties, as the Act of Convention of Burrowes made hereupon at mair length beares. And the Estates of Parliament likewise considering the profits and universall good that redounds to all Ships, Barks, and others Vessels coming and passing within the bounds above-mentioned, and bygane experience thereof, The saids Estates of Parliament do hereby enact, statute and ordaine, That the foresaid restricted duty shall be peaceably enjoyed, received, and uplifted by the said *John Cunningham* of Barnes, who hes now the full right of the said gift and Patent disposed and pertaining to him, and by his heirs and assignes, and his and their deputies and Collectors, aswell in all other Ports & Harberies where any Ships or Vessels do arrive, where there is no Burghs, as in Ports and Harberies of Burghs, for ilk Tun of Ships and other Vessels coming within Dunnottir and Saint Tobs head. And findes and declares, That all shall be lyable and alike obliged to the said *John Cunningham* of Barnes, and his foresaid, for the due payment

payment of the foresaid restricted dutie *respective* abovewritten, aswell Natives as Strangers coming within the bounds aforesaid, That the payment of the foresaid restricted duty *respective* above-rehearsed be not frustrate nor made unprofitable to them in time coming. And ordaines publication hereof to be made at all places needfull (it need be) that none pretend ignorance of the same: And that letters of horning, and all other executorials needfull be direct hereupon, aswell against the Masters, Sailers, and Owners of Ships both within the Harberies appertaining to Royall Burrows, and within their liberties, as against the Masters, Sailers and Owners of Ships, Barks, or Crears arryving at Harberies or Ports whatsoever of landing outwith the Priviledges of Burghs Royall.

ACT IX.

*Ratification of the Commission for changing of the
Waird Haldings holden of the Prince
his Highnes.*

16. January 1647.

HHe Estates of Parliament now convened in this sixt Session of the first Triennial Parliament, Having seen and considered ane Signatour or Commission granted by his Majesty for himself, and as Tutor and Administrator to his dearest son the Prince, To the Lord Thesaurer principall, the Depute and remanent Commissioners of Exchequer therein exprest, To compone, transact and agree with all the Vassals who holds their Lands of his Majesties said dearest son the Prince by Waird and relief, for sik summes of money as they shall think reasonable of tyne and composition, aswell for alteration of their saids Tenours of Waird to Few-ferme, as for what Canon or Few-dutie shall be payed hereafter in all time coming in his Majesties Exchequer, for every chalder of Victuall, or hundreth merks of money rent. As likewise to compone, transact, and agree with the saids Vassals, that his Majesty shall be obliged to pay to the saids Vassals who shall happen to agree with his Majesties said Thesaurer, Thesaurer depute & Quorum of the Commissioners exprest in the said Commission, such compositions and few-duties as shall be payed by them to his Majesties said Thesaurer, In case his Majesties said dearest son the Prince at his majoritie shall not Ratifie the said Commission and Few-charters to be granted to the saids Vassals, bearing date at *Newcastle* the ninth day of January 1647. Hath ratified and approven, and by the tenour hereof ratifies and approves the foresaid Commission in the hail heads and articles of the same, and declares the rights and securities hereafter to be

be made and granted of any Lands by the said Thesaurer, Thesaurer Depute, and *Quorum* exprest in the said Commission, changing and altering of them from Waird to Few, and obliging his Majesty to pay to the saids Vassals, six summes of Money, with the annualrents thereof, as they shall happen to have payed to his Majesties said Thesaurer: In case his Majesties said dearest son shall not ratifie the said Commission at his Majoritie, shall be valid, good, and sufficient charters and securities to the receivers, and never be quarrelled in judgement nor outwith to them nor their posterity. And declares, that the generalitie hereof shall be alse sufficient to all persons who shall hereafter agree with the Thesaurer anent any six Lands, as if every one of the said charters were particularly ratified and confirmed in Parliament. And ordaines this present Act to be published at all places needfull with all diligence.

ACT X.

Declaration of the Kingdome of Scotland, concerning the Kings Majesties Person.

16. January 1647.

WHEREAS it pleased God to joyne the Kingdomes of Scotland, England and Ireland in solemne League & Covenant for reformation & defence of Religion, the honour and happines of the King, and their own peace & safety, and in pursuance thereof, the Scots Army being in the Kingdome of England, the Kings Majesty came into their Quarters before *New-marke*, and professed he came there with a full and absolute intention to give all just satisfaction to the joynt desires of both Kingdomes, and with no thought either to continue tois unnaturall War any longer, or to make division betwixt the Kingdomes, But to comply with his Parliaments, and these entrusted by them, in every thing for settling Truth and Peace, and that he would apply himself totally to the counsels and advices of his Parliaments. And this he did not onely professe verbally to the Committee of Estates with the Scots Army, but also in his several Letters and Declarations under his hand to the Committee of Estates of Scotland, and to the two Houses of the Parliament of England respectively: In confidence whereof, and of the reality of his Intentions and Resolutions, which he declared proceeded from no other ground than the deep sense of the bleeding condition of his Kingdomes; The Committees of the Kingdom of Scotland, and general Officers of the Scots Army declared to himself and the Kingdom of England, their receiving of his Royall Person to be on these termes (which is the truth, notwithstanding what may be suggested or alledged in the contrair by any within or without the Kingdome) And represented to him, that the only way of his own happinesse and peace of his Kingdomes under God, was to make good his professions so solemnely renewed to both Kingdomes.

Thereafter

Thereafter not only were Propositions of Peace (which after serious and mature deliberation were agreed upon) tendered to him in the name or both Kingdomes for his Royall assent thereto, but also all the supreme Judicatories of this Kingdome, both Civill and Ecclesiastick, made their humble and earnest addresses to his Majesty by supplications, Letters, and Commissioners for that end, and did fully represent all the prejudices and inconveniences of the delay or refusall of his assent, and in particular, That his Kingdome would be necessitate to joyne with the Kingdome of England, conforme to the League and Covenant in providing for the present and future security of both Kingdomes, and in settling the Government of both, as might most conduce to the good of both. And the Parliament of Scotland being now according to the Treaty to retire their Army out of England, Have again for their further exoneration sent Commissioners to represent their renewed desires to his Majesty, with the dangers may ensue by his delay or refusall to grant the same, and that till then there was danger to the Cause, to his Majesty, to this Kingdome, and to the Union betwixt the Kingdomes by his coming into Scotland, and that therefore a joynt course will be taken by both Kingdomes anent the disposall of his Person. And considering that his Majesty by his Answer to the Propositions of Peace in August last, and also by his late Message to the two Houses (and by his warrant communicate to the Estates of this Kingdome) hath expressed his desires to be near to the two Houses of Parliament: And seeing also the Parliament of England have communicate to the Scots Commissioners at Newcastle, and by them to this Kingdome, their resolution, that *Holenby-house* in the Countie of Northampton is the place which the Houses think fit for the King to come unto, there to remain with such Attendants about him as both Houses of Parliament shall think fit to appoint, with respect had to the safetie and preservation of his Person, in the preservation and defence of the true Religion and Liberties of the Kingdomes, according to the Covenant: Therefore the Estates of Parliament of the Kingdome of Scotland, and in regard of his Majesties not giving a satisfactorie answer to the Propositions as yet, and out of their earnest desire to keep a right understanding betwixt these Kingdomes, to prevent new troubles within the same, to satisfie the desire of his Majesty, and the two Houses of Parliament of England, and of this Kingdome, for his residence in some of his Houses near the Parliament of England, and to prevent misinformation, and to give satisfaction to all, Do declare their concurrence for the Kings Majesties going to *Holenby house*, or some other of his Houses in or about *London*, as shall be thought fit, there to remain untill he give satisfaction to both Kingdomes in the Propositions of Peace: And that in the interim there be no harme, prejudice, violence, nor injury done to his Royall Person: That there be no change of Government other then has been these three yeares past: And that his Posterity in nowayes be prejudged in their lawfull succession to the Crown and Government of these Kingdomes. And as this is the clear intention and full resolution of the Kingdome of Scotland, according to their interest and

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and duety in relation to the Kings Majesty, so they are confident (from the same ground and manifold Declarations of the Parliament of *England*) that the same is the resolution of their Brethren. And at such a time they do expect a renewed Declaration thereof: And that they will give Brotherly and just satisfaction to the desires herewith sent. Likeas the Kingdom of *Scotland*, do hereby assure their Brethren in *England*, that it shall be their constant endeavour to keep, continue, and strengthen the Union and Peace betwixt the Kingdomes, according to the Covenant and Treatie.

ACT XI.

Act anent fining of appeirand Heires.

26. January 1647.

THe Estates of Parliament, Having tane to their consideration the two Quæres underwritten, represented to them from the Committee for Proceffe and Moneyes (with the opinion of the Grand Committee thereanent) viz. Whether or not ane appeirand Heir shall have allowance in his fine of the annualrents of such summes as the Father hes burdened the Land with, by Infeftments which presently payes no annualrent, and are to be payed when the appeirand Heir enters to the estate. 2. Whether or not Casual rent shall be compted as ane part of the rent, whereunto the appeirand Heire is to succeed to, and if he should be fined accordingly. They after debate and voycing, Finde that the appeirand Heir should have allowance in his fyne of the annualrents of such summes as the Father hes burdened the Land with by Infeftments before the Act of syning, and which for the present payes no annualrent, but are to be payed when the appeirand Heir enters to the estate. And for answer to the second Quære, Finde that in this particular concerning the Lord *Seytoun*, he may be fined in relation to the halfe of the Casual rent pertaining to his Father, conforme to the valuation thereof of the Shire where it is.

ACT XII.

Sess. 6. of King CHARLES.

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ACT XII.

Act anent these who hes gotten passe and assurance, and hes since joyned with the Rebels.

26. January 1647.

THe Estates of Parliament now convened in this Sixth Session of Parliament, Taking into their serious consideration the great hurt and prejudice that may come to the good Cause now in hand, and to the peace of the Countrey, and what evill example it may be in time coming, if no farther assurance nor certification shall be put upon these who hes comed aff the Rebellion upon Passe, and acted themselves for their good behaviour, But onely the incurring of the penalties and summes under the which they are acted for their good behaviour, albeit thereafter they either have joyned, or shall joyne themselves to the Rebels and Enemies of this Kirk and Kingdome, either personally, or by advice and correspondence, or hes allowed, or shall allow their men to go with the Rebels. The saids Estates of Parliament for remeid hereof, and for encouraging of these who hes been faithfull and loyall to the Cause and Countrey, and to continue therein, and for terrifying of the others fra attempting and doing of any thing to the prejudice thereof, Finde, declares, statutes and ordaines, that these who hes comed aff the Rebellion upon Passe, and acted themselves for their good behaviour, and thereafter hes joyned, or shall joyne themselves personally to and with the Rebels, the Enemies of this Kirk and Kingdome and peace thereof, are and shall be in the same condition, as if they had not gotten ane Passe, and that they have thereby forfeited and tint the benefit of their saids Passe, as if the samine had never been granted to them. And also findes, declares, statutes and ordaines, That these who hes comed aff the Rebellion upon Passe, and acted themselves for their good behaviour, as said is, and shall hereafter at any time within the space of fifteen dayes after the publication of this Act at the Market Crosses of *Edinburgh, Aberdene, Dumbartan, Stirling, and Pearth*, joyned themselves to or with the Rebels by advice or correspondence, or shall allow their men, tenants, or servants to go with the Rebels, shall likewise be in the same condition as if they had not gotten ane Passe, and that they have thereby forfeited and tint the benefit of their said Passe, as if the samine had never been granted to them. And declares the samine Passe in either of the cases *respective* above-written, to be null and ineffectuell fra the beginning, and in time coming, with all that hes followed, or may follow thereupon. And ordaines publick Proclamation to be made hereof at the market Crosses of the Burghs *respective* above-written, that nane pretend ignorance of the samine.

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ACT XIII.

ACT XIII.

Act anent the modelling of the Forces kept up for the Service of the Kingdome.

29. January 1647.



It is ordained, That the number of Horse to bee kept up are to be twelve hundred, and thir Horse are not to be Regimented, but put into several Troups, whereof none to be subordinate to another.

The number of Foot to be kept up are to be six thousand, to be divided into seven Regiments, whereof two Hie-land Regiments, each whereof shal contain anethousand men, and consist of eight companies; And the other

five Law-land Regiments to contain eight hundred men apiece, and to consist of six companies.

That there be two companies of Dragoons, each company consisting of ane hundred men strong.

That the Root-masters, Captaines of Dragoons and Foot, and all superior Officers of the whole Forces aforesaid, Be nominate by the Parliament or Committee of Estates hereafter, when any of the same shall happen to vake.

That the Earle of Leaven be entrusted with the charge and command of thir Forces, conforme to the Commission and Instructions herewith sent to his Excellence.

That Lieutenant Generall *David Leslie* shall be Lieutenant Generall, and Generall Major *John Middleton* shall bee Generall Major of the whole Forces Horse and Foot to be kept up within this Kingdome.

That the foresaids twelve hundred Horse shall bee divided into fifteen Troups, each consisting of fourscore Horse *effectivè*, whereof three Troups to be commanded by the three Generall Officers aforesaid, and the rest by the Root-masters aftermentioned.

That five hundred and threescore Horse bee taken out of the Regiments of Horse presently within this Kingdome, and six hundred and fourtie Horse out of the Regiments of our Armie in *England*.

That the two companies of Dragoons bee taken out of the Army within this Kingdome.

That four Regiments of Foot, each consisting of eight hundred men divided into six companies, bee made up out of our Army in *England*, including Conolell *Mauld* his Regiment; And that the Committee at *Newcastle* and Lord Generall, consider the proportion to be raised out of each Regiment, excepting the Regiments that come from *Ireland*.

That one Captaine, one Lieutenant, and one Ensigne, may be named out

out of each Regiment, who are to have the charge of keeping together the number to be raised out of that Regiment; And that the Souldiers names be enrolled, and themselves ingaged in the Service before they receive their Money or the rest disband.

That two Hie-land Regiments, and one Law-land Regiment of Foot be made up out of the Forces within this Kingdome, and Garison of *Berwick*, and out of such Hie-land men in *Tullibardine* his Regiment, as belong to the Lairds of *Glenurquhie*, *Lawers*, or *Weymes*.

That the Colonels underwritten are to serve as Colonels, under the command of the three Generall Officers abovementioned.

That the Root-masters hereafter nominate shall at this present time alanerly choose their Lieutenants and other inferior Officers, by advice and consent of the Generall Officers: And the Colonels of Foot choose their Captaines and other inferior Officers, by the advice and consent of the saids Generall Officers at this present time alanerly, and that *respectivè* for *England* and *Scotland*, according to the division after mentioned, and that the Regiments of Horse and Foot *respectivè*, with all diligence shall be designed, out of the which the Colonels and Root-masters shall have their Regiments and Troups: And in respect of the present occasion within this Kingdome, ordaines a list of all the Officers now presently within this Kingdom, to be given to Generall Major *Middleton*, to the effect, that he may call them together and go about to make up the Troups and Regiments of these Forces nominate within this Kingdom, and actively go about to set down the readiest Conclusions for pursuance of this war against the common Enemies and Rebels.

That in respect there is seven Regiments of Foot, whereof the two Hie-land Regiments are to consist each of a thousand men, and that the other five Regiments consisting of four thousand men are to contain each Regiment eight hundreth men: Therefore that there be three thousand and two hundreth men chosen for making up of the four Regiments of Foot out of our Army in *England*, and the other Regiment consisting of eight hundreth men, shall be made up of the Regiments in *Scotland* by the Hie-landers.

That these twelve hundreth Horse to be kept up shall be divided in fifteen Troups, each consisting of fourscore Horse, whereof three shall be commanded by the three Generall Officers before mentioned, and their Troups to bee furnished out of our own Army in *England*.

We have appointed Colonell *Robert Montgomerie*, Colonell *Lockhart*, Lieutenant Colonell *Mungo Murrey*, Colonell *James Merfer* of *Adie*, Colonell *Keith* of *Ludquharn*, Colonell *Henry Barclay*, and Major *David Barclay*, to be seven Root-masters, who are to have their Troups out of the Regiments of the five hundreth and threescore Horse to be taken of these Regiments now serving in *Scotland*.

We have appointed Colonell *Sir John Brown*, Lieutenant Colonell *Thomas Craig* of *Riccartoun*, Colonell *Hugh Fraser* of *Kenneries*, Lieutenant Colonell *Strauchan* of *Thornetoun*, and Lieutenant Colonell *Gilbert Ker*, to be five Root-masters, who shall have their Troups furnished

furnished out of these six hundred and forty men to be furnished out of the Armie of *England* toward the Troups of the three Generall Officers, and the saids five Troups.

That each Troup be allowed to have two Trumpeters.

That the Marques of Argyle and Laird of Ardkinlas be Colonels of the two Hie-land Regiments (consisting of a thousand men apiece, to be divided in eight Companies) With power to them to nominate their Lieutenant Colonels and all inferior Officers at this time allanerlie.

That for commanding the other five Regiments (each whereof is to consist of eight hundred men, to be divided in six Companies) the Colonels, Lieutenant Colonels, and Majors underwritten, are nominate and elected by the Parliament, *viz.* Colonell *Alexander Hamiltoun* Generall of Artillerie, and his Lieutenant Colonell *John Home*, and Major *James Innes*, who are to be provided of their Regiment from these foot Forces now presently within the Kingdome of *Scotland*.

Item, Generall Major *James Howburn* and his Lieutenant Colonell *John Innes*, and Major *Meldrum*. *Item*, Colonell *Coline Pitcottie*, and his Lieutenant Colonell *John Rouch*, and Major *John Tours*. *Item*, Colonell *Walter Scot*, and his Lieutenant Colonell *John Hadden*, and Major *Blair*, Colonell *William Stuart*, and his Lieutenant Colonell *David Veimes*, and Major *Agnew*: All which four Colonels are

to have their Regiments furnished and made up to them out of these three thousand and two hundred men to be taken out of our Army now presently in *England*. And that to the foresaid Armie now presently to be kept up in *Scotland*, Lieutenant Colonell *Heugh Montgomerie* be Generall Adjutant, and Generall Quarter-master *Innes* to be still Generall Quartermaster.

Item, That Lieutenant Colonell *Patrick Blair*, and Major *William Sharp*, bee the two Captaines of the two companies of Dragoons which are likewise to bee kept up in this Kingdome, and each of their companies is to be furnished from the Dragoons presently within this Countrey, and to consist of one hundred men, whose under Officers are to bee chosen by the advise of the Generall Officers within this Kingdome for this time allanerlie.

Also it is ordained, when any Colonel, Lieutenant Colonel, Major, and Captaine of Foot, Root-master, or Captaine of Dragoons, shall be taken on in their charge, That they before they be admitted in Service, they shall give in sufficient caution for observing and performing the conditions underwritten, and that the Committee within the Kingdome of *Scotland*, and with the Army in *England*, take the said caution and good securitie.

And that the tenor of the caution be as followeth.

1. That they shall constantly attend the Service with their Regiments, Troups, or Companies, either in the Hie-land, Ileland, or Low-land as they shall have order, and shall not bee fourty eight hours from their charge, without a forelosse from the Committee of Estates or commander in chief.

2. That

2. That they shall keep up their Troups and Companies in the just number before written, and no stronger, *viz.* The Troup of Horse fourscore, the Troup of Dragoons an hundred, and the Company of Foot an hundred threttie three.

3. That they keep their Troups, Companies, and Souldiers, from plundering any Horie or other goods in the Countrey.

4. If any Trouper or Souldier shall violent or hurt any person or plunder their goods, That the Colonell, Lieutenant Colonell, Major, Captaine, or Root-master, each of them *respective*, for their own Regiment, Troup, and Company, shall either satisfie the party offended, or present the offender to the Sheriffe of the Shire, Stuart of the Stuartie, Baillie of the Bailliarie and Regalitie, or Magistrates of the Burghs *respective*, where the fault is committed, or where the offender shall happen to be for the time, or shall execute martiall law upon the offender at the option of the complainer, which judges shall do justice upon the offenders as upon theeves, or for the like offences, and that as fully as if particular Commission were given thereanent; For which purpose a Commission is now past in Parliament warranding the Justice Generall, and Justice Deputes, and other Judges aforesaid, to proceed to the trying and judging the Crimes abovementioned.

5. That the Officers aforesaid shall not raise, fesse, nor take Quarters for any men, but these whom they have effective, and that they take no money nor free Quarters for the men they have, without speciall warrant from the Parliament or Committee of Estates.

6. That the Cautioner be obleiged absolutely for reparation of the losses of the party offended, and under the paines following for the whole and every one of the Articles aforesaid, *viz.* The Colonell of Foot, under the pain of ten thousand merks, the Lieutenant Colonell of Foot, five thousand pounds, the Major to Foot, five thousand merks, the Captain to Foot, a thousand pounds, the Root-master, ten thousand merks, the Captain of Dragoons, five thousand merks: And this Caution to be, beside the casseiring of the Officers, and such farther personall punishment to be inflicted upon him, as the Parliament or Committee of Estates shall think fit.

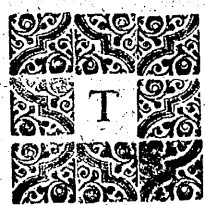
And lastly, It is ordained by the Parliament, that there shall be no further addition of Officers, superior or inferior, nor alteration thereof, or of the Regiments and Troups then is formerly condiscended upon.

ACT

ACT XIV.

*Act for advancing ane Moneths Maintenance
for disbanding the Army.*

10. February 1647.



He Estates of Parliament now convened in this sixth Session of the first Triennial Parliament, Taking to their consideration the present necessity of Money for disbanding the Regiments of Horse and Foot that are not to be kept up, and for payment of the assignments for the Service at *Philiphaugh*, and providing Magazines of Victuall for the Forces to be kept up: And finding no readier way for getting Money for this effect, than to ordain a full Moneths Maintenance to be presently payed by the Shires and Burghs of the Kingdome; Therefore the saids Estates do hereby enact and ordain, That a full Moneths Maintenance be up-lifted, and payed by the whole Shires and Burghs of the Kingdome, ilk Shire and Burgh according to their own proportion and quantity, exceptand the Lands and Burghs possessed by the Enemy, or burnt, or wasted, or which are exeimed from payment of Maintenance by warrand of Parliament: And ordaines the saids whole Shires, and Burghs of the Kingdome to make payment, ilk one of them for their own parts and proportions, of ane full Moneths Maintenance, according to the quantities and proportions, for ilk Shire and Burgh, to Collector appointed by the Estates for receiving thereof, as followes, *viz.* These Shires and Burghs be South the water of *Dee*, betwixt and the twentieth day of February instant; and these Shires and Burghs be North *Dee*, at the rates and dyets to be appointed by the generall Act of Maintenance, and as shall be prescribed by the same Act. And it is hereby declared, in respect the summes presently imposed by this Act upon the Shires in part of payment to some Shires of their Maintenance, is onely for the present occasion, while the Act of Maintenance be fully established: That therefore the same summes now imposed, shall bee payed out of the Lands which are not possessed by the Enemy, nor have been burnt nor wasted by the Enemy, nor our own Forces, or the Plague, so that the Heritours thereof are disabled there-through to make payment of their severall proportions imposed upon the saids Lands; Providing the same do not exceed the proportion due by any Heritour by the Act of Maintenance at *Saint-Andrewes*. And also the Estates Ordaines the Commissioners of the Shires and Burghs, for this Session of Parliament, to acquaint the Committees of War of the severall Shires, and Magistrates of Burghs *respective*, for providing and paying of their proportionall parts of the foresaid Moneths Maintenance, betwixt and the day and times *respective* above-specified, appointed for that effect. And the saids Estates Declares, That who shall failzie in

in payment thereof, betwixt and the times foresaid (except such as before excepted) shall be Quartered upon, while the payment of their own proportions: And ordaines the foresaid Moneths Maintenance to be sent by the Committees of War of the severall Shires and Magistrates of Burghs, to their Commissioners of Parliament *respective*, to be delivered by them to the Collector foresaid, to bee appointed by the Estates for that effect. And to the effect the saids Moneths Maintenance may be the more readily and timously payed, The Estates gives hereby warrand to the Committees of War of the severall Shires, to appoint such numbers of Horse and Foot of their own Shires; to Quarter upon the Deficients in Burgh or Land of their Shires, for payment of their proportionall parts of the saids Moneths Maintenance, as the Committee of War shall think fit, ay and while they make payment of their proportionall parts of the foresaid Maintenance. And because these summes which are restand unpayed of the assignments to the Regiments at *Philip-haugh* must be presently payed to these Regiments, before they will disband, The Estates do therefore ordain the particular summes and synes *respective* after-mentioned, to be presently advanced and payed by thir Burghs, Shires, and persons following, to the Regiments under-written, *viz.* The summe of 31766 l. 13 s. 4 d. To the Lord Generall, the Lieutenant Generall, and Major Generall *Middleton* their three Regiments, to be payed as followes, to wit; By the Sherifffdome of *Berwick*, 3555 l. By the Burgh of *Lammer*, 45 l. By the Sherifffdome of *Roxburgh*, 5778 l. By the Burgh of *Fedburgh*, 126 l. By the Sherifffdome of *Selkirk*, 1278 l. By the Burgh of *Selkirk*, 126 l. By the Sherifffdome of *Pebbles*, 1638 l. By the Burgh of *Pebbles*, 108 l. By the Sherifffdome of *Lanerk*, 5382 l. By the Burgh of *Lanerk*, 162 l. By the Burgh of *Glasgow*, 1530 l. By the Burgh of *Rutherglen*, 45 l. By the Sherifffdome of *Fyfe*, 6642 l. By the Burgh of *S. Andrewes*, 780 l. By the Burgh of *Dysert*, 270 l. By the Burgh of *Kirkaldie*, 600 l. By the Burgh of *Comper*, 216 l. By the Burgh of *Anstruther* easter, 180 l. By the Burgh of *Pettinweyme*, 120 l. By the Burgh of *Dumfermline*, 162 l. By the Burgh of *Bruntland*, 206 l. By the Burgh of *Carrail*, 216 l. By the Burgh of *Kinghorne*, 108 l. By the Burgh of *Anstruther* wester, 54 l. By the Burgh of *Innerkeithing*, 90 l. By the Burgh of *Kilrinnie*, 27 l. By the Sherifffdome of *Linlithgow*, 1746 l. By the Burgh of *Linlithgow*, 324 l. By the Burgh of *Queensferrie*, 108 l. By the Sherifffdome of *Edinburgh* principall, 134 l. 13 s. 4 d.

Item, to the Earl of *Dalbousies* Regiment the sum of 7001 l. 13 s. 4 d. whereof by the Sherifffdome of *Haddingtoun*, 3384 l. By the Burgh of *Haddingtoun*, 324 l. By the Burgh of *Dumbar*, 180 l. By the Burgh of *Northberwick*, 36 l. And by the Sherifffdome of *Edinburgh* principall, 3077 l. 13 s. 4 d.

Item, To Colonel *Frasers* Regiment 10050 marks, whereof 7000 marks by the Laird of *Blindlie*, in full satisfaction of his fine of 10000 marks; And the other 3050 marks by the Sherifffdome of *Drumfreis*, out of the first and readiest of the 4446 l. payable by that Shire.

Item, To the Lord of *Kirkudbrights* Regiment, 12963 l. whereof the sum

sum of 10000 l. to be payed by the Lord *Herries*, for rescinding of his forefaule, and in satisfaction of his contravention of 10000 marks, for his good behaviour, for the which the L. *Kirkbright* is caution, and 2963 l. by the Sherifdome of *Wigton*, and Stuartry of *Kirkudbright*.

Item, To the Lord *Montgomeries* Regiment, 992 l. 6 s. 8 d. by the said Sherifdome of *Drumfreis*.

Item, To the Lord *Cowpers* Regiment the sum of 4266 l. 13 s. 4 d. whereof 4000 l. by the Sherifdome of *Perth*. 108 l. by the Burgh of *Culros*. 148 l. by the Sherifdome of *Kinross*. And 14 l. 13 s. 4 d. by the Sherifdome of *Edinburgh*, which with 10000 marks assigned to that Regiment, for the Earle of *Nithisdals* forefaule, compleats their moneths assignement for *Philip-hauch*.

Item, To fourtie Troopers of Colonell *Barkleys* Troop, for a moneths pay, at 14 s. *per diem*, 840 l. and 48 l. for a moneths pay to a Lieutenant, and 36 l. for a moneths pay to a Cornet, to be payed by the Sherifdome of *Edinburgh*, which compleats the Moneths Maintenance for that Shire, except 33 l. 13 s. 4 d. which yet rests thereof.

Item, To the Lord *Balcarras* 15000 marks, in compleat payment of his former precept of 10000 l. granted to him at *Perth*, and in satisfaction to him and his Regiment, of the summe assigned to them by the Act at *Glasgow*: And ordaines this summe to be payed out of the first and readiest of the superplus of the forefaid Moneths Maintenance, now ordained to be advanced, and not assigned or otherwise destinate to be payed in manner before rehearsed.

Which particular summes *respective* abovementioned, the Estates ordaines to be presently advanced and payed by the present Commissioners for Shires and Burghs, and persons *respective* above-named, to the forefaids Regiments and others *respective* above-designed: And ordaines the saids Commissioners for Shires and Burghs, to be repayed of the forefaids sums, hereby ordained to be advanced by them, as said is, by their saids Shires and Burghs, with the annual rent thereof, from the time of their advancement while the repayment: And ordains the like execution to be direct at their instance, for their relief and payment, as is appointed to be direct for payment of the forefaid Moneths Maintenance to the publick, by pointing and distreining of the Shires, Burghs, and persons deficient for the same: And the Estates declares, That the particular summes above-written, shall be allowed to the Burghs and Shires payers thereof, in payment of the forefaid Moneths Maintenance ordained to be uplifted from the whole Shires and Burghs of this Kingdome.

ACT XV.

ACT XV.

Answer of the Parliament to the Remonstrance of the Church.

11. February 1647.

THe Estates of Parliament now convened in this sixth Session of the first Trienniall Parliament, Having seriously considered the Remonstrance of the Commissioners of the Generall Assembly presented to them, Do with all thankfull acknowledgement receive the pious and seasonable admonitions and exhortations therein contained, and return to their particular desires this following Answer.

1. That they do hereby ordain all Acts already passed for punishing of vice and advancing of vertue, to stand in force, and be put to due execution, Recommending the same to all the Ministers of justice whom it concerns. And that they are yet ready to enact any further new Lawes and Ordinances necessary for that purpose, having appointed a Committee for Acts and Overtures to meet with M. *James Robertson* the Justice Depute at all convenient occasions, for receiving and considering the desires and Overtures of the said Commissioners, and to prepare a report of their opinions therein to the Parliament with all diligence.

2. That they have been ever carefull to preserve that Band of Union between the Kingdomes, and to prosecute the work of Uniformity according to the Covenant, still resolving zealously to study the same. That they have yet again made their humble addressees to his Majesty for signing the Covenant, and satisfying the desires of his Parliaments of both Kingdomes, All which their Instructions to their Commissioners at *London* and *Newcastle*, and their Letters to the Parliament of *England* do sufficiently expresse: And what further is to be done in relation to these particulars, shall be communicate to the Commission from time to time, that they may joyntly concul according to their place and vocation for prosecuting thereof.

3. Touching the particulars concerning these persons brought off the rebellion, by the Generall Major thereunto warranted, That the publick faith so given unto them is not to be violated: But for the better securing the peace and quiet of the Kingdomes, These persons brought off the rebellion are hereby appointed to give such further assurance of their good and regular behaviour in time coming, and for keeping the Peace as is conform to the former Lawes and Practises, And in the mean time that such of them and others accessary to the rebellion, and under censure of Church and State, whom the Committee thereunto appointed shall think fit, be commanded off Town, And that an Act and Proclamation be drawn by that Committee, and speedily expedited and prepared for the Parliament to that effect: Ordaining further, that the saids persons brought off the rebellion, and any others guilty of the crimes mentioned in the first Classe of the Act at *S. Andrews*, shall not be ad-

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mitted to sit in any publick Judicatories, nor enjoy and exerce any Offices or Places of trust Civill or Military, during the time of these troubles, and longer during the pleasure of the Parliament, without prejudice to persons who have heritable Offices; to nominate and appoint by the advice of Parliament, Committee of Estates, or Secret Councell, fit persons, against whom there is no just exception, to be their Deputes in these Offices. And it is also hereby declared, that these persons brought off the rebellion, are not to be in a better condition than other Subjects, But that they are and shall be lyable & subject in payment of all Loans, Taxes, Monethly Maintenance, and of their proportions for Leavies of Foot and Horse, at the rates and prices set down by Acts of Parliament, or Committee of Estates, or Committees of War in Shires where they have interest *respective*; And of all other publick burdens, impositions, and duties whatsoever, for all yeares bygone, and in time coming, as fully and in the same manner as any other person is or hath been subject thereunto.

4. That all the former Lawes and ordinances against excommunicate persons, are hereby appointed to stand in full force and vigour, Recommending to every one whom it concerns, to put the same to due execution: And what shall be found further necessary from the Parliament, to make that dreadfull ordinance of God, sensible to such obstinate offenders, And to have due regard and reverence from all, is to be considered by the said Committee, to whom the Overtures of the Commission to that purpose are referred; and after return of their report, The Parliament will take the same to speciall consideration.

5. That they are very sensible of the distresses of the Province of *Argyle*, and have already provided some means for their present subsistence and relief, Resolving still to take further course for their help and succour, and to prosecute the War against the Rebels, not only there, but in all the parts of the Kingdome.

6. That the busines of *Ireland* is carefully recommended to the grand Committee; wherein, after the result of their consultations shall be returned, they are to take some speedie and effectuell course accordingly.

7. That they judge it most just and reasonable, that the Judicatories of the Kirk be preserved in their integrity and authority, That insolencies against them be exemplarly punished, And that particular ordinances be drawn for that purpose, which is hereby recommended to the said Committee of Overtures.

8. That they have recommended to the Generall Officers, to punish the insolencies and disorders of Souldiers committed before this time, and for preventing the like hereafter, They are to consider the report of the great Committee, and to take course how the Officers that are to have command; may give assurance for restraining and redressing such insolencies and disorders for time to come.

And the Estates of Parliament hereby Statute and Ordain, That the particular Ordinances, Declarations and Answers above-expressed, shall have the strength and authority of Acts, Declarations, Answers, and ordinances of Parliament conform to the tenours and natures thereof *respective*.

A C T

A C T X V I.

Ratification of the Act anent the distribution of the 5000. l. Sterling, to the Lane Souldiers, and to the Widows, and Orphans of the deceased Souldiers.

17. February 1647.

HHe which day Sir *Adam Hepburn* of Hubmie, for himself, and in the behalf of the remanent Commissioners sent from the Parliament to Newcastle to the Kings Majestie, for representing to his Highnesse the particulars contained in the Commission and Instructions given to them, and for distributing, with advice of the generall Officers of the Army and Governor of Newcastle, of the Two hundred thousand pound Sterling that came down from London to the Armie, conform to the Commission and Instructions given to them thereanent, Produced and Exhibite in Parliament the Act underwritten, whereof the tenor followeth.

At Alnack 6. February 1647.

FOrsamuch as we are intrusted and authorized by the Parliament for distributing the two hundred thousand pound Sterling come from London, proportionably amongst all the Regiments of the Armie Horse and Foot, who have served in England, as well these who have been broken in the Service as these who are yet standing, And being also intrusted and authorized to give a proportionable share, not only to the living but to the Widows and Orphans of the dead, who served in *England*; Therefore having already appointed a due proportion for all the dead Officers, And taking to consideration how we might best acquite our selves in the discharge of that dutie, which in appointing some proportionable payment for the Lane, and Widows, and Orphans of the dead Souldiers, after speciall advice had with the Generall Officers of the Army thereanent; Have nominated and appointed the summe of five thousand Pound Sterling, to be distributed amongst the lane Souldiers, and the Widows and Orphans of the dead; And considering that it is impossible to attain to a just and exact accompt of the names and number of the forenamed Souldiers, and of their Widows and others having interest in them, Do after serious pondering of the Lane and slain of the Regiments, come from the severall Shires, nominate and appoint the proportion following, *viz.* For the Sherifdoms of Aberdene and Bamff 120 l. Sterling. Sherifdom of Mearns 100 l. Sterling. Sherifdome of Forfar 250 l. Sherifdome of Perth 600 l. Sherifdom of Fyfe and Kinross 750 l. Sherifdoms of Sterling and Clackmannan

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mannan 200 l. Sheriffdom of Lanerk 300 l. Sheriffdoms of Renfrew and Air, proportionably amongst them two 900 l. Sheriffdom of Wigtoun and Stuartrie of Kirkudbright 350 l. Sheriffdom of Drumsfries 200 l. Sheriffdom of Peebles 50 l. Sheriffdom of Berwick 200 l. Sheriffdom of Roxburgh and Selkirk 350 l. Sheriffdom of Haddingtoun 260 l. The Burgh of Edinburgh 50 l. Sheriffdom of Linlithgow 60 l. Sheriffdom of Edinburgh to Landward 260 l. ---- *Summa* 5000 l. Which proportion we ordain to be delivered unto the present Commissioners of the Parliament, or any of them of each Shire and Burgh, who upon the receipt thereof shall give Notes to the effect after-specified, And give warning to the severall Presbyteries in their respective bounds for causing every Minister of their number to bring into the Presbyterie from their severall Sessions an exact Roll of all common Souldiers belonging to their severall Parishes, of the abovenamed Regiments, Companies, Troups of Horse or Foot, that have been lamed or are dead in the service; And that this Roll shall be testified by any of the Officers of the field, Captain or Rootmaster, under whom they served, to be revised and approved by the severall Presbyteries *respectively*, and made use of as after followeth; That is to say, Each Presbytery of every Shire shall chuse a Ruling Elder of their number to whom the same shall be delivered, which Ruling Elders are hereby authorized to meet with the Commissioners of Parliament of the severall Shires and Burghs, at the head Burgh of the Shire or Stuartrie of Kirkudbright, upon a day appointed by the saids Commissioners immediatly after the receipt of the Presbyteries diligence made unto these Commissioners; And in the said meeting one or moe as they shall finde expedient of the Commissioners of the Shires and Burghs, and these Elders, shall distribute the summe appointed for their Shires proportionably amongst the severall Presbyteries, according to the number contained in the Rolls, and the rules of the proportion to be as followeth, *viz*, Ilk Souldier as he served on Horse or Foot, to have proportionably according to his standing in the service, allowing as much for the first six moneths from January 1644. to the moneth of June thereafter, as for fifteen moneths thereafter. And although we trust and be confident, that in a businesse of this nature every man will be faithfull and diligent, as he would shun the curse of the Almighty God, and procure his blessing, who is a defender of the Poor, Fatherlesse, and Widow; Yet for observing order and regulating enormities (if any shall be) It is hereby appointed, That all the Committees and Presbyteries aforesaid, shall make report of their diligence unto the Parliament, or Committee of Estates, or any nominate by them for that effect. And we do hereby further declare, That none who were Runawayes, or who have at any time joyned with the Enemy, shall have the benefit of this Article.

Sic subscribitur.

Leven, Balcarras, David Leslie, Hepburne, Ruthven of Frieand, *Ja.*
Holburne, William Glendoming.

Which

Which Act being publickely read in audience of the Parliament, And the same, with the particular Division and Distribution therein mentioned, Heard and Considered by the Estates of Parliament, They Ratified, Approve, and Allow the same; In the whole particular heads and Articles thereof, In all points conform to the tenor of the said Act, with the procedor of the Committee thereanent: And doe hereby interpose the authority of Parliament thereto, And ordains the same to have the force, strength, and effect of an Act of Parliament, and returns hereby publike thanks to the Army, and this present Act to be Printed and published.

ACT XVII.

*Anent the nine Moneths Maintenance for
the Armie, and Retention of one and a half
of the Hundred for the Annualrent.*

20. February 1647.



He Estates of Parliament now convened, in this sixth Session of the first Triennall Parliament, Taking to their serious consideration the long continuance of the present rebellion of our unnaturall Countrey-men; and of the invasion from the *Irish*, and the great expences that they must sustaine for suppressing of the same, and carrying on of the War; and how necessary and incumbent it is to them, that some solide and settled way be provided for the constant Maintenance of the Forces, Horse and Foot; Have therefore concluded, that six thousand Foot, twelve hundred Horse, two hundred and ten Dragoons, shal bee intertained and kept upon pay, towards the prosecution of the War against these Rebels and Invaders, untill the same, by the blessing of the God of Hostes, be brought to an happy end; Have therefore thought fit to statute and ordain, Likeas for that effect they enact and ordain, that ilk Shire and Burgh within this Kingdome, shall bee lyable and oblieged, in payment of the particular sums of Money, and that Monethly, and with the Suspension underwritten, for the intertainment of the Forces, Horse, Foot, and Dragoons abovementioned, and that for the space of nine Moneths, (whereof the most part of the first Moneth is already assigned by a former Act, towards the payment of the Regiments which served at *Philiphauch*) beginning the first termes payment from the tenth of January lastby-past, and so forth, after the expiring of that Moneth, to continue for other eight Moneths thereafter, untill the tenth of October next ensuing. But because the most part of that Moneths maintenance is either assigned or payed, and that the Forces abovementioned is ordained to pay all their intertainment, and take no free Quarters, which the Estates have ordained to be refounded unto them at the end of the Moneth,

neth, after their ingagement: Therefore it is statute and ordained, that for payment of their bygone Moneth, the Shires and Burrows shall readily pay, and deliver to Sir John Weemes of Bogie General Commissar, and Collector of this Kingdome, who is hereby appointed to pay the Regiments their severall proportions of Monethly maintenance, according to the divisions after following; that portion of the said first Moneths maintenance not formerly assigned, and also to pay and deliver unto him the whole other eight Moneths maintenance, and that Monethly, beginning the payment for the second Moneth upon the first day of March, for payment of the present Army, betwixt the tenth day of February, to the tenth day of March, in respect the said intervening dayes, are the least which can be allowed for in-gathering of this maintenance, and so forth Monethly thereafter from each first day of the Moneth to another, during the continuance of this present maintenance, except what is suspended in manner aftermentioned.

Followes the sums payable by the Shires, which is underwritten, and that Monethly, by the space of nine Moneths, from the tenth of January last by-past, to the tenth of October next to come, viz. Orkney of Monethly pay, 1143 l. Innernes, 4176 l. Caithnes, 945 l. Cromartie, 99 l. Sutherland, 423 l. Nairn, 315 l. Elgin, 1890 l. Aberdeen, 6543 l. Bamfe, 1431 l. Kincardine, 1566 l. Forfar, 5004 l. Perth, 8001 l. Fife, 6642 l. Striveling, 2538 l. Kinross, 144 l. Clackmannan, 522 l. Edinburgh, 4167 l. Linlithgow, 1746 l. Haddington, 3384 l. Berwick, 3555 l. Roxburgh, 5778 l. Selkirk, 1278 l. Peebles, 1638 l. Lanerk, 5382 l. Air, 6066 l. Wigtown and Stuartrie of Kirkcudbright, 4374 l. Drumfries, 4446 l. Renfrew, 2205 l. Dumbarton, 1233 l. Argyle, 2907 l. Bute, 459 l.

Follows the sums payable Monethly by the Burrows, conforme to their taxt Roll, viz. Edinburgh, 5175 l. Perth, 810 l. Dundie, 1200 l. Aberdene, 1260 l. Striveling, 240 l. Linlithgow, 324 l. S. Andrews, 780 l. Glasgow, 1530 l. Air, 342 l. Haddington, 324 l. Dyfert, 270 l. Kirkcaldie, 600 l. Monrose, 324 l. Comper, 216 l. Anstruther easter, 180 l. Drumfries, 270 l. Innernes, 450 l. Breechen, 120 l. Irwing, 252 l. Elgine, 135 l. Jedburgh, 126 l. Kirkcudbright, 80 l. Wigtown, 135 l. Pettinweyme, 120 l. Dumfermline, 162 l. Dumbarton, 162 l. Renfrew, 90 l. Lanerk, 162 l. Aberbrothok, 81 l. Bruntland, 216 l. Peebles, 108 l. Carrail, 216 l. Kinghorn, 108 l. Tayne, 90 l. Selkirk, 126 l. Anstruther wester, 54 l. Culros, 90 l. Dumbarton, 180 l. Bamfe, 72 l. Whitthorn, 45 l. Forfar, 27 l. Rothsay, 60 l. Forres, 54 l. Rutherglen, 45 l. Northberwick, 36 l. Culane, 27 l. Narne, 36 l. Lawder, 45 l. Innerkeithing, 90 l. Kilrynie, 27 l. Annand, 30 l. Lochmaben, 18 l. Sanquhare, 27 l. Galloway, 9 l. Dingwall, 18 l. Queensferrie, 108 l. Dornoch, 10 l.

And for the better inbringing and collecting of the foresaids sums of Money, for payment and intertainment of the forces abovementioned, as well Officers as Souldiers, The Estates of Parliament Nominates and Appointes the said Sir John Weemes of Bogie General Commissar, Treasurer, or Collector of this Kingdome for the said Army, with power to him to appoint Deputes one or moe in each Shire: And that other Collectors in such Burghs and Parishes be appointed by him in such like manner,

manner, as is contained in the Act of Loan and Taxt, which Collector-deputes as wel of Shires as Parishes, and Clerks of Shires for that effect, shall have such Fees as is allowed in the Act of Convention, made a-nent the in-gathering of the Loan and Taxt, and that to be uplifted out of the said Shires and Parishes 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 General Commissar and Collector foresaid, to appoint a Clerk of Collection whom he shall be pleased to nominate, and for whom he shall be answerable; Which Clerk of collection so to be appointed by him, Shall have the sum of two hundred Merks Sterling, to be payed out of the said Monethly maintenance for his paines and charges which hee must undergoe in collection of the Moneths maintenance above written: And it is Declared, and Ordained, That the Letters and Charges to follow upon this present Act, for implement of every Head and Article thereof, shall be raised and direct at the instance of the said Sir John Weemes General Commissar and Collector foresaid, against the Subcollectors of Shires, Magistrates of Burrows, Collectors of Parishes, Heritors, Fewars, Liferenters, and others adebted in payment of their severall proportions of the maintenance now imposed, with reservation of the suspensions underwritten, in the same manner, and with the same provisions and certifications as is contained in the Act of convention of Estates made for the Loan and Taxt, and that they have Letters of relief as is ordained by the said Act of convention.

And for the more speedie ingathering of this Maintenance: It is ordained, if any Shire, Burgh, or Person therein designed, be deficient in paying of their Monethly proportion, That the said Generall Commissar shall have Power, Authoritie, and Warrant, to raise in each Shire eight or ten Troupers to be intertained at the ordinary rates, and present establishment to be payed to them by the deficient, by and attour their proportionable Maintenance; And ordaines the Committee of War within each Shire *respective*, to be aiding and assisting to the said Treasurer, both in furnishing of Troupers, and inbringing the Maintenance: Or otherwise, The Estates of Parliament hereby gives him power to require Orders from the Generall Officers, that they would command such a number of their nearest lying and adjacent Souldiers, Horse or Foot, as he shall demand, to repaire unto him and be directed by him, for inbringing and uplifting of that proportion of the said Maintenance which shall not be readily payed, and these to have free Quarters by direction of the said Generall Commissar or his Deputes in the severall Shires, upon the Deficient Shires, Burghs, or Persons, ay and while they make ready payment of their part of the said Maintenance: And the Estates ordaines the Generall Officers, to readily answer the said Treasurer his desire foresaid.

And because it is conceived by the Estates of Parliament, That sundry Shires or parts thereof, or Burghs, are burnt, wasted, or so ruined, That they are not able to make reall and ready payment of the foresaid summes imposed upon them for the Maintenance; Therefore untill

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some tryall be made of their true condition, They have thought fitting to grant suspension: Likeas, they hereby do suspend the exaction of the particular summes underwritten from the Shires and Burghs following, In manner, and conforme to the limitations aftermentioned, viz. From the sheriffdome of *Invernes*, 2000 l. From the sheriffdome of *Suiberland*, 200 l. From the sheriffdome of *Nairne*, 315 l. From the sheriffdome of *Elgin*, 1000 l. From the sheriffdome of *Aberdene*, 6543 l. From the sheriffdome of *Banff*, 1431 l. From the sheriffdome of *Kincardine*, 400 l. From the sheriffdome of *Forfar*, 500 l. From the sheriffdome of *Pearth*, 3000 l. From the sheriffdome of *Sterling*, 1200 l. From the sheriffdome of *Kinross* Shire, 72 l. From the sheriffdome of *Dumbarton*, 633 l. From the sheriffdome of *Argyle*, 2907 l. From the sheriffdome of *Bute*, 459 l. Item, for the Burrows, viz. From *Pearth*, 500 l. From *Aberdene*, 1260 l. From *Sterling*, 80 l. From *Invernes*, 450 l. From *Breecchen*, 120 l. From *Elgin*, 80 l. From *Dumbarton*, 162 l. From *Banff*, 72 l. From *Rothesay*, 60 l. From *Culan*, 27 l. From *Nairne*, 36 l. From *Taine*, 45 l. From *Forfar*, 27 l. From *Forres*, 54 l. From *Dornoch*, 18 l.

Of the which summes immediately above written hereby suspended, It is declared, That the Generall Commislar or his Deputes, shall sue no exaction nor payment before the tenth of May next to come for such Shires and Burrows as are besouth the water of Dee, and the tenth day of June next for the Shires and Burrows benorth the water of Dee, Betwixt and the which time the Shires and Burghs who have not already taken out Commissions, are appointed hereby to take out Commissions from the Parliament, or any Committee established or to be established by them, for cognition of the losses direct to such as they respectivelie shall nominate to try and report, That the Lands and Burghs are burnt and so wasted, that they are totally disabled to pay rent, or if they bee able to pay any rent, that they shall pay proportionable Maintenance, which shall bee reported to the Parliament or their said Committee, That accordingly as they allow or disallow thereof, the foresaid suspended part of the Maintenance may be payed or discharged. And in case of the delay or failzie of the Commissioners for Shires and Burghs, to take out the saids Commissions and make the report before the daies prefixed, The Generall Commissioner is hereby warranted to charge them for the whole Maintenance, without consideration of the foresaid suspension: And for the greater evidence herein, It is ordained, that betwixt and the first of April next to come, the valuers of these Shires, whereof any part of the Maintenance is presently suspended, Shall deliver to the said General Commislar, or any Collector whom he shall appoint in each Shire *respectively*, a particular list and accompt of these Lands, whereupon that part of the Maintenance presently payable without suspension is imposed: With certification to the saids valuers in case of failzie of performance hereof before the said day, They shall be subject in payment of that part of the Maintenance, which is payable without suspension.

Item, It is ordained, That the Moneths Maintenance payable betwixt the tenth of Februar last by past, and the tenth of March next to come,

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Shall bee really payed, without any deduction for Quarterings in that time, But that the Quarterings of the new modelled Army and no others disbanded, shall bee allowed in the first end of the maintenance for the subsequent Moneths after the said tenth day of March, and that the same shall be deduced and discounted by the Generall Commislar to the Heritors, Fewars, or Liferenters of the first of their Maintenance, payable by them *respectively*, after the said tenth day of March, and thereafter to bee charged by the said Generall Commislar upon the Regiment accounts, for the Moneths subsequent to the said tenth day of March: It is alwayes provided, That these Quarterings shall bee proven and instructed, conforme to the Acts of Parliament made or to bee made thereanent.

Further it is enacted, statute and ordained, That every debter shall have retention from the Creditor of the quantity of one and a halfe of each eight payable for anualrent, So that the debter shall onely be lyable in payment of six and an halfe of anualrent of ilk hundreth of Stock, and that from the terme and time of Lambmesse, 1646. To the terme of Lambmesse next to come, 1647. And so forth proportionably thence to the last day of October next thereafter following, With this declaration and provision alwayes, That no Person Debter whatsoever, shall have the foresaid benefit of retention, who shall not pay his anualrent to the Creditor within the space of ane year out run, after that ane preceding years anualrent is fully restand awand unpaid: And it is declared hereby, That whatsoever Debter hath been payed their anualrents at eight *per centum* before the date hereof, at the feasts of Martimesse, or Candlemesse now last by past, Shall have deduction of the Creditor in their next tearmes anualrent, of so much as is ordained by this present Act to be deduced from Lambmesse last bygone, to the said time of the payment of the said anualrent: And it is also hereby specially provided, That whatsoever Creditor shall take hereafter, Band, Promise, or Condition from his Debter, for payment to him of the hail anualrent at eight *per centum*, without retention or allowance of the said deduction of the ane and a halfe for the hundreth, during the time prescribed by this Act, Or shall not grant the retention foresaid, Shall be conveyened and censured as ane usurer, notwithstanding of any such paction by word or writ.

And sicklike, It is Declared, Statute, and Ordained, That no retention of this present Maintenance shall be granted for any Debts, Cause, or Occasion whatsoever, and that no exemption other nor is above-written for burnt or wasted Lands, as is formerly exprest, shall be granted from this present Act and Ordinance to any Person or Persons, Except onely for Lands, Rents, Anualrents, and other duties mortified to Colledges, Schooles, Hospitals, Ministers and Schoolmasters Stipends, and for upholding Kirks and Bridges, But that all other Heritors, Liferenters, Taksmen, Titulars, Proper-Wodsetters, Pensioners, Conjunct-fiers, Ladytercers, and others subject to the valuation within Shires and Burghs, shall be lyable to their proportionable part of this Maintenance, conforme to the Act already made hereanent in this Session of Parliament,

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ment, of the date the tenth day of December last by past: And that the Lands and Teinds shal pay as they lye locally in Shires or Burghs, Conform to the Act of convention for the Loane and Taxt, and former 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 by the Act of Parliament anent the Classes, 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 be no hinderance nor diminution to the Maintenance presently imposed: and where there is not a full *Quorum* of the valuers on life and not censurable, That the number be supplied by the Parliament or Committe of Estates. And for the Burrows part, it shall be rectified and changed according as their Taxt Roll shall be altered, there being no diminution of the totall summe: And further, It is ordained, That no suspension be granted without consignment, as is appointed by the Act of Maintenance of the 27 of Februar, 1645. And that all Heritours within Burghs and Penticles and Liberties thereof (including for *Edinburgh* as Penticles thereof, the Houses Tenements and Yeads, in *Leith*, *Cannongate*, and *Pleasance*, Whereof the Town is either Proprietors, or Superiors, and for the other Burrows all that hath beene in use to bee Taxt with them) Shall contribute with them for payment of the Maintenance, conform to thir two clauses of the said Act, which are holden as insert and repeated in this present Act; But Prejudice of the Lords of Session their Priviledges, conforme to the former Acts of Maintenance: And ordaines this present Act to be Printed: As also, Ordaines the foresaid Act of the convention of Estates, anent the Loane and Taxt to bee reprinted.

ACT XVIII.

Act anent the establishment and pay of the Armie.

29. February 1647.

THe Estates of Parliament now conveened in this sixth Session of the first Trienniall Parliament, Having taken to their consideration the overtures represented to them by the Generall Officers of these Forces, now to be employed anent the particulars aftermentioned, concerning the good of the service, and provision and pay of the Officers and Souldiers.

First, The Estates ordaines and appoints, That there be seven Ministers sent with the seven Regiments of Foot, and three Ministers for the Generall Officers and Troups of Horse, which being recommended

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to the Commission of the Kirk, they promised to provide Ministers accordingly.

2. The Estates ordaines the Generall Commissar or some such of his Deputes as he shall appoint, to remain constantly with the Army.

3. The Estates ordaines foure moneths provision of Meal to bee presently provided for the Foot Armie, which they estimate at two pound of Meal in the day to ilk Souldier of six thousand, To twelve thousand bols Meal: And appoints the places for keeping the same Magazine of Meal, to be in *Inverness*, *Dundie*, *Pearth*, *Blair of Athole*, *Dumbarton*, *Inverary*, and *Dunstaffnage*, According to this proportion, viz. Two thousand bols Meal at *Inverness*, foure thousand bols at *Dundie*, *Pearth*, and for the *Blair of Athole*, two thousand bols at *Dumbarton*, two thousand bols at *Inverary*, and two thousand bols at *Dunstaffnage*: And in the meane time ordaines these three thousand bols Meal which the Lord *Humbie* declares is come from *England*, to be received by the Generall Commissar or his Deputes, and ordaines him to provide Ships and Barkes for transporting and sending of two thousand bols thereof to *Inverness*, and a thousand bols to *Sutherland*: And the Estates ordains the Lord *Humbie* to be payed of his super expences of his Scots accounts, conforme to the Act of Parliament granted to him for assurance thereof; Which they ordain to stand and have effect for his payment, notwithstanding of any act made or to be made in the contrare, which the Estates hereby declares shall no wayes derogate to the Lord *Humbie* his Act and payment.

4. The Estates Ordaines the Generall Commissar to cause provide sick reasonable number of Pans as shalbe necessary for the Foot Souldiers.

5. The Estates nominates, appoints, and ordaines General Major *Holburn* to be Generall Major of the Regiments of Foot, under Generall Major *Middletoun*, who is Generall Major both of Horse and Foot; And ordaines Generall Major *Holburne* to receive orders from the said Generall Major *Middletoun*.

6. Because intelligence is necessary, and it is uncertaine what shall bee debursed by the Commander in chief upon intelligence: The Estates ordains that what shall be given upon account as debursed by the Commander in chief upon intelligence, to be repayed to him.

7. The Estates ordaines that there be threescore twelve Souldiers out of every Regiment of six Regiments of Foot commanded to carry Halberts, with back, breast, and head-peece, and allowes to every one of these two shillings Scots of pay daily, more then the ordinar Foot Souldier gets, providing they constantly carry their Arms foresaid for the service as they shall get orders, otherwise they are not to get this augmentation: And recommends to the General of Artillerie the furnishing of thir men with the Arms above specified.

8. The Estates ordaines the Wives and Children of the Rebels, Enemies to the Kingdome (except such Children are as forisfamiliat, and Wives and Children as have not adheered to the courses of their Husbands and Fathers that are in the rebellion) to be sent to their saids Husbands and Fathers where ever they march.

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9. The Estates ordaines the Wives or Children of the deceast Souldiers in the Service to get payment of their arrears.

10. The Estates ordaines ane Committee to be appointed, to think and condiscend upon some course for supply of the lame Souldiers in the Service.

11. The Estates ordaines the Lieutenant Generall his Dragooners to be kept up, and made up threecore ten strong, and reduces the other two Companies of Dragooners to the like number, *viz.* Ilk one of them to threecore ten.

12. The Estates for the good of the Service and subsistence of the Officers and Souldiers, Ordaines and appoints that there be ane Provest Marshall, with his Executioner to be appointed for the Army.

13. The Estates gives power to the Generall Officers by themselves, to give Battell to the Rebels, and to pursue all advantages against them, as the saids Generall Officers who commands in chief upon the place shall think fit.

14. The Estates allows ane baggage Horfe upon ilk twenty Souldiers, with ane man for ilk two baggage Horfe; And appoints the man to have daily five shillings for himself, and four shillings for the baggage Horfe daily for the Moneths of March and April, and thereafter two shillings daily for the baggage Horfe, And modifies fiftie Merks for the price of the baggage Horfe, to be given to the Colonel of the Regiment, and delivered by him to the Captaines of the severall Companies, who are hereby ordained to uphold the saids baggage Horfes; And ordains the Generall Officers to view the baggage Horfes that they bee answerable to the foresaid price, and the numbers thereof made up.

The Estates for encouraging the Officers and Souldiers, and for the good of the Service, Ordaines that the haill Officers to Horfe and Foot shall have full Scottish pay, And the Troupier foureteeen shillings daily, the Foot Souldier five shillings daily in Viactuall and Money.

Item, The Dragoonier shall have ten shillings daily, And the Officers to the Dragooners to have a third more nor is exprest in the Act of Parliament of the 19 of November, 1646.

Item, The Estates allows to the Quarter-master Generall, To have ane Root-masters pay, with allowance also to him of ane Lieutenant, who is to have the pay of ane Lieutenant to Horfe.

Item, The Estates allows to the Adjutant ane Root-masters pay.

Item, The Estates allows three Chirurgians to the haill Troups of Horfe; and ane Chirurgian to each Regiment of Foot, As also allows ane Smith to each Troup, And allows three Sadlers for the haill Troups.

Follows the establishment of the pay to the Officers and Souldiers Horfe and Foot.

Ane Colonel of Foot *per menssem*, 333 l. 6 s. 8 d. Lieutenant Colonel of Foot *per menssem*, 200 l. Major of Foot *per menssem*, 133 l. 6 s. 8 d. Regiment Seriver *per menssem*, 30 l. Regiment Quarter-master *per menssem*, 45 l. Minister *per menssem*, 40 l. Chirurgian *per menssem*, 45 l. Drummer Major *per menssem*, 18 l. Provest Marshall *per menssem*, 18 l. Six Captaines

ptaines of Foot *per menssem*, 600 l. Six Lieutenants of Foot *per menssem*, 270 l. Six Ensignes of Foot *per menssem*, 216 l. Twelve Serjeants *per menssem*, 180 l. Six Captains at Armes *per menssem*, 90 l. Eleven Drummers *per menssem*, 132 l. Eight hundred common Souldiers at 5 s. *per diem*, is *per menssem*, 6000 l.

Ane Root-master *per menssem*, 150 l. Lieutenant to Horfe *per menssem*, 67 l. Cornet *per menssem*, 54 l. Quarter-master *per menssem*, 45 l. Three Corporals *per menssem*, 108 l. Two Trumpeters *per menssem* 60 l. Four-score Troupers at 14 s. *per diem*, is *per menssem*, 1680 l. Ane Smith to each Troup *per diem*, 18 s. Three Sadlers to the haill Troups, to each Sadler *per diem*, 18 s.

Ane Captaine of Dragooners *per menssem*, 101 l. 5 s. Ensigne to the Dragooners *per menssem*, 45 l. Lieutenant of Dragooners *per menssem*, 56 l. 5 s. Two Serjeants *per menssem*, 51 l. Three Corporals *per menssem*, 67 l. 10 s. Ane Drummar *per menssem*, 22 l. Threecore ten Dragooners at 10 s. *per diem*, is *per menssem*, 1056 l. *Item*, allowing ane Secretar to each of the Generall Officers, And appoints to the Secretar for the Generall, and Lieutenant Generall, to each of them 100 l. *per menssem*, And to the Generall Majors Secretar *per menssem*, 100 Merks.

Follows the establishment of the pay for the Generall Commissar and his Deputes.

To the Generall Commissar *per menssem*, 1000 Merks. To ane Depute Commissar for proveant *per menssem*, 240 l. To ane other Depute Commissar for keeping the Casch *per menssem*, 360 l. To ane servand for keeping the Casch and Book *per menssem*, 72 l. To two servants under the proveant Masters, each servant of them *per menssem*, 60 l.

And the Estates appoints and ordaines the Generall Commissar and his Deputes, to bee Muster-Master of the haill Forces, And that they doe exact dutie thereuntill; And that this bee insert in the Generall Commissars Commission.

Follows the traine of Artillerie and pay thereof.

And siclike, The Estates having taken to their consideration, the train of Artillerie and provision thereof, They ordain and appoint, ane hundred and twenty Horfe for carrying of Ammunition, field Pieces, Piltardes, and materials: and modifies the price of each of the Horfes to 40 l. *inde* 4800 l. *Item*, Threescore men, being ane for each two Horfe, at the rate of ane Troupier, which is *per diem* to each Man and two Horfe 14 s. *Item*, They ordain that *John Forrest* Bowyer be agreed with for three thousand Pickes, that the same bee presently headed, and remits to the Committee for moneys, and Generall Commissar to agree with *John Forrest*, and satisfie him for the same.

Item, Concerning the Magazine, and keeping thereof, The Estates appoints that the Castle of *Edinburgh* shall be the place where the same shall be kept, and remits to the Committee for moneys to consider of the keepers, and condiscend upon their allowance.

Item, The Estates finds it necessar that 600 or 400 Halberts be provided, and desires the Town of *Edinburgh*, and the rest of the Burrows to provide the same, and ordaines *Archibald Sidserfe* to make search for

for the saids Halberts, And ordaines the Generall Commisfar to take order for payment thereof: And ordaines, that provision be presently sent to the Blair of Athol.

Item, The Estates Ordains; That six Field Pieces be sent to the Randevous at Montrose, with Ball and other furniture: And that new carriages be provided and sent to the five Pieces which are at Fyvie; with Ball correspondent, which will be sufficient for the Service: And Ordaines Lieutenant Colonell *Hamiltoun* to go along to command the Train after-specified, viz. Ane Gentleman or Quarter-Gunner, Ane Carriage Master, the Commisfar and Quarter-master to bee ane for all, with two Clerks, six Cannoneirs, and six Mates, two Work-masters; or Ingeniures, ane Pittardeir, and a Servant, two Carpenters, and ane Cowper, a Smith, and two Myners, at the rate set down in the establishment following, viz. The Lieutenant Colonell *per mensem*, 200 l. as Lieutenant Colonell, And ane hundred pound *per mensem*, for ane Captains pay. Item, To the Captain Commisfar and Quarter-master, being all one *per mensem* 100 l. To ane Gentleman or Quarter-Gunner *per mensem*, 45 l. To a Carriage-master *per mensem*, 45 l. To two Clerks, each of them *per mensem*, 22 l. 10 s. To six Cannoneirs each of them *per mensem*, 27 l. To six Mates each of them *per mensem*, 18 l. To two Work-masters each of them *per mensem*, 24 l. To ane Pittardeir *per mensem*, 45 l. To his Man *per mensem*, 18 l. To two Carpenterseach of them *per mensem*, 27 l. To ane Cowper *per mensem*, 27 l. To ane Smith *per mensem*, 27 l. To the Smiths Man *per mensem*, 12 l. To two Myners each of them *per mensem*, 27 l. To the Proveft Marshall *per mensem*, 45 l. To his Lieutenant *per mensem*, 30 l. To two Servants *per mensem*, 18 l. betwixt them, each of them 9 l. *per mensem*. And to ane Executioner *per mensem*, 12 l.

And als the Estates of Parliament taking to their consideration the Generall Officers their charges *respective* in the foresaid Army, They appoint their pay and satisfaction to be as followes, viz. They Ordain and Appoint, the summe of ten thousand merks to bee given and payed yearly to *Alexander Earle of Leaven*, Lord Generall, during the imployment of the Army against the Rebels, and if the Parliament or their Committee shall command his Excellence to go in Person to the Fields, his charges to be taken in consideration.

Item, They ordain the Lieutenant Generall *David Leslie*, to have Ane thousand pound Monethly, by and attour his pension. Item, Ordaines Generall Major *Middletoun* to have twelve hundred merks Monethly; And ordaines Generall Major *Holburn* as Generall Major and Colonell, to have ane thousand merks Monethly.

And the saids Estates ordaines the preference of the command of the Troups to be ordered by the Generall Officer Commander in chief present for the time, as he shall think fittest for the service and content of the Officers, according to the severall occasions of imployment, without Regimenting or putting of them in constant squadrons.

As also ordaines the Generall Officers to revise the Articles of discipline of War, with advice of Master *Robert Douglas*, *M. Monge Law*, and

and ane Ruling Elder, in respect there is many particulars contained therein, which concerns the Church and Discipline thereof. And ordaines them to report to the Parliament.

Followes the rates and prices of Rivers.

And lastly the Estates of Parliament, for eschewing of abuses, and exacting of extraordinary prices fra the Officers and Souldiers, They modify the prices following to be taken for the particulars after-specified; viz. For ane Bow Aits, 4 l. For Strae in the night, 2 s. and if they stay 24 hours to pay no more. And for Hay, 3 s. For the pint of Ale to be according as it sells in the severall places, or hes sold before the Armies coming there, not exceeding sixteen pennies. For oat-bread being 20 ounce, and wheat-bread 16 ounce, each of them 12 d. For ane sheep on foot, the price 50 s. For the bowk 40 s. For the Lamb 18 s. For the Kid 20 s. For the Kow on foot 13 l. 6 s. 8 d. For ane pound of cheefe 20 d. For the pound of butter 3 s. 4 d. And ordaines the milk to be of the price of the Ale. For ane Capon 6 s. For ane Hen or Cock 4 s.

And declares, that the Table above-written of the rates and prices above-specified, is to be payed in the present transient Quarters to the Randevous, And thereafter to be rates and prices for the bounds benorth Tay: And to be changed as the Generall Officers and Committee with the Army (if there be Committee) shall think fit.

ACT XIX.

Act against Run-awayes, and their Resettlers.

25. February 1647.

THe Estates of Parliament taking to their consideration the prejudice that the publike Service of the Kingdom is likely to sustain, by the running away of these Souldiers, Horfe and Foot, that are inrolled in the Companies, Regiments, and Troups, now imployed and kept up for the Service from their Companies and Colours, whereof they are inrolled as Souldiers and Troupers: The Estates for remeid hereof, do hereby Ordaine and Command all these Souldiers, Foot or Horfe, who are inrolled to be of the foresaid new Army, kept up and imployed for the Service of the Kingdome; To repair to their severall Troups, Regiments, and Companies *respective*, whereof they are Souldiers, betwixt and the first day of March next to come, under the pain of death: And als, The Estates statutes and ordaines, That whosoever shall reset any of the foresaid Souldiers, Horfe or Foot, after these resettlers knowes the saids Souldiers to be inrolled as Foot Souldiers or Troupers of the foresaid new Army, shall pay an hundreth pound Scots for ilk person reset by them, To be up-lifted and imployed for the use of the Publike. And farther, The Estates ordaines the Persons Resettlers to be seized upon, to supply the Service in place of the Run-awayes

Run-awayes refetted by them: And Ordaines the Commissioners for Shires and Burrowes, to acquaint the Committees of War of Shires, and Magistrates of Burghs herewith, and that they see thir presents put to execution: And the Estates grants power to the officers of the Army, to do justice upon such Run-awayes as they shal apprehend; And ordains thir presents to be presently Printed; and Published at the Market Crosse of *Edinburgh*, and Copies delivered to the Commissioners of Shires and Burghs, to be Published at the Market Crosse of the Head Burghs of the severall Shires of the Kingdome, and Paroch Kirks within the same Shires: Which being so published at the saids Market Crosse and Paroch Kirks, The Estates declares, shall have force and effect against all Refetters of Run-awayes, after the foresaid Proclamation hereof at the Market Crosse and Paroch Kirks *respectively*, where the Refetters dwels, To make the Refetters lyable for payment of the foresaid ane hundred pound for ilk Souldier refetted by them.

ACT XX.

Act anent the inbringing of the first two Moneths Maintenance.

27. February 1647.



He Estates of Parliament now conveyened in this sixth Session of the first Trienniall Parliament, Gives war-
rand and command to the severall Collectors of Shires and Burghs under-written, *viz.* To *John Falconer*, for the Sheriffdome of *Kincardine*: To *James Guthrie*, for the Sheriffdome of *Forfar*: To *Blair* of *Ardblair*, for the Sheriffdome of *Perth*: To *David Weemes* of *Balfarg*, for the Sheriffdomes of *Fife* and *Kinross*: To *Normand Levingstoun* Portioner of *Falkirk*, for the Sheriffdome of *Stirling*: To *William Gra- hame* of *Hiltoun*, for the Sheriffdome of *Clakmannan*: To *M. Robert Hodge*, for the Sheriffdome of *Middle Lothian*: To *M. John Bruce* of *Fre*, for the Sheriffdom of *Linlithgow*: To *John Hepburn* of *Craig*, for the Sheriffdom of *Haddingtoun*: To *William Hume* of *Linthill*, for the Sher- riffdome of *Berwick*: To *James Lithgow*, for the Sheriffdoms of *Roxburgh* and *Selkirk*: To *Cuthbert Smith*, for the Sheriffdom of *Pebles*: To *James Cuninghame* of *Coblehauch* for the Sheriffdom of *Lanerk*: To *William Wallace* of *Fail*, for the Sheriffdom of *Air*: To *Andrew Agnew*, Appea- rand of *Lochnaw*, for the Sheriffdom of *Wigtoun*: To the Laird of *Bar- gattoun*, for the Stuartrie of *Kirkcudbright*: To *William Levingstoun*, for the Sheriffdome of *Drumfries*: To *M. William Wallace*, for the Sherif- dom of *Renfrew*: To *William Noble* Fear of *Ardardan*, for the Sherif- dom of *Dumbarian*: To
Orknay To
for the Sheriffdom of *Inverness*:
To

To
for the Sheriffdome of *Caithness*: To
for the Sheriffdome of *Cromartie*: To
for the Sheriffdome of *Sutherland*: To
for the Sheriffdome of *Nairn*: To
Sheriffdome of *Elgine*: To
dome of *Aberdene*: To
for the Sheriffdome of
Bamf, To ingather and up-lift the two Moneths Maintenance, for the Moneths betwixt the 10. of January last, and the 10. of March next to come: And to deliver so much of the first Moneths Maintenance as is already assigned for disbanding of the Army, To the Commissioners of Shires and Burghs who have already under-taken for payment there- of, and to deliver the superplus of the said first Moneth not assigned, Together with the whole second Moneths Maintenance to the General Commissar, And that betwixt and the 10 day of March next to come, That the same may be then delivered to the Army at their Randevouz, conforme to the former orders of Parliament. And for the saids Col- lectors more sure and speedy in-gathering thereof, The Estates gives power and warrant to the saids Collectors and every one of them, To raise eight or ten Troupers in every Shire, for poinding and distreinzing all Deficients and Delayers of payment of their parts of the two Mo- neths Maintenance above-specified: And this with speciall declarati- on, That the present nomination of Collectors for thir two Moneths, Shall be but prejudice to the Generall Commissar, to continue them in their charge, or nominate others in their places, for collection of all publike dues payable to him for all other Moneths, after the two Mo- neths above-expressed: And ordaines this present Act to be Printed and sent to the foresaid Shires and Burghs.

ACT XXI.

Act anent these excepted from getting Pardon or Conditions.

4. March 1647.



He Estates of Parliament having taken to their consideration what persons are to be excepted fra getting Pardon or Con- ditions granted to them, The saids Estates findes and de- clares, That *James Grahame* sometime Earle of *Montrose*, is not capable of pardon: And that any power formerly granted to any Generall Officers, or to be granted hereafter to them or others, autho- rized by the Parliament, did never extend, nor shall hereafter be exten- ded to pardon the said *James Grahame*, and that there shall never be any Conditions granted to him, nor any Treaty or Capitulation with or for him. And siclike the saids Estates of Parliament findes and de- clares, That *Alister Macdonald* shall have no Conditions: And like-
F
wife

wife that James Gordoun sometime Lord of Aboyne, shall have no Conditions: As also findes and declares, That George Gordoun sometime Marques of Huntley, Lodovick Lindsey sometime Earle of Crawford, and Sir John Hurrie, shall have no Conditions granted to them, or any of them. But the Estates findes, That Lewes Gordoun son to the late Marques of Huntley, may have some Conditions.

ACT XXII.

Act and Commission anent the Excise

10. March 1647.

He Estates of Parliament now convened in this sixth Session of the first triennial Parliament, taking to their serious consideration, that the Maintenance already imposed upon the severall Shires and Burghs of the Kingdom, will not be sufficient to entertain the Army which they are necessitate to keep up, for repressing of the Rebels and enemies of this Kirk and Kingdom, and for the incident charges of that Army; And finding no other way more just and equall, and lesse prejudiciall to the Kingdome, for supply and making up the additionall charge for entertainment of the Army and incident charges thereof; Than the raising and uplifting of Moneyes by a regulate and well-ordered Excise. They therefore Statute and Ordaine, That the severall rates of Excise after-specified, Shall bee payed for all and every one of the particular Commodities and others following, by and attour all Customes and others Dueries due and payable for the same, viz. For ilk Boll of Malt Brewen in Ale or Beer strong or small, To bee payed by the Brewer thereof, 20 s. And the Brewers for their relief, shall have power to take up from the buyers for the Excise of ilk pinte of Ale or strong Beer, two pennies, and of ilk pinte of small Beer, ane penny. For ilk pinte of forraine imported Beer, to bee payed by the importer thereof, 12 d. For ilk pinte of French wine, 1 s. 4 d. For ilk pinte of Spanish Wine, Renish Wine, Canarie and Malvasie, 2 s. 8 d. And the Estates enacts and ordaines, That the Excise of the Wines already in the Vinters hands, be payed by the Vintner Monethly after the same is sold, And that the Excise of the Wines already imported and yet in the Merchants hands unfold or hereafter to be imported, Be payed by the Merchant importer thereof, within the space of ane Moneth after the same shall be sold by the Merchant, and the Merchant importer of the Wines, shall have hereby power to take up the Excise thereof from the Vintners. For ilk pint of Aquavita or strong waters made within the Kingdom, To be payed by the maker thereof, 2 s. 8 d. And for Aquavita and strong waters imported, sold, and made use of within the Kingdom, In respect the same is prohibite and ought to be confis-

Table of Excise.

cate, To exact the Excise for ilk pinte thereof, 6 s. 8 d. Without prejudice of the confiscation by the Kings Thesaurer and his Deputes according to former Acts. For ilk pound of Tobacco, To bee payed by the importer thereof, 2 s. For ilk Oxe, Kow, or Bull slain, of sixteen pound price or above, To bee payed by the slayer thereof, 20 s. For ilk Oxe, Kow, or Bull, slain under sixteen pound price, To be payed by the slayer thereof, 13 s. 4 d. For ilk Ox, Kow, or Bull exported, To be payed by the exporter thereof, 30 s. For ilk sheep slain, To be payed by the slayer thereof, 2 s. For ilk sheep exported, To be payed by the exporter thereof, 6 s. For ilk Stirke of eight pound price or above slaine, To be payed by the slayer thereof, 6 s. 8 d. For ilk Stirke under that price slaine, To be payed by the slayer thereof, 4 s. For ilk Stirke exported, To be payed by the exporter thereof, 10 s. For ilk Calf or Goat slaine, To be payed by the slayer, 2 s. For ilk Swine, 6 s. For ilk Lamb or Kid slain, To be payed by the slayer, 12 d. For ilk Lamb or Kid exported, To be payed by the exporter thereof, 2 s. For the imported Merchand wares after-specified, viz. All cloath, bailes, freeses, kairfayes, searges, and all other cloath and stufte made of wool: As also for all sorts of silk stufes, worset and hair stufes, or mixt stufes of linen and wollen, hats and harbands of all sorts, stockings of silk, worset or threed, silk ribbins, pearling lace and paments of silk, silver, gold, worset or threed, hanks and pins of gold and silver threed, cloath of gold and silver, cambrick, lawne, Holland cloath and stufes, and all kinde of made work whatsoever, imported for sale, for ilk Twenty shillings worth thereof, 12 d. (Excepting herefra, boots and shoone imported, which are declared to be Excise free) To be payed by the Merchant importer, The ane halfe thereof within three Moneths after the importing of the same, and the other half within three Moneths thereafter: And that the Merchant importer within the space of fifteen dayes after the importing of the laids goods hereafter, Give up ane true entry thereof to the Commissioners, under the paine of confiscation of what is not given up: And for what is already imported, that these persons in whose hands the same is, within fifteen dayes after the proclamation hereof, Give up ane true inventar thereof to the laids Commissioners, under the paine of Confiscation, and pay the Excise Monethly when the same is sold, upon oath. For ilk Twelve pounds worth of coals exported in Scots or English bottomes, To be payed by the Coal-master, 10 s. For ilk Twelve pounds worth of coals exported in forrain bottomes, To be payed by the Coal-master, 15 s. For all yarne exported either linen or wollen, for ilk Twenty shillings worth thereof, To be payed by the exporter, 2 s. For all Ruche hides exported, for ilk Twenty shillings worth thereof, To be payed by the exporter, 2 s. For sheep-skins exported, for ilk Twenty shillings worth thereof, To be payed by the exporter, 12 d. For all wool exported, for ilk Twenty shillings worth thereof, To be payed by the exporter, 2 s. Without prejudice of the confiscation by the Thesaurer and his Deputes, Conform to the former Acts of Parliament. For ilk staine of tallon exported, for the Excise thereof, 20 s. Without prejudice of the confiscation thereof by the Thesaurer and his

Deputes, Conform to the former Acts. *Item*, For ilk Twenty shillings worth of goat skins exported, 12 d. And for ilk Twenty shillings worth of buck and deer skins exported, 2 s.

And the Estates declares, that the payment of the Excise abovementioned, for any of the particular commodities before rehearsed, which are prohibite and forbidden goods, to be exported, or imported, is and shall be alwayes but prejudice of the confiscation thereof by the Thesaurer and his Deputes, conform to the former Acts made thereanent.

And further, the Estates findes, declares, and ordaines, That the foresaid Excise appointed to be payed for Ale, Beer, and Fleashes, as is before ordained, shall onely be payable for that which is bought and sold, and not for that which is Brewen and slain in mens own houses for their private use and not for sale: As also what is Brewen by Universities, or sold to them for their drink, shall be likewise free of Excise.

Which Excise abovementioned, regulate in maner before rehearsed, and Collection thereof, The Estates declares, shall begin upon the twelfth day of March instant for the Wines, as also shall begin for all the other Exciseable Commodities and goods foresaids within the whole bounds both to Burgh and Landward upon the south side of Tay, upon the twentieth day of March instant, And upon the thirtieth day of the said moneth of March instant, for the whole bounds foresaid upon the north side of Tay, and shall only continue and endure while the first day of January next, 1648. exclusive, after the beginnings thereof *respectivè* foresaid.

And the saids Estates, ordaines the summe of fourscore thousand merks *per mensem*, of the first and readiest of the foresaid Excise moneys during the space abovewritten, to bee employed to make up and supply the additionall charge of the entertainment of the Armie, and incident charges thereof, with the foresaid Maintenance already imposed: And ordaines the superplus of the Excise moneys to bee employed for payment of bygone Quarterings, the Gilders and silverwork yet unpaid, if any be, and for payment of the annualrents of the borrowed moneys addebted by the publike, upon publike securitie: And ordaines the same superplus of the Excise moneys, to bee allowed for these causes *respectivè*, after compt and reckoning made thereanent, and after the said summe of fourscore thousand marks *per mensem*, designed for the supply of the entertainment of the Armie, and incident charges thereof, shall be first compleatly payed *per mensem*.

*Commissi-
on for the
Excise.* And the saids Estates of Parliament finding it necessar that a Commission be given to some able persons who may have the sole and onely ordering and manning of the said Excise: They have nominate, appointed, and made choise of, And hereby nominates, appoints, and makes choise of *David* Earle of Southesk, and *Robert* Lord Burghley for the Noblemen, *Sir Michael Balfour* of Deanemylne, and Master *George Dundas* of Maner for the Barons, *George Jameson* Provost of Cowper, and *George Gairden* Burgesse of Bruntland for the Burrows, to be Commissiones for the Excise. And the saids Estates, do hereby give,

grant,

grant, and commit full power, warrant, and Commission, to the forenamed persons, or any four of them, as a *Quorum*, there being one of ilk estate, to have the sole and only ordering and manning of the Excise; And to nominate and appoint Collectors, ane or more for Presbyteries or Shires, as they shall think fitting, and to remove, alter, and change them alle oft as need is, and to make and set down all such Acts and ordinances as they shall finde necessar and expedient for the furtherance of the service, and to see the same put to due execution; And to call for, and receive in, the compts of the whole Excise of this Kingdome; and to fit and allow the same, and to appoint and ordaine the whole Excise moneys to be payed and delivered in to *James Stuart* Thesaurer or General Collector of the Excise, who is onely to disburse and give out the same again, as he shall bee warranted by precepts direct to him by the saids Commissioners, and by these fix of the Committee of Estates who are to be adjoynd to them as Commissioners with them, for ferming of the Excise, the *Quorum* of both joynd together for ferming & granting of the saids precepts, is hereby declared to be seven, there being two of ilk estate, To whom the saids Estates of Parliament do hereby give and commit the sole and onely power of the granting and subscribing of the saids precept: With power also to the said fix Commissioners for the Excise, hereby nominate as said is, or any four of them as a *Quorum*, there being one of ilk estate, to call before them all persons who shall happen to violate or transgresse any of the Acts and ordinances made or to bee made anent the Excise, or who shall happen to doe or offer any wrong or injurie to the Collectors, Messengers of arms, or any others persons, who are or shall be employed in the Excise, and to censure and punish them as their fault deserves: As likewise to grant and direct forth letters of Horning, Poynding, Caption, & all other letters and executorialis necessar and requisite for payment of the said Excise tak duties thereof, and for the speedy ingathering and uplifting of the same, and for fulfilling of all Acts and ordinances made or to be made thereanent, and of the bands given, or to bee given by the Collectors and their Cautioners, or by the Fermers and their Cautioners, and in like manner to grant suspensions upon good reasons of the charges of Horning to be used for payment of the Excise, and to decide and discusse the saids suspensions, and also to discusse, decide, and determine all actions, questions, and controversies that may arise betwixt party and party, or betwixt any party and the Collectors or Fermers anent the Excise, and to pronounce decret and sentence therein, and to direct forth all Letters and executorialis necessar and requisite thereupon, and to do and perform every thing concerning the said Excise, ordering and manning thereof.

And sicklike, The saids Estates of Parliament do hereby, give, grant, and commit to the saids Commissioners for the Excise, and to such fix of the Committee of Estates as shall bee designed and appointed by the said Committee for that effect, *viz.* Two of ilk estate, whom the saids Estates of Parliament do hereby ordaine the said Committee of Estates to nominate and designe, and who being so nominate and designed, are hereby

hereby joyned with the other six Commissioners abovenamed, to bee Commissioners for the Excise; in the matter of ferming and granting of precepts allanerly, or to any seven of the saids whole twelve Commissioners as a *Quorum*, there being two of ilk estate, full power warrand and Commission to set in ferming the Excise of particular Burghs, Shires, Presbyteries, or Parishes, as they shall think fit; and the Excise of the whole Kingdome, in whole or in part, to such persons; and for payment of such duties; and upon such conditions as may best conduce to the good of the publick, and can be had therefore, and to appoint dyers of roping for that effect, and to doe every thing necessar and requisite thereanent.

And also the saids Estates of Parliament, do hereby give, grant, and commit full Power, Warrand, and Commission to the six Commissioners abovenamed, herein nominate, or any four of them as a *Quorum*, there being one of ilk estate as said is; to call for all bygone Excise, so far as hath been uplifted by the Collectors, either to Burgh or Landward, and the Excise of the Wines, where the samine hath been taken by the Vintners, and to use all kinde of execution necessar, for ingathering thereof, and to dispose and allow the same for the uses exprest in the Acts of Parliament alanerly, allowing alwayes the former assignements made by the Parliament in favours of any persons, Burghs, or Shires: And sicklike, to receive in, fit, and allow the counts of the bygone Quarterings, with the Bands, Acts, and Warrants granted by the publick for payment of the gudlenes, pryces of the silver work, and other publick debts: And with power to the saids Commissioners or *Quorum* thereof abovementioned, as is abovementioned, to grant precepts and warrands for payment of the saids bygone Quarterings, gudlenes, and prices of the silver work, (if any be owing) and annual rents of the moneys addebted by the publick, out of the bygone Excise, and out of the new Excise, now condiscended to, The additional sum for entertainment of the Army, being first satisfied out of the said new Excise, as is before prescribed and ordained.

And the saids Estates of Parliament do hereby ordain the foresaid six Commissioners herein nominate, to attend constantly upon the charge and employment hereby committed to them; And in respect of their constant attendance, The saids Estates modifies and appoints for them the Monethly allowance following, to be payed to them out of the said Excise by the Thesaurer thereof, *viz.* To either of the saids two Noble men, two hundred pound *per mensem*; To either of the saids two Barrons two hundred merks *per mensem*; And to either of the saids two Burgeses the summe of fourescore eight pound seventeen shillings eight pennies *per mensem*.

And the saids Estates of Parliament do hereby ordain and appoint Sir *John Weemes* of Bogie Generall Commissar for the Army, and *James Stuart* Thesaurer of the Excise, to bee supernumerarie in this Commission, and to have place and vote therein.

And where the Excise shall not be fermed, The saids Estates of Parliament do hereby ordain; That the way of the Collecting thereof, shall be

be as follows, *viz.* The saids Estates hereby gives power and warrand to the Magistrates and Councell of the royall Burrows, and such as they appoint and be answerable for, to Collect and uplift the whole Excise within the bounds of their Burghs, Pendicles, and Liberties thereof, in cise, And manner and conform to the table of Excise, except what shall be fermed, the Collectors thereof, And ordaines the saids Magistrates and Councell, and their Collectors, to do and use their exact and faithfull diligence thereanent, and to make count, rekonig, and payment of the whole Excise, within their Burghs, Pendicles, and liberties thereof, to the saids Commissioners for the Excise, at such times and dyers as they shall appoint for that effect. And for Landward, the saids Commissioners for the Excise have hereby power and warrand granted to them, to nominate and appoint Collectors, one or mae as may be had, and as they shall think fit for ilk Presbytery or Shire who shall have power to substitute their Depute Collectors for Parishes as they shall finde necessar.

And the saids Estates appoints and ordaines the Fee and allowance for the Collectors and their Deputes, alse well to Burgh as Landward, for their paines and charges, shall bee ten for ilk hundred of the Excise, to bee Collected and counted for by them: And ordaines that the whole counts of the Excise, alse well to Burgh as Landward, bee given up upon the oath and declaration of the Magistrates of the royall Burrows and their Collectors for the Burghs, and of the Collectors of the Shires or Presbyteries and their Deputes for Landward, that the counts are just and true, and nothing omitted nor concealed to their best knowledge, and that they have done their duty faithfully and honestly for the good of the publick.

Item, The saids Estates, hereby grants power and warrand to the fermers of the Excise, and to the Collectors thereof and their Deputes, alse well to Burgh as Landward, to enter the Sellers, Taverns, and Brey-houses of these persons lyable in payment of Excise, and to take up inventar of the Exciseable goods being therein, that the Excise thereof may be the better known and uplifted.

Item, The saids Estates ordaines, that all Brewers for sale within this Kingdome, and all importers of forraine Beer, shall weekly deliver to the Collector of that bounds where the same is Brewen or imported, a true and perfitt list and inventar of the whole Malt so Brewen, and forraine Beer so imported, and weekly pay the Excise thereof, at the rates exprest in the table of Excise, wherein if they failzie, It is ordained, that they shall bee lyable and subject in payment of treble Excise, and the failzie herein, to be proven by witnesse, oath of party, or any other lawfull manner of way.

Item, The saids Estates ordaines, that all Maltmen and Millers, alse well to Burgh as Landward, shall weekly give up to the Collector of that bounds a true and perfitt list and inventar upon oath, of the quantity of the Malt, made and delivered by ilk Maltman, and ground by ilk Miller, and the persons names to whom, and to whose use the same is made & ground, (except such Malt as shal be made and ground for private use without sale, and Malt exported forth of the Countrey) wherein if they failzie,

Anent the collecting of the Excise, And the Collectors thereof.

Ale and Beere.

Maltmen & Millers.

failzie, they being desired thereto by the Collector, the Maltman or Miller to failzeing, is hereby ordained to pay for ilk boll of Malt so concealed, the summe of forty shillings money, to be uplifted by the Collector, and counted for by him in his accounts for the use of the publike.

Item, The saids Estates of Parliament, doe hereby give and grant power and warrant to the Fermers of the Excise, and to the Collectors thereof, to convene the saids Maltmen, Millers, and Brewers before such of the Committee of War of the Shire, as shall bee nominate by the Committee of War for that effect in Landward, and before the Magistrates within Burgh, or such as they shall appoint, or in case of their omission or not meeting before the Sheriffe of the Shire, Stewart of the Stewartrie, or Baillie of the Baillierie and their Deputes, for giving up of the said Malt, so weekly made, ground, and Brewen by the said Maltmen, Millers, and Brewsters, upon their oathes, Which shall bee brought in by the saids Collectors, with their accounts to the Commissioners for the Excise, for the better tryall of the quantitie of the said Malt.

And the saids Estates of Parliament do hereby authorize and ordain the Committees of War of the Shires, to nominate and appoint some two or three of their number in ilk quarter of their bounds in Landward: And also authorizes the Magistrates within Burghs, or such as they shal appoint for taking of the oathes of the saids Maltmen, Millers, and Brewsters, and of the Fleshers, and other persons lyable in payment of Excise upon the quantity of the Malt, made, ground, and Brewen, and of the Fleshes, and others Exciseable commodities, slain & vented within their bounds, to be reported under their hands by the Collectors, to the saids Commissioners, together with a perfect list of the names of the whole Brewers, Fleshers, and Vintners of Exciseable Commodities within ilk Parish and Burgh, and the quantity of Malt, Flesh, and other Commodities, Brewed, Slain, and vented by ilk one of them weekly, subscribed by these of the said Committee of Warre, who shall be designed for that effect for Landward, and by the Magistrates within Burgh.

Malt transported to the Highlands.

Item, It is ordained, that the Excise of the Malt transported to the Highlands which is to be brewen and sold, shall be payed by the buyers and transporters to the sellers thereof, notwithstanding that they buy the same upon trust; Which sellers of the said Malt shall pay the Excise thereof weekly as the same is sold by them, and shall give a Ticket to the buyers and transporters bearing the Excise to be already payed, which being produced to the Collector where the buyers and transporters live shall liberate them of the Excise, otherwayes they shall be layable in payment thereof.

Wines and Tobacco.

Item, The saids Estates of Parliament statutes and ordaines, That all Merchands, Importers of Wines and Tobacco, within the space of ten dayes after the importing thereof for all Wines and Tobacco hereafter to be imported; And that all Merchands, Importers, Vintners, Retailers and others Persons, in whose hands any Wine or Tobacco already imported now or within the space of fifteen dayes after the publication hereof

hereof at the Crosse of *Edinburgh*, Give up under their hands, and upon their oath and declaration to the saids Commissioners for the Excise, Ane just and true inventar of the saids Wines and Tobacco, and pay the Excise thereof, Conform to the table, and in manner as is before mentioned; Wherein if they failzie, It is ordained, that they shall be lyable and subject in payment of the treble Excise, And the failzie to be proven, *ut supra*.

Item, The Customers and their Clerks are hereby ordained, To deliver to the Commissioners for the Excise, Fermers, and Collectors thereof, Ane just and true extract of the whole goods entred lyable to pay Excise weekly or monethly, and also oft as they shall be desired thereto.

Item, It is ordained, That all makers of Aquavita or strong waters, *Aquavita* shall once every fiftene dayes deliver to the Collector of that bounds *and strong* where the same is made, Ane true and perfit list and inventar of the *waters* whole Aquavita and strong waters so made, and weekly pay the Excise thereof, as the same is sold: And also, That all persons in whose hands any Aquavita or strong waters already made or imported now are, Give up the same to the Collectors of that bounds, within ten dayes after publication hereof, and pay the Excise thereof weekly as the same is sold; Wherin if the saids persons, makers of Aquavita or strong waters, or in whose hands the same now are shall failzie, they shall bee lyable in payment of treble Excise, and the failzie to bee proven, *ut supra*.

Item, It is ordained, That all Coal-masters bee obliged, to cause *Coal exported* their Greeves at the loading of any Ship or vessell with coals to be exported forth of the Kingdome, keep a book, wherein shall be insert the just price of the loading of the said Ship or vessell, with the name of the Ship, Master or Skipper, and the time of the loading thereof; Which book, or double of the same shall be delivered to the Collector Monethly, upon the first Tuesday of ilk Moneth; And the Master and Owner of the Coal, at the least the Coal-greeve shal subscribe the said book, declaring upon his oath that the same is just and right; And the Coal-master shall pay the Excise accordingly: Wherein if he failzie, he shall bee lyable in payment of treble Excise, And the Coal-master for his relief shall have power to take from the buyer, the Excise of the Coals exported by and attour the price thereof.

Item, It is ordained, That all fleshers shall weekly give up upon oath *Fleshes* to the Collectors, Ane just and true list and inventar of the whole fleshes slain by them, and pay the Excise accordingly, under the paine of trebling thereof, and the failzie to be proven, *ut supra*.

Item, It is ordained, That all exporters of Bestiall, Hides, Skins, *Bestiall & Yarn*, and other commodities exported lyable in payment of Excise, *others commodities* Give up the same to the Collectors before the exporting thereof, and *modities* pay the Excise under the pain of trebling the same, and the failzie to be *exported* proven, *ut supra*. And if these Commodities exported by Sea shall happen to be casten away upon Sea, or taken by Pirats, The Excise thereof being payed before the exporting, the same shall bee allowed to the payers

ers in their next Excise, upon the production of ane lawfull testificare bearing the losse of the saids goods: And it is declared, That this shall bee extended to all goods which shall happen to be casten away upon Sea, betwixt port and port within this Kingdome.

Item, The saids Estates of Parliament do hereby ordain, that if any Person or Persons lyable in payment of Excise shall conceal and not give up the same, or refuse or neglect to pay the Excise thereof, or doe any thing contrary to the Acts made thereanent, They shall be lyable and subject in payment of treble Excise; Whereof two parts for the use of the publicke, And the third part to the party informer for his paines.

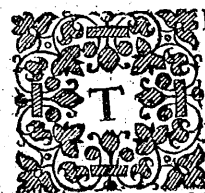
And the saids Estates of Parliament do hereby declare and ordain, That it shall be lawfull to poid for the double of the Excise, which shall not be payed before the expiring of the dayes of the charge to bee given for payment thereof, and that it shall not be needfull to take the goods poided to the Market Crosse of the Head Burgh of the Shire or other jurisdiction, But only to apprise the same upon the ground where they shall be apprehended: Which the saids Estates declare to be sufficient in this case.

And further, The saids Estates of Parliament do hereby warrand and authorize the Fermers of the Excise and Collectors thereof, To call for such ane number of the Generall Commislar his Troup as shall be necessary to Quarter upon the Deficients; Who shall have free Quarters from the saids Deficients, till they make payment of what is due by them: And ordaines the said Generall Commislar and the Officers of his Troup, to readily answer the Fermers and Collectors herein: And with power to the Clerk of Register, To nominate and appoint Clerks, Deputes, ane or mae, To be Clerks to the Committee for the Excise.

ACT XXIII.

Act suspending the execution of the Bands given by the Commissioners for the 5000 l. Sterling.

10. March 1647.



He Estates of Parliament, Considering that the Commissioners of these Shires who hes taken up their proportionall parts of the 5000 l. Sterling appointed for lame Souldiers, Widows and Orphans of dead Souldiers, and hes given their Bands for the payment thereof, conforme to the Act of the Commissioners sent to Newcastle, ratified in Parliament, and are now ordained by ane former Act of this Parliament, to redeliver these sums to the Generall Commislar upon his Band, will not be free of the execution of the foresaids Bands given by them at their receipt of the saids summes: Therefore, the Estates doe hereby suspend all execution upon the foresaids Bands

Bands given by the saids Commissioners at the instance of any person or partie whatsoever, while the saids summes contained in their Bands be really repayed by the saids Commissioners, by the Generall Commislar or his Deputes, by his order and warrand; That therewith the Commissioners may fulfill the conditions and obliegments of their Bands, and thereupon retire the same or discharge thereof.

ACT XXIV.

Act renewing the Commission to the Commissioners for England.

11. March 1647.



Orsameikle as the Estates of Parliament, considering that they have condiscended upon Instructions to their Commissioners for England: And taking also to their consideration, the tenor and power of the Commission to be granted to the saids Commissioners; The saids Estates after debate & voycing, finds, that the Commission granted by the Parliament to the Commissioners therein nominate to go to England, in Anno 1644. should stand: And therefore they do hereby ratifie and renew the said Commission to the saids Commissioners therein mentioned, and ordaines the same to stand in full force and effect, conform to the tenor thereof: And also the saids Estates after debate and voycing as said is, findes, and declares, that there shall foure of the saids Commissioners specified in the said Commission, go presently at this time about the managing of the foresaids Instructions, in the discharge of the said imployment and Commission, And nominates, and appoints the Earle of Lauderdale, Sir Charles Erskine, Hew Kennedie, and Master Robert Barclay, for the effect foresaid: And therefore, the Estates ordaines the Earle of Lauderdale, who is now in this Kingdome, to repair presently to London, and joyne with the other three who are already there, to the effect before rehearsed.

ACT XXV.

*Act anent the taking of the oaths of Delinquents,
for tryall of their Delinquencie.*

15. March 1647.

THe Estates of Parliament, taking into their consideration the report of the Committee for moneys and processe, beand that in the tryall of Delinquents, they finde a great difficulty to have anything proven by witness, and that in regard of the Act of Parliament, they cannot conveniently take their oaths, since it is left arbitrarie, to proceffe to death such as shall be found to fall within the compasse of the first Classe for Delinquency, and that before exact tryall, it cannot be found who shall fall within the compasse of that first Classe; The saids Estates of Parliament for clearing hereof, Findes, and Declares, that none of these Delinquents who fals, or shall happen to fall within the compasse of the first Classe for their Delinquency, shall be hereafter proceffed to death, And in respect hereof, The saids Estates findes that Delinquents may be examined and tryed upon their owne oaths, which wil be the readiest mean to try the cariage of such as have not yet been called in question, and whose Delinquency will be hardly known otherwise.

ACT XXVI.

Act against Runawayes and their Resettlers.

15. March 1647.

FOrsameikle as it is represented to the Estates of Parliament by General Lieutenant *David Lesly*, that there was great numbers of the Foot Regiments of these Forces now employed for the service of the Kingdome absent at the day of Randevous kept at *Monrose* the tenth of March instant, notwithstanding of the publick Orders and Proclamation for keeping thereof: And the Estates of Parliament taking this, with the prejudice that the publick Service may sustain hereby to their serious consideration, They do hereby Renew and Revive all former Acts and Orders made against Runawayes and their Resettlers, And Ordaines the same to be put to execution by the Committees of War of the severall Shires of the Kingdom. And further, The Estates Ordaines the Committees of War of the saids severall Shires immediately and with all diligence possible, To make publick Proclamation and Inti-

Sess. 6. of King CHARLES.

Intimation *respectively* at the Market Crosses of the Head Burghs of their Shires, and at the Parish Kirks within their severall Shires, ordaining and commanding all these Souldiers which are of the new Forces kept up for the service of the Kingdome, and who are lurking and remaining within the severall Shires, To repair immediatly to the places of Randevous of the severall Shires, to be appointed by the Committees of War thereof, within four dayes after the Proclamation and Intimation *respectively* foresaid, under the pain of death: And Ordaines the saids Souldiers to be delivered to these Officers of the Regiments sent for receiving of them, to be carried by the Officers to their saids Regiments and Companies, and they to pay for their Quarters in their return to their saids Regiments: And also ordaines the Committees of War of the severall Shires, after the said Proclamation and Intimation foresaid, To cause make diligent search and tryall of all these within their bounds, who gives not obedience by repairing to their saids Regiments and Companies whereof they are inrolled as Souldiers, within the space foresaid, and to apprehend the contraveeners, and to see justice execute upon them who shall be found disobedient, by hanging of them to the death. And for this effect, The Estates gives hereby power and Commission to the Committees of War of the severall Shires, to execute justice upon the disobedient, according to the pain and certification foresaid: And in the mean time ordaines the saids Committees of War, to be assisting to these Officers of the severall Regiments that are sent from the Regiments, with the rolls of the men that are wanting for their help in getting together of the saids Souldiers: As also ordaines the present Commissioners of Parliament for the severall Shires and Burghs, to send thir presents with the former Act and Proclamation made against Runawayes and their Resettlers, to their saids Shires and Burghs, immediately with all diligence, that the same may be proclaimed and intimate, and accordingly put in execution conform to the tenors thereof; And that the Committees of the severall Shires make report of their diligence to the Parliament or Committee of Estates.

ACT XXVII.

Act against excommunicate Persons.

18. March 1647.

FOrasmuch as the pride and insolencie of excommunicate persons doeth exceedingly increase, and that dreadfull censure of excommunication is much slighted and vilipended; Whereby not onely the offenders are obdured in their obstinate impenitencie, But God is much dishonoured by their contemning of that his ordinance: For remedie thereof, The Estates of Parliament Ratifie and Approve all preceeding Acts and Ordinances of Parliament against excom-

excommunicate persons, Ordaining the same to be put to due execution; And in respect of the impenitencie of excommunicate persons and their disobedience unto, and contempt of all Ecclesiastick Discipline: Do further Statute and Ordain, That forty dayes being past after the sentence of excommunication, Letters bee direct for dehuncing all excommunicat persons His Majesties rebels, and putting them to the Horn at the instance of the Kings Advocate, The Proqutor for the Kirk, The Presbyterie, or other superior Kirk judicatorie interess'd, or either of them; And that by warrand of any of the Lords of privie Counsell or Session, Which Letters shall be execute at the Market Crosse of *Edinburgh* and Peir of *Leith*, and the denunciation used by vertue thereof in these places, shall be sufficient against them, Ordaining also Letters of Intercommoning and Letters of Caption to bee direct upon their denunciation, And that in the execution of caption all the Lieges concur and be assisting: Discharging hereby all suspensions, relaxations, and warrands whatsoever for liberty to excommunicate persons, except they certifie by writ that they have given full obedience and satisfaction to the Kirk, and made reall payment of the penalties they incur by the thirteenth Act of the Parliament in the year, 1641. made against the excommunicate persons: And the Estates of Parliament Ratifies and Approves all Acts of Convention, and of Secret Counsell made against Jesuits, Papists, Priests, and excommunicate persons; And specially the Acts of Secret Counsell made against them upon the first of July, 1642. printed the same year, *viz.* Concerning the incapacitie of professed Papists refusing to Communicate, to have place in publick Judicatories, or to bruike any office in the Kingdome, or to have access to the Court, Concerning the debarring of excommunicate Papists from processe and offering a roll of their names for that purpose, concerning the directing Letters of treason, and intercommoning against excommunicate Papists, denounced Rebels, Recommendation to the Lyon for discharging Messengers suspect of Poperie, and refusing the Covenant, Recommendation to the Lords of Exchequer for the escheats and Liferents of excommunicate Papists, and for observing duly the thirteenth Act of the Parliament, 1641. And ane ordinance that Husbands shall bee countable that their Wives shall not refer, supplie, nor intercommune with Jesuits nor Priests, and that He nor She shall not be observed by Papists; And that none shall bee admitted to their service but such as shall have a testimoniall of the foundnesse of their Religion from the Minister where they dwelt, under the paines contained in the Acts of Parliament made against resettlers of Jesuits, Seminarie and Masse Priests, and especially under the paines contained in the said thirteenth Act of the Parliament, 1641. Which ordinance concerning the receipt of Jesuits, and Priests, Together with the remanent Acts concerning professed and excommunicate Papists, are hereby extended to all excommunicate persons whatsoever respectively. Ordaining the saids Acts and Ordinances of Counsell to be put to due execution accordingly.

ACT

ACT XXVIII.

Act discharging the observation of Superstitious dayes.

18. March 1647.

THe Estates of Parliament, considering that the observing of Yule day, and other superstitious dayes is much occasioned by Coal-hewers and Salters flitting and entrie at Yule; Therefore they Ordain, that the termes of flitting, and entrie of all Coal-hewers and Salters, shall hereafter be upon the first of December yearly, discharging any entrie or removal to be at Yule hereafter: Inhibiting also, all and every one to observe the superstitious time of Yule, or any other superstitious dayes in any manner of way, And that under the paines contained in the Acts of Parliament made against profanation of the Sabbath: And recommends to all whom it concerns, to see this Act observed, and the contraveners punished in their persons and goods condignly.

ACT XXIX.

Act and Commission to the Committee of Estates.

20. March 1647.

FOrasmuch as the Estates of Parliament, have thought fit that in further pursuance of the ends of the Covenant, and for setting the Peace of this Kingdome, ane competent number of Forces shall be kept up and imployed within the same; and that the Commission given to such of each Estate as were sent to *England* should yet be prosecuted. And finding it necessar, That for providing for the maintenance and welfare of the Forces aforesaid, for giving instructions to the Commissioners in *England*, for taking course in what may concerne this Kingdome, in relation to the *Scots* Army in *Ireland*, for preserving and setting the peace of the Countrey at home, and in this time of trouble and war, for ordering and governing the hails Body of the Kingdom, Ane Committee of Estates should be nominate and authorized by this present Parliament, They do therefore nominate, elect, and make choise of *James* Duke of *Hamilton*, *William* Earle of *Marshall*, *John* Earle of *Sutherland*, *William* Earle of *Mortoun*, *Alexander* Earle of *Eglintoun*, *William* Earle of *Glencarne*, *John* Earle of *Cassils*, *Charles* Earle of *Dumfermling*, *James* Earle of *Tillibairdin*, *Robert* Earle of *Roxburgh*, *Francis* Earle of *Bac-leuch*, *William* Earle of *Lothian*, *John* Earle of *Tranquair*, *James* Earle of

of Finlator, *William Earle of Lanerk*, *James Earle of Callander*, *John Lord Yester*, *James Lord Cowper*, *Alexander Lord Balcarras*, *John Lord Bargany* for the Noblemen. Sir *James Foulis* of Colington, *David Beaton* of Creich, Sir *James Lockhart* of Lea ane of the Lords of Session, Sir *John Hammiltoun* of Beill, Sir *Patrick Cockburne* of Clerkingtoun, Sir *Alexander Belsches* of Tofts ane of the Lords of Session, *Home* of Blacader, Sir *Alexander Sutherland* of Duffus, *Alexander Brodie* of that ilk, Sir *Alexander Morison* of Prestongrange, Sir *William Cochran* of Cowdown, *Henry Campbell* of Cesnok, Sir *Alexander Falconer* of Halkertoun ane of the Lords of Session, *Ker* of Newtown, Sir *Thomas Ruthven* of Frieland, *Andro Agnew* appeirand of Lechnam, *James Macdowall* of Garthland, *Skene* of that ilk, Sir *Andro Fletcher* of Innerpeffer ane of the Lords of Session, and Sir *James Fraiser* of Brac for the Barrons. *Archbald Sydsersff* Baillie of Edinburgh, *John Scot* Goldsmith Burges thereof, *Robert Arnot* Provest of Perth, Sir *Alexander Wedderburne* Clark of Dundee, *M. Robert Farquer* Burges of S. Andene, *John Short* Provest of Sterling, *James Robertson* Burges of S. Andrews, *George Porterfield* Provest of Glasgow, *John Kennedie* Provest of Air, *David Simpson* Burges of Dysert, *Robert White* Burges of Kirkcaldie, *John Johnston* Provest of Drumsfreis, *John Forbes* Provest of Innernes, *M. Robert Cuninghame* Burgesse of Kinghorne, *William Glendonning* Provest of Kirkcudbright, *Walter Airth* Burges of Pettinweam, *John Sempil* Provest of Dumbartane, *Gideon Jack* Provest of Lanerk, *M. John Hay* Provest of Elgin, and *Gilbert Mair* Burges of Bamf. And als the Estates nominates and appoints *Alexander Earle of Leavin* Lord Generall, *John Earle of Lowdown* Chancellour, *John Earle of Crawford* and *Lindesay* President of Parliament, Sir *Alexander Gibson* of Durie Clerk of Register, Sir *John Vveemes* of Bogie Generall Commislar, and the haill persons in the Commission to England, with the Provest of Edinburgh, and *James Stewart* Generall Collector of the Excise to be supernumerarie in the foresaid Commission, To be Commissioners of Parliament, To whom or any nine of them, there being two of each Estate, The Estates gives full power, warrant, and commission to convene at such times and places as they shal think fit, and there to take such course, give such orders, warrands, instructions, or what else they finde necessary for defence of the true Protestant Religion, the Liberties and Priviledges of the Kingdome, his Majesties Person and authority in the preservation thereof: For removing the difference berwixt his Majesty and his People, and promoting the Cause in hand, conforme to the Covenant and Treaties made thereanent. And in this time of trouble for ordering and governing the haill Body of the Kingdome, and the Army now imployed within the same: And to consult and advise in every thing that may conduce to the good and safetie thereof. With power also and command to them to give order to the severall Shires and Burrows of the Kingdome, for raising such number of Forces, horse and foot, out of their severall bounds and Jurisdictions, and for out-reiking them with Arms, Ammunition, Victuall, and other necessities, as they shall think fit for the ends aforesaid, To put the Kingdome in a Posture

of defence, and to give orders for their Quartering, Mustering, Marching, appointing of Officers over them, and right regulating of the same, and providing means and subsistence for them: And with power to them or their Quorum, To borrow Money allanerly from these who have been in actuall rebellion, conforme to the limitations and restrictions mentioned in the Act of Parliament at S. Andrewes, 3: February 1646. and to borrow the Money contained in the offer and Roll produced to the Committee for the Sherifffdome of Orkney: And to give publick surety for the same, and more Moneyes already lent or decerned, and for which surety is not yet given. And the Estates discharge hereby all other coercive of borrowing of Money, Without prejudice of all execution to follow upon the Decrees already given before the date hereof for lending of Money. As also with power to them to try, proccesse, tyne and censure, or to issue out Summons or Commissions for all just and legall tryall, conforme to the Lawes and practice of the Kingdom, against all Delinquents (excepting such as are come off, and are or shall be freed by Passes from Lieutenant Generall *David Leslie*, Generall Major *Middleton*, or any other having power to that effect, and who have enacted and behaved themselves accordingly, and als excepting such as are or shall joyn in the Rebellion) conforme to the severall degrees and Classes of delinquencie mentioned in the Act of Parliament made at S. Andrewes, and conform to the Commission formerly given thereanent to the former Committee of Proccesses, which is holden as here repeated, except in matter of Excise and borrowing. And seeing many bills, processe, tryalls, and decrees concerning Delinquents have been remitted to the Parliament, or are in dependence before, and to be judged by the Parliament, and are not yet decided: With power to this Committee or Quorum to call for them, and to try, cognosce, judge, and give sentence thereupon as they shall finde just. With power also to this Committee, To assist the Collector Generall in bringing in the Monethly Maintenance, and the accompts of all goods, rents, summes of Money, and others belonging to Delinquents or defaulted persons, together with all other accompts concerning the Publick: And to close, allow, controll, or disallow the same as they shal finde just and reasonable: And to call for payment and accompt of all Responses and Debts addebted and due by any person whatsoever to the publick, and to give new Commissions for up-lifting of Delinquents Rents, and to examine and recall former Commissions: And to grant such orders, letters, and execution, for inbringing the saids Moneyes, Compts, Responds, and others goods aforesaid belonging to the Publick, and to pronounce Decrees and sentences thereupon, and to cause put the same to execution: And to reduce the whole Debts and Compts of the Kingdome into such order as the publick Debts of the Kingdome may bee knowne. Likeas the Estates do hereby entrust this Committee with the sole and only power of disposing and distributing of all Moneys that shal come in and be due to the Publick any manner of way. But prejudice of former assignments, and to imploy the Maintenance and Excise in the first place for maintenance of the Army and Garisons, and the rest for such

other necessaries as concerne the present Service; And that each precept for giving out of Money be subscribed at least by a *Quorum* of the Committee, being convened in Committee. And that all persons subscribers of any Precept, shall be answerable to subscribe no Precept out of the Monethly Maintenance or Excise, but for the affairs and entertainment of the Army and Garrisons: Wherein if they contraveen, They shall be lyable in repayment of all such summes for which they shall draw precept for any other cause, till the Maintenance of the Army and Garrisons be first payed or satisfied; And that no Precepts be drawne but when there is Money in the Casse to pay the same. And the Estates do hereby Ordain the said Committee in ordering the payment of any Moneyes to the Army, To distribute the same equally, and to take constant course that all Regiments of Foot, Garrisons, Troups of Horse and Dragoons, be put and kept in equality, either in Money, Proveant, or Provision, according to their strength. And for ferming and out-giving the Excise, The Estates have ordained six of the Committee of Estates, being two of each Estate, to joyne with the Committee of Excise; which six persons the Parliament do hereby authorize the Committee to appoint and nominate, and to discharge them to signe any Precept for the disposall of the Excise, except for the Maintenance of the Army in the first place, and that being satisfied (and no otherwise) than for other publick uses, as is contained in the Act of Excise.

With power also to this Committee or *Quorum* thereof, To cause apprehend or call before them all such persons as are or shall joyne in the Rebellion, or concur, assist, or correspond with any persons in the Rebellion: and to pursue them, pronounce sentence, and do justice upon them conform to their severall demerits, and that als fully in all respects as the Parliament might do if they were sitting. As also with power to give Instructions from time to time to the generall Officers: And also for pardoning these who are in Rebellion (and not excepted) conforme to the limitations and qualifications which are already, or shall hereafter be agreed unto in this Session of Parliament: And that they take in the Reports of Shires and Burghs of such Lands and others as are burnt and wasted by the Enemy: And to allow such proportion of the Maintenance as is suspended, and will be answerable to the Rules made or to be made by the Parliament for that effect. With power also to this Committee by themselves, or such as shall be by them authorized, To treat and determine with the Parliament of *England*, or such as they shall appoint, for payment of the Arrears due to the *Scots* Army in *Ireland*, and for their future entertainment and disposall of the Army in time-coming, in haill or in part, conforme to the Treaty made thereanent, and as shall be thought fittest for the Service. As also with power to them to send Petitions, Letters, or Remonstrances to his Majesty, and Messages or Commissioners to forrain Princes or States, and to return answer to any Letters or Messages from his Majesty or forrain Princes or States; and to give passes and warrands to such persons as they shall think fit, and are not excepted in the Propositions to go and attend his Majesty in their places, or otherwise. With power also to the Committee

Committee or *Quorum* thereof, to appoint some of their own number, or others as they shall think fit, to be a Committee to attend the Army in *Scotland*, if they shall finde it necessar, and to appoint the *Quorum* thereof, and give them power and instructions as they shall finde requisite and expedient. And if any matter of importance do occurre that requires the resolution of the Estates, in that case this Committee hes hereby power to call a meeting of the Estates of Parliament. And if any of the saids Commissioners shall not attend the meetings of the Committee, and be absent without licence or lawfull excuse; With power to the *Quorum* to fine them according to a former Act of Parliament: And generally to do all and sundry other things requisite anent the ordering and managing of all affaires and businesse which may conduce to the good and peace of the Kingdome, and promoting of the common cause, as is exprest in the Covenant and Treaty, firme and stable holding, and to hold what shalbe done, conform to this Commission above-mentioned: Which Commission is to endure to the next meeting of Parliament.

ACT XXX.

*Act liberating the good Subjects from the
pursuit and actions of the Rebels,
Civill or Criminall.*

22. March 1647.



He Estates of Parliament now convened in this sixth Session of the first Triennial Parliament, Considering that divers of His Majesties good Subjects may bee troubled and molested by Civill or Criminall pursuits; for deeds done by them against the Persons, Lands, or Goods of such as have been in the rebellion, or have been guilty with the Rebels in their wicked courses or any of them: For remeed thereof, and for safetie of those who have faithfullie served the publike in time past, And for encouragement to them and others in time comming: It is Statute and Ordained, That all His Majesties good Subjects shall bee altogether freed and liberate in all time comming, from being any wayes called, convened, troubled; pursued; or molested in judgement, Civill, or Criminall; or outwith the same for any deed done or to be done by them against the Persons, Lands, or Goods of such as have been or shall be in the rebellion, during the time of their being in the said rebellion; and have been or shall be guilty with the Rebels in their wicked courses;

or any of them that may come under the first Classe of Delinquents, contained in the fifth Act of the fifth Session of this present Parliament holden at Saint Andrews in the Moneth of January, 1646. And against the Lands and Goods of all Persons, who have been or shall be guilty with the saids Rebels in such crimes and faults as comes under the second Classe of the saids Delinquents mentioned in the said Act; Discharging hereby all Judges whatsoever within this Kingdome both Civill and Criminall, of all judging or proceeding in any such actions already intended or to be intended in all time comming.

ACT XXXI.

Act that no reparation of losses be given to these who hes been compliers with the Rebels.

22. March 1647.

THe Estates of Parliament now convened in this sixth Session of the first Triennial Parliament, findes and declares, That in any course or way tane, or to be tane by them, for reparation of the losses of the Kingdom, These that have been enemies to the Countrey, or compliers with the Rebels, Enemies thereof, shall have no part nor benefit for reparation of their losses which they sustained, during the time they were enemies to the Countrey, or during the time of their compliance with the saids Rebels, Enemies thereof: Like as it is hereby Declared, That this present Act is not extended to the Duke of *Hammiltoun*, and that he is no wayes comprehended under the same.

ACT XXXII.

Act renuing the Commission for plantation of Kirks, and valuation of Teinds.

24. March 1647.

THe Estates of Parliament now convened in this sixth Session of the first Triennial Parliament, considering that by the thirtieth Act of Parliament holden at Edinburgh, in *Anno* 1641. There was Commission granted by the Kings Majesty and the Estates of Parliament, to the Commissioners therein nominate, & *Quorum* thereof, contained in the said Act for plantation of Kirks, and valuation of Teinds in manner therein provided: Like as, in the first Session of

of this Parliament in *Anno* 1644. The same Commission for plantation of Kirks, and valuation of Teinds was renewed: And for furtherance and discharge of the said Commission, some Persons were nominate in place of these deceased, and others added thereto, in manner specified in the said Act. And the Estates having revised the saids Commissions in *Anno* 1641. and 1644. *respectively*, They finde that Master *George Douglas* of Bonieburgh, and Sir *Dowgall Campbell* of Achinbreck are deceased since the renewing of the said Commission, and that Sir *William Cunningham* of Caprintoun likewise one in that Commission is Clafsed for his compliance with the Rebels: Therefore, The Estates of Parliament nominates *David Beatoun* of Creich in place of the said Master *George Douglas*, *Alexander Bredie* of that ilk in place of the said Sir *Duncan Campbell* of Achinbreck, and Sir *William Cochran* of Coudoun in place of the said Sir *William Cunningham* of Caprintoun, & *John* now Earle of Lauderdale in place of umquhile *John* Earle of Lauderdale his father, and Sir *Archibald Johnston* of Waristoun His Majesties Advocate in place of umquhile Sir *Thomas Hope* late Advocate to our Sovereigne Lord: And likewise further addes some of each Estate, *viz.* *James* Duke of *Hammiltoun*, *Francis* Earle of Balclench, *James* Earle of Callendar, *John* Lord Bargonie for the Noblemen. Sir *James Lockhart* of Lea, Sir *Alexander Belsches* of Tofts two of the Lords of Session, Sir *Iohn Weemes* of Bogie, and Sir *James Foulis* of Colingtoun for the Barons. *Archibald Sidserfe* for Edinburgh, Sir *Alexander Wedderburne* for Dundie, Master *Robert Farquhare* for Aberdene, and *John Short* for Sterling for the Burrows, to be upon the foresaid Commission for plantation of Kirks and valuation of Teinds; And by thir presents Ratifies and Renewes the said Commission and former Act, renewing the same of before with the eikand addition of the Persons therein nominate, with the hail power thereby granted and hail tenor and effect thereof, and to modifie Stipends and appoint localities, in manner, and to the end therein mentioned; And grants the like power to the persons *respectively* abovenamed, now eiked and added to the former Commission as is granted to the other Commissioners nominate, & formerly added in the Act for renewing thereof *respectively*, sicklike and in the same manner in all respect, as if the saids Persons had been nominate and insert in the said Commission at the granting thereof: And declares and ordaines the *Quorum* in the said Commission to bee eleven, there being three of each Estate. And in respect of the great trouble that hath been thir yeers bygane, which hes occasioned that the parties who were willing to buy, could not purchase any right of the Teinds, And herewith considering that it was His Majesties Will and Pleasure, that all Heritors should have their owne Teinds at reasonable rates: Therefore the saids Estates Statutes and Ordaines, That all His Majesties Subjects, who hes not coft their Teinds within the time prescribed by the foresaid Commission, or either of them and are now willing to buy, shall have hereby power and libertie to buy the same, within the space of three yeer next after the date of thir presents, conform to the Tenor of the said Commission, notwithstanding the terminated time therein specified be prescribed.

prescribed. And the saids Estates declares, That it is lawfull to the saids Commissioners or their *Quorum*, to proceed in all summonds & actions intended or to be intended, at the instance of any party within the time of three yeares after the date of this Act; and with power to determine therein according to justice as was formerly, notwithstanding of any prescription and certification in former Commissions against these who shall not buy their own teinds.

ACT XXXIII.

Act anent the vassals of Kirk lands.

24. March 1647.

FOrsameikle as the Estates of Parliament now convened in this sixth Session of the first Trienniall Parliament, having heard and considered the Petition represented to them, in the behalf of some Barrons, Gentlemen, and others, Fewers of the Kirk-lands within this Kingdome, desiring the Acts of Parliament formerly made anent the Superioritie of Kirk-lands to be ratified; and that the Parliament would declare all Infeftments, Commissions, and Bailiaries, for entring of Vassals granted or to bee granted, otherwise then in Exchequer, to be null be way of exception or reply, except alanerly in so far as the famine may be extended to the Few-fermes, and Few-males of the said Kirk-lands, in manner contained in the Act of Parliament, made in Anno 1633. And with the reservations, and exceptions contained in that Act, and in the other Act of Parliament, in Anno 1641. As also, to discharge the Lords of Exchequer from passing of any Signatures or Infeftments in time coming of the saids Superiorities, or any Takes, Commissions, or Bailiaries, for entring of Vassals, except alanerly, as that by the saids Signatours, the parties having right may claime the Few-fermes, and Few-duties addebted to the Vassals and other subjects of the foresaids Kirk-lands, as that supplication more fully beares: The saids Estates have remitted, and do hereby remit all bygone Infeftments and rights of Superiorities of Kirk-lands already past the Exchequer and great Seal since the year of God 1633. to the decision of the Lords of Session, to be heard, considered, and discussed by them *prout de jure*; And also the Estates have remitted, and do hereby remit the dicussing and decison of all warrants already granted by his Majestie to particular persons for entring of Vassals to any Kirk-lands, whither the famine warrants be granted by name of Take, Commission, Bailierie, or any way of deputation to the Lords of Session, to be decided by them *prout de jure*: And the Estates declares, that the Superiors and Vassals *respectivè* foresaids are left in *statu quo* they were before the making of this Act, unprejudged or helped by the remitting of their Infeftments, Rights, Warrants, Takes, Commissions, and others abovementioned

to

to the Judges ordinar *prout de jure*, conform to the foresaids two articles above rehearsed. And sicklike, The Estates of Parliament findes, and declares, that the Lords of Exchequer and keepers of the Seals, shall not have any power to grant or passe hereafter any new Grants, Rights, or Infeftments of the Superiorities of the foresaid Kirk-lands; And therefore the Estates does hereby discharge the Thesaurer principall and Depute, and remanent Lords of Exchequer, and keepers of the Seales, from all passing or expeding any new Grants, Rights, or Infeftments, of any of the foresaids Superiorities of the saids Kirk-lands, and from all passing of any Warrants, Takes, Commissions, Bailiaries, or deputation for entring of Vassals thereto, and for these Superiours and Vassals of Kirk-lands, contained in the first and second articles abovementioned, remitted to the said ordinary Judge *prout de jure*, the Estates leaves them in *statu quo* they were before the making of this Act, unprejudged or helped as is aforesaid, excepting alwayes from the said restraint, the Signatour granted to the Earle of Eglington, and the Lord *Montgomery*, of the Abbacy of Kilwinning, with this declaration alwayes, that if the Exchequer shall please to passe the Signatour of Kilwinning, The same shall be without prejudice to the Lairds of Blair, Montgrenance, Alchinyards, Hill of Beath, Halpland, and Mainis-hill, and all others who have not consented, nor will consent to the supplication given in by the Vassals of Kilwinning, desiring to hold of the saids noble Lords: All which persons so excepted are allowed to enter presently, and in all time coming by the Exchequer, to any lands holden of the said Abbacy of Kilwinning; And with this speciall declaration also, That the passing of the said Signatour or right in Exchequer, (if it shall be done) shall neither prejudice nor help the famine, but that the famine is and shall be remitted to the Judge ordinar foresaid in manner above-written, to be tryed and discussed by them *prout de jure*, and this especially in respect the Earle of Eglington and Lord *Montgomery* hes the consent of most part of the vassals, who hes ane greater commodity and ease by entring by the said Earle and his Son then by the Exchequer, for they are content to enter both Heirs and singular Successors without any benefit, save only the double of the few duty, And are obliged to dispoise the vassals liferent, escheat for four Merks of every hundreth Merks of Rent: And the Estates of Parliament, for good cause and particular consideration, Declares, that the first article of this Act doth not militate against the Lands of Lurg, Kincardine, or seventene Aikers of Lands of Culrose, sometime pertaining to the Abbacie of Culrose, nor to the fewfermes or superiorities thereof, which are no wayes to fall within the compasse of any article of this Act, but notwithstanding thereof specially reserved in full force, strength, and effect; Exceptand from this present Act whatsoever dotations or mortifications pertaining to His Majesties Royall Burrows; And declares the famine no wayes to be comprehended within this present Act, but to be excluded therefra, and from the Act of Parliament, 1633. cap. 14. And declares the Infeftments, Mortifications, and others Rights, Gifts, and Securities thereof, made to them and in their

their favours, to bee good valide Rights and Securities to them and their Successors, for bruiking of the hail Rents, Annualrents, Superiorities and all others therein contained, conform to the Tenors thereof in all points: And also the Estates discharges the Exchequer of passing any new Signators, or Rights of Bailliarie (whereof there hes not been former Rights) comprehending servitudes, or entring of vassals: And sicklike, The saids Estates remits and recommends to the Committee of Estates, to set down sick small rates and prices for entring of meane and petty vassals of Kirklands, as the Committee shall finde expedient for the ease of the saids vassals, anent their entry to the saids Lands passing and expeding of the Writs and Seals thereof: And ordaines the Committee to report the same to the next Session of Parliament.

ACT XXXIV.

Act that none guilty of the Crimes of the first Classe, bee admitted on the Committees of Warre of the Shires.

24. March 1647.

THe Estates of Parliament now convened in this sixth Session of the first Trienniall Parliament, findes and declares: That none of these who are found guilty of the Crimes mentioned in the first Classe of the Act anent the Classes of Delinquents made at Saint Andrews in the eighth of January, 1646. Shall be admitted to bee upon the Committees of Warre for the severall Shires of the Kingdome, or any of them; and if any be already named to be upon the saids Committees of War of the same severall Shires, that are guilty of any of the crimes specified in the said first Classe of the Act abovewritten: The Estates do hereby prohibite and discharge them, and every one of them so guilty as said is, to sit in the foresaid Committees of War, or any of them, or to have place or voice therein.

ACT

ACT XXXV.

Act renewing the Commission of Exchequer.

25. March 1647.

THe Estates of Parliament now convened in this sixth Session of the first Trienniall Parliament, Taking into their consideration the Commission formerly granted to the Exchequer upon the first day of February 1645. They do hereby renew and prorogate the same Commission, to the persons and with the power therein mentioned, and addes thereto Sir Archibald Johnston of Warristoun Knight his Majesties Advocate, in place of umquhill Sir Thomas Hope his Majesties Advocate, without any further addition to the said Commission: And ordaines the foresaid Commission to stand in full force, strength, and effect, and to be a full power and Commission to the foresaid persons, to assise the Lord Thesaurer principall and Thesaurer Depute, in the managing of the matters of Exchequer, conform to the tenor thereof in all points, ay and while the same be discharged by the Parliament.

ACT XXXVI.

Act anent Quarterings.

26 March 1647.

THe Estates of Parliament now convened in this sixth Session of the first Trienniall Parliament, Taking to their consideration the great burden under which the Countrey groaneth through the exorbitant Quarterings of the Forces, Horse and Foot, that have beene this long time bygone, and still is, and how unreasonable it were that the Lieges should both be lyable to the said Quarterings, and also in payment of the Monethly Maintenance imposed upon the Kingdome, Have therefore thought fit to statute and ordain, Likewise by thir presents, They statute and ordain, That all the Quarterings within this Kingdome, bygone since the tenth of February, and in time coming during the continuing of this present Maintenance, the same being lawfully proven either by Billers, or by witnesse, in *communi forma*, to be led and deduced before the Committees of War of ilk Shire, or any two of them, who are hereby fully authorized for that effect, to deduce the said probation, which being so closed and made, shall be a charge upon ilk one of the saids Regiments, Troups, or Companies *pro tanto*, and a sufficient warrand to the party to receive payment or allowance.

ance, conform to the establishment after the count fitted and no otherwise: And hereby it is expressly declared, that the severall Heritors, and others lyable and obleiged in payment of Monethly Maintenance; having their Quarterings lawfully instructed in manner foresaid, aswell for themselves as their tenants, They alwayes producing their tenants warrand and assignation of their Quarterings to them, shall have retention and allowance of all the saids Quarterings, which either is for the present or shall be hereafter resting awand unpaid since the tenth of February last bypast, and that in payment of all their Monethly Maintenance which either is, or shall be at any time hereafter resting unpaid since the tenth of March instant: And also it is statute and ordained, that for the relief of those who may bee overburdened and exhausted by Quarterings, that these persons or Parishes shall have their relief of their Quarterings which exceeds their Maintenance, and that to be payed by the severall Heritors, and others of that Shire *pro tanto*, in so far as their Maintenance doth extend to. And in case any Shire shall be exhausted and overburdened with Quarterings above their Maintenance, In that case they shall have payment and relief from the Generall Commissar out of their Maintenance, and for Quarterings in time coming: It is farther statute and ordained, that what ever Officers of the Army within this Kingdome 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 Billers for the same, conforme to the just numbers Quartered both of Officers and Souldiers, That then and in that case no pay shall be given to the saids Officers and Souldiers so failizeing, untill the Notes or Billets bee given to the Persons, Parishes, 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 be appointed in the ordinary places of meeting, for making of the Quartering counts within ilk Shire, and leading the probation as said is: And it is ordained, that the Collector of ilk Shire be warranted to be present, either by himself or some in his name at the saids times and places *respectivè*.

ACT XXXVII.

Act for clearing former Acts concerning Quarterings.

26. March 1647.

THe Estates of Parliament now convened in the sixth Session of this first Trienniall Parliament, Taking to their consideration, That in their Act of the first of January, 1647. anent the clearing of any doubt or question that may be made in the allowance of Quarterings in the payment of the Monethly Maintenance: Did Statute and Ordaine, That Quarterings also well since Lambmasse

Lambmasse last as before Lambmasse should be allowed in the payment of the Maintenance; And that these that have made payment of the said Maintenance having nothing in their hands, whereof to true allowance may be forced to lye out of the payment of the saids Quarterings, whereas these that hes not made payment of the said Maintenance, shall have full satisfaction so farre as the Maintenance restand in their hands may reach, and sua bee in ane better case then these that hes made payment thereof: For remeed whereof, The saids Estates do hereby declare that the meaning thereof is, That the Quarterings that were before Lambmasse last, are to be payed conforme to the Act made for payment of Quarterings at Saint Andrews of the twentie seventh of January, 1646. And where there is more Maintenance restand either in Burgh or Shire then payes the Quarterings before Lambmasse last, That the same bee employed for the compleat payment of the Quarterings after Lambmasse of that same Burgh or Shire where the same is restand, so farre as the said Maintenance will reach; And that such an equalitie bee kept in the division thereof, that these that hes payed the said Maintenance or any part thereof, be put in a like footing in the payment of the saids Quarterings, with these that hes not payed the same within the said Shire or Burgh: But prejudice alwayes of the payment of Sir Adam Hepburne of Humber of these three Moneths Maintenance appointed to be payed to him in part of payment of his super-expenses of his Scots accounts.

ACT XXXVIII.

Act annulling Bands given to James Grahame, Alexander Mackdonald, and their Adherents.

26. March 1647.



Orsameikle as the Estates of Parliament being certainly informed, And thereupon taking to their serious consideration; that there is sundry Bands, Discharges, and other Writs obligatorie, taken and exacted by James Grahame late Earle of Montrose, and Alex. Mackdonald, or any of them, either in their own names or in the name of any other person or persons, to their or either of their uses and behove, since the time they were in the rebellion, from some of the good subjects of this Kingdome, who were forced to the granting of the saids Bands, Discharges, and others Writs obligatorie, being then in captivity with the saids James Grahame, or Alex. Mackdonald, and their assistants, or under their power for the time: And that it is against all reason, equity and conscience, that these Bands, Discharges, and other Writs obligatorie aforesaid, should stand and have effect and execution against any of the good subjects of the

Kingdome granters thereof: Therefore the saids Estates of Parliament, Statutes, and Ordaines, Findes, and Declares, that all and sundry Bands, Discharges, and other Writs obligatory, granted and subscribed by any of the good subjects of the Kingdome to the saids *James Grahame*, late Earle of Montrose, or to *Alexander Mackdonald*, either in their own names or in the name of any other person or persons for their use or to their behove, since the time they were in the rebellion, the granters thereof being then in captivity with the saids *James Grahame*, or *Alexander Mackdonald*, or their assistants, or under their power, are and shall be altogether void, null, and ineffectuall fra the granting thereof, and in time coming: Likeas the Estates do hereby discharge the saids Bands, and others foresaids, with all that hath followed or may follow thereupon, and declares the same null, void, and ineffectuall from the beginning and in time coming as said is, and the granters thereof, and their aires, executors, and others succeeding to them, to be altogether free from the fulfilling of the foresaids Bands, Discharges, and others Writs obligatorie, payment of the summes therein contained, and from performing of the others deeds and obligements therein mentioned.

ACT XXXIX.

Act concerning the education of children under Popish Parents or Tutors.

26. March 1647.

THe Estates of Parliament now convened in this sixth Session of the first Trienniall Parliament, considering how dangerous it is that children be educate by persons that are Popishly affected: Do therefore, conform to an ordinance of Parliament at *S. Andrews*, ordain the Lords of Secret Council, or the Committee of Estates, or either of them upon the representation of the particular care by a Presbytery, or other Kirk judicatorie, to provide and appoint a way for the education of children that are under the power of Popish Parents, Tutors, or Curators, giving unto them full power to take these children from under the charge of Popish Parents, Tutors, and Curators, and to commit them to the care of some well-affected religious friend, to be educate in Religion and vertue, and to do every thing necessary for their good education: And farther, that children doe not suffer in their education abroad; The Estates of Parliament ratifie and approve the first and second Acts of the twentieth Parliament of King *James* the sixth, (and the sixth Act of the Parliament of King *Charles*, in the year of God, 1641. relating thereto) concerning children that go out of the Kingdom, and sending Pedagogues with them, ordaining the same Acts to be carefully observed and put to due execution in time coming.

ACT

ACT XL.

Act anent the trying of burnt and wasted Lands.

FOrasmuch as the Estates of Parliament having heard and considered the report of the Committee appointed by them, for condiscending upon the clearest and readiest wayes, for trying what Lands are so burnt and wasted that they are not able to pay duty or Maintenance, and for what space and yeers they have been so: They ordaine and appoint, That there be three Commissioners direct by warrant of Parliament, not interested in the Shires or Burghs so burnt or wasted, for trying the Lands burnt and wasted be north the water of Tay within or without Burghs, viz. What Lands are so wasted by burning or otherwise, That they pay no duty, or the Tenants of these who are well-affected so disabled by the enemy or our owne Forces, as either they cannot or are not able to pay any duty (In which case the Masters are to be free of payment of Maintenance) Or such Lands as the Tenants are in that condition, that they are only able to pay a very small proportion of duetie, (In which case, The Estates ordaines the Maintenance to be proportioned to the duetie) And also, To try for what space the saids Lands have been so, that they are not nor have not been able to pay duty or Maintenance: And it is declared, That this present Act shall be but prejudice to the quantitie of the Maintenance payable by the Shires and Burghs not already suspended by the Act of Maintenance; With speciall consideration to be had of these that hes had their Lands totally wasted; and hes of new plenished the same: And the Estates grants power to the three Commissioners or any two of them (if need be) To call any Nobleman, Gentleman, or Burgesse within the bounds abovementioned, least interested in the losses, to be assisting to them; And that one Clerk be nominated and appointed by the Clerk of Register to be sent with the saids Commissioners to the effect foresaid: And the Estates declares, That the Commissioners and Clerk shall be upon the publike charge, and accordingly payed by the publike; And the Estates remits and recommends to the Committee of Estates, to appoint the indurance of the time of this Commission, and to nominate and appoint the Commissioners, and to modifie and condiscend upon the charges to be given to them and their Clerk, with the day of the report concerning their proceedings and tryall to be tane upon this Commission, to be condiscended upon, modified, and determined as the Committee of Estates shall think fit: As also, the Estates remits to the Clerk of Register, to nominate and appoint one Clerk to the foresaid Commission; and in the mean time, that the payment of the Maintenance to these in the condition foresaid be suspended.

spended untill the time of the report to be appointed by the Committee of Estates as said is, or longer if the parties interested do diligence, that the default be not in them: And as for these on the south side of the water of Tay, that have their Lands burnt and wasted as is before mentioned; The Estates of Parliament ordaines them to have their addresse to the Committee of Estates, and make their condition known to them, betwixt and the tenth of June next, or longer as the Committee shall think expedient, That upon consideration of their condition, the Committee of Estates may likewise give warrand and Commission for trying of the burnt and wasted Lands be-south the water of Tay, as is before condiscended. And siclike, The Estates of Parliament remits to the Committee of Estates, To appoint and condiscend upon the manner of probation, to bee used and received for trying of the foresaids burnt and wasted Lands upon the Commission before rehearsed: And the Estates of Parliament declares, That the beginning of the exemption of repayment of the Maintenance to bee granted upon the report of the foresaid probation, shall be only for the crop, 1646.

ACT XLI.

Act anent the Committees of Warre in the severall Shires.

26. March 1647.



He Estates of Parliament now convened in the sixth Selsion of the first Triennial Parliament, Taking in consideration the necessity and expedience of appointing and continuing of Committees of Warre in the severall Shires of the Kingdom, for the furtherance of the publike Service; With the lists given in by the severall Commissioners of the Shires *respective*, of the persons desired by them to be upon the Committees of Warre of the saids Shires, or to be added thereto: The saids Estates of Parliament nominates and appoints the persons afternamed to bee upon the Committees of Warre of the severall Shires *respective* underwritten both for Burgh and Land, and to be added to the former Committees thereof *respective* as followeth, *viz.*

For the Sherifffdome of Edinburgh, The Earle of Balclutch, the Earle of Hadingtoun, the Earle of Lawderdail, the Earle of Lothian, the Earle of Dalhousie, the Lord Torphichen, the Lord Cranstoun, the Lord Balmerino, the Lord Forrester, the Laird of Craigmiller, the Laird of Niddrie, the Laird of Libbertoun, the Laird of Lugtoun, *David Maccullo* of Goodtries, the Laird of Collingtoun, the Laird of Woodhall,

Woodhall, Master *Samuel Johnstoun* of Scheans, *Patrick Eilies* of Southside, *George Foulis* of Ravilstoun, Sir *William Nisbet* of Deane, *Edward Edger* of Peppermyle, *James Eilies*, the Laird of Gogar, *James Winrahame* of Currie-hill, the Laird of Haltoun, Sir *John Murray* of Walkfield, Sir *John Gibsone* of Alderstoun, Master *James Scot* of Bonytown, the Laids of Dalmahoy elder and younger, the Lord Craig-hall, Sir *John Smith* of Grotell, Master *John Inglis* of Crawmond, the Laird of Calderhall, the Laird of Selnis, the Laird of Ingliftoun, Master *John Skene* of Halzards, *James Hammiltoun* of Brigs, Master *Lawrence Scot* of Bavelaw, the Laird of Riccardtoun Craig, *Gilbert Kirkwood* of Pilrig, the Lord Waristoun His Majesties Advocate, Sir *William Scot* of Clerkingtoun, *Lawrence Scot* younger thereof, *John Sterling* portioner of Byrena, *Patrick Scot* in Sofehall, Master *John Cant* of Mortoun, *Archibald Kinkade* in North-Leith, *Archibald Calderwood* Baillie of Dalkeith, *Thomas Megget* of Mastertoun, *Alexander Bothwel* of Glencorse, *William Borthuik* of Hereot, the Lord Cranstounriddle, Sir *Patrick Hammiltoun* of Little Presttoun, *Patrick Hammiltoun* his Son, the Laird of Arnestoun, the Laird of Fordelcorse, *Robert Porteus* younger, *Mark Cassie* of Cokpen, *John Nicolson* of Poltoun, *Alexander Hay* of Nuntoun, *James Boyd* of Temple, the Laird of Torsons, the Laird of Craikstoun, *John Mason* in Inneresk, the Laird of Smetoun, the Laird of Stanihill, *James Murray* of Babertoun, and the two Baillies of Mussilburgh; And appoints the *Quorum* to be nine.

Item, For the Sherifffdome of Fyfe, The Estates addes to the former Committee of the Shire, Generall Major Sir *James Lumisdene* of Innergellie, Generall Major *Robert Lumisdene* of Montquhanie, the Laird of Kincraig, the Laird of Sandfoord *Balfour*, Generall Major *Leslie* of Mires, Master *William Beaton*, the Laird of Balfarg, the Laird of Balbugie, the Laird of Spenserfield, and *John Pitcairne* of Unestoun; And appoints the *Quorum* to be nine.

Item, For the Sherifffdome of Sterling, The Estates addes to the former Committee of that Shire, the Earle of Mar, the Lord Elphinstoun, the Master of Elphinstoun, Lieutenant Generall *Baillie*, Master *Robert Naper* of Kilcreugh, the Laird of Pardowie, *James Sterling* of Baldernok, *Branhogle* younger, Sir *William Levingstoun* of Westquarter, *Alexander Levingstoun* portioner of Hanvng, *Harry Elvingstoun* of Calderhall, *David Forrester* of Denovane, *John Murray* younger of Livilands, and *John Levingstoun* of Kirkland; And appoints the *Quorum* to be nine.

Item, For the Sherifffdome of Berwick, The Estates nominates to be upon the Committee of Warre of that Shire, the Earle of Home, the Earle of Hadingtoun, the Earle of Lawderdail, the Earle of Leaven, the Lord Angus, the Lord Humble, the Lord Toftis, the Laids of Wedderburne elder and younger, the Laird of Langtoun, the Laird of Blacader, the Laids of Swintoun elder and younger, the Laird of Polwart, the Laird of Haliburtoun, Sir *William Scot* of Harden, *Alexander Home* of Plendergast, *John Rentoun* of Lambertoun, Sir *Harie Home* of Heirdrig,

Heirdrig, Sir *James Cockburne* of Ryislaw, *John Home* of Ninewells, Sir *John Home* of Crumstane, Master *George Home* of Kymmerhame, *Archibald Douglas* of Lumisdene, Sir *James Nicolstone* of Colbrandis-peth, *William Home* of Linthill, *Patrick Home* of Coldinghame-law, *Thomas Ker* of Mersfingtoun, *John Ker* in Mersfingtoun, the Laids of Foulden elder and younger, *Alexander Home* of Bassindean, *Robert Dickson* of Buchtrig, *James Home* of Castellaw, the Laird of Thornidykes, Master *Robert Hart* of Chappell, the Laird of Blanerne, Master *Alexander Home* of Saint Leonards, the Laird of Edrein, the Laird of Cumledge, *Edward Trotter* of Dernchester, *George Home* of Diringtoun, Major *William Lyle*, and *Alexander Home* of Bello; And appoints the *Quorum* to be nine.

Item, For the Sheriffdome of Peibles, The Estates nominates to bee upon the Committee of Warre of that Shire, the Earle of Traquair, the Lord Zester, the Lord Lintoun, the Master of Zester, the Laird of Blakbarronie, the Laids of Dawick elder and younger, the Laird of Littlehope, *James Geddes* of Kirkurd, the Laird of Prestongrange, the Laird of Haytoun, Master *James Lawson* of Cairnemure, *Walter Murray*, *James Russell*, the Laird of Posso elder, the Laird of Romanno elder, the Laird of Polmude, Master *Alexander Burnet*, the Laird of Glen younger, the Laird of Pirne, the Laird of Cardona, the Laird of Wrae, *John Dickson* of Hartrie, and the Provest of the town of Peibles, or in his absence, any one of the Baillies thereof; And appoints the *Quorum* to be seven.

Item, For the Sheriffdome of Angus or Forfar, The Estates addes to the former Committee of Warre of this Shire, *James Lord Carnegie*, *William Master* of Gray, the Master of Loure, the Laird of Craig, the Laird of Dun, the Laird of Edzel, the Laird of Balnamone, the Laird of Balzordie, *Alexander Mauld* younger of Panmure, the Laird of Fintrie, the Laird of Ruthven, the Laird of Balgillo, Sir *James Ogilvie* of Newgrange, Master *John Fotheringham* Tutor of Powrie, *Thomas Fotheringham* of Denoone, the Laird of Claverhouse, the Laird of Monorgund, the Laird of Gairne, the Laird of Potmollies, the Laird of Melgum, the Laird of Pitscandle, *Alexander Wedderburne* of Kingenie, *James Durhame* of Powrie, *Durhame* the Laird of Teilling, *Robert Arthbutnot* of Findowrie, Together with the whole remanent Noblemen of the Shire not already upon the former Committee, nor hereby added for the Town of Dundie, Sir *Alexander Wedderburne* of Blakenesse, Master *George Halyburtoun* for Brechine, *George Steil* for Montrossie, *James Scot* elder for Aberbrothok, *John Ochterlony* for Forfar, *Alexander Strang*, And appoints the *Quorum* to be nine.

Item, For the Sheriffdome of Perth, The Estates nominates and appoints for the Committee of Warre in this Shire, the whole Noblemen within this Shire who are not under the suspicion of Classing, with the Gentlemen and others following, viz. The Laird of Inchmartine, the Laird of Balthiok, the Laird of Glennegies, the Laird of Frieland, the Laird of Adie, the Laird of Dumcrub younger, the Laird of Gairntellie, Sir *William Stuart*, the Laird of Feinzeis, the Laird of Balmanno, the

the Laird of Inchesture or any of his two sons, the Laird of Monorgund, *Peter Hay* of Leyis, *George Hay* of Kirkland, Master *Francis Hay* of Balhousie, *Hugh Mitchel* of Kincarrok, Master *Hugh Moncreif* of Tibbermalloch, the Laird of Colpmalindie, the Laird of Bachiltoun, *John Moncreif* of Kinmonth, *William Oliphant* of Balgonie, *William Moncreif* in Kintelloch, the Laird of Balmadie, *David Drummond* of Innermail, the Laids of Glenurquhie elder and younger, the Laird of Strathnird younger, the Laird of Comrie, *Thomas Meinzie* of Tormianoch, *John Blair* of Lethnitie, *Alexander Robertson* of Downie, *William Lindsey* of Kinloch, the Laird of Ardblair, the Laird of Bamf, the Laird of Jordanstoun, the Laird of Crumbie, the Laird of Kethik, Master *David Kinloch*, *James Drummond* Fear of Machanie, *Lawrence Oliphant* of Gask, the Laird of Kelte, *William Blair* of Williamstoun, *Patrick Murray* of Wodend, *Robert Murray* of Buchintie, Master *Patrick Murray* of Auchtertire;

Murray younger thereof, *Alexander Murray* of Sowie, *John Campbell* brother to the umquihle the Laird of Abiturchill, the Laird of Cordoch, *James Crichtoun* in Aldie, *William Hutton* in Bellilisk, *Patrick Drummond* of Broich, Sir *George Prestoun* of Valeyfield, Sir *John Erskene* of Balgown, Master *George Dundas* of Maner, *Hary Home* of Argedie, the Laids of Anchile elder and younger, *Drummond* of Mylnenab, *John Buchanan* of Ardinpryor, *Coline Campbell* of Buchquhatill, *Alexander Spittel* of Blairlogie, *Archibald Stirling* Fear of Ardoch, *James Ure* of Shergartoun, *John Dennestoun* of Skapo, *Robert Arnot* Provest of Perth, *Patrick Dundie* and *John Congneror* Baillies,

Gourley of Culrossie, *David Murray* of Kinkill, *Edward Tosiok* the Tutor of Abircainie, *James Campbell* of Clathik, *John Dow* Fear of Arnall, and *David Dogge* of Ballingrew, or any seven of the whole as ane *Quorum*; With power to this Committee at their first meeting to divide their number, and settle ane *Quorum* thereof, of sick and so many as they think fit for each Presbytery within the said Shire, to be ane Committee of Warre within the bounds of the Presbytery: But Ordaines the whole Committee to meet at the Head Burgh of the Shire, upon advertisement from the Conveener, as occasion shall require; And the Lord Register nominate and appointed Master *Patrick Maxwell* Sheriff-Clerk of Perth, to be Clerk to the foresaid Committee of War of the Sheriffdome of Perth.

Item, For the Sheriffdome of Haddingtoun, The Earles of Roxburgh, Williamtoun, Haddingtoun, and Lawderdail, The Lord Zester, Angus, and Elibank, the Lord Innerpeffer, the Lord Humbie, the Laids of Wauchtoun elder and younger, the Laids of Hirdinaestoun, Innerweek, Prestoun, Lamingtoun, Smetoun, Preston-grange, Stevinstoun, Alderstoun, Beill, Kilbirnie, Lufnesse, Gosfoord, Elphingstoun, Foord, Elvingstoun, Colstoun, Clerkingtoun, Congletoun, Ruchlaw, Craig, Whitelaw, Nunraw, Markill, Salecoats, Sir *William Dick*, *Robert Hepburne*, *Thomas Turnble* of Skaitbussie, Master *Alexander Hay*, *Andro Hammiltoun*, Master *Andro Marjoribanks*, *Robert Pringle* of Woodhead, Master *John Pringle* his son fiar thereof, Captain *Thomas Hammiltoun*, Master *Cornelius Inglis*, *William Dickson*, *George Wood*,

V Wood, and for the Burgh of Haddingtoun, *John Cockburne* Provest, or *Patrick Young*, or *John Sleich* Bailies there: For the Burgh of Dumbar, *James Lawder*, or *William Purves* Bailies there: For Northberwick, *George Home* elder; And appoints any seven of the whole to be the *Quorum*.

Item, For the Sheriffdome of Dumbarton, The Laird of Fulewood, the Lairds of Ardincaple elder and younger, the Laird of Kilmahew, the Laird of Colgrane, the Laird of Feirme younger, the Lairds of Ardoch elder and younger, the Laird of Bonwar, *John Mackfarlane* Fiar of Arrochan, the Lairds of Camstroddan elder and younger, the Laird of Darleith, *John Dennistoun* of Dalquharn, *John Sempil* of Dalmoak, *William Buntene* of Stuck, *Robert Colquhoun* of Balanerk, *Archibald Buntene* of Kirkton, the Laird of Balvie, *Robert Hammiltoun* of Barnes, *John Colquhoun* of Kilmardonie, *William Sterling* of Law, *Walter Douglas* of Raystoun, *John Sempil* Provest of Dumbarton, Master *James Fleeming* of Balloch, and the Laird of Garshore; And appoints the *Quorum* to be seven.

Item, For the Sheriffdome of Linlithgow, The Earle of Callender, the Lord Bargonie, the Lairds of Dundas elder and younger, the Laird of Newlistoun, *Riccardtoun Drummond*, the Laird of Dudingstoun Dundas, the Laird of Medhope, the Laird of Maner, the Laird of Bynning, the Laird of Boghall, Master *John Bruce* of Wrae, *William Bruce* of Kincavill, Master *David Hay* of Woodcockdail, *Alexander Maxwell* of Dechmount, Master *James Hammiltoun* of Westport, the Laird of Levingstoun, Sir *Archibald Sterling* of Carden, Master *William Sandilanes*, Master *Walter Dundas*, *John Cornwall* of Bonhard, *Alexander Hammiltoun* of Parkie, Master *John Eistoun* of Cowstoun, Sir *Joseph Douglas* of Pumpherstoun, *Andrew Hammiltoun* of Redhall, *George Bell* for the town of Lithgow, and *James Dawling* for Queensferrie; And appoints the *Quorum* to be seven.

Item, For the Sheriffdome of Lanerk, The Estates of Parliament addes to the former Committee of their Shire, The Lord Duke of Hammiltoun, *James Hammiltoun* of Ernock, *Robert Hammiltoun* younger of Silvertounhill, *James Hammiltoun* of Neilisland, *Patrick Hammiltoun* of Newtown, *Andrew Hammiltoun* of Overtoun, *Robert Bailie* of Westtoun, Master *James Robertson* of Bedlaw, *William Brown* of Dalphingtoun, *Claud Bailie* of Bagbie younger, *Archibald Bailie* of Hillis, *Walter Corbet* of Towcorse, Master *John Hammiltoun* of Green, the Laird of Corhouse, the Laird of Covingtoun, Master *George Barbour* of Kirkton the Lord Justice Clerk, the Laird of Caithkin, Sir *William Weere* of Stainbyres, *Alexander Hammiltoun* of Hags, *Walter Stuart* of Alantoun, *James Hammiltoun* of Woodhall younger, Sir *James Hope* of Leidhill, *James Gilhagie*, and *David Spence* for Rutherglen; And appoints the *Quorum* to be nine.

Item, For the Sheriffdome of Innerneffe, Sir *Robert Innes* of that ilk, the Laird of Findrusie, *Walter Innes* of Innerbrakie, *Robert Monro* of Obisdale, *John Monro* of Lamlair, *Hector Douglas* of Muldarg, *Hew Fraser* of Balladrum, *William Fraser* of Culbokie, the Sheriff of Cromartie,

Cromartie, Sir *James Fraser* of Brae, *Hugh Rosse* of Kilraok, *Duncane Forbes* of Collodine, *Hugh Fraser* of Kinneries, *Hugh Rosse* of Little-tarrell, *Thomas Fraser* of Strwie, Sir *John Mackenzie* of Tarber, the Laird of Mackintosh, and *William Bailie* of Dutean; And appoints the greatest part of the foresaid Committee to be the *Quorum*.

Item, For the Sheriffdome of Air, The Estates addes to the former Committee of Warre of that Shire, the Laird of Carrie, and *Robert Brown*; And seven to be the *Quorum*.

Item, For the Sheriffdome of Drumfreis, The Estates of Parliament addes to the former Committee of War of this Shire, *David Mackbrair* of Almagill, *John Hairstones* of Craig, *Patrick Thomson* of *John Henderson* Baillie of Lochmaben, *William Crichtoun* Burgesse of Sanquhair, *John Johnston* Burgesse of Annand, *John Welch* of Collistoun, *John Greirson* of Chapell, Major *Thomas Mackburnie*, and Master *John Corson*; And appoints seven to be the *Quorum*.

Item, For the Sheriffdome of Kincardine or Mearnes, The Estates addes to the former Committee of War of this Shire, Sir *Robert Douglas* of Tilliquillie, Sir *John Douglas* of Barresse, Master *William Ramsey* younger of Wistoun, Master *James Strachan* of Fettercarne, *Robert Buchane* of Portlethem, *Robert Keith* of Craig, *William Lepar* of Hervistone, *John Strachan* of Hanch-head, and *George Ogilvie* of Lumgair; And appoints nine to be the *Quorum*.

Item, For the Sheriffdome of Renfrew, The Estates addes to the former Committee of War of this Shire, the Laird of Blackhall younger, the Laird of Bishoptoun younger, the Laird of Duchall younger, the Laird of Roisland, the Laird of Southbar, and the Laird of Jordanhill; And seven to be the *Quorum*.

Item, For the Stuartrie of Kircudbright, The Estates addes to the former Committee of War hereof, Sir *Robert Maxwell* appearand of Orchardtoun, *John Macklellan* of Auchlean, *Patrick Mackie* of Larg, *William Maxwell* of Kirkhouse, *William Macklellan* of Barscob, and *Robert Gordoun* of Grange; And appoints seven to be the *Quorum*.

Item, For the Sheriffdoms of Caitnes and Sutherland promiscuously, The Estates nominates and appoints for the Committee of Warre within the Sheriffship of Caitnes and Sutherland promiscuously, *Francis Sinclair* of North-field, Sir *James Sinclair* of Canuesbie, Sir *John Sinclair* of Dunbeath, *James Sinclair* of Borum, *William Sinclair* of Ratter, *John Cuninghame* of Bremhill, Cap. *William Innes*, Major *James Innes*, *William Sinclair* of Lun, *Charles Caddell* of Lynagar, *David Monro* Commissar of Caitnes, *John Murrey* of Pennyland, *Patrick Sinclair* of Ulbister, and *Alexander Mulligan* for Caitnes, the Earle of Sutherland, Sir *Alexander Sutherland* of Duffus, Sir *John Gordoun* of Embo, *Robert Gray* of Sordell, *Robert Murrey* of Spanzedale, *Alexander Gray* of Spisdale, *Alexander Gun* of Calelnan, *Robert Gray* of Ballone, *Alexander Gordoun* of Carrell, and the Provest of Dornoch for the time; And appoints nine to be the *Quorum*.

Item, For the Sheriffdome of Bamff, The Estates addes to the former Committee of War of this Shire, the Earle of Buchan, the Lord Bamff,

Bamff, John Lyon of Muresk, Walter Stuart of Ryland, Master Thomas Mortimer of Stanilyes, Master James Hay of Muldavar, And seven to be the *Quorum*.

To the which Committee of Warre, the severall Shires *respectively*, abovementioned and *Quorums* thereof, the saids Estates of Parliament do hereby renew and grant the same Commission, power, and warrant formerly granted by the convention of Estates, in their Act of the 28. of August, 1643. And since then renewed in the severall preceding Sessions of this Parliament, to the ends and with the same liberties and provision therein specified, and conform to the tenor thereof in all points: And farther the Estates of Parliament addes to the foresaid former power of the saids Committees, this power following, *viz.* They do hereby give power to the saids severall Committees or their *Quorum*, And ordaines them to take tryall what moneyes or other publick dues hath been intrormitted with, and uplifted within their severall Shires for the use of the publick, by the severall Collectors, or Sub-collectors, for the publick, or by any other persons whatsoever, as for the use of the publick and under that name, and thereafter ordaines the foresaid severall Committees of Warre to make report thereof to the Committee of Estates or Parliament, that thereupon such farther course may be taken thereanent, as shall be thought fit and expedient: And also the Estates appoints these persons abovenamed, of the severall Committees abovementioned, who are Commissioners for the saids Shires to this present Session of Parliament, to be Conveeners of the foresaid Committees for the first meetings thereof, and to proceed in the same severall Committees at the saids first meetings of the same, which first meeting, the Estates ordaines to be with all convenience, with power thereafter to the saids severall Committees or *Quorums* thereof *respectively* before rehearsed, to nominate and choose their own severall Conveeners, to proceed at their meetings, as they shall finde expedient. And last the Estates of Parliament grants power to the Committee of Estates or their *Quorum*, to alter and change the foresaid Committees of Warre, or any of the persons abovenamed, nominate to bee thereupon, as the Committee of Estates or *Quorum* thereof shall think fit or finde expedient.

ACT XLII.

Act anent the election of a President of Parliament for ilk Session of Parliament.

27. March 1647.

THe Estates of Parliament now presently convened in this sixth Session of the first Triennial Parliament, Taking to their consideration the fiftieth Act of our Sovereigne Lords second Parliament, made anent the election of the President of Parliament,

liament, Wherein it is statute, that in all succeeding Parliaments after the taking of the Oath of Parliament by all the Members thereof, They should make choise of the Lord Chancellour, or any other the King or his Commissioner and the Estates should appoint to be President of Parliament, who should remaine and continue President also well in that Parliament wherein he is chosen, as in the next Parliament subsequent, untill the said Oath be taken, and another chosen to be President in his roome, as the said Act more fully proports: By the which Act it is not particularlie expressed, whether the President of Parliament shall bee changed ilk Session of Parliament, or shall continue during the running and severall Sessions of a current Parliament, untill the induction of a new Parliament: For clearing whereof, The Estates upon good Causes and considerations, Statutes, Ordaines, and Declares, That in all time coming it shall be the first Act, the beginning of ilk severall Session of Parliament, after the taking of the Oath of Parliament, to proceed to the election and making choise of a President for that Session of Parliament, who shall preceed in that Session of Parliament, and while the taking of the Oath and new election of another President in the next Session of Parliament, So that in each severall Session of Parliament albeit the same shall bee current, there shall be ane new election of a President for that Session thereof allanerly, and while the Oath and new election in the next in manner abovementioned.

ACT XLIII.

Act discharging Letters of foure formes.

27. March 1647.

THe Estates of Parliament now convened in the sixth Session of the first Triennial Parliament, Considering the needlesse charges that His Majesties Subjects are put to (who comprises their debtors Lands) by using and executing of Letters and charges of four formes upon their comprisings against the superiors of the Lands comprised, for infesting the comprisers therein: The Estates for remeed hereof, Statutes and Ordaines, That all Letters and Charges raised or to be raised upon comprisings already deduced or to be deduced, shall bee execute hereafter against the superiors of the Lands and others comprised for infesting of the saids comprisers therein, upon ane simple charge of Twentie ane dayes allanerly: Which the Estates declares to bee also sufficient in all respects, as the former charges given upon comprisings, by vertue of the Letters of foure formes, which are now hereby discharged in time coming.

ACT

ACT XLIV.

*Act annulling Bands taken by Officers of
Casseired Regiments.*

27. March 1647.

THe Estates of Parliament now convened in this sixth Session of the first Trienniall Parliament, Taking to their consideration the desire of the supplication of the Burgh of Bamff, presented to them by *Gilbert Mair* Commissioner for that Town, craving that they may be freed of a Band of six hundred Merks, given by them to Colonell *George Forbes* of Mylnebowie, for the prices of certain Cloathes and Arms promitted by the Town to twenty two Souldiers put out by them to the said Colonell *George Forbes* in August, 1646. In respect the said Colonell and his Regiment was discharged and casseired by warrand of the Committee of Estates within few dayes after the granting of the Band, and the Souldiers returned to their own habitations, and herewith also considering that there is divers and sundry other Bands granted by divers of the good subjects of the Kingdome, to Colonels and other under Officers, for payment to them of divers summes of money, which albeit the Bands bear borrowed money, yet the true cause of the granting thereof was onely for putting out of Souldiers, and for the price of Cloathes and Armes to them, to the severall Regiments and Companies, whereof the Colonels and other under Officers, receivers of the saids Bands, were Commanders, which were also within few dayes after the granting of the saids Bands casseired by warrand and order of the Committee of Estates: And the Estates of Parliament finding it unjust that the foresaid Bands of the nature and quality abovementioned, not being truly for borrowed moneyes, should stand obligator against the granters, or that they should be lyable to the payment of the summes therein contained: Therefore the Estates of Parliament for remeed hereof, findes, and declares, and hereby statutes and ordaines That the foresaid Band granted by the Town of Bamff to the said *George Forbes* of Mylnebowie, for payment to him of the sum of six hundred Merks abovespecified, with all other Bands of that nature granted by any of the good subjects of the Kingdome, to any Colonels or under commanders of Regiments or Companies, for pay of the summes *respective* contained in the Bands as borrowed money, albeit the same were truly granted for putting out of Souldiers, and for Cloathes and Armes to the Souldiers of their Regiments and Companies, which were shortly after the granting of the Bands casseired and disbanded by order and warrand of the Committee of Estates, Are and shall be void, null, and ineffectuall from the date hereof, sensyne and in time comming: Likcas, The Estates discharges the

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famine, with all execution that hath followed or can follow thereupon against the granters thereof: And declares them, and every one of them free of their obligations in the foresaid Bands, and of all payment of the summes of money therein mentioned for ever.

ACT XLV.

Act Salvo jure cujuslibet.

27. March 1647.

THe Estates of Parliament now convened in the sixth Session of the first Trienniall Parliament, Considering that in this present Session of Parliament, there are some particular Acts, and Acts of Ratification made in favours of particular Persons, which may be prejudicial 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 be hurt or prejudged of their lawfull rights and defences competent to them of the Law; Forremeed whereof, It is statute and ordained, That no Ratification, nor other particular Act whatsoever, made in favours of any particular person in this present Session of Parliament, bee prejudicial 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 XLVI.

Act appointing the first meeting of the second Trienniall Parliament to be upon the first Thursday of March 1648.

27. March 1647.

THe Estates of Parliament now convened in this sixth Session of the first Trienniall Parliament: Taking in consideration that by the Act of Parliament made in June 1640 anent Trienniall Parliaments: It is thereby ordained, that before the closure of every Parliament, the day of the next subsequent Parliament shall be condiscended upon; And herewith also considering that this first Trienniall Parliament, is now this day in the sixth Session thereof by the

the assistance of God Almighty brought to ane happy conclusion: Therefore the Estates of Parliament, do hereby appoint and ordain the first Thursday of March next to come, in Anno 1648. To be the day of the first meeting and convening of the second Trienniall Parliament: At the which day, ordaines all the members of Parliament to meet and convene at Edinburgh, without any other or farther warning and premonition to be made for that effect, but only the publication of this present Act with the remanent Acts of this Session of Parliament, which the Estates declares to be ane sufficient warning and premonition to the effect foresaid: And ordaines the whole Acts, Statutes, and Ordinances, made and concluded in this first Trienniall Parliament, in the severall Sessions thereof, to stand and have the strength and force of Acts of Parliament, conform to the tennors thereof respective: And the Estates grants power to the Committee of Estates, in the mean time betwixt and the day abovementioned upon emergents as they shall finde necessitie, to convene the Parliament sooner, at any time or place betwixt and the day abovespecified as they shall finde expedient, the hail Committee, at the least the major part thereof, being warned upon fifteen dayes to the meeting, for calling of the said Parliament: And sicklike, The Estates ordaines the Lords of Session, and Commission for plantation of Kirks, to convene and sit down in Session and Commission respective for administration of justice the first day of June next to come, and to continue at the ordinar times appointed for their sitting at Edinburgh, while they be discharged by Parliament, Committee of Parliament, or secret Counsell.

Collected, Revised, and Extracted forth of the Bookes and Register of the Acts of Parliament by me 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 sixth Session of the first Trienniall Parliament of our Sovereigne Lord CHARLES, Beginning the third of November 1646. and ending the twenty seventh of March 1647.

1.	Act anent Quarterings and payment of Officers and Souldiers in their Quarterings.	19. Novem.
2.	Act of approbation to the Committee of Estates, anent the taking off of the Rebels.	1 1646. 27. Novem.
3.	Act anent Liferenters that they pay publike Dues, and bear publike Burdens.	5 10. Decem.
4.	Act anent allowing of Quarters.	ibid. 1. Januar.
5.	Act anent Recording of Losses.	7 1647. ibid.
6.	Act anent these that are, or shall be restored against their Foresaltours.	8 2. Januar.
7.	Ratification of the Commission for changing Waird Haldings holden of the Kings Majesty.	12. Januar. 14. Januar.
8.	Act anent the payment of the duty for the Light of the Maye.	9 10
9.	Ratification of the Commission for changing of the Waird Haldings holden of the Prince his Highnesse.	10 16. Januar.
10.	Declaration of the Kingdom of Scotland, concerning the Kings Majesties Person.	11 12
11.	Act anent fixing of appeirand Heirs.	12 14
12.	Act anent these who hes gotten Passes and assurances, and hes since joyned with the Rebels.	14 26. Januar.
13.	Act anent the modelling of the Forces kept up for the Service of the Kingdome.	15 16 29. Januar.
14.	Act for advancing ane Moneths maintenance for disbanding the Army.	20 10. Febru.
15.	Answer of the Parliament to the Remonstrance of the Church.	23 11. Febru.
16.	Ratification of the Act anent the distribution of the 5000 l. Sterling, to the Lame Souldiers, and to the Widows and Orphans of the decest Souldiers.	25 17. Febru.
17.	Act anent the nine Moneths maintenance for the Army, and Retention of ane and a half of the Hundred for the Annualrents.	27 20. Febru.
18.	Act anent the establishment and pay of the Armie.	27 25. Febru.
19.	Act against Runawayes, and their Resettlers.	32 37
20.	Act anent the inbringing of the first two Moneths Mainienance.	37 27. Febru.
21.	Act anent these excepted from getting Pardon or Conditions.	38 4. March.
22.	Act and Commission anent the Excise.	39 10. March.
23.	Act suspending the execution of the Bands given by the Commissioners for the 5000 l. Sterling.	40 48
24.	Act renewing the Commission to the Commissioners for England.	49 11. March.
25.	Act anent the taking of the oathes of Delinquents, for tryall of their Delinquencie.	49 15. March.
26.	Act against Runawayes and their Resettlers.	50 ibid.
27.	Act against excommunicate Persons.	51 18. March.

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	28 Act discharging the observation of Superstitious dayes.	53
20. March.	29 Act and Commission to the Committee of Estates.	ibid.
22. March.	30 Act liberating the good Subjects from the pursuit and actions of the Rebels, Civill or Criminall.	57
	Act that no reparation of losses be given to these who hes been compliers with the Rebels.	58
24. March.	32 Act renewing the Commission for plantation of Kirks, and valuation of Teinds.	ibid.
	33 Act anent the vassals of Kirk-lands.	60
	34 Act that none guilty of the Crimes of the first Classe bee admitted on the Committees of Warre of the Shires.	62
25. March.	35 Act renewing the Commission for the Exchequer.	63
26. March.	36 Act anent Quarterings.	ibid.
	37 Act for clearing former Acts concerning quarterings.	64
	38 Act annulling Bands given to James Grahame, Alexander Mackdonald, and their Adherents.	65
	39 Act concerning the education of children under Popish Parents or Tutors.	66
	40 Act anent the trying of burnt and wasted Lands.	67
	41 Act anent the Committees of War of the severall Shires.	68
27. March.	42 Act anent the election of ane President of Parliament for ilk Session of Parliament.	74
	43 Act discharging Letters of foure formes.	75
	44 Act annulling Bands taken by Officers of Cassered Regiments.	76
	45 Act Salvo jure cujuslibet.	77
	46 Act appointing the first meeting of the second Trienniall Parliament to be upon the first Thursday of March 1648.	ibid.

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printed Acts and Ratifications, done in the sixth Session of the first Trienniall Parliament, Beginning the third of November 1646. and ending the 27. of March 1647.

	Act in favours of the Lord Waristoun.	7. Novemb.
	Act in favours of the Lord Register, Lea, Tofts, and Laird of Bogie.	1646.
	Act of approbation to the Marques of Argyle, and remanent Commissioners at London.	
	Act in favours of the Laids of Lugtoun, Dairfie, and others.	12. Novem.
	Prorogation of the Committees of War in the Shires, during the sitting of the Parliament.	14. Novem.
	Act in favours of the Parishioners of Muckart and Dolor.	20. Novem.
	Act for relief of the Shires of Aberdeene and Bamff.	14. Novem.
	Commission for Proccesse, Money, and Excise.	28. Novem.
	Act in favours of the Earle of Findlater.	
	Ordinance concerning James Bell and Coline Campbell.	1. Decemb.
	Act in favours of Lieutenant Generall David Lesly.	2. Decemb.
	Protestation Lord Spynie.	3. Decemb.
	Act in favours of Master James Hay.	4. Decemb.
	Act James Maxwell of Spinkell.	8. Decemb.
	Act of approbation and exoneration to the Lord Humble.	9. Decemb.
	Act anent Officers, Troupers, and Souldiers of new Levies.	
	Ratification in favours of the Earle of Crawford-Lindsey.	10. Decem.
	Act Alexander Maxwell of Conhaith.	
	Act anent the Shipping in the west coast.	15. Decem.
	Instructions to the Commissioners that went to Newcastle.	24. Decem.
	Instructions to the Commissioners at London.	
	Act anent the Quorum of the Commissioners at London.	
	Warrant of Parliament to the Lord Generall.	25. Decem.
	Act in favours of Master Robert Gordoun of Straloch and his Son.	
	Act in favours of the Earle of Traquair.	26. Decem.
	Instructions to the Commissioners at Newcastle.	
	Act anent the election of the Magistrates of Glasgow.	
	Act in favours of the Lord Balcarras.	29. Decem.
	Act Hector Macklene.	30. Decem.
	Act Lord Balcarras.	31. Decem.
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	Declaration of Parliament in favours of the Lord Humble.	

The Table of the unprinted Acts.

1. January. Act in favours of the Marques of Argyle and remanent Heritors of that Shire.
1647. Act in favours of the Marques of Argyle, Doctor *Sharp*, Sir *William Dick*, and others.
Act Lady Gairlees.
Warrant to the Lord Humble for telling and receiving of 200000 l. Sterling.
Ordinance of Parliament concerning the Twon of Edinburghs Commissioners.
Act in favours of the Lord Humble for his super-expences.
Act in favours of *John Johnston*.
Commission Lord Lovat.
Act in favours of the Earle of Louthian.
Act of approbation to Major Generall *Middletoun*.
2. January. Act in favours of the Earle of Annandale.
Act in favours of *Kenneth Mackenzie* and others.
Act in favours of these to whom Generall Major *Middletoun* hath given passes.
3. January. Act concerning fines and borrowed moneys.
Act in favours of the Town of Innernes.
Act in favours of Colonell *Lodovick Lesly*.
Act Earle of Castels and Balmerino.
8. January. Act *Martine Mackbeane*.
Act Earle of Callendar.
14. January. Act in favours of Lieutenant Generall *King*, rescinding his forfeitour.
Ratification to the Earle of Glencarne, of his gift to be Justice-Generall.
15. January. Act Colonell *Valer Scot*.
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16. January. Demands of the Kingdome of Scotland to the Kingdom of England.
19. January. Act Earle of Crawford *Lindsey*.
Act Major Generall *Middletoun*.
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21. January. Act Earle of Findlater.
Act Town of Breechin.
22. January. Act Lord Drummond.
Act in favours of *George Bailie* of Jervelwood.
23. January. Ordinance anent the answering of the Kings Majesties letter, direct to the Earle of Crawford *Thesaurer*.
25. January. Roll of these persons to whom Major Generall *Middletoun* hes granted Passes and Assurances.
29. January. Commission to the Earle of Leaven to be Lord General.
Instructions to the Lord General.
30. January. Warrant for trying of Duke *Hamilton* his losses.
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Warrant to the Lord Register for receiving of Cautioners from the Officers of the Armie.

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Act Marques of *Douglas*.
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3. Februar. Act Sir *John Seatoun*.
Act Laird of Blindlie.
Act Laird of Cromlix.
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Poteftation Earle of Balcleuch there-against.
Act for the Officers of the Earle of Castels Regiment.
Act Lord Herreis Rescinding his Forfaltour.
Act Lieutenant Generall *David Leslie*.
5. Februar. Act anent the 500 l. Sterling advanced by the Town of Edinburgh.
Act anent the disbanding of the Regiments of Horse.
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Act and Ratification Master *Robert Dalgleish*.
Act Vicount of Airdie.
6. Februar. Two Acts anent the marching and provision of the Earle of Louthian and Lord Sinclars Regiments.
7. Februar. Act Earle of Leaven contra Lord Naper.
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12. Februar. Act for transporting of the Kirk of Dunfcore.
Act appointing Sir *John Vveemes* of Bogie to be Generall Commissar.
13. Februar. Protestation Earle of Calendar.
16. Februar. Act in favours of Lieutenant Generall *King* Lord Ythan.
Ratification to Master *John Cant*.
19. Februar. Warrant to the Town of Edinburgh anent Captain *Denneftoun*.
20. Februar. Act Laird of Libbertoun.
23. Februar. Act Laird of Fintrie.
Act Laird of Arkinglas.
Act Earle of Eglington.
24. Februar. Act and Protestation Earle of Erroll and Town of Edinburgh, anent the deliverie of Captain *Denneftoun* to the Lord General.
25. Februar. Act Laird of Ardinglas Regiment.
26. Februar. Act and Protestation Earle of Erroll and Town of Edinburgh concerning *John Simson*.
2. March. Act Lairds of Glenurquhie elder and younger.
Act Lord Humble and the General Commissar.
3. March. Act Lieutenant Colonell *William Hamilton*.
Act in favours of the Earle of Mar, L. of Polmaus and others.
Act *Allan Dunlap* anent 7000 bolls Meale.
Act in favours of the Scots captives in Argiers.
Act for relief of these bound to Sir *William Dick* for 200000 Merks.

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- Act L. of Lawers.
 Act in favours of the Bairnes of the Laird of Haddo, Restoring them again their Fathers Forefaultour.
4. March. Act for putting some prisoners to libertie.
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6. March. Act Sir John Brown and others.
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12. March. Act Thomas Cunninghame.
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13. March. Act for transporting the Kirks of Logiemontros and Peart.
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 Ratification L. of Langtoun and Robert Cunninghame.
 Ratification Earle of Wigtown.
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 Act Earle of Dumfermling and Countesse thereof.
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 Act L. Ballindalloch.
 Act Sir James Fraser.
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 Act of approbation and exoneration to the Lord Humber.
 Reference Lord Humber.
 Act Earle of Buchane.
 Act in favours of the Earle of Airliie, rescinding his forefaultour.
 Act Master of Bamff.
 Act Earle of Hartfell.
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 Act L. of Harden younger to be Sheriff of Selkirk.
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 Ordinance anent the date and extracting of Generall Ruthvens Act of restoration against his forfaultour.
 Act Master James Robertson.
 Act Lord Fraser contra L. of Drum.
 Act Generall of Artillerie.
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 Instructions from the Parliament to their Commissioners at London.
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 Act in favours of the Lord Waristoun.
 Act Generall Major Monro, and L. of Kinhill.
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 Act in favours of Sir William Dick.
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 bacy of *Dumfermling*, with the defences and answers given in, for and
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 and provision to the Armie.
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 Act Duke of Lennox, Protestation Earle of Crawford-Lindelay in
 the contrair.
 Act Marr. Black.
 Act Lord Zetter.
 Act M. John Cheislie.
 Act Parochiners of Muckart and Dolor.
 Act Sir Robert Douglas.
 Act of approbation to the Committee of Estates.
 Act of approbation to the Committees of Processe and Moneyes.
 Act Generall of Artillerie.
 Act anent the Committee of Processe and Moneyes for the North.
 Warrant to the Cautioners of James Grahame for citation of his Creditours to produce their Bonds.
 Ratification in favours of the Earle of Crawford-Lindelay of his Rights.

Table of the Printed Acts done and past in the first Session of the second trienniall Parliament, Beginning the second of March 1648, and ending the last of June 1648.

1. March 1648.
ACT anent the election of the Earl of Lowdown Lord Chanceller to be President of this Session of Parliament.
2. March 1648.
 Ordinance of Parliament concerning the election of Commissioners for Shires.
3. April 1648.
 Act anent the allowance of Quarters.
10. April 1648.
 Act and resolutions of Parliament concerning the breaches of the Covenant and Treatie betwixt the Kingdomes of Scotland and England, and demands for reparation thereof.
15. April 1648.
 Act concerning the Town of Edinburgh, Leith, and the suburbs, to be free of locall Quarterings.
18. April 1648.
 Act for putting of the Kingdom in one posture of War for defence, and constituting the Committees of War of the severall Shires.
19. April 1648.
 Declaration of Parliament concerning their resolutions for Religion, King, and Kingdomes in pursuance of the ends of the Covenant.
27. April 1648.
 Desires of the Parliament of Scotland, to the Honourable Houses of the Parliament of England.
4. May 1648.
 Act anent the Levie, with the List of the Colonels.
9. May 1648.
 Act prorogating the monethly Maintenance from the first of March 1648. to the first of August 1648.
11. May 1648.
 Act in favours of the out-reikers of Foot and Horse in this Levie.
10. May 1648.
 Act appointing the Provost, Bailies and Councell of Edinburgh, To be one Committee of War within themselves.
11. May 1648.
 Commission to the Committee of Estates for the intervall and recess of Parliament.

Table of the Printed Acts.

14. Act prorogating the Excise, and appointing the Commissioners and Treasurer for the same.
15. Act repealing the Commission to the Commissioners for England.
16. Letter from the Parliament to the severall Presbyteries.
17. Act adjourning the Parliament till the first of June 1648.
18. Act anent the Oath to be tane by the Committees of War. of the severall Shires.
19. Act and ordinance of Parliament concerning the Garrisons within the Kingdom, and for provision of the Forces thereof, and adding two moneths maintenance to the former five.
20. Act and warrand for raising of Troops.
21. Commission to the Committee of Estates.
22. Addition of Commissioners for Barons and Burrows, to the Commission for plantation of Kirks.
23. Act in favours of these Ministers who exhort the people to the obedience of the Acts and orders of Parliament, for securing of them in their persons, and payment of their stipends.
24. Act injoyning the Members of Parliament, Noblemen, Barons, Burgeses, and whole subjects, To subscribe the Act of the lawfulness of this Parliament, and for defence and obedience of the Acts thereof.
25. Act anent the Marriage of these who get their waird-holdings changed of the King and Prince to few, That their other superiours of whom they also hold waird, shall not get the benefit of their Marriages.
26. Act and declaration of Parliament in answer to the Supplications from Synods and Presbyteries.
27. Act and declaration of Parliament to the Supplications of some Committees of War.
28. Act against Deficients and Fugitives from the Shires, Burghs and Paroches.
29. Act Salvo jure cujuslibet.
30. Act continuing the Parliament till the first Thursday of March 1650.

Table



Table of the unprinted Acts and Ratifications past and done in the first Session of the second Triennial Parliament, Beginning the 2. of March 1648. and ending the 10. of June 1648.

- P**rotestation Earl of Murray for Precedencie.
- Protestation Earl of Eglington, contra the Earl of Glencairn, with the Earl of Glencairns answer there against.
- Act in favours of the Earl of Nithisdail.
- Act of approbation to the Earl of Lowdon Lord Chancellor and others.
- Act of approbation to Sir John Cheissie.
- Act anent the Excise.
- Ordinance in favours of the Heritors of Kirklands.
- Act in favours of Colonell James Weymes.
- Act for suppressing of the Irishes Islanders and their associates.
- Act in favours of the Generall Commislar.
- Act in favours of Thomas Cunninghame and his companions.
- Act in favours of Doctor John Sharp.
- Act in favours of the umquhile Laird of Haddo his Tennents.
- Act in favours of George Logane.
- Act Master James Urquhart contra the Laird of Gallowshells.
- Act anent Ships to guard the coast.
- Decreit Town of Perth contra Andro Reid.
- Act in favours of the Officers of the L. of Lawers Regiment.
- Act Earl of Wintoun.
- Act Colonell Hary Barklay.
- Act in favours of Master John Middleton.
- Act in favours of the Officers of the L. of Lawers Regiment.
- Act for the Officers in the Blair of Atholl.
- Act L. of Greinnok.
- Act Earl of Findlater.

Act

Table of the unprinted Acts.

Act Sir William Dick for ane 3. year tak of the Excise of Wines.

Act Generall Major Middletoun.

Act anent the Generall Commissar his accompts.

Act John Kennedy anent his accompts.

10. May 1648.

Act for ane half moneths maintenance to the Army in Ireland.

Act excoeming the Town of Edinburgh from the Levie.

Act Dame Helen Elphinstoun.

Ordinance anent the Generall Officers.

Warrant to the Committees of War of the Shires for restraining the sitting of Servants.

Act Laird of Lawers.

11. May 1648.

Act anent the Commissioners of Burrowes.

Commission to James Duke of Hammiltoun &c. to be Generall of the whole Forces Foot and Horfes by Sea and Land, within and without the Kingdom.

Commission to the Earl of Callander, to be Lieutenant Generall of the whole Forces aforesaid.

Commission to David Leslie to be Lieut. Generall of the whole horfes.

Commission to John Middletoun to be Generall Major to the Horfes.

Commission to James Howburn to be Generall Major to the Foot.

Commission to Alexander Hammiltoun to be Generall of the Artillery.

Commission to Sir John Weymes to be Generall Commissar.

Commission Robert Innes to be Generall Quarter-master.

Act Fonet Dumbar.

Act Master Robert Farquhar.

Reference and act Master Gilbert Stewart.

Commission for burnt and wasted Lands in Aberdeneshire.

Act Earl of Eglington.

Reference and act Sir James Stewart and James Hammiltoun.

Act Marquesse of Argyle, Earl of Eglington, and Master Robert Barklay.

Act anent Master Andro Cant of Colmiestoun.

Commission for burnt and wasted Lands in Nairnshire.

Commission for burnt and wasted Lands in the Shire of Elgine and Forres.

Commission for burnt and wasted Lands in Bamsshire.

Ratification Earl of Callander.

Ratification Sir Alexander Levingstoun and his heires.

Ratification of the Town of Glasgoves gift of mortification.

Ratification Angus Macphersane.

Ratification Malcome and James Macphersanes.

Ratification in favours of the Ministers of Air, Alloway, and some others.

Act and ratification in favours of the Town of Paisley.

Ratification in favours of the town of Queensferrie.

Ratification Hector Douglas of Muldarg.

Ratification to the Parlon of Restalrig.

Ratifi-

The Table of the unprinted Acts.

Rights of the Baronie of Auchterbrother.

Ratification L. Innerpeffer of his Infeftments of the Baronie of Sal-

toun.

Ratification in favours of the Earle of Callender of his Right of the Baronie of Donypace and others.

Ratification in favours of the Earle of Hadingtoun.

Commission to Thomas Forbes of Watertoun.

Ratification in favours of the Laird of Rives.

Ratification in favours of Sir Patrick Hammiltoun of Little Preston.

Ratification in favours of Sir James Lumefden of Innergrellic.

Ratification in favours of James Blair younger, Merchant Burges of Irwing.

Ratification in favours of the L. Brodie of his Infeftment of the lands of Brodie and others.

Ratification in favours of Master William Sempil, Protestation there-against.

Ratification in favours of the Earle of Callender of the office of Sheriff principall of Sterling shire.

Ratification in favours of Sir Michael Balfoure of Deanmylne.

Ratification in favours of the Earle of Dumfermling.

Ratification in favours of James Mowat Writer.

Ratification in favours of Sir Adam Hepburne of Humbie, and Thomas Hepburne his sonne of their Infeftment of the lands of Humbie and Overhawden, with a dissolution thereof from the Abbacie of Kelso.

Ratification in favours of the Lord Wariston his Majesties Advocate.

Ratification in favours of the Earle of Crawford-Lindesay of the Right granted by the King to Master Levingstoun of the Bishopricks, and by Master Levingstoun to the Earle.

Ratification in favours of Robert Hammiltoun.

Ratification in favours of the Earle of Murray.

Ratification in favours of the Laird of Lugtoun.

Ratification in favours of the L. of Cragivar.

Ratification in favours of Alexander Brodie of Letham.

Ratification in favours of the Laird of Birkinboig.

Ratification in favours of the Town of Kinghorne.

Ratification in favours of Sir Will. Cochran of Cowdoun.

Ratification in favours of M. Robert Farquhar.

Two Ratifications in favours of William Law.

Ratification in favours of Captain Thomas Lindesay, and John Linde-

say his son.

Ratification in favours of the Earle of Lanerk.

Ratification in favours of Master Robert Mayne.

Ratification in favours of the Laird of Langtoun of his Infeftments of the Baronie of Langtoun.

Ratification of the Gift granted by the Kings Majestie in favours of umquhile Sir Thomas Hope of 1080 l. sterling, as Commissioner to the Generall Assembly.

Ratification in favours of Sir John Gibsone of Alderstoun of ane signa-

tor of Taxt Waird.

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The Table of the unprinted Acts.

Ratification in favours of Master *Thomas Henderson*.
 Ratification in favours of the Laird of Brodie of his Decree of the
 Committee of Estates.
 Ratification in favours of the Lord Lea of his Rights and Infeft-
 ments of the Baronic of Lochrenie.
 Ratification in favours of Sir *Archibald Primrose* of his Office and
 gift of Pension.
 Ratification in favours of the Earle of Glencarne.
 Commission for visiting the University of *Aberdene*.

FINIS.
