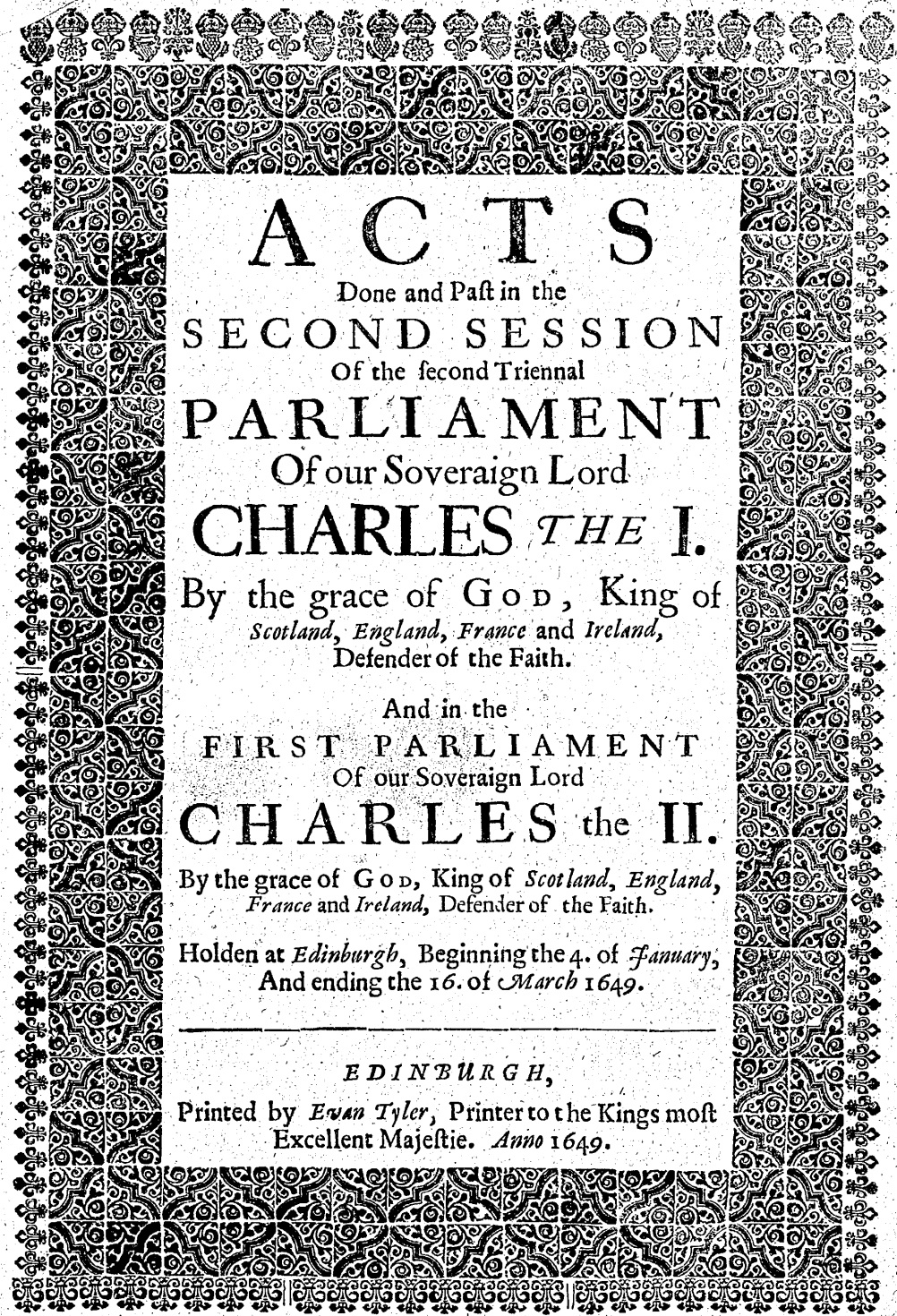


168-6



ACTS
 Done and Past in the
SECOND SESSION
 Of the second Triennial
PARLIAMENT
 Of our Sovereign Lord
CHARLES THE I.

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

And in the
FIRST PARLIAMENT
 Of our Sovereign Lord
CHARLES the II.

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

Holden at *Edinburgh,* Beginning the 4. of *January,*
 And ending the 16. of *March* 1649.

EDINBURGH,
 Printed by *Ewan Tyler,* Printer to the Kings most
 Excellent Majestie. *Anno* 1649.



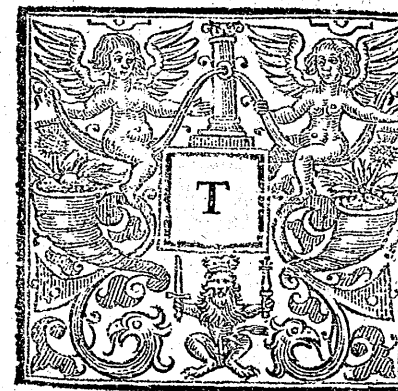
ACTS

DONE AND PAST IN THE
Second Session of the second Triennial Parlia-
ment : Holden at *Edinburgh*, and beginning the fourth of
January, 1649. and ending the sixteenth of *March*
in the year aforesaid.

ACT I.

*Act anent the election of the Earle of Loudoun
Lord Chancellour, to be President of this
Session of Parliament.*

4. *January* 1649.



THE Estates of Parliament now
presently conveyed in this second
Session of the second Triennial
Parliament, by vertue of an Act of
the Committee of Estates, who
had power and authority from the
last Parliament for conveying the
Parliament, Taking to their con-
sideration the 50. Act of the Kings
Majesties second Parliament hol-
den at *Edinburgh*, in anno 1641.
Intituled, Act anent the election of
the President of Parliament, toge-
ther with the 42. Act of the last
Session of the first Triennial Parliament of the date at *Edinburgh*, the
27 day of *March*, 1647 years, Intituled, Act anent the election of a
President of Parliament for ilk session of Parliament, explaining the
former Act concerning the time of the endurance of the President of
Parliament, And according hereunto *John Earle of Loudoun* high
Chancellour of *Scotland*, President of the last Parliament, Having
ministred the oath of Parliament To the whole members of
Parliament present, And represented to them the two Acts of
Parliament abovementioned, which were read in audience of
Parliament

Parliament, The saids Estates of Parliament after voycing did elect and choose the said *John* Earl of *Loudoun* high Chancelour of *Scotland* To be President of this Sesson of Parliament, And to preceede thereintill as President of Parliament during this Sesson of Parliament, And while the taking of the oath of Parliament and election of another President in the next Sesson of Parliament, conform to the foresaid 42. Act of Parliament of the 27 of *March*, 1647.

ACT II.

Act for a Solemn Fast and Humiliation to be kept by all the members of this Parliament, in relation to publick sins and breaches of Covenant, And for their renewing the League and Covenant and engagement to the duties therein contained.

January 5. 1649.



THE Estates of Parliament, taking to their serious consideration the great sins and provocations of the Land, and the great calamities and distresses wherewith they have been exercised, and which yet hang over their heads, And being desirous to return unto the Lord by humbling themselves before him, with sincere confession of their finnes and engagement to do no more so, But to reform their wayes, and be steadfast in his Covenant; And considering that in relation to the generall finnes of the Land, The Commission of the General Assembly appointed a solemn Acknowledgement of publick finnes and breaches of Covenant, and a publick engagement to the duties therein contained, Therefore the said Estates, in the fence of their own finnes, and of their accession to the breaches of the whole Land, Do resolve that all the members of the present Parliament humble themselves in the Parliament house before the Lord, in a solemn Acknowledgment of their finnes and breaches of Covenant, and engage themselves to a more strict observance of publick duties, especially of those that relate to the dangers of the time, And also that they renew the solemn League and Covenant according to the order set down by the Commission of the General Assembly, And that this may be performed with fasting and humiliation and all other religious duties, and a day set apart for that purpose, The Earle of *Cassils*, Sir *Archbald Johnstoun* of *Waristoun*, and the Provest of *Edinburgh* are to acquaint the Commission of the Kirk with this resolution, and in name of the Parliament to desire that some of their number may

may preach in the Parliament house, and administer to them the Covenant, And do and order all other things necessary for so solemn and religious an action.

ACT III.

Act ratifying the Act of Indiction of this present Parliament.

11. January 1649.



THE Estates of Parliament now presently convened in this second Sesson of the second Triennial Parliament, by vertue of an Act of the Committee of Estates who had Power and Authority from the last Parliament, for conveneing the Parliament; Having taken to their consideration the said Act of the Committee of Estates of the date the twenty seventh day of *October* one thousand six hundred forty eight yeers, whereof the Tenour followeth. At *Edinburgh* the twenty seventh day of *October* one thousand six hundred and forty eight yeers. Whereas it is the speciall duty and privilege of Parliament to settle and preserve the Government and Peace of the Kingdom, and to keep the Judicatories thereof free from corruption, and preserve the union betwixt the Kingdoms: And that the expedience and necessity of frequent meetings of Parliament for the good of the Kingdom, especially in troublesome times is known to all, and that now after so many great distractions and alterations, the Kings Majestie and the Honourable Houses of the Parliament of *England* are upon a Treaty, wherein Religion, the King, and the good and peace of the Kingdoms are so nearly concerned; In all which, the interest of this Kingdom, can be best settled and secured by the wisdom and authority of the Parliament. Likeas by the late Treaty at *Edinburgh* and *Stirling*; It is agreed on, That all Civill questions and differences whatsoever, be referred to the determination of a Parliament, to sit down before the tenth of *January* next. And in regard of the clause contained in the Commission to the Committee of Estates, giving them power to call a meeting of the Estates of Parliament, The whole persons on the Committee within the Kingdom being warned. Therefore the Committee of Estates having warned duely by Letters all these that are now of their number; and being frequently convened, They think fit to call. Likeas they doe hereby appoint and call a meeting of the Estates of Parliament to sit down at *Edinburgh* the fourth day of *January* next to come, In the year of God one thousand six hundred forty nine yeares. And ordains the severall Shires and Burghs to send thereto Commissioners qualified according to the Acts of the twenty

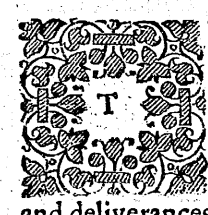
twenty two of *September*, and fourth of *October*. And doth hereby warn all Members of Parliament, Noblemen, Commissioners of Shires and Burgbs, who are free of the faults contained in the foresaid Acts, To meet and convene at *Edinburgh* in Parliament on the day aforesaid, without any other or further warning or premonition to be made for that effect, But only the Proclamation and publication of this present Act, and that in place of all other solemnities and formalities. And whereas the corruption of Judicatures of this Kingdom, and Officers of Estate, and other persons in publick trust, hath been the cause and fountain from whence our former evils hath proceeded; And whereas by our solemn Acknowledgment agreed on by Kirk and State, we are bound to God; by our Engagement to *England*, we are bound to them: and by the foresaid Acts and publick Declarations, we are obliged before the world to endeavour the purgation and reformation of our Judicatories and places of publick trust. And forasmuch as the foresaid persons, and all who are in publick trust, are liable to the judgement and censure of Parliament for their proceedings in their severall places and offices. Likeas by the agreement at *Edinburgh* and *Stirling*, all such as have been employed in publick place and trust, and have been accessory to the late unlawfull Engagement, should forbear the exercise of their places in the mean time; And all questions are referred to the determination of the Parliament. And whereas by the said Treaty, all these who have been accessory to the said Engagement, or challengeable for their said accession, at the least in so far as concerns their places and publick trust, and the debarring of them from any of these; Therefore the Committee of Estates do hereby warn and cite all and every one of these who exercised any office, place, or publick trust, or who were Members or Clerks of any publick Judicatory, of whatsoever degree, quality or condition soever, in Burgh or Land within this Kingdom, And hath been accessory to the late Engagement, or are guilty of the faults mentioned in the printed Acts of the twenty two of September and fourth of October, To compeer before the Estates of Parliament at *Edinburgh* the fourth day of January next to come, in a peaceable way, accompanied only with their own domestick servants, to hear and see the Parliament take such course as they in the justice and wisdom for the good of the Kingdom shall think fit, For the purging of Judicatories, and for declaring of their places vacand, and filling of them with such as are able qualified persons fittest for the service, and may give most contentment, and as hath continued constant to the Covenant and Cause in the time of Tryal; and for debarring them who are put out from any other publick places or trust during such time, and in such manner as the Estates of Parliament shall think fit; With certification to every one of the persons concerned, as is aforesaid: and warned by this publick Proclamation (which the Committee of Estates Declares, that they finde it a sufficient intimation in this notour case of so great and publick a back-sliding to all persons con-

concerned therein for the effect aforesaid) To be esteemed by them equivalent to a personall citation at their dwelling houses, upon particular Summons against every one of them, to compeer before the Estates of Parliament, as is aforesaid; And if they compeer not, that then the Estates will proceed both to determine the generall question, and the particulars concerning their places and trust; And take what further course they shall think fitting for the good of the Kingdom. Likeas the Committee of Estates considering the present distractions of the time, and that the Parliament so neerly approacheth; They think fit to continue the down-sitting of the Session untill the Parliament give Order thereanent: and for the acceleration of justice to the Lieges, The Committee of Estates Ordains the Clerks of Session to give out Acts and Letters of continuation upon the first summons, within the ordinary time of sitting of the Session, albeit they sit not; And that none pretend ignorance of what is mentioned in this present Act, The Committee of Estates appoints it to be proclaimed at the Mercat Crosse of *Edinburgh*, Peir and Shore of *Leith*, and to be Printed; Doth approve and ratifie the same in all the Heads and Articles thereof; And findes and declares the induction and meeting of this present Parliament, to be free, lawfull, and necessary; And discharges any persons guilty of the faults mentioned in the said Act, To sit in this present Session of Parliament: And prohibits all persons whatsoever, To call in question the freedom, lawfulness and authority of this present Parliament, upon whatsoever pretext under the pain of Treason. And appoints this Act to be proclaimed at the Mercat Crosse of *Edinburgh* by an Herald, with sound of Trumper, that none pretend ignorance thereof: And thereafter Ordains the same to be Printed.

ACT IV.

Act repealing all Acts of Parliament or Committee, made for the late unlawfull Engagement, and ratifying the Protestation, and Opposition against the same.

16. January 1649.



HE Estates of Parliament, presently convened in this second Session of the second Triennial Parliament, by vertue of an Act of the committee of Estates, who had Power and Authority from the last Parliament for convening of the Parliament, Taking to their most serious considerations (after so great judgments and deliverances on Gods part, and after so Solemn an Acknowledgment

ment and Covenant renewed on their part) the Acts of the last Session of Parliament, Beginning the second of *March*, and ending the tenth of *June* 1648. and of the Committee of Estates before September last, and the proceeding of the Forces raised by them in the first and second Levie, and these brought out of *Ireland*; and of the Committees of war in the severall Shires appointed by them with the grounds, reasons, and pretences therefore, whither contained in the Kings concessions at the Ile of *Wight*, or set down in their Declarations, as in the fourth and seventh, sixteen, twenty six, twenty seven Acts of the last Parliament, and in their Declaration to the Kingdom of *England*, emitted by the Committee of Estates the twenty eight day of *June* last when their Army went into *England*, in establishing, carrying on, and prosecuting the late Engagement against the Kingdom of *England*, and raising the first and second Levie, in pressing the same at home by unlawful Bands and cruel Plunderings; and in rejecting all Warnings, Petitions, Remonstrances from the Kirk-Judicatories, and from Shires at home, and all Remonstrances and offers of Treaty made from the Parliament of *England* by their Commissioners, in refusing to declare the Kings Concessions at the Ile of *Wight* unsatisfactory to them, in trampling under foot the liberties of the Church at home, in invading of the Kingdom of *England*, and surprizing of their Towns; and marching through their Counties, and associating with the Malignant party there; in returning after their defeat to *Scotland*, to renew their oppression in this Kingdom, and invasion of *England*; and to that end in the raising of new Forces, sending Commissions to the classed Incendiaries of this Kingdom (who by standing Acts of Parliament were debarred from all Trust, for their joyning in the late Rebellion) and in many other ways, acts, and deeds prosecuting their designe at home and abroad. And considering the severall offers & desires made by the Commissioners of the Kingdom of *England* for continuing the Peace & Union and the many earnest and humble Petitions from severall Shires, and the most part of provinciall Synods and Presbyteries, and the just and necessary Desires, Remonstrances and Declarations of the Commissioners of the Church to the Parliament and Committee, with their unsatisfactory Answer thereunto; and the Papers past betwixt the late General Assembly and the Committee, and the Dissent and Protestations entered in the Parliament by a great number of every Estate and that of such as hath been most instrumental and constant in this Cause since the beginning. And withall, taking to their serious consideration the manifold solid reasons against the Engagement, expressed in the Remonstrances of the Commission of the Kirk given in to the Parliament; and of the unanimous Declaration of the late General Assembly, and the reply of their Commissioners, demonstrating from the Word of God the unlawfulness of the said Engagement, and evidencing the many Breaches of Covenant and treaties of Peace, the many wrongs done to the Liberties of the Church, and oppressions of the people of God, and many other unlawfull ingrediences in the matter, manner, nature and effect

effect of that Engagement: and therefore denouncing Gods judgment against it, and warning the people to do their duty for the Cause of God and to the Covenant against all lets and impediments. All which was seconded so speedily and immediately by Gods own hand, stirring up the hearts of his conscientious people to the resolution of opposing so great a defection from the Cause and Covenant. And by his performing the Counsell of his messengers and confirming the words of his servants in the defeat of that Army, and their overthrow in *England* with their associates in *England*: as also in scattering of the remainder of that force returned unto *Scotland*, and joyned with these who at home where enslaving this Kingdom, and in devesting them with their own consent by Treaty (with so little blood) of all outward force and exercise of State power, untill the determination of this Parliament. And the Estates pondering seriously the great necessity, and manifold reasons pressing the protesters in Parliament with the assistance of the constant Covenanters throughout the Land, To make that opposition in Armes, so trusted, directed and contended by Gods own good hand upon them as is more expressed in the Declaration of the Committee of Estates of the seventh of *October* last, and Information of the Kirk, published to the view of the world upon the ninth day of *October* last.

Therefore, and for many other reasons and considerations, convincing them in their consciences, That the foresaid proceedings of the late Parliament and Committee in the appointing and prosecuting that Engagement against *England*, and in the oppressing of the Church in her Liberties, and of the good People throughout the Land in their persons and estates; And which is most of all, in their consciences by force and violence, causing the people to sin, after they had declared by their Petitions the same was against the light of their consciences, were unlawfull before God, and against his Word, were breaches of the Solemn League and Covenant (which being an Oath to GOD so necessary is not alterable by any humane Authority) and of the Treaties betwixt the Kingdoms, and under pretence of doing for Religion, for the King, for the Kingdoms, did really tend (as doth now more appear) to the ruining of Religion, undoing of the King, and dividing of the Kingdoms; And which in few moneths hath more wasted the substance of this Kingdom, and especially of the well-affected, then all our former troubles; And hath led out a forced multitude to slaughter or slavery, with so great reproach and disgrace to the Nation; and occasioned a powerfull Army to enter the bowels of this Kingdom in pursuit of their enemies who had invaded *England*, to the great endangering of this Kingdom, and so laying the Land open, and making it lyable to the guilt and miserie of an unjust and offensive War, drawing down Gods judgements, and exposing us and our posterity to invasion from our neighbour Kingdom, if God in his providence had not remedied the same. As the Estates of Parliament have made before God a Solemn Acknowledgment of the publick sins and breaches

of the Covenant, and a Solemn Engagement to all the Duties therein contained, Namely these which do in a more special way relate unto the dangers of these times, that Gods judgement drawn upon the Nation by such a sinfull course by a prevalent party of the representative body, may be removed, and the like in time coming prevented; So also that all pretence of Law at home for prosecuting of these courtes; And that all pretence of quarrell from abroad against this Nation for the same may be taken away; And to testifie the firm resolution and earnest desire of this Kingdom to preserve inviolably the Vnion betwixt the Kingdoms, The Estates foresaids, do hereby finde and declare the Kings Concessions at the Isle of Wight, and late Declarations emitted by the Parliament and Committee, to be unsatisfactorie to them, and destructive to the Cause and Covenant: And doth disclaim, condemn, annull, repeal, and declare to be void and of non-effect the Acts aftermentioned, as being in themselves from the beginning, unjust and unlawfull, and contrary to the Word of GOD, and Solemn League and Covenant, and large Treaty betwixt the Kingdoms, The fourth Act, intituled, *Act anent the resolutions of Parliament, concerning the breaches of the Covenant and Treaties betwixt the Kingdoms of Scotland and England, and demands for reparation thereof.* The sixt Act, intituled, *Act for putting of the Kingdom in a posture of War for defence, and constituting the Committees of War of the severall Shires.* The seventh Act, intituled, *A Declaration of the Parliament of Scotland, to all his Majesties good Subjects of this Kingdom, concerning their resolutions for Religion, King, and Kingdoms in pursuing of the Ends of the Covenant.* The eighth Act, intituled, *Desires of the Parliament of Scotland, to the honourable Houses of the Parliament of England.* The ninth Act, intituled, *Act anent the Levies of horse and foot to be put out by the Shires and Burghs, and the List of the Colonels, with their numbers.* The eleventh Act, intituled, *Act in favours of the out-reikers of Horse and Foot.* The sixteenth Act, intituled, *A Letter from the Parliament of Scotland, to the severall Presbyteries within this Kingdom.* The eighteenth Act, intituled, *Act anent the Oath to be taken by the Committees of War in the severall Shires.* The nineteenth Act, intituled, *Act and Ordinance concerning the Garrisons within the Kingdom, for provision of the Forces thereof, and adding of two moneths Maintenance to the former five.* The twentieth Act, intituled, *Act for raising of Troops.* The twenty third Act, intituled, *Act Ordaining all Ministers to exhort their people to obedience to the Laws of the Kingdom, and assuring these Ministers of their stipends, during their lifetimes.* The twenty fourth Act, intituled, *Act Ordaining the whole Members of Parliament, Noblemen, Barons, Burgeses, and all other Subjects and inhabitants of the Kingdom to subscribe this Act for defence of the lawfulness of this Parliament, and obedience to the Acts thereof.* The twenty sixt Act, intituled, *Act and Declaration of Parliament, and Answers to the supplications from Synods and Presbyteries.* The twenty seventh Act, intituled, *Act and Declaration of Parliament, in answer to the Petitions presented to them from some Committees of War of Shires.* And

And all other Acts, or parts, or clauses of any other Act of the last Parliament published, and grounds and pretences thereof, in so far as they import, the approbation, purfuance, or furtherance of the said late unlawful Engagement. And this generall Clause, is declared to be als sufficient for repealing and annulling of them, as if the tenour thereof were herein insert, wherewith the Estates dispense.

Siclike the Estates annuls, rescinds and repeals among the unprinted Acts; The Commission granted to the close Committee, concerning *Berwick and Carlisle*, against which divers Members of Parliament entered their Dissent and Protestation; The Commissions granted to *Duke Hamilton*, and other Officers of the Army; The Ordinance in favours of these that protested in *Fyfe*, and *Haddingtoun*; The Ordinance for giving thanks to these, who in the severall Shires presented Petitions, or writ Letters for encouraging the Parliament to go on in the Engagement; The Act anent the Colledge of Justice, and their Colonell: The Act anent the Lord *Cochrane*, Laird *Garthland*, and *Alexander Crawford* their going to *Ireland*: The Act anent the Magistrates and Counsell of *Glasgow*: The Act ratifying the Acts of Committee made in the recesses of Parliament; and all other unprinted Acts, or clauses of unprinted Acts, grounds and pretences thereof, in so far as they import the approbation, purfuance or furtherance of the said late unlawfull Engagement. And this generall clause is declared to be als sufficient for repealing and annulling them, as if the tenours thereof were herein insert.

In like manner the Estates of Parliament condemns, annuls and rescinds all the Acts of the Committee of Estates, contained in the table subjoyned to this Act, And all other Acts or parts, or clauses of any other Acts of the said Committee of Estates, grounds and pretences thereof, in so far as they import the approbation, purfuance, or furtherance of the said late unlawfull Engagement; and this generall clause is declared to be als sufficient for repealing and annulling of them as if the tenour thereof were herein insert, wherewith the saids Estates dispense.

And in like manner, do annuall, condemn and repeal all Acts made, and deeds done by the former Parliament and Committee of Estates, contrary to the Liberties of the Kirk, or any wayes encroaching upon the same, in particular these which follow; first, their emitting of Declarations, containing things highly concerning Religion; not onely without advice and consent of the GENERAL ASSEMBLY and their Commissioners, but contrary to their exprets Desires, supplications, Remonstrances and Declarations, declaring the same to be dangerous and destructive thereto, especially the restoring of the King to honour freedom and tasty, without sufficient security first had from him for securing of Religion, as is more fully expressed in the desires and Representation of the Commissioners of the General Assembly: Secondly, the putting of an unsound gloss in the close of the Declaration of the Parliament upon the Covenant, and Acts of the Generall Assembly,

in these things that concern our duties to the King, as is clearly holden forth in the Representation of the Commission of the Assembly: Thirdly, the making provision for securing of the stipends of such Ministers as shall be censured for their concurring in, or preaching for the unlawfull Engagement against *England*: Fourthly, their gross misrepresenting of the proceeding of the Commission of the General Assembly by the Parliaments Letter of *May* the eleventh to the severall Presbyteries, and endeavouring to incite them against the Commission of the Generall Assembly, and to pre-possess with prejudices the Commissioners to the following Assembly. Fifthly, the taking upon them in the Act and Declaration of the Parliament, commonly called the Band, to judge and determine such things without advise of the Kirk, wherein the Assemblies of the Kirk have a special interest of an antecedent judgement, as who are enemies to Religion, and who not, and what are the most fit and necessary remedies for preserving of the same. Sixthly, their depriving of the Generall Assembly and their Commissioners of the liberty of Printing, by putting an inhibition to the contrary upon Printers, under the pain of death, against severall Acts of Parliament, Declaring and confirming the Kirks Liberty and Privilege of Printing: And siclike disclaims and condemns their impious usurpation in calling in the Printed Copies of the Causes of a Solemn universall Fast and Humiliation, indicted by the Commissioners of the Assembly, and inhibiting of the Printer to give any out of his hands, thereby intending to interrupt the observing of the Fast by the want of information of the Reasons and Causes thereof; And also annuls, and repeals, disclaims and condemns, all and sundry other Acts made, and deeds done by the said Parliament or Committee of Estates, or by their Authority that may infer any prejudice to Religion, or the power, priviledges and Liberties of the Kirk which we are bound by so many strong Bands and Solemn obligations to maintain: And siclike annuls and rescinds all Acts of Committees of Shires, or Burghs Royall, or of Regality, Barony Courts, or other Judicatories whatsoever made in pursuance of that Engagement; And Ordains all the subscribed Copies of the Band, condemned by the Generall Assembly, to be brought in to the Parliament or Committee of Estates, to be disposed of as they shall think fittest: And all other Acts, grounds, and pretences thereof, in so far as they import the furtherance, or pursuance of the said late unlawfull Engagement. Likeas the Estates of Parliament, upon the manifold abovementioned grounds more fully related in the Declaration of the Committee of Estates, and Information of the Kirk, being perswaded that the Protestations of the Members made in Parliament, and their Opposition since by defensive Armes for the safety of the Covenant, Cause, and themselves from ruine, against so great a defection, carried on with so great oppression; and their proceedings in the Treaty at *Stirling*, divesting the Engagers with their own consent, of power and force which they had in their hands; and their assurance given by the Act of the sixt of *October* to the

the Kingdom of *England* for debarring of the Authors and Abettors of that Engagement from places of publick Trust or Power without their consent, which was demanded by their forces as the least satisfaction and security before their removal, and their proceedings by publick Acts in the pursuance of these two Treaties, to seclude those who had concurred in the Engagement from power in Judicatories, Armies, or places of Trust untill the determination of a Parliament were Laws in themselves, and necessary for them according to the condition of affairs. Therefore the Estates of Parliament did allow, approve of, and confirm the Dissent and Protestation made in Parliament by many Faithfull Members of each Estate, whereof the tenour follows. "Whereas the draught of a Declaration hath been read concerning the breaches of the Covenant in matters of Religion, and the Demands to be made for remedy and reparation thereof, the dangers to Religion, and the duties whereunto we are obliged by Covenant, for Reformation and Uniformity in Religion, and the security to be had for the establishing the same: upon which grounds also a War is principally founded: And whereas we have earnestly desired and insisted, that there may be no proceeding to any determination concerning the said Declaration, before the Commission of the Generall Assembly be first consulted therein: We do hereby enter our Dissent from proceeding to the determination of matters so highly concerning Religion, without the advise and concurrence of the Kirk, as a preparative of most dangerous consequence to Religion, and destructive to the Liberties of the Church; as contrary to the Nationall and Solemn League and Covenant, and to the known Laws and constant practise of this Kingdom. And we do protest, that we may not be included in any such Vot or Resolution, but may be free of all the guiltinets, confusions, distractions, and evils whatsoever that may follow thereupon to Religion, the King, this Kirk and Kingdom, and the union betwixt the Kingdoms.

And siclike allows the rising of such Shires and others who joyned in Armes for opposing of the said Engagement, and rescuing the Kingdom from the oppression of the Forces under the command of the Earl of *Crawford*, Earl of *Lanerk*, and *George Monro*, and their proceedings in pursuance thereof, and also ratifies the late Treaty at *Stirling* & *Edinburgh*, upon the twenty sixt & twenty seventh of *September* last, and siclike allows the Treaty and Engagement to the Kingdom of *England* by their answers of the sixt of *October* last, for debarring of the Engagers from publick trust in this Kingdom without their consent. Siclike the two Acts of Committee of the twenty second of *September*, and fourth of *October*; and the Act of the ninth of *November*, all made for debarring of these who concurred in the late Engagement, from the exercise of publick places or trust untill the determination of this Parliament. Likewise the Declaration of the Committee of Estates concerning their proceedings in opposition to the late unlawfull Engagement against *England* of the date the seventh of *October* last,

last, published to the world; and the Act of the said Committee for making of the publick Acknowledgment, and renewing of the Covenant, and the Act of the Committee of the fourteen of October last: All which the Estates of Parliament, as is aforesaid, do allow, confirm and ratifie in all the Heads, Clauses and Articles thereof. And this generall Clause is declared to be als sufficient for ratifying and confirming the saids Acts and Clauses thereof, as if the Tenours of the same were here particularly insert; Wherewith the Estates foresaids do hereby dispense.

Followes the list of the Acts of the Committee of Estates for advancing the Ingagement. Act for displacing of such of the committee of Warre as would not take the Oath. Act for sending the forty thousand pounds to Ireland, Warrant to quarter upon the deficient in the unlawfull Ingagement. Letters to severall Shires for advancing the Levie. Letters, Commissions, Desires and Answers for bringing the forces out of Ireland. Warrant for imprisoning the Magistrates and Counsell of Glasgow, for their deficiency in the Levie. the Oath to be taken by the Committee for maintaining the proceedings of Parliament. Approbation of the Earl of Callendar & General Major Middleton for their base, cruell and unnaturall proceedings against the honest and conscientious people that met at Mauchline Moore for their own defence, whilk was not done without the benefesse and treachery of some. Protection to the Captain of Clanrainold, and Maclene excommunicate bloody Rebels. Act for stopping of printing; notwithstanding the Kirks liberty. Letter to the Army in Ireland to proceed against these that refused to obey their Orders for the Ingagement, as enemies to Religion, King and Kingdoms. Warrant to Duke Hammliton to Garrison the houles of the best affected in the West. Warrant to the Marquesse of Argyle to deliver Lamond. Commission to the Earle of Crawford to command the forces that come out of Ireland. Act for drawing Dittayes against the Ministers, and for continuation of their processe untill a new citation. Commission to Sir Robert Dowglas of Blakestone (a prime classed malignant, for having hand in the rebellion of James Grahame) to uplift the fines of the honest men in the West, for being at Mauchlin Moore. Commissions to young Maclene who had been in the Rebellion to be a Collonell. Declaration anent the Lord Inchiquin and his army. Warrant to Duke Hammliton to invade England. The Declaration of the Committee of Estates anent the necessity of invading of England. Act for repaying monies advanced for the Ingagement. Letters to Lambert to joyn with Duke Hammlitons army. Warrant to Mr. George Halyburton to borrow mony in England upon publick faith unlimited. Letters to the King and Parliament of England shewing their intentions in the Engagement, sent with Mr. George Halyburton. Act taking off Sir John Drummonds restraint. Commission to Lauderdale to secure Berwick. Severall answers of the Committee of Estates, and messages to the Generall Assembly most unsatisfactory. Protection of Patrick Leslie from the censure of the General Assembly. Impri-

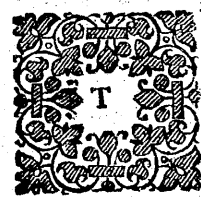
Imprisonment of Greenhead and Colonell Scot. Approbation of the Lord Cochrane, and Laird of Garthlands proceedings in Ireland. Act allowing of twenty thousand pounds to Lord Cochrane, and Laird of Garthland. Act for the new Levie of one thousand five hundred horse under pretext of a Guard to the Prince. Commission to Macintosh for a Garrison to the house of Innerloch. Warrant to levie Troopes for advancing the Ingagement. Commission to Duke Hammliton to be Governour of Berwick, and the Earl of Calender of Carlisle. Precept to Generall Major Robert Monroe for a thousand pound sterling. Warrant to the Commissioners to deliver victual to Seaforth, Maclene, and Macdonald, Who were in the former rebellion, for entertaining of their force. Warrant to discharge the Garisons of Dowart Moy, and others, whereof the Marquesse of Argyle had the keeping. Commission to Macconnel to depute another in his place, himself and all his friends being in the Rebellion. Macconnel discharged of his former Rebellion, and imployed without finding caution. Act pardoning Maclene, notwithstanding of the Acts of the third and eight of February 1648. whereby he is declared to have forfeited their pardon. Charge to the Marquesse of Argyle to deliver Lamond under the pain of Rebellion, and his escheat to fall. Warrant for removing all out of the Abbey. Act approving the cashiering of Sir Dugald Campbell of Auchinbreck, and William Campbell from their places in Argyles Regiment, and placing others therein, for their not concurrence in the Engagement. Act discharging the Presbyterie of Linlithgow from the exercise of their calling, in admitting a Minister, and ordaining the Kirk doors to be locked. Letters relating to the Engagement. Letter for raising of the Atholl men, who had been in the Rebellion. William Gordon of Monymore, an active and bloody Instrument in the Rebellion set at liberty freely. Warrant for publishing the Committees Observations. Princes Declaration and Information of publick proceedings. Earl of Airlie discharged of seventeen moneths Maintenance. The Petition from the Committee of Stirling Shire, anent their Ministers Committed. New Commissions and Warrants, Earl of Seaforth, Makglend, Sir James Macdonell, contrary to standing Acts of Parliament. Commission to the Earl of Lanerk to be General. Several Letters expressing they would not live, and out live that Engagement. Lauderdale's instructions, to bring Forraign Forces out of France, Holland, or elsewhere. Letters to the Cardinal of France. Blank Commission to Lauderdale. Warrant to engage the Publick faith of the Kingdom for money abroad, and for Arms and Ammunition. A strict union with Holland, for assisting the prosecution of the Engagement. Promise to restore the Queen. Lauderdale's instruction to the Prince. Letters to the Queen, inviting her to returne and to interpose. Letters to the the Prince of Orange and States of Holland, requiring Forraign assistance. Commission to the Earle of Seaforth Sir John Mackenzie, and all other Commissions for levying Forces. Act made at Stirling and other places, for bringing out all betwixt sixty

sixty and sixteene for their assistance. Act for giving to Sir Harry Gib two thousand pound *Stirling*. Commission for *Innercauld* his Regiment and watch. Act for assignments upon severall Shires, for Maintenance and Excise, and specially *Air* and *Galloway*, and all others in that kind. Disposition of the foraultry of *Midkeltoun*. Warrants to admit to the Committees of War these that were in the first and second Classes. Act for repaying mony that was disburs't for the Engagement. Assignment of the Excise to Captain *Maine* and Master *Mauld*. All others Acts done by these Members of the Committee, who had taken the Oath before or after the first of *September* at *Stirling*, or any where else, in prosecuting of the said Engagement, & opposition to the Covenanted Forces, risen in defensive Arms. And Ordains the same presently to be published at the Mercat Crosse of *Edinburgh*, and thereafter to be printed.

ACT V.

Act in favours of the Ministers who were at Mauchlein-Moore.

16. January 1649.



THE Estates of Parliament, Considering that Master *John Nevo* Minister of *Loudoun*, Mr *William Adair* Minister of *Air*, Mr. *Gabriel Maxwell* Minister of *Dundonald*, Mr. *Alexander Blair* Minister of *Galstoun*, Mr. *Matthew Mowat* Minister of *Kilmarnock*, Mr. *Thomas Wylie* Minister of *Mauchlien*, and Mr. *William Guthrie* Minister of *New-kilmarnock* were in the moneths of *June* and *July* last 1648. charged and processed before the Committee of Estates as Traytors, for being airt and part of that opposition made at *Mauchlien Moore*, by some of the wel-affected people in the West in the moneth of *June* last 1648. To the Earl of *Calendar*, and General Major *Middletons* forces, which (not without treachery of some) cruelly persecuted the wel-affected people in the West in their Estates, Lives and Consciences, for not going on in the unlawfull Engagement against their Consciences: And now the Estates having found the said late Engagement against *England* unlawfull, and having approved all the Opposition that was made thereto as lawfull, and such as the opposers were bound unto by the Covenant; Therefore the Estates findes and Declares, That the rising in Armes at *Mauchlien Moore* by the good & wel-affected people there assembled, and what was done there by them, and by the saids Ministers in opposition

position to the said Earl of *Calendar*, and General Major *Middletons* Forces were not only lawfull, but a zealous and reall Testimony to the Truth and Covenant, and that which became faithfull Ministers of the Gospel, and people zealous for the truth to do: Likeas, the saids Estates Ordains, that neither the people, The saids Ministers, nor any other Ministers that were there present, be any wayes troubled or molested in judgement or outwith for the same at no time hereafter: And also the saids Estates discharges all Summonds of Treason, or other Summons or Processes already intended and pursued against the saids Ministers in all time to come, with all that hath followed or may follow thereupon, for the saids Ministers their being at *Mauchlein Moore* the time foresaid, or for their being accessory or airt or part of the said rising of the Lieges at the said time.

ACT VI.

Act of Commission anent the Vniversitie of St. Andrews.

16. January 1649.



THE Estates of Parliament now presently convened in this second Session of the second Triennial Parliament, by vertue of an Act of the Committee of Estates who had power and authority from the last Parliament for convening the Parliament, Considering that his Majesty hath lately given and founded to the Vniversity of *St. Andrews*, and Colledges thereof, The Few-mailes, Few-fermes, Teynds, Teynd duties, and Annual-rents which pertained of before to the late Archbishop of *St. Andrews* and Priory thereof annex thereto. And that the saids Rents are by exprefs condition of the said Mortification appointed to be distribute amongst the severall Colledges of the said Vniversity, Principalls, Professours, Regents and other Members thereof, At the sight of his Majesties Commissioners appointed or to be appointed for visiting of the said Vniversity: And that the Kings Majesty and Estates of Parliament, in the last Parliament holden at *Edinburgh* in *Anno* 1641. Did upon the sixteen day of *November* 1641. Give power and Commission to certain persons therein nominate for visiting of the said Vniversity of *St. Andrews*, and Colledges thereof, And for distributing the said Few-mailes, and others abovespecified amongst the Principalls, Professours, Regents, and others Members of the said Vniversity, in manner at length mentioned in the said Commission: With power to them to order the course of the studies of the youth,

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And to set down orders for ruling of the said University, And also considering that for the weal of the said University, It is most expedient that a new Commission be granted in this present Parliament, To the effect above and underwritten; Therefore the Estates of Parliament makes, nominates and constitutes The persons respective after following, viz. *John* Earl of *Loudoun*, Lord *Mauchline* and *Terinzeane* high Chancellor of *Scotland*, *Archbald* Marquess of *Argyle*, Earl of *Kintair*, Lord *Campbell* and *Lorne*, *John* Earl of *Cassils* Lord *Kennedy* Robert Vicecount of *Arbuthnet*, *Archbald* Lord *Angus*, *John* Lord *Torphichen*, *John* Lord *Balmerino*, *Robert* Lord *Burghlie*, *David* Lord *Elcho*, *James* Lord *Couper* Sir *Archbald* *Johnston* of *Warristoun*, Knight, His Majesties Advocat, Sir *John* *Hope* of *Craghall* Knight, Two of the Senators of the Colledge of Justice, *Arthur* *Erskin* of *Scotiscraig*, *David* *Beatoun* of *Creich*, Sir *John* *Moncreiff* of that ilk Knight, Sir *James* *Monpepny* of *Pitmelly*, *Walter* *Dundas* of that ilk, *Master* *George* *Dundas* of *Dudingstoun*, Mr. *James* *Reid* of *Pitlithie*, *James* *Weymes* of *Fingask*, *James* *Sword* citouner of *St. Andros*, *Master* *Robert* *Douglas*, *Master* *John* *Smyth*, *Master* *James* *Hamilton* and *Master* *Mungo* *Law*, four of the ordinary Ministers of *Edinburgh*, *Master* *Robert* *Blair* and *Master* *Andro* *Honyman* Ministers at *St. Andros*, *Master* *David* *Forret* Minister at *Kilconquhair*, *Master* *Robert* *Trail* Minister at *Ellie*, *Master* *Colcin* *Adam* Minister at *Anstruther*, *Master* *Moncreiff* Minister at *Kinghorn*, *Master* *Alexander* *Moncreiff* Minister at *Skoony*, *Master* *Fredreck* *Carmichael* Minister of *Markinch*, *Master* *Walter* *Greg* Minister at *Balmerino*, *Master* *Andro* *Bennet* Minister at *Creith*, *Master* *James* *Bruce* Minister at *Kingsbarnes*, *Master* *John* *Duncan* Minister at *Culross*, *Master* *George* *Lesly* Minister at the *Cannogate* *Master* *James* *Gutherie* Minister at *Lauder*, *Master* *William* *Dalglesch* Minister at *Craunmond*, or any nine of them as a *quorum*, there being four of them Ministers, and five of the others forenamed persons who are not Ministers As their Commissioners in that part, To the effect after specified, With full power and Commission to them or *quorum* foresaid, To meet, convene and visit the said University and Colledges thereof, At *Edinburgh* upon the Twentieth two day of *January* instant, Which is to be the first dyet of their meeting (At which time they are to appoint all subsequent dyets and places of meeting as they shall think expedient) To summond and convene before them All the members of the said Universitie, And to distribute amongst the Principalls, Professors, Regents and other members of the said University. The particular localities of the saids Fewmailes, fewtermes, Teynds, reynd duties and annuallrents particularly mentioned in the said mortification, At least so much thereof as is necessary for making up a Thousand pound sterling contained in the mortification (accounting the balls of victuall at the price agreed upon by the Committee appointed by his Majesty, And allowed by his Majesty himself and Parliament at the ingiving of the report, and passing of the said gift, That every one of the said Colledges having their

their own proper locality, Their own rents may be uplifted by their own appointing also that the said distribution bee made with relation to the present case and condition of the old Rents, of each of the Colledges, also that every Colledge may have by the division there whole old Rents, being considered as new as may be alike in victuall and money, Conform to their severall proportions as is set down in the said Report. With Power also to the said Commissioners or *quorum* foresaid To order the course of the studies of the youth and publick professions, And to rectifie what is amisse for the better breeding of youth in piety and learning, and advancement of the Publick good of this Kingdom and Church, And to use and exercise all other things necessary in the premisses that to the office of Commissioners in such cases of the Law and consuetude of this Realm are known to pertain, siclike and als freely in all respects as any others his Majesties Commissioners in such cases or affaires might have lawfully done at any time by-gone, or in time coming, And this present Commission shall endure aye, and while the samen shall bee discharged by the Parliament or Convention of Estates.

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ACT VII.

Act containing the Return of the Estates of Parliament upon the Testimony communicated unto them by the Commissioners of the Generall Assembly, and their concurrence with the same.

18. January, 1649.



He Estates of Parliament presently convened, Taking to their most serious consideration, The Seasonable Testimony against Toleration, and the present proceeding of Sectaries and their abettors in England in reference to Religion and Government, with an admonition and exhortation to their brethren there from the Commissioners of the Generall Assembly of the Kirk of Scotland, communicated unto them by you, And pondring the present, sad and strange condition of affairs in their neighbour Kingdom of England represented therein, and in severall other papers come to their knowledge, They do return unto you their hearty thanks, both for your good correspondence (which this Parliament will with all cheerfulness entertain) And for your great care and faithfulness in giving such necessary and seasonable warnings and testimonies against the dangers of the times on all hands at all occasions, And do heartily concur in the grounds thereof against Toleration and the present proceedings of Sectaries in England, in reference to Religion and Government, and in the admonitions and encouragements so fully exprest in the said paper, and do most willingly adde this our Testimony thereunto, That our Brethren of England may be the more moved by the mouth of two witnesses, and especially such as together with them stand and fall, and are covenanted with them for mutuall good, To lay these things to heart, and to abstain from all such sinfull and dangerous courses, and the faithfull not to faint under these afflictions, or to omit any necessary testimony or duty against the corruptions of the time, And because there hath been severall aspersions published in printed pamphlets, for the strengthening the hands of these who go on in these sinfull wayes and for discouraging the hearts of these who are suffering under them, Therefore the Estates of Parliament after diligent enquiry at all the Members of this Court upon their publick and solemn oath both concerning themselves and others, Do declare and can assure their Brethren at England, that they cannot find that either this Kingdom, or any person thereof had any knowledge of, or accession to the late proceedings of the English Army in relation to the Kings person, or the Houses and restrained members thereof, But are very confident there is no ground for such aspersions, on the other hand, So soon as this Parlia-

Parliament was convened and constituted, and heard of the present posture of affairs, They being no wayes satisfied with their proceedings and the reasons thereof published to the world, And being convinced of the dangerous consequences thereof and calamities likely to follow thereupon, They did give present instructions to their Commissioners upon many reasons founded on the obligations and declarations made between and by both Kingdoms (of which the matter of fact is fully expressed by in the paper given in by our Commissioners on the sixth of January instant, To the Speaker of the House of Commons in our name and according to our mind, and herewith communicated to you, to presse a delay of all these procedours against the Kings person, The Princes right of succession, or the fundamentall government of the Kingdom, untill this Kingdom were heard to represent their interest and desires, And in case of their refusal, That they should enter in the name of this Kingdom their dissent and protest, That as this Nation is free from all knowledge of, and accession to these designs and practices, So they may be free of all the calamities, miseries and confusions which may follow thereupon to these distracted Kingdoms, And as our constant resolution and earnest desire to preserve inviolably the peace and union between the Kingdoms, will evidently appear to any who will read (besides all our former actions and sufferings for it) our Act of approving the indiction of this present Parliament, & our Act of repealing all past in the last Parliament or Committee of Estates for the late unlawfull Engagement against England, And as ye are witnesses of our keeping a solemn day of humiliation, not only for our own sins and miseries, But also for the sins and distresses lying on our dear Brethren and for seeking the Lords directions to us, That wee may know and perform, all the duties which the Lord requires of us at such a time, after such judgments and deliverances on his part, such an acknowledgment & renewed Covenant on our part, not only in relation to our own affairs at home, but also to what may concern Religion, King & Kingdoms, according to the solemn League & Covenant in these united Nations; So We with Gods assistance Declare that it is our constant resolutions; to give all seasonable Testimonies, and doe all necessary duties within our power & calling, for the preservation of the begun Reformation against Toleration of all Religion, and of the fundamental government against Anarchy and confusion, And for continuing and preserving the peace and union between these Kingdoms, and all the bands thereof, so often acknowledged and expressed in their Treaties, especially one King, one Covenant, one Religion, And for the observance of the manifold declarations emitted between and by both Kingdoms to the World, in the positive and necessary duties for pursuance of all the ends of the solemn League and Covenant. And to this effect we are and shall be most ready to deal and interpose in all earnestness and sincerity of heart, and by all lawfull and necessary means with all whom it may concern, for settling Truth and Peace in these Kingdoms, upon the grounds and propositions so often agreed unto

unto, and so long insisted upon by these two Nations, and upon what further shall be found safe and necessary for the removing of these distempers, and preventing new issues of blood, Calamities and Confusions in these Kingdoms, which the Searcher of hearts knoweth to be the earnest desire, and firm resolution of this Court and Kingdom.

ACT VIII.

The Act of Classes for purging the Judicatories, and other places of publick trust.

23 JANUARY, 1649.



AT *Edinburgh* the twenty third day of *January* 1649. years. The Estates of Parliament presently convened, in this second Session of the second Triennall Parliament, By vertue of an Act of the Committee or Estates, who had power and authority from the last Parliament for convening the Parliament; Considering, That forsomeikle as the late Committee of Estates did in the indiction of the Parliament by their Act of the 27. of *October* last, declare and warn, as after follows, To wit, that whereas the corruption of Judicatories of this Kingdom and Officers of Estate, and others persons in publick trust, have been the cause and fountain from whence our former evil hath proceeded. And whereas by our Solemn Acknowledgment agreed upon by Church and State, We are bound to God, by our Engagement to *England* we are bound to them, and by the forecited and publick Declaration, we are obliged before the World, to indeavour the purgation and reformation of our Judicatories and places of publick trust: And forasmuch as the foresaids Persons, and all who are in publick trust are liable to the judgement and censure of Parliament for their procedure in their severall places and Offices, Likeas by the Agreement at *Edinburgh* and *Stirling* all such as have been employed in publick place and trust, and have been accessory to the late unlawful Engagement should forbear the exercises of their places in the mean time, and all Questions are referred to the Determination of the Parliament: And whereas by the said Treaty, all these who have been accessory to the said Engagement are challengeable for their said accession, at the least in so far as concerns their places and publick trust, and the debarring of them from any of these. Therefore the Committee of Estates doth hereby warne and cite all and every one of these who exercised any office, place, or publick trust, or who were Members, or Clerks of any publick Judicatories, of whatsoever degree, quality, or condition soever, in Burgh or land with-
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in this Kingdom, and hath been accessory to the late Engagement, or are guilty of the faults mentioned in the Printed Acts of the twenty two of *September*, and fourth of *October*, To compeir before the Estates of Parliament at *Edinburgh* the 4. day of *January* next to come in a peaceable way, accompanied onely with their own domestick Servants, to hear and see the Parliament take such course, as they in their Justice and Wisdom for the good of the Kingdom shall think fit, for purging of the Judicatories, and for declaring their places vacand; and filling them with such as are able and qualified persons, fittest for the service, and may give most contentment, and as have continued constant in the Covenant and Cause in the time of tryall, And for debarring them (who are put out) from any publick places, or trust, during such time, and in such manner, as the Estates of Parliament shall think fit, With certification to every one of the persons concerned as is abovesaid, and warned by this publick Proclamation, (which the Committee of Estates declares, That thy finde it a sufficient intimation in this noture case of so great and publick a back-sliding to all persons concerned therein for the effect foresaid, to be esteemed by them equivalent to a personall citation, or at their dwelling house upon particular summons against every one of them) to compeir before the Estates of Parliament as is before said and compeir not, That then the Estates will proceed both to determine the generall question and the particular concerning their places and trust, and take what farther course, they shall think fitting for the good of the Kingdom: And forsomeikle, as the Estates of Parliament being now convened have ratified the foresaid Act in all the heads thereof, and by open Proclamation intimate the same. Likeas they have made their solemn Acknowledgement of the publick sins and breaches of the Covenant, and their solemn Ingagement to all the duties contained therein, namely these which do in a more speciall way relate to the dangers of these times; And in relation thereto have renewed their Solemn League and Covenant before God: And by their Act of the 16. of *January* instant, have disclaimed and condemned the late unlawfull Engagement, as contrary to GODS Word, and a manifest breach of Covenant and Treaties, as destructive to the cause and Covenant, to Religion, the King and these Kingdoms: And is the cause of all the oppressions & miseries that hath followed or may follow thereupon: and therefore, and for many other reasons, Have annulled and repealed all Acts made by the late Parliament and Committee of Estates in prosecution thereof, and have ratified and approven the Protestation in Parliament & opposition made thereof by this Kingdom against the Authors and Abettors thereafter, and the late Treaty made at *Stirling*, debarring all accessory to that unlawfull Engagement from the exercise of their places or publick trust, untill the meeting & determination of this present Parliament, unto whom all Civill questions are referred: And likewise hath confirmed the assurance given by the committee unto the Kingdom of *England* that we should not admit any of these authors or abettors of the late Engagement to any publick place or trust

trust without the consent of that Kingdom against which their Engagement was, as is more fully exprest in their Answer of the 6. of *October* last. And whereas the Estates of Parliament, are not only satisfied of the truth, lawfulness and necessity of the foresaid grounds, but also are convinced in their consciences from the Word of God, from the large Treaty between the Kingdoms, and from their Oath of Parliament, from their solemn League and Covenant, especially from the 2. 4. and 5. Articles thereof, and from sad and dear-bought experience, That the Malignant dealing of some, and the profane loose walking of others who have been Members of Iudicatories, and imployed in places of power and publick trust, hath been a chief cause of all the evils both of sin and punishment under which the land now groans; And that the Lord requires in his Word, that those who judge and bear charge among his people should not only be able men, but such as fear God, hate covetousness, and deal truly. And that it is of speciall importance for the remedie of all our evils, and for securing and advancing of Religion & Righteousness, for keeping a right understanding between the Kingdoms, and for prosecuting all the ends of the Solemn League and Covenant, and for removing the judgement of God, and preventing or disappointing all the designs and opposition of enemies of all sorts, and for procuring the blessing of God upon the whole Land, That men not only of known ability, but also of approved integrity and constant affection to the Cause & good and Christian conversation, be intrusted in all Iudicatories and places of power and trust, according to the seventh desire of the Commissioners of the Church given in to the last Parliament, as so absolutely necessary for the securing of Religion, which by the Engagers themselves in the Treaty at *Stirling* is submitted to the Church their determination. Which determination anent the qualifications aforesaid is clearly set down in the 5. 6. 7. 10. and 12. pages of the Acknowledgement and their Declaration emitted to the world.

Therefore the Estates of Parliament remembering well the laudable precedents of the Parliaments, 1641. and 1646. and severall others for purgation of the Iudicatories and places of trust; And considering that all persons both by the common Law, by many Acts of Parliament, and the nature of their place and trust, are comptable for their proceedings in their severall places and trust, which they have *ad vitam aut culpam*: And pondering how great a fault it is to have had any hand or accession in the enacting, or in forcing, or prosecuting so unlawfull an Engagement, thereby drawing on the Land (so far as they could) the wrath of God, and all the miseries of a War with our Brethren of *England*, against Covenant, Treaties, & many warnings from the Kirk, and contrary to the Petitions from many Synods, Presbyteries and Shires, and the solemn Protestations of so great a number of each Estate in Parliament: They do in pursuance of their solemn Acknowledgement, performance of their vows to God, Declaration emitted to the World, and assurance given to the Kingdom of *England*, both in the large

large Treaty, 1641. and late Answer 6. of *October* last, and for satisfying of the Kirks just desires for Purgation and Reformation of our iudicatories, and for determination of this question anent places of trust, referred by the Treaty at *Stirling* to their determination, and for deterring all others in this or subsequent generation, who shall be intrusted with publick power or place from drawing on this nation the guiltlesse and misery of inoffensive, unnecessary and unlawfull war, and against Covenant and Treaties, and publick warnings from Church iudicatories and Shires, and for encouraging all who shall be in publick place or trust in times of new straits and trials; To abide constantly by the Cause and Covenant, and to give evident testimonies thereunto against all defection and apostacie. The Estates of Parliament upon this and many other great and weighty considerations moving and pressing them to this necessary dutie, Do therefore Declare, Enact and Ordain, that all these Officers of Estate, Members or Clerks of the Parliament, Committees thereof, secret Counsel, Sessio, Exchequer, Justice courts, Commission for plantation of Kirks, or conservation of the Peace, Sheriff Courts, Stewart Courts, Baillie Courts, Commissar Courts, Bailies of Regalitie Courts, Warden Courts, of his Majesties Mint-house, Admirall Court, Gild Court, Town Counsell, or any other publick Iudicatorie, or Deacons of Crafts, and all who had any office, place or publick trust, and all having deputation from, or dependance upon any of these aforesaid, who were guilty of any of the faults contained in the four severall Classes aftermentioned, shall be removed and secluded from publick trust according to the severall rules *respective* after following.

The first Classe.

The Estates declare all these to be comprehended in the first Classe, who were General Officers, which led & accompanied the Army into *England*; And all those Officers that continued in the Engagement, who commanded the Forces at *Mauchlein moore*, or at *Striviling*, and all those who were principally active in persuading, or bringing over of the Forces from *Ireland*, and all these persons who were plotters, chief actors and prime promotors of the late unlawfull Engagement from the beginning to the end thereof, in Parliament, Committees, or otherwayes: and siclike all these who were chief actors and prime promotors of the horrid Rebellion of *James Grahame*, & who since have either accepted of charge or joyned as voluntiers in the said unlawfull Engagement, or taken the Oath in Committees, or Subscribed the Band for themselves or others for the Engagement, or sate in the Committees or other meetings, and gave order for prosecuting the said Engagement, or who otherwayes gave or received, and execute orders against others for prosecuting the Engagement. As also such Clerks of Parliament, Committees thereof, secret Councell or Sessio, who were guiltie of any of the Faults contained in any of the Classe at *St. Andrews*, and retaining their former Principles of Malignancie; and have

been Active in their places or employments for promoting the late unlawfull Engagement.

The second Classe.

The Estates also Declare all these to be comprehended in the second Classe, who not being included in the first Classe, have been formerly Classed or Censured for Malignancie, or guilty of the crimes contained in the first and second Classe at St. Andrews of the date at St. Andrews the day of one thousand six hundred and years; And since have either, accepted of charge or joyned as voluntiers in the said unlawful Engagement, or taken the Oath in Committees, or subscribed the bond for themselves or others for the Engagement, or sat in Committees or other meetings, and gave order for prosecuting the said Engagement, or who otherways gave or received and execute Orders against others for prosecuting the Engagement; And siclike all those persons, although not formerly Classed, and not being included in the first Classe, who were Officers which were upon any of the expeditions into England or Scotland for the said Engagement; And siclike all these who concurred in Petitions, Protestations, Remonstrances or letters, for moving of the Parliament or Committees to carrie on the Engagement; and siclike all these who protest against the cause of the fact, or the Kirks Declarations, or Petitions of the Presbyteries or Kirk-sefsions against the Engagement, or read, or caused read at Kirk doors the Committees Observations against the Assemblies Declaration, or interrupted Divine Service, or Magistrates and persons of qualitie, or who removed at the reading of the Assemblies Declaration; siclike all these who not only tooke the Oath injoynd by the last Parliament for the Engagement in Committees, or subscribed the band, or Declared themselves ready to doe the same, but also secluded others, or protest against others for their not taking of the Oath, or not subscribing of the Band; siclike all these who injoynd and pressed others to subscribe the Band, or take the Oath for carrying on the Engagement; And siclike all these who concurred as Members or Clarks in Acts of Parliament and Committee of Estates for prosecuting the said Engagement, or for pressing others thereunto, and such who consulted and gave advice for penning or prosecuting of the proces against the honest Ministers who were at Mauchlin moore, or any others for their opposing or not joyning in the Engagement.

The third Classe.

The Estates likewise Declares all these to be comprehended in the the third Classe (who not being included in the first or second Class) sat in Parliament and Committee of Estates, and took the Oaths foresaid for the Engagement, or sat as Clerks in any of these or any other judicatories, and gave no publick testimonie against the said Engagement, carried on therein by their service, or were any way known to have been for the same in their judgement manifested by their expressions and actions; siclike all these persons who have taken the Oath foresaid,

said, or subscribed the Band for the Engagement, or who in Committees of war or other meetings, Town Councel or other Courts, have refused or opposed the desires of any petitions from Shires, Presbyteries, Sessions or other Kirk Iudicatories against the Engagement, or concurred in Acts to force the Dissenters, Petitioners or others to concur in the first or second leavies, or other accession to the said Engagement, or with the Forces under the Earl of Crauford, Earl of Lanerick and George Monro; and siclike all such who were either forcers, urgers or seducers of others to concur in the said Engagement, or with the foresaid forces: And siclike all these who except Commissions to be Officers, or joyned as voluntiers to the forces under the Duke of Hamilton or the Earls of Crauford, Lanerick or George Monro, Likeas all persons who in their speeches and actions did evidence their judgements for, and affection to that sinitull course, Or who (in such a time of triall) after such Petitions from the Shires, and such Declarations and warnings from the Church, evidencing to all the unlawfulness of the Engagement against Covenant and Treatie) did not give any countenance to the cause or testimony of their judgement and affection against such a defection and dangerous War, when and where they had the opportunity to doe it with others.

The fourth Classe.

The Estates of Parliament in like manner Declares all these to be comprehended in the fourth Classe, who being Members of judicatories, Clerks and persons in publick trust as afore said, are given to uncleanness, bribery, swearing, drunkennesse, or deceiving, or are otherways openly profane, and grossly scandalous in their conversation, or who neglect the Worship of God in their families.

The Estates Declares, Enacts and ordains, that all such Officers of Estate, Members of any Judicatory, Clerks and others before mentioned, and all persons in publick place or trust, who are guilty of any of the faults before specified, contained in any of the four Classes before set down, be presently removed by this Parliament, or such Committees or persons as shalbe by them authorized with power to that effect from their present places and Offices, and all other publick trust mentioned in the Act of Classe at St. Andrews, or which has deputation from, or dependance upon the forenamed Judicatories or officers (without prejudice of the subscription of them in the mean time for the exercise of their places, conform to the Treaty and former Acts of Committee ratified in Parliament) and that these places belonging to them, *ad vitam vel culpam* be declared vacant, and filled with other persons, who are known to be free of these faults, and not onely to have sufficient ability, but also who have given reall proof of their constant affection to the Cause, and a good conversation; and that these who hereupon shall be removed from their places and offices, are hereby discharged from meddling thereafter in any exercise, badge or benefit thereof, under the pain of confiscation of their movables, life-rent of their estates, imprisonment of their persons, and of being declared for ever incapable

ble of the meanest publick trust within the Kingdom; Likeas the Estates of Parliament, upon the manifold grounds aforesaid, doth Declare, Enact and Ordain, That none of these persons who are guilty of any of the crimes contained in the first Classe, shall ever be capable of, or admitted to any publick office, place or trust aforesaid within this Kingdom during all the dayes of their lifestimes; Likeas they Declare, Enact and Ordain, That none of these who are guilty of any of the crimes mentioned in the second Classe, shall be capable of, or admitted to any publick office, place or trust aforesaid within this Kingdom for ten years to come. And farther, untill they have given sufficient evidence of their change of their Malignant principles and practices, and of their firm resolution and affection to promote the Ends of the Covenant in all times of subsequent triall (whereof the Iudicatories of the Church and State *respective* having power for that effect are to judge impartially, as in GODS sight) And thereby have given satisfaction to the Kirk and to both Kingdoms so far wrought by them, according to the assurance given on the sixt of *October* last.

Likeas the Estates Declare, Enacts and Ordains, That no person who is guilty of any of the faults contained in the third Classe (excepting these as are after excepted) shall be capable of, or admitted to any publick place, office or trust aforesaid within this Kingdom during five years to come, and farther, untill they have given sufficient evidence of their change of their Malignant principles and practices, and of their firm resolution and affection to promote the Ends of the Covenant in all times of subsequent triall (whereof the Iudicatories of Church and State *Respective* having power for that effect, are to judge impartially as in the sight of GOD) And thereby have given satisfaction to the Kirk and both Kingdoms so far wronged by them according to the assurance given on the sixth of *October* last.

Excepting these who before the time of the promoting of the Engagement were known to have been honest in the Cause of God, and not Malignant, and who were known by their carriage to have been against the Engagement in their judgement, and did concur in Petitioning, dissenting, protesting, or rising in Armes or otherwayes did bear testimony against it as they had opportunity, and who not knowing the nature and drift of the Band or Oath for the Engagement, were deceived and ensnared to the subscribing or taking of the same, which persons having the foresaid qualifications, and giving satisfaction to the Kirk, are remitted to the next Session of the Parliament, at which time according to their Repentance and carriage, they may be declared capable of publick places and trust (so far as the Parliament shall think them fit.)

Likeas the Estates Declares, Enacts and Ordains, That no person guilty of any of the faults contained in the fourth Classe, shall be capable of, or admitted to any publick place or trust aforesaid within this Kingdom for a yeer to come; And farther, untill they have

have given to the Iudicatories of Church and State, *respective*, sufficient evidence of their change of their profane and scandalous life, and of their firm resolution and constant endeavour for a good and Christian conversation (whereof the Iudicatories of the Church and State shall judge impartially as in Gods sight) And this without derogation to the former Laws made against the same.

Likeas it is hereby declared, That where any persons are excluded by the former Classe from the exercise of their Heretable Offices, That during the time of their seclusion, these places shall be supplied by such Deputes, as the Parliament, Committee of Estates, or others Authorized by Parliament shall appoint to serve therein for the interim.

It is always hereby declared, That this present Act shall not be extended to these Minors who being guilty of any of the faults aforesaid, shall within three moneths after the publication hereof, if they be within the Kingdom, and if they be without the Kingdom, within the same space after their return to the Countrey, Give sufficient evidence to the Iudicatories of Church and State *respective*, having power for that effect of their Repentance, and of the change of their Malignant principles and practices, and of their firm resolution and endeavour to promote the Ends of the Covenant in all times of subsequent tryals, and shall behave themselves accordingly unto their majority, and who within six moneths after their majority shall ratifie the same.

It is Declared, That this Act is without prejudice to what further censure the Estates shall think fit to inflict upon these who are guilty of the faults aforesaid, and hath not by their due acceptance the benefit of the Treaty at *Edinburgh* and *Stirling*.

The saids Estates Declares, That they reserve to themselves, the consideration of such persons as may fall under the exception of the third Classe, and what shall be done concerning them in the Committees of War of the severall Shires when the Committees shall be nominate: And the saids Estates Ordains the Act foresaid to be published at the Mercat Crosse of *Edinburgh* by an Herald, having displayed Armes by sound of Trumpet, And thereafter Ordains the same to be Printed.

Act

ACT IX.

Act in favours of the Vniversity of St. Andrews, anent the Rents of the Archbishoprick and Priory of St. Andrews.

25 January, 1649.



THE Estates of Parliament, having taken to their consideration a Supplication given in to them by the Commissioners of the Generall Assembly, desiring that the Estates of Parliament would rescind and Declare null, all gifts and ratifications (if any be) granted in prejudice of the Vniversity of St. Andrews of the excrelcence of the Rents of the Archbishoprick and Priory of St. Andrews to whatsomever person or persons by and attour the sum of one thousand pounds sterling, mortified to the said Vniversity by his Majestie, in manner after-specified; And that the Estates of Parliament would declare by their Act, that no gift be passed in time coming of that excrelcence to any person or persons whatsomever, but only for pious uses towards the maintenance of the Kirks and Vniversity of St. Andrews; As also that they would pass an Act that no Rents mortified to Vniversities, Schools, or any other pious uses, suffer any diminution by whatsomever manner of way in time coming, as the said Supplication bears: And also considering that his Majestie by Act of Parliament dated the fiftenth day of November 1641. years, did with advice and consent of the three Estates of Parliament, declare all gifts granted or to be granted by his Majestie to whatsomever person or persons of the Teynds and Teynd-duties of whatsomever nature pertaining to any Bishopricks within this Kingdom should be null, except such as were or should be Acted for pious uses, And excepting such as were granted already by his Majestie to whatsomever person of their own Teynds, they and every one of them always being lyable to the plantation of the Kirks to the full quantity of the Act made thereanent: And also that his Majestie did in the year of God 1642. out of his pious and Christian inclination towards the Vniversity of St. Andrews found and mortifie in favours of the said Vniversity, the Rents of the late Archbishoprick and Priory of St. Andrews, conform to his Majesties Charter of Mortification made thereupon, of the date the fiftenth day of January One thousand six hundred and fourty two yeers, reserving to his Majestie the excrelcence of the Rents of the said Bishoprick and Pryorie to be disposed upon by his Majestie for pious uses; Therefore the Estates of Parliament

liament to the effect that the Vniversities of this Kingdom, and especially the Vniversitie of St. Andrews be no wayes wronged or prejudged, and that no let nor impediment may be for hindering and impeding the full provision of the said Vniversity in all things necessary and expedient for promoting the advancement and flourishing of the same, Do ratifie and approve the foresaid Act of Parliament in that clause thereof, whereby his Majestie did declare by the advise of the saids Estates of Parliament, That the Teynds and Teynd-duties of all and whatsomever Kirks, Parsonage and Vicarrage thereof, and Teynds of whatsomever nature pertaining to the saids Bishopricks should be applied to the maintenance of the Ministry and of the Vniversities and Colledges and other pious uses, and to no other use: And declared all gifts granted or to be granted by his Majestie, to whatsomever person or persons of the foresaid Teynds and Teynd-duties or any part thereof except to the uses foresaid, to be null in the self; Likeas the saids Estates of Parliament by thir presents Declares all gifts granted or to be granted by his Majestie, to whatsomever person or persons of the Rents of the foresaid Archbishoprick and Pryorie of St. Andrews, or any part thereof, except to the uses foresaid towards the maintenance of the Kirks and Vniversity of St. Andrews, to be null of themselves, and of no force nor effect. And likewise the saids Estates of Parliament decrees and Ordains, That the hail Rents mortified to any Vniversities, Schools, or any other pious uses within this Kingdom, And in speciall the hail Rents of the said Vniversitie of St. Andrews, as well pertaining to them of old as of new, mortified to them by the Kings Majestie, shall be uplifted by the Members of the said Vniversity, and their Factors and Chamberlains, according to the valuation of their Teynds already deducted or to be deducted before the Commission for plantation of Kirks and valuation of Teynds, without any diminution thereof, either in quantity or quality or conversion of victuall in money, or any otherways whatsomever: And it is Declared, that notwithstanding of the exception foresaid, it shall be but prejudice of the Vniversity of St. Andrews to quarrell any Rights made by his Majestie *prout de jure*, And that this Act is no Approbation thereof.

ACT

ACT X.

Act ratifying and containing the tenour of the Band for securing the Peace of the Kingdom, and enjoining the same to be subscribed.

26. January 1649.



THE Estates of Parliament taking to their consideration the Acts and Precepts of the late Committee of Estates, for citing certain persons to give surety for the Peace of the Kingdom, according to the Band presented to them; And that severall persons accordingly were conveyed before them, and did give satisfaction thereanent. They do therefore ratifie and approve the saids Acts, Precepts and Bands, and what hath followed thereupon; and now considering that it is necessary towards the settling and securing of the Peace of the Kingdom, that the like course be prosecuted, they do therefore Appoint and Ordain Precepts to be issued out, for citing such persons as were upon the late Engagement, or others as they shall think expedient, to compear before them or their Committees, having power for that effect, to give surety and to subscribe the Band and Declaration whereof the tenour followeth. Whereas I

am conveyed to finde surety for keeping of the Peace of the Kingdom, Therefore to testifie my ready obedience to that which is so just and reasonable, And to witness my desire to hinder & prevent any danger or disturbance which may arise to this Kingdom, and to clear my resolutions, I Declare, That I do acknowledge, the indiction, meeting and constitution, the lawfulness, freedom, and authority of the Parliament of this Kingdom, conveyed on the fourth of January One thousand six hundred and fourty nine years; And that I shall not any manner of way call the same in question. And I the said

As principall and as Cautioner and surety for me, faithfully binde and obliges us conjunctly and severally, and our heirs, That I the said shall neither directly nor indirectly, consult, or act in any thing tending to the deminution of the authority of the said Parliament, or of the Committees of Estates that shall be appointed by them for the publick affairs: And that I shall not rise in Armes, or in any hostile way oppose their proceedings, for the prosecution of the Cause and Covenant, or concur with, assist, keep intelligence or correspondence with any invaders of this Kingdom, or risers in Armes within

within the same, against the foresaid proceedings of the forementioned Parliament or Committees. And if I shall hear or know of any thing which may derogate from, or prejudice them in any sort, I shall as soon as I can possibly reveal the same to some of their own number to be communicated to the rest. And that I shall neither by my self, nor others by my knowledge or direction do, or suffer any thing to be done that I can let or hinder, which may disturb the present quiet or Peace of this Kingdom, or proceedings of these Judicatories as foresaid, or which may prosecute the said late Engagement and expedition into England, or break the Union betwixt the Kingdoms under the pain of

Consenting these presents be Registrate in the books of Parliament; or of the Committee of Estates, that all execution, personall and reall may pass hereupon, which hath been Ordinary in the like cases, or which the Parliament or Committee shall think fit, and to that effect constitutes

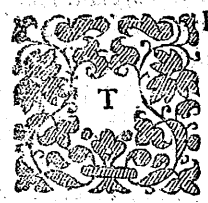
My Prof. promitten de Rato, &c.

Likeas, the Estates Ordains every Nobleman (being cited) to give the surety foresaid, And to finde Caution under the pain of an hundred thousand Merks, And every Barron of quality under the pain of fifty thousand Merks ad Minimum, and other persons according to their severall degrees and ability. With certification, that whosoever refuse or fail herein, shall be holden and estimate as enemies to; and disturbers of the Peace of the Kingdom; And to be proceeded against accordingly, as the Parliament or their Committees shall think fit.

ACT XI.

Act against Consulters with Devils and Familiar Spirits, and against Witches and Consulters with them.

1. February 1649.



THE Estates of Parliament now conveyed in the second Sesson of this second Triennall Parliament, Understanding that there are some persons who consult with Devils and Familiar Spirits, who notwithstanding of the 73. Act of Queen Mary, Whereby it is ordained, that all Witches, Sorcerers, Necromancers, and Consulters with them are to be punished by death, do yet dreame to themselves impunity, because Consulters are not expressly mentioned in the said Act, Do therefore for further clearing thereof, Declare and Ordain, that whatsoever person or persons shall consult with Devils or Familiar Spi-

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its are liable to the pains contained in the said Act, and shall be punished by death: And the saids Estates, ratifies and approves all former Acts made against Witches, Sorcerers, Necromancers and Consulters with them, in the whole Heads, Articles and Clauses thereof.

ACT XII.

Act against Fornication.

1. February, 1649.

THE Estates of Parliament taking in consideration, that the Act made against Fornication in the first Parliament of King James the sixth, whereby it is appointed, that ilk person that shall be Convict of Fornication, as well the man as the woman, shall pay for the first Fault, the sum of fourty pounds is become in disuetude in many places of this Kingdom, and rendered ineffectuall, because one and the same penalty is injoynd upon persons of all ranks and quality, by which it comes to pass that the foresaid sin doth exceedingly abound unto the distonour of GOD, and scandall of the Gospel, Therefore for the better restraining and punishing thereof, It is Statute and Ordained, That whosoever shall hereafter be convict of the sin of Fornication, shall pay for the first Fault, ilk Nobleman four hundred pounds, ilk Baron and Landed Gentleman two hundred pounds, ilk other Gentleman and Burghs one hundred pounds, ilk Farmer twenty five pounds, every other person of inferior quality ten pounds; And that these penalties shall be doubled *toties quoties* according to the relapses, and the degrees of the offence and quality of the offenders; And that the saids penalties shall be exacted not onely of the man, but also of the woman according to her quality, and the degree of her offence, the one without prejudice of the other; And be delivered to the Kirk Sesion of the Parochine where the offender lives, to be employed by them upon pious uses: And the Estates of Parliament doth ratifie the foresaid Act of the first Parliament of King James the sixth in all the other Heads and Clauses thereof, Declaring always, that these things shall be without prejudice of the Censures of the Kirk.

ACT

ACT XIII.

Act of Maintenance of the moneth of February.

3. February 1649.



THE Estates of Parliament, now presently convened in this second Sesion of the second Triennall Parliament by vertue of an Act of the Committee of Estates, who had power and Authority from the last Parliament for convening the Parliament, Considering the dangers now threatening Religion, the Covenant, and the peace of these Kingdoms, And that they are thereby necessitate to keep up the Forces within this

Kingdom, and to provide for their entertainment; Have therefore thought fit to prorogate and continue the monethly Maintenance, as it was imposed upon the said Kingdom, by vertue of an Act of the Committee of Estates of the 3. of November last by-past 1648. years, for one moneth after the moneth of January contained in the former Act. Whilk moneth shall begin upon the first day of February instant, and continue till the first day of March next to come, with a deduction of the just third part of the said monethly Maintenance, whilk was formerly established, Savethat the saids Shires and Burghs shall be onely lyable in payment of the two part of the Maintenance formerly imposed upon them for the said moneth of February, Whilk two part shall be payed by them without any deduction or defalcation: And therefore Statutes and Ordains, That ilk Burgh and Shire within this Kingdom, are and shall be liable, and obliged in payment of the particular sums of money underwritten for the said moneth of February, And that betwixt and the 15. day of February instant, And Ordains the same to be payed, to Sir James Stewart, Provost of Edinburgh, Treasurer of the Army, and Collector-Generall of the said Maintenance, or his Deputies, or sub-Collectors: And that the sums to be paid by the severall Shires and Burghs, be as follows: viz.

- The Sheriffdom of Orkney of monethly pay, 1143. Merks.
- Invernes 4176. M.
- Caithnes 945. M.
- Cromartie 99. M.
- Sutherland 423. M.
- Nairne 315. M.
- Elgine 1890. M.
- Aberdeen 6543. M.
- Banff 1431. M.
- Kincairdin 1566. M.
- Forfar 5004. M.
- Perth 8001. M.
- Fyfe 6642. M.
- Stirling 2538. m.
- Kinross 144. m.
- Clackmannan 522. m.
- Edinburgh 4167. m.
- Linlithgow 1746. m.
- Haddington 3384. m.
- Berwick 3555. m.
- Roxburgh 5778. m.
- Selkirk 1278. m.
- Peebles 1638. m.
- Lanerk 5382. m.
- Air 6066. m.
- Wigtoun and Kirkcudbright 4374. m.
- Dumfries 4446. m.
- Dumbarton 1233. m.
- Argyle 2907. m.
- Bute 459. m.

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Follows the sums payable

payable monethly by the Burghs, conform to their taxt Roll: viz. *Edinburgh* 5175.m. *Perth* 810.m. *Dundee* 1200.m. *Aberdeen* 1260.m. *Stirling* 240.m. *Linlithgow* 324.m. *St. Andrews* 780.m. *Glasgow* 1530.m. *Air* 342.m. *Haddingtoun* 324.m. *Daysert* 270.m. *Kirkaldie* 600.m. *Monrose* 324.m. *Compar* 216.m. *Anstruther eister* 180.m. *Dumfries* 270.m. *Invernes* 450.m. *Breichen* 220.m. *Irving* 252.m. *Elgine* 135.m. *Iedburgh* 126.m. *Kircudbright* 180.m. *Wigtoun* 135.m. *Pittinweyme* 120.m. *Dumfirling* 162.m. *Dumbarton* 162.m. *Renfrew* 90.m. *Lanerk* 162.m. *Aberbrothok* 81.m. *Bruntland* 216.m. *Peibles* 108.m. *Craill* 216.m. *Kinghorne* 108.m. *Taine* 90.m. *Selkirk* 126.m. *Anstruther wester* 54.m. *Culrose* 90.m. *Dumbar* 180.m. *Bamff* 72.m. *Whithorne* 45.m. *Forfar* 27.m. *Rotheljay* 60.m. *Forres* 54.m. *Rutherglen* 45.m. *North-berwick* 36.m. *Cullein* 27.m. *Nairne* 36.m. *Lawder* 45.m. *Innerkeithing* 90.m. *Kilrynnie* 27.m. *Annan* 30.m. *Lochmaben* 18.m. *Sanguhair* 27.m. *Galloway* 18.m. *Dingwall* 18.m. *Queensferrie* 108.m. *Dornoch* 18.m. For the better in-bringing and Collecting whereof, the saids Estates of Parliament, allows to the said *Sir James Stewart* Deputies, one or more in each Shire and Paroch, in manner contained in the Act for the Taxt and Loan; Which Collectors and Deputies foresaid and Clerks to be appointed by him, shall have such Fee as is allowed in the Act of Loan and Taxt: The Burghs always being free of the foresaid Fees. And the Estates Ordains that the Letters and Charges to follow upon this Act for payment of the foresaid Maintenance, shall be raised and direct at the instance of the said *Sir James Stewart* and Collectors foresaid, against the sub-Collectors of Shires, Magistrates of Burghs, Collectors of Paroches, Heritors, Fewers, Liferenters, and others indebted in payment of their severall proportions of this monethly Maintenance now imposed, And with power to the said *Sir James Stewart*, that if any Shire or Burgh be deficient in payment of their parts of this Maintenance, to employ any Forces that shal happen to be upon the bounds for the time, or in the next neighbouring bounds adjacent thereto, for uplifting of the said moneths Maintenance from the deficient Shires, Burghs and Paroches, which Troops are to receive their intertainment from the deficient at the ordinary rates beside the payment of their maintenance: And it is hereby Ordained that the Committees of War within the severall Shires shall be aiding and assisting the said Generall Commissary herein, for inbringing of the said maintenance, and in regard of the prorogating of the foresaid Maintenance on the Shires and Burghs for the said moneth of *February*, It is Statute and ordained by the Estates of Parliament, that every debtour shall have Retention from the Creditors of one of each eight payable for annual Rent for the said moneth above specified, So that the debtor shall be lyable in payment of seven of annual Rent of each hundreth of stock proportionally according to the said moneth, With this provision always, that no debtor whatsoever shall have the foresaid benefit of Retention who shall


not pay his annual-Rent to the Creditor within the space of an yeer after that one preceding years annual Rent is fully resting, owing, unpaid: And in regard of the present distressed condition of the Sheriffdoms of *Argyle* and *Bute*, The Estates do exeem the whole Sheriffdom of *Argyle* from all payment of the foresaid one moneths maintenance of *February* instant, As also exeems the Sheriffdom of *Bute*, from all payment of the equall half of the said moneths Maintenance, And Ordains the same Shire of *Bute*, to be only liable in payment of the other half of the said moneths Maintenance; And to be proportionably paid by the Heritors and others lyable in payment thereof through the whole Shire of *Bute*: As also the Estates declares this present Act to be without prejudice of that Act granted in favours of the Town of *Invernes* of the first of *January* 1647. years, That any Taxations or Impositions to be laid on that Town be allowed to them in part of their losses, conform to the tenour of that Act: And Lastly, it is Ordained that no suspension be granted without consignation; And that all Heritors within Burghs, Pendicles and Liberties thereof shall contribute with them for payment of the Maintenance, as is mentioned in the Act of the 27. of *February* 1645. years. And the saids Estates Ordains, that the Lands and Teynds shall pay the foresaid Maintenance, as they lie locally in Shires and Burghs, conform to the former Act of Maintenance; And it is hereby Declared, that this Act is to be without prejudice of the Priviledges of the Lords of Session, conform to former Acts of Maintenance: And Ordains the same presently to be Proclaimed, And thereafter Printed.

ACT XIV.

Proclamation of CHARLES the Second, King of great Britain, France and Ireland.

GOD save the KING.

5. February, 1649.

 HE Estates of Parliament presently convened in this second Session of the second Triennall Parliament, by vertue of an Act of the Committee of Estates, who had Power and Authority from the last Parliament for convening the Parliament, considering, That forasmuch as the Kings Majestie who lately Reigned, is contrary to the Dissent and Protestation of this Kingdom now removed by a violent Death; And that by the LORDS Blessing there is left unto us a Righteous Heir, and Lawfull Successour, CHARLES Prince of *Scotland* and *Wales*; now King of Great

Great Britain, France and Ireland; We the Estates of Parliament of the Kingdom of Scotland, do therefore most Unanimously and Cheerfully in Recognisance and acknowledgement of His Just Right, Title, and Succession to the Crown of these Kingdoms; hereby Proclaim and Declare to all the World; That the said Lord and Prince Charles is by the Providence of G O D and by the Lawfull Right of undoubted Succession and Discent, King of Great Britain, France and Ireland, whom all the Subjects of this Kingdom are bound Humbly and Faithfully to Obey, Maintain and Defend according to the National Covenant, and the solemn League and Covenant betwixt the Kingdoms, with their Lives and Goods against all deadly, as their onely Righteous Sovereign, Lord and King; And because His Majestie is bound by the Law of G O D, and Fundamentall Laws of this Kingdom to, Rule in Righteousnesse and Equity for the Honour of G O D, the good of Religion, and the Wealth of His People: it is hereby Declared, That before He be admitted to the exercise of His Royall Power, He shall give Satisfaction to this Kingdom in these things that concern the Security of Religion, the Union betwixt the Kingdoms, and the Good and Peace of this Kingdom, according to the National Covenant, and the solemn League and Covenant, for the which end we are resolved with all possible expedition to make our humble and earnest Addresses to His Majestie; For the Testification of all which; We the Parliament of the Kingdom of Scotland, Publish this our due Acknowledgement of His just Right, Title, and Succession to the Crown of these Kingdoms, at the Mercat Crosse of *Edinburgh*, with all usuall Solemnities in the like Cases, and Ordains His Royall Name, Portraict and Seal to be used in the publick writings and judicatories of the Kingdom, and in the Mint-house, as was usuall done to his Royall Predecessors, and Command this Act to be Proclaimed at all the Mercat Cresses of the Royall Burghs within this Kingdom, and to be Printed, that none may pretend Ignorance thereof.

God save, King Charles, the Second.

ACT

ACT XV.

Anent Securing of the Covenant, Religion, and peace of the Kingdom.

7. February 1649.

THE Estates of Parliament, Taking to their most serious consideration the unhappy differences between their late Sovereign and these Kingdoms, caused by the evil counsells about him, unto the great prejudice of Religion, and long disturbance of the peace of these Kingdoms; As likewise the manifold Acts of Parliament and fundamentall constitution of this Kingdom anent the Kings Oath at his Coronation, which judging it necessary, that the Prince and the People be of one perfect Religion, appointeth that all Kings and Princes who shall Reign or bear Rule over this Realm, shall at their Coronation or receipt of their Princely Authority, solemnly swear to observe in their own persons, and to preserve the Religion as it is presently established and professed, And rule the people committed to their charge according to the will of God revealed in his Word, and the loveable constitutions received within this Kingdom, And do sundry other things which are more fully expressed therein, And withall pondering there manifold solemn Obligations, to endeavour the securing of Religion, and the Covenant before and above all worldly interests: Therefore they do Enact, Ordain and Declare, That before the Kings Majestie who now is, or any of his Successors shall be admitted to the exercise of his Royall Power, he shall by and attour the foresaid Oath assure and declare by his Solemn Oath under his Hand and Seal, his allowance of the Nationall Covenant, and of the solemn League and Covenant, and Obligation to prosecute the ends thereof in his station and calling; And that he shall for himself and his Successors, consent and agree to Acts of Parliament, enjoyning the Solemn League and Covenant, and fully establishing Presbyterian Government, the Directory of Worship, Confession of Faith and Catechisms, as they are approved by the Generall Assembly of this Kirk and Parliament of this Kingdom in all his Majesties Dominions, And that he shall observe these in his own practise and Family, And that he shall never make opposition to any of these, or endeavour any change thereof.

It is also Declared, Enacted, and Ordained, that before the King who now is be admitted to the exercise of his Royall power, he shall leave all Counsell and Counsellors prejudiciall to Religion, and to the Nationall Covenant, and to the Solemn League and Covenant,

And

And give satisfaction to the Parliament of this Kingdom, as it is now constitute in what further shall be found necessary for the settling of a happy and durable Peace, preservation of the Union between the Kingdoms, and for the good of the Crown, and for his own Honour and Happines; And shall consent and agree that all matters Civill be determined by the Parliaments of this Kingdom, and all Ecclesiastick matters by the Generall Assembly of this Kirk, For the which ends the Estates of Parliament are resolved to make their humble and earnest addresses to his Majestie with all possible expedition, All which they finde themselves bound to prosecute, and resolves not to recede therefrom, but to see the same really performed.

Likeas, the Estates of Parliament discharges all the Lieges and Subjects of this Kingdom to procure or receive from his Majestie any Commissions, Patents, Honours, Offices or gifts whatsoever, untill his Majestie give satisfaction as laid is, under the pain of being Censured in their persons and estates; as the Parliament, or any having power from them shall judge fitting.

And if any such Commissions, Patents, Honours, Offices or gifts shall be procured or received by any of the Subjects of this Kingdom before such satisfaction; The Parliament Declares and Ordains all such Commissions, Patents, Honours, Offices or gifts, and all that shall follow thereupon, To be void and null.

ACT XVI.

Act anent the Catechismes, Confession of Faith, and ratifying thereof.

7. February 1649.

THE Estates of Parliament now presently convened in this second Sesson of the second Triennall Parliament, by vertue of an Act of the Committee of Estates, who had power and Authority from the last Parliament for conveneing the Parliament, Having seriously considered the Catechismes, viz. The Larger and Shorter ones, with the Confession of Faith, with three Acts of Approbation thereof by the Commissioners of the Generall Assembly, presented unto them by the Commissioners of the said Generall Assembly, Do ratifie and approve the saids Catechismes, Confession of Faith, and Acts of Approbation of the same, produced as laid is, and Ordains them to be recorded, published and practised.

ACT

ACT XVII.

Act for information of the Lieges, anent the securing the Peace of the Kingdom.

10. February, 1649.

THE Estates of Parliament now presently convened, Taking to their serious consideration, how cunning some are to coyn, and others bold to vent, and a third sort weak and simple to believe lies and calumnies against their proceedings, even whilst they are doing their best for the good of Religion, the Honour and Happines of the King, the preservation of the welfare and peace of this Kingdome, And of all the bonds of Union betwixt the Kingdoms. And being informed that some false rumours are spread as if they had intended to sease upon the persons of those that had been active in the late unlawfull engagement, which hath been but invented and vented by malignant spirits, to make men out of such apprehensions to quit their houses and families, and to draw together with other discontented persons to cast the peace of the country loose, and to weaken the hands of the Parliament, In the prosecuting of the ends of the Covenant, and of their duties for Religion, King and Kingdomes. And considering the late Act of Parliament of the date the twenty sixt of January last, containing the band for securing of the peace of the Kingdom, and ane other Act of the date the fift day of February instant, Proclaiming Charles the second King of Great Brittain, France and Ireland, &c. They doe Inact, Ordain, and Declare for the satisfaction and security of all the Leiges, That they have no such intention or resolution to prejudge the Freedome of any mans person, who offers himselfe, or doth when required, subscribe, and find surety for the peace of the Kingdom, according to the foresaid Band: And doth testify his allowance of the foresaid Proclamation concerning the King His Majesty who now is; and to the effect it may be known who are willing to doe the same, and who refuses, The Estates of Parliament ordaineth that the new Committees of Warre in the severall Shires, and Magistrates in Burghs, To call before them all such persons as were active in the late ingagement, and any other disaffected persons known to them, To subscribe and finde surety according to the said Band, And to testify their allowance of the said Proclamation, with certification contained in the Act anent the Band, And that these on this side of Tay give an account of their exact diligence hereof to the Parliament or Committee of Estates betwixt and the fifteenth day of March, And these on the other side of Tay, betwixt and the first day of Aprill. And Ordains this to be Proclaimed at the Mercat Crosse of Edinburgh, and thereafter to be Printed.

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ACT

ACT XVIII.

Act against remissions for Capitall crimes.

13. February 1649.



THE Estates of Parliament now convened in the second Sesion of this second Triennall Parliament, considering the exceeding great abuse that hath creeped in by granting remissions or respits to persons guilty of crimes, which are ordained to be punished by death, both by the Law of God, and Law or practise of this Kingdom. By which remissions and respits, Gods Law is presumptuously dispensed with, the Law and practise of the Land made uselesse, the whole Land polluted with sin, a door opened unto the committing of many hainous crimes without fear through hope of impunity, and the Lord provoked in his wrath to plague the Land, and to do justice upon the inhabitants thereof, because of the neglect of the Magistrate herein; Do therefore Statute and Ordain, that no remission or respit shall hereafter be given or pass in favours of any person or persons that are punishable by death both by the Law of God, and by the Law or practise of this Kingdom: And that if any remission or respit shall be purchased and obtained by any such person, or in their favours, The same is hereby declared null and of no effect, and that the saids persons notwithstanding of the said remission or respit, shall be proceeded against and punished by death, according to the Law and practise of the Land: And Ordains the Justice-Generall and his Deputies, and all others, having power in criminalls, accordingly to proceed and do justice, notwithstanding of any such remissions or respits. And Ordains his Majesties Advocate and others having interest to intend and prosecute pursuits to the finall decision of the same, against the contraveeners of the Act foresaid.

ACT

ACT XIX.

Act anent the severall degrees of casuall homicide.

13. February 1649.

THE Estates of Parliament for removing of all questions and doubts that may arise hereafter in criminall pursuits for slaughter, Statutes and Ordains, that the cases of homicide after following, viz. casuall homicide, homicide in lawfull defence, and homicide committed upon theeves or robbers, breaking houses in the night, or in case of masterfull depredation, or in the pursuit of denounced or declared Rebels for criminall causes, or of such who assist and defend the Rebels by Armes, and by force opposes the pursuit and apprehending of them, whilk shall happen to fall out in any time coming, nor any of them shall not be punished by death, And that notwithstanding of any Laws or Acts of Parliament, or any practise made heretofore or observed in punishing of slaughter: But that the man-slayer in any of the cases aforesaid, be asoilyed from any criminall pursuit pursued against him for his life for the said slaughter before any Judge criminall within this Kingdom, Providing always, that in the case of homicide casuall, and of homicide in defence, notwithstanding that the man-slayer is by this Act free from Capitall punishment, yet it shall be leave to the chief Justice Court, with advice of the Counsell to Fine him in his means to the use of the defuncts Wife and Bairns of neere of kin, or to imprison him.

ACT XX.

Act against Swearing, Drunkenesse, Scolding and other Prophanities.

13. February 1649.

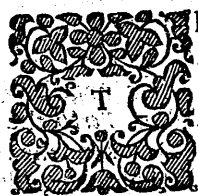
THE Estates of Parliament considering, that notwithstanding the laudable and pious Act made at Perth the 7. of August 1645. against Swearing, Drunkenesse, and mocking of Piety, These vices do still continue and encrease in the Land, unto the great dishonour of God, and scandall of the Gospel, Do therefore for remedie thereof renew the said Act with the alteration and addition following, viz. That whosoever shall be found culpable of any one or other of the vices mentioned in the said Act by any Civill or Ecclesiasticall Jurisdiction

dicatory, whereunto they are subject, shall even after the first conviction before either of the saids Judicatories be liable unto the severall respective penalties mentioned in the said Act; And Ordained the Act foresaid to have full force, strength and effect in all the other clauses thereof: And farther Ordains the said Act to be extended and executed against scolders, filthy speakers, and makers or fingers of Bawdie songs, and they made liable to the respective penalties contained therein, according to the quality of the offenders, even after the first conviction as said is, And as for those who after the fourth conviction of any one of the saids faults, do not yet amend, but prove incorrigible, the conviction being represented by the Session or Presbyterie to the Magistrate of the Paroch appointed for lifting the penalties, or Sheriff of the Shire, Lords of secret Counsell, or Magistrate of Burgh; The Estates Ordains the saids incorrigible persons to be put in prison, there to remain aye and while they finde caution of their good behaviour in all time coming, under the pain of four hundred pounds to ilk Nobleman, to ilk Baron four hundred Merks, ilk Gentleman, Heretor and Burgess two hundred Merks, ilk Yeoman fourty pounds, ilk servant twenty pounds to be employed on pious uses: And because healthing and scolding is the occasion of much drunkenesse, Therefore the Estates of Parliament extend this Act and the said Act at Perth and the respective penalties therein contained against all those who under whatsoever name, or by whatsoever gesture, drink, healths or scolls and morion the same, and urge others thereunto; And it is declared that the executing of this Act shall be beside and without prejudice of the Kirk Censure.

ACT XXI.

Act anent mortifications and dotations to Hospitals and other pious uses.

13. February, 1649.



THE Estates of Parliament, considering that Mortifications and Dotations to Hospitals and other uses of the poor within this Kingdom have been much wronged and diminished in divers places of this Kingdom, through the conversion of the victuall doted and mortified to the saids Hospitals, or to other uses of the poor in money: whereby the Rents and means of sustenance of the said poor people through the ignorance of the present granters of the said conversion, have been much impoverished and diminished, by taking a little sum of money for the Boll of victuall

victuall mortified as laid is: And seeing the granters of the saids conversions, had no power to dilapidate the said Mortifications in prejudice of their Successors; And to the effect that remeid may be had thereof, Therefore the Estates of Parliament Statutes and Ordains, that all conversions of victuall in mone y of any Rents doted and mortified to Hospitals, or to any other uses of the poor, shall be reduced to the old Foundation: And that the Heritors and possessors of the lands, subject in and liable to the payment of any doted or mortified victuall, shall yeerly in all time coming, make payment of the Bolls of victuall themselves to the uses foresaid: And that the Act of prescription made in anno 1617. shall be no ground of a defence against the actions to be pursued for reducing of the said conversion to the first foundation, but that notwithstanding thereof that the saids conversions be annulled and reduced, It is always provided, that if the party defender against whom the said action of reduction shall be pursued, either himself or his predecessors to whom he hath succeeded as Heir, have acquired the heritable right of the Lands subject in and liable to the payment of the foresaid mortified victuall at any time within these forty yeers last bypast, in respect he or his Predecessors hath payed the price of the lands in relation to the said conversion that then and in that case the decreet of reduction of the conversion shall onely be extended to the just and equall half of the Bolls of victuall contained in the first dotation and mortification, whilk the Heritors and Possessors shall be obliged to pay in all time coming to the uses foresaid; But if the defender in the said reduction be Heir by progress or successor *titulo lucratiuo* to the first receiver of the conversion, Then and in that case it is Statute and Ordained that the conversion shall be reduced to the first foundation *in totum*; And that the hail Bolls of victuall mentioned in the first dotation shall be payable by him and his Successors in the saids Lands to the uses foresaid in all time coming, It is also provided that this present Act shall onely be extended *ad futura* for payment in time coming of the doted and mortified victuall in manner as said is: Likeas it is Statute and Ordained that no victuall mortified to any Colledges or any other pious uses shall be converted in money, in any time coming by any Writs to be made, except from yeer to yeer, as the parties shall agree; And if any sick conversion shall be made, the Estates of Parliament by these presents, declares the same null, and of no force. And Ordains the foresaid actions of reduction for the foresaid conversion, to be pursued at the instance of the Procurator for the Kirk.

ACT

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ACT XXII.

Act against Clandestine Marriages.

3. February 1649.

THE Estates of Parliament considering how necessary it is that no Marriage be celebrate but according to the laudable order and constitution of this Kirk and by such persons as are by the Authority of this Kirk warranted to Celebrate the same; And that notwithstanding hereof sundry, either out of disaffection to the Religion presently professed in this Kingdom, or being desirous to eschew the Censures of this Kirk or to satisfie their promise of marriage formerly made to others, or to decline the concurrence and consent of their Parents or others having interest, or out of some other unlawfull pretext do procure themselves to be married, And are married either in a Clendistine way contrary to the established Order of the Kirk, or by Iesuits, Priests, deposed or suspended Ministers, or any other not authorized by this Kirk, Do therefore Statute and Ordain, that whatsoever person or persons shall hereafter marry or procure themselves to be married in a Clandestine and in orderly way, or by Iesuits, Priests, or any other not authorized by this Kirk, That they shall be imprisoned for three moneths, and besides their said imprisonment shall pay, ilk Nobleman five thousand pounds, ilk Baron and Landed Gentleman five thousand Merks, ilk Gentleman and Burgefs one thousand pounds, ilk other person five hundred merks, and that they shall remain in prison ay and while they make payment of these respective penalties abovementioned, which are hereby Ordained to be applied to pious uses within the severall Paroches, where the saids Persons dwells, and that the Celebrater of such marriages be banished the Kingdom, never to return therein under the pain of death. Likeas the Estates ratifies 8. Act of the Parliament 1641. made against these parties who go to *England* or *Ireland* and marries there, without Proclamation of Bands in this Countrey, and against the Order and constitution of the Kirk thereof, with this addition, that the Contraveeners shall be liable to the respective pecuniall and corporall pains mentioned in this Act: And that the pecuniall pains shall be applied to pious uses, And Ordains the Procurator for the Kirk to pursue before the civill Iudge the fulfilling of this, and Ordinance for the Corporal and pecuniall pains abovementioned, but prejudice alwayes to the Kirk to proceed with their Censures against such offences.

ACT

ACT XXIII.

Act against scandalous persons.

13. February, 1649.

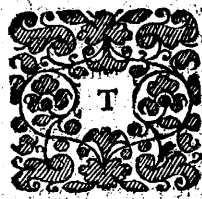
THE Estates of Parliament, considering that notwithstanding of the Act made at *Perth* in the year of 1645. concerning one or moe to exact the penalties and inflict corporall pains against scandalous offences that are not capital, yet the same is ineffectuall because the persons nominate for that purpose either will not accept of that employment as are negligent therein, or will not exact these penalties nor inflict these pains without a new civill process, Therefore they do renew the former Act at *Perth* in all the heads and clauses thereof, And do further Statute and Ordain, that whatsoever person or persons shall be nominate and chosen for these employments after the manner contained in the said Act, or by the Lords of secret Counsell upon recommendation of the Presbyterie or Session if they shall refuse to accept of the said employment, That Letters of horning upon the desire of Presbyterie or Kirk Session shall be given out against them for charging them to accept thereof: And it is also Ordained that these persons that shall accept of the said employment shall upon the desire of the Session, sit with them, And upon the hearing of scandalous offenders convict before them by proof or confession, or upon the sight of the processe of the Kirk Session, subscribed under the Minister and two Elders hands, when they themselves cannot be present, that they shall without any new civill process exact the penalties contained in the Acts of Parliament, and deliver them to the Kirk Session, and inflict the corporall punishments, as is provided in the Acts of Parliament, And it is also Ordained, that any of these persons who shall be processed by the Session or Presbyterie for their negligence in these duties, shall upon complaint made and verified against them by the Session or Presbyterie, before the Lords of secret Counsell be fined or imprisoned by the saids Lords, not exceeding the quadruple of the penaltie; And that this Act shall be extended in the severall heads and clauses thereof, To Magistrates in Burgh as well as Landward; And because it is needfull that the person or persons who shall be chosen to these employments have inferiour servants and officers for exacting the penalties and inflicting the Corporall punishments provided in the Acts of Parliament, Therefore it is Statute and Ordained, that the tenth part of ilk penalty shall be given at the sight of the saids persons, unto the saids inferiour servants & officers for recompence of their pains in every Landward Congregation.

ACT

ACT XXIV.

Act against going of Mylnes, Kills, Salt-pans, or Fishing on the Lords-day.

13. February 1649.



THE Estates of Parliament, considering that notwithstanding of former Acts of Parliament made against going of Mylnes and Salt-pans, and against Salmond-Fishing and other servile work on the Lords-day, yet the Sabbath is in many places of the Kingdom prophaned by doing of these works in the morning or evening of the Lords-day, do therefore Statute and Ordain, That whosoever shall work in Corn, or walk Mylnes, dry in Kills, work in Salt-pans, or in fishing to be accessory thereto, or any other unnecessary work betwixt midnight and midnight on the Lords-day, shall be liable to the penalty contained in the respective Acts of Parliament, made against Prophaners of the Sabbath.

ACT XXV.

Act of Posture.

15. February 1649.



THE Estates of Parliament, now presently conveyned in this second Sessio[n] of the second Triennall Parliament by vertue of an Act of the Committee of Estates, who had power and Authority from the last Parliament for conveyning the Parliament, Considering that it hath been the ordinary practise of former Parliaments, and especially since the beginning of these troubles, to put the Kingdom in a Posture of Defence, for preventing all dangers from Forraign invasion, or Intestine insurrection: And finding themselves obliged according to the trust reposed in them, to preserve the Peace of the Kingdom from all the evils and practises of such as labour to subvert Religion and Government, and disturb the peace of the Kingdom, They have therefore resolved (the better to keep his Majesties Subjects in a dutifull obedience to the Laws and publick Judicatories, and in a Christian unity among themselves)

selfes) That this Kingdom be presently put in a Posture of Defence; And for the better and more speedy effectuating thereof, They have nominated and appointed, and hereby nominates and appoints the persons underwritten, To be Colonels or Commanders of Horse and Foot within the severall Sheriffdoms, and bounds thereof, as well to Burgh as Landward respectively, viz. For the Sheriffdom of Edinburgh principall to Landward, The Lord Balmerino or his son, the Lord Torphechin, the Laird of Riccardtoun Craig, the Laird of Niddie, the Laird of Ingliftoun, the Laird of Libertoun. For the Constabularie of Hadingtoun, the Laird of Waughton, the Laird of Ormestoun, the Laird of Smeton Hepburne. For the Sheriffdom of Peibles, the Earl of Tweddell, the Laird of Glen younger. For the Sheriffdom of Berwick, and Bailliarie of Lauderdail, the Laids of Wedderburn elder and younger, the Laird of Swynton younger, the Laird of Blacader. For the Sheriffdom of Roxburgh, and the Lord Bucleugh's part of Dumfreis, which he had in Anno 1643. The Earl of Lothian, the Earl of Bucleugh, the Laird of Greenheid. For the Sheriffdom of Selkirk, Walter Scot of Whitlaid. For the Sheriffdom of Lanerk, the Earl of Angus, sir Walter Stewart of Allantoun, sir William Carmichael, the Laird of Prestoun. For the rest of the Sheriffdom of Dumfreis, Mouswall, Craighdarroch. For the Shire of Fife and Kinrosshire, the Earl of Kincairdin, the Lord Elcho, the Lord Burghlie or his Son Scotticraig, Sir James Lumden, the Laird of Fairny, Sir James Hacket, sir William Douglas. For the Shire of Forfar, the Lord Brechine, the Laird of Edzell, the Laird of Tiline, the Laird of Brighton. For the Shire of Perth, the Lord Cowpar, the Laird of Freeland, sir John Brown, the Laird of Glenegeis, sir George Prestoun. For the Shires of Stirling and Clackmannan, The Laird of Buchanan, Sir Charles Erskine, sir William Bruce. For Linlithgow Shire, the Lord Torphechin, the Laird of Dundas younger, the Laird of Hilderstoun. For the Shires of Argyle and Dumbartan, with the Isles (except the Lewis) and Moidart, Ruoydert, Afert and Lochaber, the Marquis of Argyle, the Laird of Maccleud, Ardkinglas, the Laird of Lochzell, the Laird of Fulwood. For the Shire of Bute, sir Robert Montgomerie younger, or his son, Hector Bannatyne of Kammies. For the Shire of Wigtoun and Stewartry of Kirkcudbright, the Earl of Cassils, the Lord Kirkcudbright, the Sheriff of Galloway, sir Robert Adair, the Laird of Earlistoun, Colonell William Stewart, the Laird of Bargattoun. For the Shire of Air, the Lord Chancellor, the Earl of Eglintoun, the Earl of Cassils, the Lord Cathcart, the Laird of Cesnok, the Laird of Gaitgirth, the Laird of Grenok younger, the Laird of Pollock, the Laird of Howlton, the Laird of Cuninghamheid. For the Shire of Kincardine, the Viscount of Arbuchnot. For the Shire of Aberdeen, the Lord Fraser or his son, the master of Forbes, the Laird of Eight, the tutor of Pitligo. For the Shire of Caithnes, the Laird of Dumbeath, Francis Sinclair grand Uncle to the Earl of Caithnes. For the Shires of Inneines and Cromartie, except those parts thereof, which

in the former Act of posture is either joynd to Elgine or Argyle, the Laird of Balnagowne, *fir James Frazer, Innerbrachie, Obsdaill.* For the Shires of Elgine and Nairn, with that part of Innernes, joynd in the Act of Posture aforesaid. the Laird of Brodie, the Laird of Lethem or his son, the Laird of Duffus or his brother. For the Shire of Sutherland, the Earl of Sutherland. For the Shire of Bamff, the Laird of Kempcairne or his son. For the Town of Edinburgh, *fir James Stewart* Provest.

And siclike, The Estates of Parliament, do hereby nominate and appoint the persons after following, to be Commissioners and Committees of War within the severall Shires of the Kingdom, as well to Burgh as to Land, in manner and to the effect following: They are to say, In the sheriffdom of Edinburgh, principall, *Francis* Earl of Buccleugh, *William* Earl of Lothian, *John* Lord Borthuik, *John* Lord Torphichin, *John* Lord Balmerino, Master of Balmerino, *Mr. John Inglis* of Crawmond, *Sir Alexander Inglis* of Ingliftoun, *Mr. James Scot* of Bonintoun, *Mr. Laurence Scot* of Bavelaw, *David Maccullo* of Guidtrees, *fir Archibald Johnstoun* of Wariftoun, *Borthuick* of Cruikstoun, *fir John Scot* of Scottistarver, *Thomas Craig* of Riccartoun, *Sir John Wauchope* of Niddrie, Master *George Wynrahame* of Libertoun, of Cambo, *William Murray* of Herdmanstoun, *William Borthuik* of Halheriot, *Robert Dobie* of Stannyhil, *Samuel Machelstone*, portioner of Middeltoun of Southside, *Mark Caffe* of Cockpen, *Robert porteous* younger, *Alexander Calderwood*, *James Dowglas* of Cliftounhal, *James Sandielands* of Murehous Diks, *fir John Smith* of Grottell, *James Dowglas* of Craighall, *fir Joseph Dowglas* of Pumpherston, *Peter Rollock* of Piltoun, *Mr. Samuel Johnstoun* of Scheanes, *Walter Scot* in Letwaid, *Stevenson* of Hermiescheils, *William Dowglas* of Gogar, *fir William Scot* of Clerkingtoun, *Sir William Dick* of Braid, *James Roucheid* of Craig of Innerleith, *Dundas* of Newlistoun, Laird of Cakmure, *William Purves* Bailies of Musleburgh, *Thomas Magget* of that ilk, *Alexander Craig*; And the saids Estates appoints the said *fir Archibald Johnstoun* of Wariftoun to be Convenier for the first meeting.

In the Constabularie of Hadington and Bailiarie of Lauderdaill, *John* Earl of Tweddell, *Archibald* Lord Angus, Laird of Wauchton, Laird of Ormestoun, Laird of Prestoun, Laird of Elphingstoun, elder and younger of Smetoun, Keith of Barfurd, of Beinstoun, of Congiltoun, of Elvingstoun, *Mr. John Pringle* of St. Germanes, *Sir William Dick* of Braid, *Mr. James Ramsay* of Fawside, *John Hepburne* of Craig, *Andro Hamilton* Tutor of Reidhouse, *Andro Comper* of Fentounbarnes, of Wedderburn, *William White* of Markill, *David Wilkie* of Dolphingstoun, *John Hamilton* of Oyle-

Oylestobe, *Thomas Turnbull* of Skeddiebus, *Laurence Henderson* of St. Laurence, *Mr. John Butler* of Kirkland, *Robert Achiesone* of Sidfert, *Levingstoun* of Saltcoatts, *Gleghorne*, Mr. *Robert Hodge*, *James Skervene* of Plewlandhill. For the Burgh of Hadingtoun, *John Sleigh*, or *George Brown*, or *John Aytoun*. For the Burgh of Dumbar, *William Purves*, or *John Purves*, or *Thomas Kellie*. For the Burgh of Northberwick, *John Levingstoun*, or *George Home*: And the said Estates Appoints the Laird Smetoun elder to be Conveenor for the first meeting.

In the Sheriffdom of Peibles the Earl of Tweddel of Dawick elder, *Andro Hay* of Haystoun, *Mr. John Hay* fir thereof, *Mr. James Lawson* of Cairnmure, *Mr. Alexander Burnet* of Carlingloup, *Walter Murray* fir of Halmyre of Glen younger, *William Russell* Portioner of Slipperfield, *Captain John Murray* of Rolmanno, *fir James Murray* of Skirling, *James Nasmith* of Possio: *Robert Hunter* of Polmuid, *William Twedie* of Wrae, *Patrick Porteous* of Haikshaw, *Thomas Geddes* in Mosfennam, *Archibald Hamilton*, Tutour of Coltquot, *John Graham* portioner of Slipperfield, *Mr. Patrick Brown* of Stevinstoun, *Thomas Twedie* younger of Olipheer, *Robert Pringle* of Chapelhill, *James Dowglas* of Cowthropole, *James Dowglas* Portioner of Lintoun, *Thomas Chisholme* of Hairhope, *John Dickson* of Hairtrie, The Provest of Peibles, or any one of the Bailies; And the said Estates Ordains Glen younger, to be Conveenor for the first meeting.

In the sheriffdom of Selkirk, the Earl of Buccleugh, *fir William Scot* elder, of Harden, *fir John Murray* of Phillophauch, *fir William Scot* younger of Colonell *Walter Scot*, *Walter Scot* of Whitlaid, *Patrick Scot* of Thirlstane, *William Scot* of Margeton, *James Scot* of Gallowlcheils, *William Scot* of Sintoun, *James Pringle* of Torwoodlie, *Pringle* younger of Whytbank, *James Pringle* of Newhall, *Andro Ker* of Sunderlandhall, *William Scot* of Tufchelaw, *Robert Scot* of Browhill, *Andro Scot* of Braidmedows, *John Scot* of Gilmincleuch, *Gedion Murray* of Sundhoup, *Archibald Ellet* of Phillop, *George Curror* of Howdoun, *Thomas Scot* Bailly of Selkirk, *Thomas Halliwell* late Bailly there, *Thomas Scot* of Todrig, *Archibald Ellet* of Middlesteed, *William Ellet* of Stobbis, *Gilbert Ellet* younger thereof, *William Scot* younger of Heidshaw, *Robert Scot* of Hartwoodmyrs, And the said Estates Appoints to be Conveenor for their first meeting.

In the Sheriffdom of Berwick, Earl of Leven Lord Angus, Craighall, of Tofts, Wedderburn elder and younger of Wauchton of Blakater, Swyntoun elder and younger, *fir William Scots* elder and younger of Harden of Coldinghamlaw, o Stichell, of Smetoun, *Mr. George Home* of Kinnerghame, *fir John Wykie* of Edingtoun, *Hary Carmichael*, *Patrick Home* of Broomhouse, Master *Patrick*

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Patrick Home of Huttonbell, James Home of Castellaw of Blairnairn elder, John Home of Kello, John Ker of Merfingtoun, John Home of Ninewalls, Walter Pringle of Fricknow, of Weddelie younger, James Home of Whitlumehill, Mr. Robert Swintoun, Gilbert Lawder of Nelber, John Erskyne of Dryburgh, James Halyburton at Dryburgh, Patrick Boig of Bunehouse, William Somervell, of Hiltoun: And the Laird of Weddeburne to be Conveener.

In the sheriffdom of Drumfreis and stewartie of Annandail, Mr. George Dowglas of Penzeie, Archibald Dowglas of Dornok, Robert Fergusone of Craigdarroch, James Dowglas of Moulwall, Walter Scot of Whitlaid, John Creichton of Crawfordstoun, Thomas Fergusone of Caitloch, Andro Cuninghame of Sleid, Mr. William Fergusone younger of Caitloch, John Wilson of Crogleane, Parick Scot of Thirlestane, William Wilson of Land, John Dowglas of Stanehou, John Welsh of Colliestoun, James Kirk of Sundaywell, Andro Scot of Braidmedows, James Greirson of Dalgoner, Robert Kirkpatrick of Cloisburne, William Hunter Tutor of Ballagane, Archibald Johnstoun of Clachrie, Francis Scot of Cairtertoun, Matthew Wilson in Geinehill, James Dowglas of Motoun, Walter Scot of Arkiltoun, John Scot younger called of Headfichaw, Thomas Macbirnie Provest of Drumfreis, Robert Ritchertson Bailly there, John Cuninghame Bailly there, John Burges Bailly there, Laurence Davidstone Provest of Sanquhar, Robert Barton Burges of Drumfreis, the Provest of Drumfreis to be Conveener for the first Dyer.

In the Sheriffdom of Lanerk, Archibald L. Angus, fir will. Carmichael, Sir James Stewart of Kirkfield, Sir Walter Stewart of Allantoun, and Stewart his Son, fir John VVilkie fir John Cheistie fir James Hope, of Scotticraig of Netherpollok, of Ker-houfe of Prestoun of Dalvel of Silvertounhill elder, fir Daniel Carmichael James Carmichael

Vdstoun and his lon of Halcraig of Dallerff, of Airdie of Woodhall of Barncluch, George Lochart of Tarbrex, VVilliam Lowrie of Blaikwood, John Mure of Anestoun of Knewhobilhill elder, James Stewart Tutor of Castelmilk, Mr. John Dickson of Busbie, Mr. John Carmichael Commissar of Lanerk, Robert Denholm of Westcheils, Walter Hamiltoun of Neatherfield, Ia: Cuninghame of Bonitoun, Ia: Cuninghame of Coblehaugh, John Weir of Cloburne, William Brown of Dolphintoun, John Weir younger of Newtoun, John Hamiltoun Chamberlain of Hamiltoun, Geo: weir of Hairwood, James Bailly of Todhoils, James Hamiltoun of Neilsland, William Hamiltoun younger of Maynes, Gavin Hamiltoun of Mylnehous, James Dalvell of Johnstoun, VVilliam Home Burges of Glasgow, Mr. John Spreull Clerk of Glasgow, John Grahame late Bailly of Glasgow, William Anderson younger of Newtoun, James Dickson

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son of Stane, Alexander Bailly of Calends, master William Brown of Mylnerig, Robert Dalvell of Westredmire, the Provest and Bailies of Glasgow, the Bailies of Lanerk, Gedeon Jack of Braxisfield, Andro Pincartoun for Rutherglen, Andro Hamiltoun of Overtoun, James Alexander in Hill of Drips, Thomas Pettigrew in the Barony of Glasgow, John Pirie Chamberlain of Mauldslie, William Gray of Gaitjuene, William Kennedy of Achtyfardell, fir Walter Stewart of Allantoun Conveener.

In the sheriffdom of Linlithgow, John Lord Torphechin, the Lairds of Dundas, elder and younger, fir Lodowick Howstoun of that ilk of Bonhard of Bathgait of Hilderstoun of Dudingstoun Dundas, fir Robert Drummond of Medhope, fir Joseph Dowglas of John Hamiltoun of Boighall, Mr. James Eisson of Cowstoun, master James Whythead of Park Inglis of Ingliftoun Schairp of Howstoun, master David Hay of Woodcokdail, Francis Dureham of Duntarvie of Polkennet, Francis Galloway of Toddishaugh John Gilione younger of Walhous of Grange, master David Peibles, Thomas Claikson of Coulland William Dundas, Lewis Monteith Provest of Linlithgow, James Campbell there, Robert Cuthbertson there, George Allane in Borrowstounnesse, John Dick and John Elder younger in Queensferrie, Patrick Young of Killiecantie, James Turnbull of Gormyre, The Laird of Dundas Conveener.

In the sheriffdom of Dumbartan, the Lord Marquis of Argyle, John Colquhoun of Lufs, Walter Macawlay of Ardincapils, Aulay Macawlay younger of Ardincapill, John Macfarlane younger of Arraquhair, Duncan Campbell of Carrik, Coline Campbell of Ardintonnie, John Denestoun of Colgrene, William Buntene of Ardoch, Captain George Noble of Kiperminsheuche, John Denestoun of Dalquharne, John Semple of Stanyflet, John Semple of Dalmock, Mungo Lindsay of Banul, Robert Hamiltoun of Barnes, Hew Crawfurd of Cloberhill, William Stirling of Law, John Dowglas younger, of Kaystoun, John Colquhoun of Kilmardinning, master James Fleming of Barlouch, James Fleming of Oxgang: The Provest and Bailies of Dumbartan, Patrick Ewing, the Laird of Lufs Conveener.

In the sheriffdom of Wigtoun, John Earl of Calsils, fir Patrick Agnew of Lochnau, Sir Robert Adair of Kinhilt, Andro Agnew apparant of Louchnaw Alexander Macdowell of Logane, William Gordoun of Craichlaw, John Macculloch of Mertoun, Thomas Hay of Park, Colonel William Stewart of Castlestewart, Gilbert Neilson of Craigcaffie, William Adair apparant of Kinhilt, Patrick Macdowell apparant of Logane, Ochtris Macdowell of Freuch, Alexander Macculloch of Ardwall, David Dumber of Baldune, Patrick Agnew of Sewchane, John Cathcart, of Gamlich, Hew Macdowell of Knokglasse, VVilliam Maxwell of Munreich, Hew Kennedie of Scinnonas, VVilliam Gordoun of Grange, Francis Hay of Arkland, William Kennedy of Kilespie, Andro Macdowell apparant of Kilester, Patrick Agnew of Wige, Alexander Agnew of Mac-

Croach, Andro Macdonald of Lesnoll, William Howstoun of Cottroch, Robert Macculloch of Drummorell, Patrick Gordoun of Glasinck, James Macculloch Burges of Whithorne, Thomas Adair Provest of Straurawer, John Kennedie Bailly to the Earl of Calsils, Adam Mackie Bailly of Wigtoun, Gilbert Neilson fiar of Craigatfie; And the said Patrick Agnew of Sewchane to be Conveener for their first meeting.

In the Sheriffdom of Roxburgh, The Earl of Buccleugh, the Earl of Lothian, Sir William Douglas of Cavers younger, Sir Walter Riddell of ... Thomas Ker of Cavers, Sir William Scots elder and younger of ... Andro Ker of Greenheid, Archibald Douglas fiar of Cavers, Andro Ker of Lyntoun, William Elliot of Stobs, William Ker of Newtoun, Gilbert Elliot of ... of Langlands, Gedeon Scot of ... of Gawdielands, and St. Anesch, John Scot of Gorinberrie, Robert Scot of Braidhauch, Gedeon wauchop of ... John Rutherford of Edzerstoun, John Rutherford of Bankheid, John Rutherford of Caphope, Andro Ker of Whittoun, Mr. William Moir of Otterburn, Robert Ker of Midlemestwells, John Ker of Carnestheirs, John Douglas of Garvet, Robert Ker of Cadinside, John Haliburton of Murehoullaw, William Ker of Swynesyde, Andro Ker son to Sir Thomas Ker of ... of Lothour, Gilbert Ker son to ... of Hunthill younger, Robert Pringle of Sticheil, James Ker brother to the Laird of Tynes, Henry Crainstoun, John Scot of Breiryars, Mr. Gilbert Elliot of Craigend, Walter Riddell, portioner of Bewlie, Andro Riddell of Newhouse, George Moscrop, James Haswell, Robert Rutherford, Mr. John Brown, John Rutherford Bailly, Andro Ker of Mesendew, John Ker brother german to Sir Andro Ker of Greinheid, Robert Dickson in Ednem, Sir William Douglas of Cavers, Archibald Douglas his son to be Conveeners.

In the Sheriffdom of Air, The Earl of Lowdown Chancellour, the Earl of Eglintoun, the Earl of Calsils, the Lord Cathcart, the Lord Rofs, Cuningham of Cuninghamheid Blair of that ilk, Lairds of Rowallan elder and younger, Laird of Crawfordland, Laird of Corshill, Laird of Dunlop, Laird of Ralstoun, Ed. and Cuningham Laird of Auchnames, Laird of Horlet, the three Lairds of Skelmurlie, Lairds of Bshoptoun elder and younger, Barklay of Pearstoun Laird of Adamtoun younger, Laird of Hunrartoun, Sir William Scot of Clerkintoun, Laird of Doukathall, master Robert Barclay John Reid, Robert Broun, Laird of Craig younger, Cunningham of Hillaketh, James Campbell in Newmils, Laird of Halpland, Walterstoun younger, Lieutenant Colonell Crawford in Kelloiland, James Blair Bailly of Irwing, Adam Blair of Lochwood, Laird of Celnok, Laird of Kerls, Laird of Gaitgirth

Gaitgirth, Laird of Corsby, Laird of Bar, Laird of Gilmellicroft, Laird of Galstoun, Laird of Sornbeg younger, Laird of Kinezanclench, Laird of Waterheid, Laird of Park, Laird of Stane Laird of Enterkin La. of Nether-skeldoun, La. of Horscleuch La. of Schankistoun Laird of Garrive, Hew Kennedy Provest of Air, Adam Ritchie, John Osburn, James Chalmeris, Fergusone, Laird of Monkredeing younger, Edward Wallace younger of Sewaltoun, John Birsbain younger of Bischoptoun Laird of Collen, Laird of Carletoun Laird of Grimotschaw, the three Lairds of Kirkmichaells, Lairds of Penkill elder and younger, Laird of Balloch, Laird of Keirs, Laird of Kildonald younger, Gilbert Kennedy of Dangher, Adam Whisford, Fergus Mac-cubene, Mr. Hew Cathcart, Laird of Balimoir, Major William Steuart, Laird of Trochrig, Laird of Clackrie of Davenie, William Wallace of Failfurd, Gilbert Ritchart bailly of Air, James Blair of Mounktounmains, James Blair bailly of Irwing, Rowallen elder conveener.

In the Shriefton of Renfreu, The Earl of Eglintoun, the Lord Rofs, Howstoun of Blair of Netherpollock of New-wark of Craigance of Gre-nock elder and younger of Bischoptoun elder and younger of Fulwood of Dowchall elder and younger of Barochan of Cauldwell of that ilk of Ralstoun of Glanderstoun of Cathcart of Southbar of Weitlands of Alderfly of Walknischaw younger, William Home John Sempil of Bridge end, James Stewart tutor of Castlemalk of Kellie of Rossland, James Alexander, and John Spreul burgesse of Paslay, John Spreul Provest of Renfreu, Howstoun conveener.

In the Shriefton of Argyle, Robert Campbell of Glenurquhy, Sir Duncan Campbell of Auchenbreck, Duncan Campbell of Dundron, Coline Campbell of Inverliver, Archibald Campbell Captaine of Craignes, Master Dowgall Campbell of Lag, Hector Macneill of Thynes, Hector Macalister of Loup Maccolme Macnachtan of Dundarrow, Archibald Campbell of Glengarradal, John MacCloyd of Dunvagan, Sir Donald MacDonald of Slaitt, John Macronald of Ilantyrum, Captain of Clanrannald, Alan Cameron of Lochzell, or Donald Camron his sonne, Sir Donald Cameron of Ardnamurchan, Sir Lauchlane Macleane of Dowart, Murdo Macleane of Lochbowie, James Campbel of Ardkinglas, Archibald Campbel of Kilmund, Coline Campbell of Straghirtir, Archibald Campbell of Otter, Sir James Laumont of Innerlyne, Lauchlane Maclanchlane younger of that ilk, John Campbell of Lochninell, Archibald Campbel Captain of Dunstafnes, George Campbell Tutor of Calder, John MacDowell of Ragrh John Campbell of Ardchattan, Alexander Macdowgall Dunnoloygh, Geo. Campbell sheriff depute of Argyle, The Laird of Glenurquhy, or in his absence Auchinbreck to be conveener.

In the Shriefton of Clakmannan, The Marques of Argyle of Scottiscraig, Sir Charles Erskene of the old master

Laird of Clakmannan of Duncrub elder and younger, master Robert Bruce of Samboile, fir James Hope of Scotland of Dollorbeg, fir John Erskene of Balgonie, master William Blaikburne, Thomas Rollock Andro Erskene in Alloway, Thomas Anderson there, Lieutenant Colonell William Bruce, Thomas Scotland in Dollorbeg, James Hadin of West-quarter, William Bruce, and the said Thomas Rollock to be Conveener for their meeting.

In the Sheriffdom of Fyffe, for the Presbyterie of Kirkcaldie, the Laird of Arro, elder and younger, the Laird of Inchdairne, fir James Melvill of Halhill, Laird of Kirknels, Laird of Fyngask, Laird of Balsaige, Laird of Finmout, Laird of Caskibyriou, Laird of Balbirnie, David Auchinoutie of Romeldrie.

For the Presbyterie of Dumfirmling, General Major Homburne, Laird of Balmule, fir John Erskene of Laird of Ballo, Laird of Balbugie, Laird of Cleich, Laird of Tilliboil, fir Henry Wardlaw of Pit-treven, master Alexander Colvill of Blair, Laird of Spencersfeld, Mr. Robert Bruce of Gellerts, Mr. Robert Prestoun Lairds of For-dell elder and younger, Laird of Luchart, Laird of Bathrick, Robert Hacket.

For the Presbyterie of St. Andrews, Laird of Naghton, Sir Thomas Nairn of David Young Lairds of Earls-hall elder and younger, David Balfour, William Goodman, of Rankell, Lairds Auchinowtie elder and younger, William Alexander of Byerhills, fir James Lumdsen elder of Laird of Kincaig, fir John Carstairis of Kilconghuar, Laird of Pitlethie, Laird of Balkaskie, James Bine of Dininoc, Laird of Lethous, fir James Monypenny of Laird of Scottiscraig, Conveener for the first meeting.

For the Presbyterie of Cowper, fir John Hope of Craighall, General Major John Leslie of Myres, Laird of Lethrisk younger, Lairds of Collarnie elder and younger, Lairds of Rolsie elder and younger, Laird of Mongothame, Lairds of Fairney elder and younger, Laird of Creigh, Mr. David Ramsay, Laird of Aiton, Laird of Unthank, Laird Den mill, Lairds of Woodmylne elder and younger, Laird of Donmoor, Thomas Olyphant of Laird of Forther, David Lunde of Drums, fir William Beatoun of George Paterson in Falkland, Laird of Grimstoun elder and younger, Coline Campbell of Lundie younger, Laird of Romarnie, Thomas Spence of Lethalohne, James Lundie of Straealie of Moncreiff, Laird of Rankelour, Macgill elder and younger, Laird of Kincaig, Laird of Corslain, Laird of Kennoquhy, Mr. Andro Aytoun of Fynglasse, Andro Arnot of Caplebrae.

In the Burghs of Fyfe, and St. Andrews, James Watson Provest, James Wood, James Sword, James Taylour Bailies, & James Lentroun. Cowper Geo: Jameson Provest, John Glasfurd, John Sharp Bailies, Carrail Andro Daw, Alex. Cunningham. Aufruther eister, Will. Hamiltoun, Jo. Lyndsay. Aufruther wester, Andro Ritchieson, Peter Tompson, Pettenweim, Ja. Richardson, Tho: Cnik. Dyfert, David Robertson of Monturpie, John Gawye. Kirkcaldie, James

James Anderson, John white. Bruntiland; John Brown, Magnus Aytou Innerkeithing, Alexander Henderson, Mark Duncan. Dumterming, Peter Walker, James Reid Kilrenie, Andro Houstoun, and Arthur Erskine to be conveener for the first meeting.

The Sheriffdome Pearth, the persons after nominated which are appointed to be divided into three severall sub-committees, with provision that any member whatsoever of the whole Committee shall bee free to meet in any of the three divisions, and when any businesse occurreth importing the good of the whole Shire, all three are to meet in one Committee at Pearth, and the first of the saids three severall sub-committees are appointed to sit at Dumblane, and are comprehended within the Presbyterie of Dumblane and Ochtourador, and the Paroche of Culrois, and the Commissioners names are these, viz. Arch. Marquesse of Argyle, the Earle of Kincairne, Sir John Halden of Glenegis, the Laird of Bonhard, the Barron of Auchyle younger, Sir John Erskyne of Bargouny, Sir Robert Colvill of Cleylche, Sir Charles Erskine of Ava, Arch. Stirling of Coldo, James Campbell of Clahik, the Lairds of Buchanan elder and younger, John Grabame of Buwhappill, John Buchannane of Arnpryer, Sir George Prestoun of Valisfeld, Robert Dempster of Balduthy, William Hutton of Bellisik, Master William Blackburn, the Laird of Leny, William Murray fiar of Auchtirtyre, Master Harry Cheape of Ormstone, James Stewart of Arvorlich, Colein Campbell of Mochastell, the Laird of Knockhill, Thomas Bruce of Blairhall, James Erskine Burges of Culros, William Blair of Williamstone, the Laird of Gask, Sir James Rollok of Duncrub younger, Master John Drumond of Leonach, David Drumond of Drumonererch, and the said Sir George Preston to be conveener for their first meeting, and the second of the saids sub-committees to sit at Pearth, comprehending the Presbyterie of Pearth, and the bounds of the Presbyterie of Dunkell by West the water of Tay, and Beneth, the Kirk of little Dunkell, and the names of the Commissioners of that sub-committee are these, viz. The Lord Angus, the Lord Elcho, Lieutenant Generall David Lesley, Sir John Moncreiff of that ilk, Sir Thomas Ruthven of Freeland, Sir John Brown of Fordell, the Laird of Laures, Sir William Auchinleck of Balmano, the Barone of Comrie, Sir David Carmichell, of Balmedy, William Olyphant of Balgony, John Olyphant of Bachilton, the Laird of Erstermontreiff, the Laird of Craigy, the Laird of Tippermalloch, Laurence Olyphant of Pithethly, Andro Reid in Pearth, Robert Hay of Struy, the Laird of Balhouffy, Matthew Moncreiff in Eister Rynd, William Moncreiff of Kintillo, William Olyphant in Forgon, Laurence Craigie of Kiltgirston, Master Patrick Pitchairne, and Master Thomas Murray conjunct Sheriff, Deputies of Pearth, the Laird of Leyis, George Hay of Kirkland, Sir John Dundas of Fingals, John Campbell of Abernedlock, Master Master Harry Stewart, Master John Olyphant of Colkeocher, Thomas Menzeis of Togermach, of Buchattie, George Bruce of Copmalindie, the Bailies of Pearth, Patrick Ross in Pearth, John Barclay there, Andro Lundy of Provest-mayns, John Brown of Horne, George Morgle

of Tippermuir, *Mitchell* of Kincarroch, *Hew Craigy* of Dumbarney, *Sir Robert Bruce* of Clakmannane Knight, the Lairds of Glenorquhy elder and younger, and the said *John Olyphant* of Batchilton to be conveener for the first meeting, and the said third Committee to sit at Couper, and comprehending the five Kirks of the Presbytery of Miggill, the seven Kirks of the Eist Larfs, and the Kirks of the Presbytery of Dunkell by Eist the water of *Tay*, and town of Dunkell, and the names of Commissioners of that sub-committee are these, the Lord *Coupar*, *William Fallerton* of that ilk, *Gilbert Campbell* of Kethik, *George Campbell* of Crunin, *Colline Campbell* of Denheid, the Laird of Bamff *Ramsay*, the Laird of Ardblair, *John Blair* of Pittindreich, the Laird of Craighall younger, *George Campbell* Lundy, *Colline Campbell*, fier thereof, the Laird of Inchtur, *Lawrence Blair* of Drumie, *Patrick Robertson* of Littleton, *James Mackgruder*, in Cairhill, *Patrick Haliburton* of Bauthrie, *George Chalmers* of Littlelour, *James Halliburton* of Buttergask, *Ronald Brown* portioner of Eliot, *Alexander Ramsay* of Jordanston, *Mr. David Kinloch* of Bamdohe, *Alexander Robertson* of Downe, Major *George Brown*, *Alexander Robertson* of Eister Straeloch, *John Ireland* of Miln-horne, *Donald Campbell* of little Kethik, *Sir William Blair* of Balgillo elder, *Alexander Ramsay* of Balrawaid, the said laird of Ketheik to be conveener for the first meeting. In the Sheriffdom of Forfar. The Marquess of Argyle, the Earle of Panmure, the Viscount of Arbuchnot, the Lord *Brechin*, the Lord *Couper*, the Lord *Balmerino*, the laird of Edzell, the laird of Brightoun, the laird of Teiling, the Laird of Ruthven, the lairds of Fendowrie Elder and younger, the laird of Balzordie, the laird of Balfour, the laird of Brathinsche, the laird of Melgin, the laird of Cossines, the laird of Balgillow elder, the laird of Kirkton-frymgor, the laird of Duntrune, the laird of Easter Seatoun, the laird of Lundie, the laird of Carlgownie, the laird of Fordellbroun, the laird of Grange elder, the laird of Wester Kers, the laird of Balmukatie, *Patrick Levingstoun* of Newtoun, the laird of Pitforthie, the laird of Scheilhill, the laird of Eister-killour, the laird of Blakstoun younger, the laird of Burnmouth, the laird of Cominsyth younger, the laird of Arbeikie younger, *Claihills* of Baldovie, *John Innes* younger of Baldovie, *Robert Davidson* for Dundie, *William Rodger* there, *Mr. George Haliburton* there, *John Skinner* for Brechin, *George Dempster* there, *Andro Gray* for Montross, *James Mylne* there, *George Wood* for Forfar, *David Ramsay* for Aberbrothok, and the said laird of Lundie to be conveener for the first meeting.

In the Sheriffdome of Kincardine the Earle of Panmure, the Lord *Brechin* his son, the Viscount of Arbuchnot, the Lord *Fraser*, the Master of *Fraser*, the laird of Leys, the laird of Monymusk, the Laird *Lesley* elder, the laird *Lesley* younger, the laird of Haygreen, elder, the laird Haygreen younger, the laird of Fiddes, the laird of Balbigno, *Sir James Ramsay* of Benholme, *Mr. James Skene* of Rewmoir, the laird of *Johnstoun* elder, the laird of *Johnstoun* younger, the laird of *Caterlyne*, *Robert Keith* of Craig, *Andro Barclay* of Scheills, *John Straton* of Reid-furd,

furd, the laird of Sanypeth, the laird of Findowrie elder, *Paul Symmer* of Balnakettle *Mr. Patrick Fraser* of Balzordie, *Patrick Scot* lite renter of Glenberrie, and the said laird *Johnstoun* to be conveener for the first meeting.

In the Sheriffdome of Bamff the Marquess of Argyle, *Alexander Ogilvie* of Kempcairne elder, *John Ogilvie* of Kempcairn younger, *Arthur Furbes* of Eight, *Mr. Walter Innes* of Auchinluncart, *John Grant* of Balledaloch elder, *Walter Egilvie* of Poldavie, *William Lesley* of Birdsbank, *John Innes* of Knokorth, *Berold Innes* of Torcrie, *George Spence* of Tulloch, *Mr. Alexander Dowglas* of Downies, *Patrick Weymes* Bailly of Bamff, *Alexander Winchester* there, *James Ogilvie* of Reidhythe younger, *Mr. James Hay* of Muldavart, *William Gordoun* of Newmylne, *Alexander Urquhart* of Dunlugus, *James Stewart* of Monbleton, *Alexander Murray* in Cullen, *John Gardyne*, *Patrick Meldrum* of Lichner, *Mr. Andro Hay* of Torbrugh, *John Lesley* of Buchrome, *Alexander Lesley* of Kinnivie, *Allaster Grant* of Allachie, *William Innes* of Kinermonie, the laird of Kempcairn or his sonne, and the said laird of Kempcairn or his sonne to be conveener for the first meeting.

In the Sheriffdom of Aberdeen the Marquess of Argyle, The Lord *Fraser*, The Master of *Forbes*, the Master of *Fraser*, the laird of Monymusk, the laird of Skene, the laird of Tolquhon elder, the lairds of Glenkindie elder and younger, The tutor of Pitligo, the laird of Ineralochie, the laird of Lesley elder, the laird of Wateroun, *Francis Fraser* of Kimmundie, the laird of Kermucks, the tutor of Cragievar, the laird of Pittodrie, *John Forbes* of Byth, *William Forbes* of Corfinda, *Alexander Areskin* of Rothmay, *Duncan Forbes* of Campbell, *James Ogilvie* of West-Hall, *John Forbes* of Knokquharrie, the laird of Garnestoun, *Robert Forbes* of Barnes, *Arbuthnot* of Kairngall, *Thomas Forbes* of Auchythie, *John Leith* of White-hauch, *John Forbes* of Largie, *Alexander Keith* of Midbeltie, *Arthur Forbes* of Innernochtie, *Alexander Reid* of Newbigging, *Alexander Forbes* of Auchintoule, *Thomas Johnstoun* of Craig, *Gilbert Skene* of Dyce, *James Forbes* of Cloak, *John Forbes* of Afloun, *Alexander Lindsey* of Birnes, *Mr. John Baird* of Culbairdie, *Mr. Alexander Dowglas* of Drumdolo, *Thomas Burnet* of Sauchny, *George Leith* of Threeteild, *Mr. Thomas Sandilands* of Craibstoun, the laird of Eight, the laird of Leslie younger, *Alexander Fassray* Bailly of Aberdeen, *John Fassray*, *Mr. William Moir* Bailly of the said Burgh, *Walter Cochrane*, *Mr. James Sandilands*, *Mr. Robert Farquhair*, *Mr. Thomas Gray* Provest of Aberdeen, *John Gardyne* in Craigstoun, the laird of Meldrum, and *George Simpson* of Udoche, and the said laird of Kermucks to be conveener for the first meeting.

In the Sheriffdom of Elgin and Narn, and a part of the Sheriffdom of Innernes, the laird of Duffus, the laird of Finrasie, *John Sutherland* his brother, the tutor of Duffus, *Sir Ludovick Gordoun* of *William Brodie* of Terie, *John Innes* of Leuchers, *Alexander Brodie* of that ilk, *Patrick Campbell* of Both, *Mr. James Campbell* of Moy, *Alexander Brodie* of Lethein, *John Hay* of Knokowdie, *David Dumber* in Garmouth, *Mr.*

John Hay Provest of Elgin, Mr. William Dumbar, Thomas Warrane, Sir James Fraser of Alexander Dowglas of Spynie, Sir Robert Gordon of Walter Skynmaird, Bolgis elder and younger Provest and Bailies of Elgin, and Sheriff of Murray, to be conveener for the first meeting.

In Nairn, John Sutherland of Kilstarie, Alexander Dumbar of Both, Hew Ross younger of Clavach, wil. Ross elder of Clava, Joh. Ross younger of Braidley, John Innes of Engiht, Hew Hay Tutor of Park, Alex. Brodie of Lethem, Alex. Brodie younger of Lethem, Mr. Alex. Dollos of Francis Brodie of Ballivar, James Cuthbert of Brechlyes, John Tulloch Bugels of Nairn, master James Campbell of Muy, Coline Campbell of Delneis, John Graunt of Moynes, and the said Laird of Kilstarie to be Conveener for the first meeting.

In Innerness, the Marquis of Argyle, Sir James Fraser of the Laird of Macleud of Dunvegane, William Fraser of Culboukie, the Laird of Struie younger, the Laird of Belladrum, Duncan Forbes of Cullodni, John Forbes Provest of Innerness, the Laird of Rudwall, the Laird of Eskadill, the Laird of Rytick, the Laird of Finrossie, William Bailly of Dunaend, David Bailly of Danchyle, Dougall Macpherson, of Balchroane, Angus Bailie of Kinkall, the Laird of Makintosh of Holme, John Polson Bailly of Innerness, the Tutor of Cadell, Mr. Alexander Dallas younger, of Budgit, James Cuthbert of Brecklie Invalothie, John Dallas in Arderfier, the Laird of Brei, Alexander Chisholme of Comer, the Laird of Lethem, the Bailies of Innerness, Major Murray, Sir James Fraser, the Laird of Balnagoun, Sir John Sinclair of Dunbeth, Walter Innes of Inverb, the Laird of May younger, David Ross of Pitcalme, Hector Dowglas younger of Mulderg, William Ross of Grinord, Andro Macculloch Provest of Tayne, Hugh Monro of Conluliche, John Ross younger of Littlecarrel, John Ross of Aldie, Robert Innes of Calrossie, John Corbet of Lilerime, Andro Monro portioner of Culkearne, Robert Monro of Obsdell, and the said Robert Monro of Obsdel, to be Conveener in Ross division, aud to meet at Tayne.

In the Sheriffdom of Stirling, the Lord Marquis of Argyle, Sir Charles Erskene of Alvath, Sir James Levingstoun of Kilsyth, the Laird of Buchanan, the Laird of Howstoun, Sir William Bruce of Stanehous, Sir John Erskene of Balgonie, Sir James Hope of the Laird of Bonhard, Sir Robert Elphinstoun of quarrell, Harry Elphinstoun of Carlie, Thomas Elphinstoun his son, Colonell Rae of Coltinghous, the laird Larkie, the laird of Achinreath, the laird of Buchanan younger, the laird of Kincaid, Robert Bruce of Kinnaird, Thomas Bruce Provest of Stirling, Duncan Nearne Bailly, John Schort old Provest, Thomas Rollock, Christopher Russell Deacon Conveener, the Laird of Bannokburn, the laird of Boquhane Bruce of Achenboney, the laird of Drumakeil, James Stirling of Baldeinich, Mr. John Rollock, Monteith of Westquarter, the laird of Milhall younger, David Bruce, in Alvath, James Gindler younger of Abithauch, David Forrest of Dinniveir, John Buchanan of Rosse, John Buchanan of Casley, the laird

laird of Barrinshogall, Thomas Buchanan of Boquhane, the laird of Auchinreoth, the laird of Balfouls younger, William Graham of Gartmoir, John Buchanan of Auchinpryor, James Stirling of Achyle, James Boyd of Banuchell, master John Edmestoun, Tutor of Duncrith, Robert Forrest of Queinshauch, William Row in Bandeth, James Ross of Newke, William Ross of Seatres, Robert Forrest of Rachahill, James Schaw of Dochquhirne, and the said Mr. John Rollock to be Conveener for their first meeting.

In the Stewartrie of Kirkcudbright, the Earl of Cassils, John Lord Kirkcudbright, James master of Kenmure, Colonell William Stewart of Castellstewart, William Grierson of Bargatoun, Alexander Lennox of Calie, John Brown of Carluith, John Fullertoun of Carletoun, Alexander Gordon of Earlistoun, master William Gordoun his son, Richard Mure of Cassincartie, Alexander Mure his son, William Gordoun of Robertson, William Glendonyng of Gelston, William Gordoun of Holme, William Gordoun of Schirmers, William Macceellan of Barfeub, Robert Gordoun of Kirkconnell, Alexander Murdoch of Calirloddan, Alexander Mackie in Polgoun, Robert Gordoun of Grange, David Arnot of Barkeaple, Robert Gordoun of Knockbrex, Alexander Gordoun

Garlag, Thomas Macceellan of Collien, Jo. Cuiler of Orraland, James Tailysfair of Haireleuch, William Macculloch of Ardwall, Alexander Gordoun of Knockgray, John Gordoun his son, William Macceellan, of Gribdie, John Carlan of Sannik, George Calendar Bailly of Kirkcudbright, John Ewart of Mullock, John Gordoun of Enrik, John Gordoun of Rufco, Robert Macceellan of Gata, John Glendonyng of Laggen, Gilbert Brown of Comptoun, Herbert Irwing of Logan, John Kirk of Clatters, Patrick Mackie of Larg, Roger Gordoun younger of Traquhane, Thomas Rome of Lincluden, John Stewart of Sambellie, David Gordoun of Glenluce, and the said laird of Cairltoun to be Conveener of the first meeting.

In the sheriffdom of Bute, Sir Robert Montgomerie younger of Skelmurlie, Hector Bannatyne of Kames, Ninian Stewart of Kilchattan, Robert Jameson Crouner, Alexander Campbell of Pimner, Ninian Spence of Wester Kames fo. Hamilton Bailly of Arran, La. Stewart of Kilquindick, Ninian Stewart of Askog, John Stewart of Ardismore, John Campbell John Jameson Provest of Rothelay, Robert Bannatyne of Cubas.

In the sheriffdom of Sutherland, John Earl of Sutherland, the laird of Duffus, Sir John Gordoun of Embo, John Sutherland of Clyne, Sir Robert Gordoun fiar of Rubo, Alexander Gordoun of Uppar, Walter Murray of Putgrudie, Alexander Gun of Kilerfane, John Gun of Barraboll, William Gordoun of Doll, Gilbert Gordoun of Sallach, master Robert Gray of Auchinlong, Patrick Dumbar of Kittell, Alexander Gordoun of Carrall, Alexander Gordoun of Siddrey, Hew Gordoun of Brora, George Gordoun of Bellietuith, Hew Gordoun of Moy, Alexander Gray of Opisdail, Hew Gordoun of Ballone, Robert Murray of Poulrossie, Robert Gray of Snardail, and the said Rob. Gray to be Conveener for the first meeting.

In the Sheriffdom of Caithnes, Francis Sinclair of Northfield, Sir

John

John Sinclair of Dunbeth, *William Sinclair* younger of Mey, *John Cunningham* of Brounhill, *John Dunbar* of Hemprigs, *Robert Innes* in Thurfetter, *David Monro* Commissary of Caithnes, *James Sinclair* of Asserie, *James Sinclair* of Toftkemp, *William Bruce* portioner of Lyith, *Robert Bruce* his son, *William Sinclair* of *Robert Murray*, Bailly in Thurlo, *David Cadell* of Skudell, *Andro Denoone* in Stangergill, *Malcolm Groat* of Warres, *David Cogill* of that ilk, and the said *Francis Sinclair* of Northfield, to be Conveener for the first meeting.

In the Sheriffdom of Orknay, *Stewart* of Maynes, *Henry Stewart* of Grinlay, *Thomas Buchanan* Sheriff, Mr. *Henry Aitkin* Commissar *Edward Cok*, *Magnus Talzeor*, *John Backie* and *Henry Prince* Bailies of Kirkwall, *Patrick Smith* of Braco, *William Sinclair* of Saba, *John Craigie* of Sanday, *Thomas Sinclair* of Campstoun, *James Bakie* of Tankernes, *Edward Sinclair* of Gyre, *Edward Sinclair* of Nels, *John Sinclair* of Hamer, *Adam Bellenden* of Stenhous, *David Hart* of Riland, *Hew Halcro* of Gruke, *William Craigie* of Gerley, *William Irwing* of Garilay, *Patrick Balfour* of Faray, *Thomas Trail* of Holland, *James Cok* of Bea, *John Grot* of Ellnes, *James Sea* younger of Claystrame, *Robert Stewart* of Burgh, *John Grot* of Halstoun, *James Mudie* of Wellfitter, *Hew Halcro* of that ilk, and the Laird of Maynes, or in his absence Mr. *Henry Aitkin* to be Conveener.

Which persons above condiscended upon, and appointed to be Conveeners of the Committees of the severall Shires for the first meeting are hereby ordained To advertise the foresaid severall Committees to keep the dayes of meeting respective after specificd, And for this effect, Ordains the Commissioners of the Shires, To advertise these who are appointed to be conveeners of the saids Committees in every Shire in due time, To keep the dayes and times of meeting respective underwritten, *Viz.* These Committees upon this side of *Forth* betwixt and the first day of *March* next to come, And all these Committees benorth *Dee*, betwixt and the fiftenth day of *March* next to come, And thereafter once in the week, at the least, at the head Burgh of the Shire, or any other convenient place they please; And the saids Committees are hereby authorized, after their first meetings to make choice of such Conveeners amongst themselves from time to time, as they shall think fit: And the Estates of Parliament Declares, That none of the persons, either Colonels or Commanders, or upon the Committees of War of the severall Shires, who are guilty of the crimes of the first or second Classes of the Act of Classe made at *St. Andrews*, and fall under the first or second Classe of the same, shall be either Colonells or Commanders, or upon the Committees of War respective afore said, notwithstanding of the nomination and election abovewritten: And likewise, that none of the persons, either of Colonels or Commanders, or upon the Committees of War foresaid, who are guilty of any of the crimes contained in any of the four Classes of the Act of this present Parliament, and fall under any of the same, shall be either Colonells

lonells or Commanders, or upon the Committees of War respective foresaid, (excepting such persons contained in the exception of the third Classe of the Act, as the Parliament upon certain knowledge hath, or shall think good to dispense with) And the Estates of Parliament, do hereby grant to the saids Colonels and Committees respective, the power contained in the former Acts of Posture in the years 1643. 1647. And any other Acts of Posture, where holden as herein exprest, which Acts the Conveeners of each Committee of War afore said, are to have and keep beside them, for the better prosecuting and obeying the Orders therein set down, With power also to inflict and uplift penalties for absence from the saids Committees, and for any deficiency of the duties expressed and enjoyned in the saids Acts of Posture, and disobedience of the Orders to be given by themselves respective, according to the nature of the offence and quality of the offender. And for avoiding the great charge and expenses the Countrey might be put to by training the whole sensible men; The Estates foresaid, do Ordain the saids Colonels and Committees of War, to cause train and exercise the number of Foot expressed in the Act of convention of Estates, and the double of the number of Horse, expressed in the foresaid Act, Anno 1643. or in the option of the Shire at the rate of a thousand pounds of Rent, according to the present valuation, And that each Company of Foot and Troop of Horse shall meet and exercise within their severall Paroches, at a certain place of Rendezvous one day in the week under the pain of two shillings *sterling* for each Horseman, and one shilling *sterling* for each footman that shall be absent therefrae; And that a whole Regiment shall meet once in the month, under the double of the penaltie foresaid, in case of falzie, for each deficient Horseman and Footman respective, and the said respective penalties to be paid by the severall Heretors and others Subject in putting out of the said Horse and Foot, in case of the absence of the said horse and Foot at the said Rendezvous, Which Rendezvous with the severall places of meeting of the trained and exercised men, the saids Committees of War, with advice of the Colonels, are to appoint with all conveniencie after speciall Order in writ had from the Committee of Estates, or Generall, or Lieutenant Generall to the Committees of War in the Shires. And the saids Regiments and Companies shall either in whole or in part keep such Rendezvous and exercise within their Shires as the Committee of Estates or Generall Officers shall appoint, to the end they may be seen to be in good Order, well Armed, and in readyness to oppose all Forraign invasion and intestine insurrection, when necessity shall require: And to the effect there may be a competent number of Horsemen as well as of Foot, trained and exercised in each Shire; Therefore the Parliament give power to the saids Committees of War, with the advise of the Colonels of the severall Shires, to appoint so many Troops or Regiments of Horse, as they shall think fit in place of the Companies or Regiments of Foot, allowing one Horseman well Armed in place of three Footmen.

And

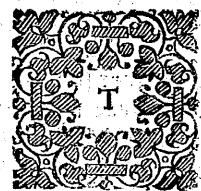
And it is hereby specially declared, that if any person of the Committees of the warre aforesaid shall be deficient of their duty, and neglect to put in execution the order set down in this present Act, or any of the former Acts of Posture; They are not to have the benefit of any deduction that shall be made of the maintenance, but they, because of their failzie, to be liable in the whole: And the Estates of Parliament doe permit and allow the said Committees of Warre, to appoint such of the Colonels or Commanders above nominated for the Shires *respective*, To train and exercise the saids Regiments, Troops, and Companies, in the severall shires as they shall think fit, And by the advice of the saids Colonels or Commanders, to divide the said trained men in Troops, Regiments, and Companies; in such sort as may conduce most to the good of the saids Shires *respective*; And in case of any difference betwixt the said Committees and Colonels, or Commanders, That the same be referred to the said Committee of Estates, To doe therein as they shall think best. And it is hereby provided that the Burrows royall shall have the like liberty and priviledge which they had in any former Acts of Posture according to use and wont, And to the end all things relating to the peace and quiet of the cuntry, may be carried on in an orderly way. The Estates foresaid doe ordain a constant corresponcie to be kept among themselves, and with the saids Committees of the Shires *respective*, and the standing Forces of the kingdome, And that frequent advertilement be given of their proceedings, And of the condition of the severall Shires, to the Parliament or Committee of Estates, to whom they shall be answerable for the discharge of the trust committed to them, by this Commission, which is to endure till the same be recalled by the Parliament, or committee of Estates; And all other former commissions for this purpose, and nomination of Colonels and committees of the Shires, to be voyd and null in all time comming. And the Estates of Parliament gives hereby power to the committees of the Shires, that are spacious and large, to subdivide the Committees thereof, and to appoint the times and places of their meetings for the same, as the Committees of these Shires shall think fit, and as may conduce most for the furtherance of the publick service and good of the said Shires. And in case of difference anent the making the said divisions, the same to be determined by the Parliament or Committee of Estates, and these subdivided Committees are to act within their own divisions, only the place being appointed. And the Estates of Parliament gives power, and authorizes the Committees of Warre within ilk Shire and division, to fortifie one or more places within their bounds, as they shall think fit; the same being done with consent of the party interest: or in case of difference upon the speciall warrand of the Committee of Estates to that effect; and to appoint officers and souldiers for keeping thereof upon the expense of the saids Shires and Burrows therein. The saids Officers or Commanders thereof being alwayes such as the Parliament or Committee of Estates shall approve of, and to continue so long as they find necessity; or that the same

same be discharged by Parliament or Committee of Estates. And likewise, Statutes and ordaines, that no servants, Cotters nor sub-tennants to Burgh or Land, shall have power to remove from the Heretors, Life-renters, or Tennants, to whom they are servants, Cotters or Sub-tennants, without consent of the Master of the ground untill Mertimas next, 1649. without diminution to them of their conditions or fees under the pain of an hundred pounds, to be paid by the Refetter to the Heretor from whom they fled, and confiscation to his use of the fugitives goods and geer, beside the punishment of his person by the sentence, and at the arbitrement of the Committee of the Shire, and ordains the Committees of Warre of the severall Shires, to rectifie any inequality of the subdivisions of the Shires, without diminution of the total number of their men, appointed to be exercised within their Shires.

ACT XXVI.

Act for keeping the Judicatories and places of trust free of corruption.

17. February 1649.



The Estates of Parliament taking unto consideration, that the Lord our God requires that such as bear charge amongst his people, should be able men fearing God, hating covetousnesse, and dealing truly; and that many of the evils of sin and punishment under which the Land groans, have come to passe, because hitherto there hath not been sufficiently provided and cared for, And being sensible of the great obligation that layes upon them by the Nationall Covenant, and by the solemn League and Covenant, and by many deliverances and mercies from God; and by the solemn Ingagement unto duties to advance Religion & righteousnes in the land, and fill places of power and trust with men of approved integrity, and of a blamelesse and Christian conversation, And being convinced in their consciences that there cannot be a more effectuall way for bearing down of malignants, and suppressing of prophanity, and iniquity, and ungodlinesse, and rendring all the Lawes already made, or hereafter to be made forcible and effectuall for the honour of God, the advancing of Religion and Righteousnesse, and the good of the Leidges: Then that all the Judicatories of the Kingdome consist of, and places of power and publick trust be filled with able and honest men, Do therefore statute and ordain, that no person that is malignant and disaffected to the present work of Reformation and Covenants, and against whom there is just cause of exception, or just ground of jealousie, because of their disaffection; Nor any person given to drunkennesse, swearing,

swearing, uncleaneffe, or any other scandalous offence, shall hereafter be chosen to be a Judge, or any office of Estate, or Magistrate, or Counsellor in Burghs, Clerks, or Deacons of Crafts, or any officer of any army belonging to this Kingdome, or employed in any place of publick power and trust within this Kingdome, and that all such as shall be chosen to be Judges, Officers of Estate, Officers of the Army, Magistrates, Counsellors in Burghs, Clerks, Deacons of Crafts, or employed in any place of power and trust in this Kingdom, shall not onely be able men, but also shall be men of known affections unto, and of approved fidelity and integrity in the cause of God, and of a blamelesse and Christian conversation. And it is statute and ordained, that if any malignant or scandalous person shall be chosen to be Judges, Officers, or employed in any of the places aforesaid, or other places of power and trust, or if after they being called to be Judges, Officers, and employed in places of power and trust, They shall make defection to the malignancy as is aforesaid, or give themselves to scandalous affaires one or more: That this their Malignancie and profanity, conjunctly, or either of them severally being proved against them, shall be a sufficient cause to the parties of this Kingdome, or any having power from them for that effect, to keep back, remove, or suspend these persons from the places of power and trust to which they are called, or in which they are employed, as their faults and crimes shall be found to deserve: but prejudice alwayes to all other Judicatories and persons having light by the Lawes of this Kingdom thereto. To purge and fill all offices and places of power and trust within their respective powers according to the Tenour of this Act; Who are hereby required and ordained to doe the same, as they will answer thereupon to the Parliament, or any having power from them in that behalf.

Extractum per libris Actorum Parliamenti per me Dominum Willielmum, sicut de Clerkingtoun militem Clericum Parliamenti.

ACT.

A. C. T. XXVII.

Act anent Mynes and Minerals.

17. February 1649.



THE Estates of Parliament taking to their consideration the great prejudice of the Leiges, in that Taks and Donations have been granted by the Kings Majesty of the Mines and Minerals of the Kingdom, where-through the Leiges have been subject unto the saids Donators wills and malice, by having power to open their grounds, destroy their policy, woods, houses, and orchards, to the divesting of them of their property, whereby they are most unwilling to detect and discover the presumptions of Minerals within their grounds, for remedy whereof, and for securing the Leiges of their property, and increasing of the wealth of the Kingdome, It is statute and ordained that it shall not be leisum to the Master of his Majesties mettals, and minerals, or to any other by-Infelements, Rights, Securities, Warrant, Tak, or Commission granted, or to be granted by his Majesty or his royall Predecessours, to open and search any of the Leiges grounds for minerals, untill the Heretor thereof be cited before the Lords of Counsell or Exchequer, To hear it found and declared that there are probable presumptions of the saids minerals in his ground, such being found, The said Estates declares and ordains, that the said Heretor himself be preferred, he finding Caution to use diligence within three yeers thereafter for searching, winning, and working the said minerals, and paying therefore the tenth part of all Ure and Mettals found therein, to his Majesties Donator, or to the Master of his Majesties Metall, or Master Refiner thereof, according to their respective places; And if the Heritors failzie in working of the saids minerals of his own accord, or in craving preferrence, or finding Caution, or doing diligence within the space foresaid. That then and in that case the Master of his Majesties mettals or the saids donators or persons, having warrant as said is, shall have power and warrant granted to them, to search, win, and dispose of the said mettals and minerals, but withall, no wayes to destroy the said Heretors policy, except upon necessity proven before the said Lords of Counsell or Exchequer, and shall be obliged to pay to the said Heretors the whole damage and interest sustained by them through the breaking and spoiling of their ground and policy foresaid, in the searching, winning, and working of the saids minerals. It is alwayes provided, in case of the saids Heretors their, using diligence as aforesaid. That these presents shall no wayes be prejudiciall to the Master of his Majesties mettals, in so far as may concern his Majesties tenth part thereof allanerly. And

the Estates of Parliament do hereby retreat, rescind, casse and annull all infestments, rights, securitie, Taks, Donations or other gifts whatsoever granted by his Majestic or his Predecessors, and all Acts of Parliament, Counsell, and others heretofore made or granted to any person or persons whatsoever, which may any ways prejudice or derogate from this present Act, declaring the same to be void and null, and for the more effectual searching and winning of the saids Minerals, The Estates of Parliament do hereby Declare that it shall be leifome to the saids Heretors to bring home to this Kingdom, Strangers one or more skilled therein, and for their further encouragement, Do hereby ratifie and renew the whole Priviledges & Immunities, specially from watching or warding, granted to them or their workmen in any Acts of Parliament, Counsell and others, made at any time heretofore thereanent, And the saids Estates do hereby Declare, that all Heretors *eo ipso* that they have right to any Lands they have, In all time coming shall have right to all and whatsoever Minerall within the said Lands without any necessity of taking speciall and particular infestments, paying and doing diligence as is aforesaid.

ACT XXVIII.

Act against the horrible crime of Blasphemy.

17. February, 1649.



THE Estates of Parliament, convened in the second Session of this second Triennall Parliament, considering that hitherto there hath been no Law in this Kingdom against the horrible crime of Blasphemy, Therefore do Statute and Ordain, That whosoever, hereafter not being distracted in his Wits, shall rail upon, or curse God, or any of the persons of the Blessed TRINITY, shall be proccessed before the chief Justice, And being found guilty shall be punished with death; Likeas it is found Statute and Ordained, That whosoever hereafter shall deny GOD or any of the Persons of the Blessed Trinity, and obstinately continue therein, shall after the declaring of the said obstinacy by the Kirk, be proccessed before the Chief Justice, and being found guilty, that they be punished with death.

ACT

ACT XXIX.

Act of Levy.

28. February 1649.



THE Estates of Parliament having considered the dangerous posture of affairs in this Kingdom, both in respect of Intestine and Forraign enemies; And being informed that many of these who have been most active in the late Engagement are upon designs and attempts to involve this Kingdom in new troubles, Withall having received several intelligences of imminent dangers to the Cause and this Kingdom from abroad, and being obliged in discharge of the trust committed to them, to take care of the safety of the Kingdom: As they resolve for themselves to use all lawfull means and peaceable wayes to prevent the dangers, so they have thought fit to give warning thereof to the severall Shires and Burghs, that according to the Law of God, Nature, and Nations, and according to the Duties which they by so many sacred Bands owe to the Covenant and Cause, to the King & Kingdom, they might be in a condition and posture for defending all these, and whatsoever is near and dear to them against all invasion: Likeas for the stopping of the mouth of calumny, removing all scruples and mistakes, and clearing to the consciences of all, the Lawfulness necessity and Justice of their resolutions and proceedings, And that they may have the greater assurance of Gods Blessing and presence to all their endeavours, The Estates of Parliament Declare and assure that they enjoyne the following Leavy of Horse and Foot for this end allanerly of meer just and necessary defence of this Kingdom from invasion, without any design or intention of invading any who shall not first invade this Kingdom; The saids Estates of Parliament do therefore hereby Ordain the whole Shires and Burghs within this Kingdom, presently to raise and put out the double of the number of Horle, and the half of the number of Foot that were appointed and designed in the year 1643.

Viz. The Sheriffdom of *Edinburgh* six hundred Foot, and two hundred Horle. The Sheriffdom of *Haddingtoun* six hundred Foot and two hundred Horle. The Sheriffdom of *Berwick* 600. Foot and 200. Horle. The Sheriffdoms of *Roxburgh* and *Selkirk* 1000. Foot and 400. Horle. The Sheriffdoms of *Fyffe* and *Kinrosshire* 1200. Foot and 440. Horle. The Sheriffdom of *Linlithgow* 250. Foot, and 120. Horle. The Sheriffdome of *Peibles* 200. Foot, and 80. Horle. The Sheriffdome of *Dumbartan* Foot, and 80. horle. The Sheriffdom of *Dumfrew* 600. Foot, and 240. horle. The Sheriffdom of *Wigtoun*, and Stewartry of *Kirkcudbright* 600. Foot and 240. Horle. The Sheriffdoms of *Air* and *Renfrew* 1000. Foot and 480. horle. The Sheriff-

Sheriffdom of Lanerick 600. Foot and 360. Horfe. The Sheriffdoms of Stirling and Clackmannan 500. Foot and 240. Horfe. The Sheriffdom of Perth 1200. Foot and 480. Horfe. The Sheriffdom of Forfar 750. Foot and 280. Horfe. The Sheriffdom of Kinkardine and Earl Marshells part of Aberdeen 600. Foot and 200. Horfe. The rest of Aberdeen and Sheriffdom of Bamff 800. Foot and 480. Horfe. Out of the Sheriffdom of Elgine, Nairne and that part of Innerness on this side Nefs 500. Foot and 240. Horfe. Out of the Earl Seaforth and Lord Lovats division of Innerness 500. Foot and 240. Horfe. Out of the rest of Innerness, Sutherland and Caithnes 800. Foot, and 240. Horfe. Out of the Sheriffdom of Orkney 500. Foot; whilk Sheriffdoms aforesaid are to put out the severall proportions, and to have their Rendezvous at some convenient place within the respective Shires at the days following, viz. The Sheriffdoms of Edinburgh, Haddington, Berwick, Roxburgh, Selkirk, Peebles, Drumsfreis, Wigtoun and Stewartrie of Kirkcudbright, Fyffe and Kinrosshire, Air, Renfrew, Lanerck, Dumbartan, Stirling, Clackmannan and Linlithgow upon the day of March next: The Shires of Perth, Forfar and Kinkardine upon the day of the said moneth of March: The Shires of Aberdeen, Bamff, Elgine, Nairne and Innerness, on the day of the said moneth of March, And the Shires of Sutherland, Caithnes and Orkney upon the day of April next, And they are Ordained to be in readines upon Orders from the Parliament, Committee of Estates and General Officers, to be ready to march with fifteen dayes provision; 6. d. per diem to each Footman, and 16. s. per diem to each housman, which is to be delivered to them and not to their Officers, the said day of Rendezvous, they getting Orders to march by the Heretors, Liferenters and others, liable in out-putting thereof; And the saids Estates Ordains the Committees of War of the saids Shires, to be Judges anent the sufficiency of the saids Horfmen and Armes, And the Officers not to have power to reject or refuse any of these whom the Committees of War aforesaid shall allow of; And because in this Levie the proportion anent the out-putting of Foot, is equal both for Shires and Burghs; And the whole burthen of out-putting of the Horfe lyes on the said Shires, to put forth the double of what they put forth in Anno 1643. And that the Burghs of the saids Shires in all equity ought to put out their proportion of the Horfe, now to be put out by the saids Shires; Therefore the Estates aforesaid, Ordains the Burghs of the saids Shires either to put out the proportion of the said equall half in furnished Troopers horse and men, or else in their option three Foot Souldiers furnished, conform to the Act for every Trooper, of their proportion of Horfe, for relief of the saids Shires pro tanto. And the saids Estates of Parliament Ordains the Officers and Committees of War aforesaid, not to take in charge or imploy any as Officers who have bin in the former Engagement, or are known Malignants, except upon Warrant from the Parliament or their Committee, and Commission of the Church. And or the better regulating of the Horfe and Foot

of such as will not fall to put out one whole Horfe or Footman; It is Declared, that the greatest Rent of these to be joynd for making up one horfe, shall provide the horfe, and the rest that joyn to contribute according to an hundred and threescore pounds for ilk Horfmen, And who have the manyest men, to provide the Footmen, And the remanent that joyneth, to contribute with him according to fourty pounds for ilk Footman for their out-reik of Armes, and whole furniture belonging to them with their fifteen dayes provision, and where the Rent or number are equal to cast lots: And the saids Estates Ordains the Committees of War of the saids Shires with advise of the Colonels, To do all things conform to the former Acts of Levie in preceding Parliaments as they shall finde necessary for the more speedy and effectually lifting and out-reiking of the Horfe and Foot aforesaid, And notwithstanding some persons may be hereby overburthened, in respect of the meanness of their Rents and multitude of Tenents living upon their Lands, yet the Estates Ordains the aforesaid number of men, provided as aforesaid to be put out by them, And in case any of them finde themselves hereby prejudged, and make their complaint known to the Committee of War of the saids Shires, In that case the saids Estates Ordains the Committees of War of the saids Shires to cast up the Accompt what the price of the saids Armes, Levy money and provision aforesaid will amount to, and so to provide for their relief, That the burthen may be equally upon the whole Heritors and others aforesaid, according to their Rent as in the Maintenance, And also the Parliament requires the Colonells and Committees of War, to put out the Forces abovementioned in their said Localities, and under their severall Officers Lifted and well Armed, and ready upon order to march so for the present, they being unwilling to burthen the Country, untill by extream and unavoidable necessity they be constrained thereto. And considering what at least is required on present security from incurfions or Insurrections of Parties, Do Ordain the third Horfe and fourth Foot abovementioned, to be presently Levied and raised by the saids Shires at the Rendezvous abovementioned, and to be put in Troops by the Colonells in their severall Localities to march from the saids Shires instantly to such Rendezvous as the Generall Officers shall appoint, And in respect of the present necessity of out-putting the third horfe for the saids Shires as laid is: Therefore the saids Estates Declares that they with consent of the Commissioners of the said Shires and Commanders aforesaid of the saids Horfe who are here present, will nominate the Root-masters of the saids Horfes, And the Estates Declares, that the nomination of the saids Root-masters by Parliament shall no ways be prejudicial to the Committees of the saids Shires in time coming anent any power whatsoever granted to them for nomination of their own Root-masters, conform to any preceding Acts of Levie.

Follows

For the Sheriffdome of Edinburgh, The Laird of Ricartoun, Colonel, The Laird of Ingliftoun Lieutenant Colonel, and each of them to have a Troop. For the Sheriffdom of Hadington, the Laird of Wauchoun, Colonel for their foot, the Lord Generall Colonel of their horse. The Laird of Ormstoun to have a Troop for the Sheriffdom of Berwick. *Wedderburn* Colonel of their foot, the Lord Generall Colonel of the horse. And young *Smyntoun* to have a Troop for the Sheriffdom of *Roxburgh* and *Selkirk*, *Wedderburn* Colonel to two hundred of their foot, and the Laird of *Greenhead* Colonel to the rest, being eight hundred. And *Walter Scot* of *Hartwoodburn* Colonel to the horse. *William Ker* of *Newtoun* Lieutenant Colonel, who is to have one Troop, and Captain *Archbald Scot* to have another Troop. For the Sheriffdom of *Fyff* and *Kinrose*, Colonel *Colline Pitcottie* Colonel to four hundred of their foot, and *Scottis craige* Colonel, to the rest of their foot, extending to eight hundred, and Lord *Elcho* Colonel for the horse, except threelcore under the command of Sir *James Halkhead*, and Captain *Andro Arnot* to be Rootmaster. For the Sheriffdom of *Linlithgow*, Colonel *Colline Campbell* of *Laweris* Colonel for their foot, and Sir *James Halkhead* Colonel for their horse. For the Sheriffdom of *Peibles* the Laird of *Wauchtoun*, Colonel to their foot, and Sir *James Halkhead* Colonel to the horse, and the Laird of *Glen* to have a Troop. For the Sheriff. of *Dumbarton*, Sir *James Halkhead* Col. to their horse. For the Sheriffdom of *Dumfreis* Sir *James Dowglas* of *Moufwell* to be Colonel to the foot, and Colonel *Gilbert Ker* Colonel to the horse, and *Cragiddaroch* to have a Troop. For the Sheriffdom of *Wigtoun* and *Stewartrie* of *Kirkcudbright*, the Lord *Kirkcudbright* Colonel to the foot, and Colonel *Will. Stewart* of *Castlestewart*, and Sir *Robert Adair* for their horse. For the Sheriffdom of *Air* and *Renfrew*, the Lord *Kirkcudbright* to be a Colonel to two hundred foot, and the Lord *Cathcart* to be Colonel to the rest, which are converted in horse, and Colonel *Robert Mongumrie* to be Colonel to four hundred and twenty of their horse, Lord *Elcho* to forty, and the Lieutenant Generall to twenty. For the Sheriffdom of *Lanerk*, *Hamilton* of *Prestoun* to be Collonel to their foot, the Lieutenant Generall to be Colonel to their horse, *James Carmichael* and young *Allantoun* to be Rootmasters. For the Sheriffdomes of *Stirling* and *Clackmanan*, Generall Major *James Holburne* Colonel to their foot, and *Scots craig* to be Colonel to their horse, Sir *Charles Erskine* to be Lieutenant Colonel, and Laird of *Lundie* to be Major, and ilk one of them to have a Troop. For the Sheriffdom of *Pearth*, Sir *George Prestoun* of *Valyfeild* to be Colonel to eight hundred of their foot, and to be Colonel to the rest of their foot extending to four hundred, and Sir *John Brown* to be Colonel to their horse, and *William Bruce* Lieutenant Colonel, and each of them to have a Troop. For the Sheriffdom of *Forfar*, the Lord *Compar* to be Colonel to their foot, *George Lord Breichen* to be Colonel to

to the horse, and Sir *Thomas Nairne* his Lieutenant Colonel, and each of them to have a Troop. For the Sheriffdom of *Kincardine*, and the Earl of *Marshels* part of *Aberdeen*, *Robert Vicount* of *Arbuthnet* to be Colonel to the foot, *George Lord Breichen* to be Colonel to the horse, and Mr. *Robert Arbuthnet* to be Rootmaster, and to have a Troop. For the rest of *Aberdeen* and *Bamffshire*, Colonel *Arthur Forbes* to be Colonel to the foot, and the Master of *Forbes* to be Colonel to the horse, and the Laird of *Eight* to be his Lieutenant Colonel, and each of them to have a Troop. For the Sheriffdomes of *Elgine* and *Nairne*, and that part of *Innernes* on this side *Nesse*, Colonel *John Innes* to be Colonel to the foot, and Sir *James Halkhead* to be Colonel to the horse, and *Robert Halkheid* to be Lieutenant Colonel, and Captain *Cransoun* to be a Rootmaster, and to have a Troop. For the Earle of *Seaforth* and Lord *Lovats* division of *Innernes*, Sir *James Halkhead* to be Colonel both to foot and horse. For the rest of *Innernes*, *Southerland* and *Caithnes*, the Earle of *Southerland*, and Laird of *Dumbeath* to be Colonels both to the horse and foot. For the Sheriffdom of *Orkney*, the Earle of *Southerland* to be Colonel both to foot and horse. For the Sheriffdom of *Argyle* to be Colonel to the foot, and Colonel to the horse. And for the Sheriffdom of *Bute* to be Colonel to the foot, and to be Colonel to the Horse.

ACT XXX.

Act annent the Poore.

1. March, 1649.

THE Estates of Parliament now conveened, taking to their consideration the great number of indigent and distressed persons in the severall places of the Kingdome, and that they are exposed to great misery, through the want of a generall and orderly way of entertainment, to the shame and reproach of our Christian profession, which obliges us to the releife of our poore brethren, as being members of the same body.

Therefore, for remedy hereof, the Estates hath thought meet to ordain, that every Paroch and Presbytery shall be bound to entertaine their own native poore in manner following.

That there shall be twice in the year, at the first of *December*, and the first of *June* taken up in every Paroch in Burgh or Land, and Presbytery, A list of the poore within the severall bounds *respective*: At which time there shall be also a solemn intimation to the Paroch, and a designation

nation and expression by the contributors what they will give every moneth in mony or victuall for a voluntary and charitable contribution in every Paroch, for the entertainment of these poore people, into the number whereof there shall be no person received, who are slothfull and able by the labour of their hands to win their own livings, at which time the Minister and Elder of the Parishes, or such as they shall depute, and to whom they will give power for that effect, shall meet with the Presbytery, to the effect they may compare the burden of the poore of every Paroch, and if the common good and weekly contribution, and that yearly benevolence, will not be sufficient to entertain these poor people given up and listed, as said is; Then in that case, the Estates of Parliament hereby give power to the Lords of secret Councell or Committee of Estates to grant Commission to such persons as shall be recommended to them by each Presbytery full power upon oath to impose a stent on the severall Paroches according to their ability and wealth for making up a competent entertainment to the poor persons aforesaid with a tenth part more for the Officers and Serjeants, which stent after it is divided upon the Paroches or Presbytery by the Commissioners, having power from the Councell or Committee of Estates as said is, the same shall be subdivided and stented on the Heretors and others by the Elders and Deacons of every Paroch *respective*, with as much equality as is possible, wherein they are to have special regard to lay the greater proportion on these Masters that deals rigorously with Tennents, and thereby impoverish and put them to beggary, and to deale the more favourably with these Masters who endeavour to maintain their Tennants, and deals charitably with them, and in distributing of the alms, special regard is to be had to the pious, and distinction to be made betwixt such, and the profane deboist or drunken sort. And it is declared that Magistrates and Council of Burghs have hereby power to stent within themselves. And the Estates of Parliament ordains generall Letters of Horning and poynding to be direct *gratis* at the instance of the Collectors appointed by the Presbytery for that effect, against the disobedient, and them that refuses to make payment of their proportion, who are hereby ordained, in case of the refusall, to make payment of the double within six days after they be required, and discharges any suspension to be granted thereupon. And siclike ordains every interior Judge to give precept of poynding upon the said stent Roll subscribed, as said is, and to goe themselves, or send their Deputes or Officers, to poynd thereupon so soon as they be required thereunto, With certification if the said Judges fall, they shall be lyable to pay the double of the said stent; And ordains the Council or Committee of Estates to give out Letters thereupon.

The Estates of Parliament further ordains the Elders of every Paroch to take notice of these who being able to work or win their livings, give themselves to a trade of begging, which persons, the Elders are hereby warranted to apprehend and to put them upon employments, whereby the country may be eased of an unprofitable burden, and lawful industry

industry maintained through the Land; Hereby ordaining that none be suffered to beg from house to house under pain of imprisonment, and other punishments contained in the former Acts of Parliam. And because the forerunning of vagabands and sturdy beggars, doth hinder the expressions of charity toward those that are truly indigent. Therefore it is ordained that none supply or relet these vagabands, sturdy beggars whether men or women under the pain of five pounds *toties quoties*, to be paid by the contraveener towards maintenance of the poor, and each neighbour is hereby commanded to help one another, in case such sturdy beggars should offer to enter into their houses against their will, and the said beggars being apprehended by the Heretors or others, being enquired where they dwell, or where they were born. The Heretors hereby are ordained to take them to the next adjacent Judge, or his Deputes, they being found in Landward by the Sheriff, to be convoyed to the next Sheriff, and being found in the town, to be convoyed from Burgh to Burgh, who are hereby ordained to receive them, and convey them from one Burgh or Shire to another, until they be brought to the place where they were born, which Parish shall be obliged to receive and entertain them as one of their own, with the rest of the poor of the Paroch, and in case they be found able to work, the said Paroch shall furnish them employment, and keep them on work, so as they may be answerable for them, to the effect they may not be permitted to wander over the Kingdom, as before; And if any Sheriff or Magistrate of Burgh refuse to receive them and take them off their hands who presents them. The said Sheriff or Magistrate shall be suspended from his office by the Councell or Committee of Estates, and pay the summe of 40. l. and for the third fault shall lose their offices and Priviledges during their life time, and when they come to the place of their alleadged nativity, if they cannot clear their birth there, that they be reckoned amongst the supernumerary following.

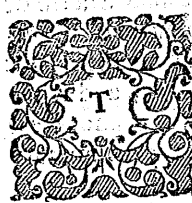
Like as the Estates gives hereby power to any of his Majesties subjects to take and apprehend such idle and sturdy beggars, and to employ them or dispose of them to others to be employed in work for their meat and cloath allanerly. And for the better executing of this foresaid Act at one time throughout al the Kingdom, they ordain the same to begin in all parts of the Kingdom upon the first of *August* next to come, & from thence forward to be duely prosecuted, untill the same take due effect, With power to the Councel or Committee of Estates, in case any impediment interveen to appoint a new day to this purpose, as they shall think expedient. And if any that are aged, lame, blind, and weak, cannot condiscend upon the Paroch where they were born, (as being the offspring of such beggars as never had a constant residence) these are to be kept amongst the poor of that Presbytery where they are apprehended, untill a list of their names be sent unto Councell or Committee of Estates, who are to have power to divide and proportion these supernumeraries, amongst such Presbyteries and Shires in the Kingdome, as have least burden, and are most able to bear them.

Likeas the Parliament recommends to the Generall Assembly or their Commissioners to propone such Overtures as may repress the scandalous and Godless behaviour of these lewd Vagabonds, who hitherto hath been liable to no good order of Discipline, and to the effect this Act may be put in execution, It is Ordained and required that every Presbyterie make account of their diligence herein to the subsequent Synods and the Provinciaall Synods to the Generall Assembly; And in case it shall happen through the Providence of God, that any through burning, Ship-wrack, devastation, or any such like accident fall into distresse or poverty. It is Ordained, that these having a sufficient Testimonial and recommendation from the Presbyterie to which they belong, they shall have the supply of a voluntary charity of these places next adjacent to them, or such other places as the Counsell or Committee of Estates shall think fit.

ACT XXXI.

Act against those at Innerness, who have risen in Armes against the Kingdom.

2. March 1649.



THE Estates of Parliament taking into their serious consideration, the Rebellious and insolent attempts, and practises of certain wicked and Malignant persons within this Kingdom, who with and under the Command of *Thomas Mackenzie of Pluscarden, Sir Thomas Urquhart of Cromarty, Col. Hew Frazer, John Monro of Lunlair,* and certain others their complices having most perfidiously broken, violated, and cast off all the Bands of Religion, and the Solemn Covenant, against the Laws of Nature and this Nation, are risen in Arms, and by open Rebellion have seized upon the Town and Garrison of *Innerness*, thereby intending so far as in them lies, for their own base ends, to lay the foundation of a new, Bloody and Unnaturall War within the bowels of this their native Countrey. Therefore the Estates of Parliament Declares the said Persons, and all such as shall hereafter joyn with them to be guilty of the crime of high Treason, and to be proceeded against accordingly; And to the end none may be ensnared in so detestable and horrid an enterprise; Do hereby discharge and prohibite all Persons of whatsoever degree, ranke, or quality within this Kingdom from joyning with, or giving assistance to, or supplying with Armes, Money, Ammunition, Victuall, Counsell, Intelligence, or keeping correspondence, private or publique meetings, or giving any other aid or countenance to the said Rebels or any of them, under the pain of being esteemed as

as Rebels, and to be proceeded against as Enemies to Religion, the Kings Majestic, and the good and peace of the Kingdom; And further the Estates of Parliament do hereby give Power and Warrant to all the good Subjects of this Kingdom to rise in Arms for opposing, and for hindering and suppressing the saids Rebels, and impeding their so wicked and Rebellious practises, as they shall be required by the Generall, Lieutenant Generall *Lesly*, or any having power from them for that effect; Hereby giving power and Commissions to the General or Lieutenant General, to reclaim, remit and pardon such who being out of simplicity deceived or ensnared in this pernicious enterprise, shall now quit, renounce and disclaim the same. And give assurance for their good behaviour in time coming, they always accepting and embracing their pardon within such a space as the Lieutenant General shall think meet to grant, whereby such as are not incorrigible may be reclaimed and reduced to due obedience, And the obstinate may be left altogether without excuse; And for the greater encouragement of these who shall suffer prejudice in opposing or suppressing the saids Rebels: The Estates of Parliament hereby declares, that the sufferings and the losses of those well-affected, who behaves themselves forwardly and actively in this cause against the Rebels, shall be taken into speciall consideration, and repaired out of the means and estates of those who shall remain obstinate in the said course of Rebellion, as their carriage and faithfulness shall deserve: And Ordains these presents to be Printed and published at the Mercat Crosse of *Edinburgh*, and other places needfull.

ACT XXXII.

Act against Worshippers of false gods.

3. March 1649.



THE Estates of Parliament considering, that divers of the Subjects of this Realm Trades in their Civill affairs with Heathens, whose abominations they may possibly learn, and thereby be defiled, and defile others; And not willing to leave sins of so high a nature to an Arbitrary punishment, do Statute and Ordain that whosoever shall worship a false God, shall be put to death without pardon.

ACT

ACT XXXIII.

Act against beaters or cursers of their Parents.

3. March, 1649.



THE Estates of Parliament considering how great and atrocious a crime it is for children to beat or curse their Parents, And how the Law of God hath pronounced just sentence of death against such as shall either of these wayes injure either of their Parents, Do therefore Statute and Ordain, That whosoever son or daughter, above the age of sixteen years, not being distracted, shall either beat or curse, either their Father or their mother, shall be put to death without mercy, And such as are within the Age of sixteen years to be punished at the Arbitrament of the Judge, according to their deservings, That others may hear, and fear, and not do the like.

ACT XXXIV.

Act anent the additionall Excise.

7. March 1649.



THE Estates of Parliament taking to their consideration, That the necessary charges of this Kingdom, during the time of the troubles thereof are still growing, And that the Excise which hath been formerly imposed upon the Excisable goods, will not prove very effectually without some further addition to be made thereto; Therefore the saids Estates do hereby adde to the Excise formerly granted eight pennies for each pinte of French Wine more nor it pays presently, sixteen pennies for each pinte of Sack, Rhenish Wine and other Wine of that nature, and strong Waters Imported more nor it pays presently: And that the particulars following, pay the particular Excise aftermentioned, viz. Ilk pound of Tobacco, three shilling, ilk Ox, Cow or Bull of sixteen pounds price or above exported, three pounds; ilk sheep exported eight shilling; ilk Stirk exported, thirteen shilling four pennies; ilk Lamb or Kid three shilling, each exported Horse or Mear above the value of twenty pound, four pounds of Excise; each Horse or Mear of the value of twenty pound or under, fourty shillings of Excise; And that the exported Merchant Commodities pay Excise as formerly: And for the imported Merchandise, that the same pay according to

to the quality contained in the former Act of the date the tenth day of March 1647 years, The double of the Excise therein contained, Inde of each pound worth two shillings, And the remanent Excisable goods to stand according as the same are set down in the table contained in the said former Act of Excise: And the saids Estates, Ordains the foresaid additional Excise, to be paid and uplifted, As in the said former Act of Excise, And the Excise of the Wines to begin presently, and other Excisable goods upon the first of May next, and to continue and endure for the space of three years after the date hereof: And siclike the saids Estates of Parliament, give power, Commission and Warrant to the Commissioners nominate for the Excise, to Ferme and Set the same in Tak, as it is now added, to the best avail that can be had therefor, Without prejudice always of the confiscation of any of the particular goods Excisable abovementioned (whilks are discharged to be transported) by the Thesaurer or his Deputies, conform to the former Acts.

ACT XXXV.

Act anent these Persons who are to be Fined, and from whom moneys are to be borrowed.

7. March 1649.



THE Estates of Parliament now presently convened, Taking to their consideration, the manifold burdens under which the Kingdom lies, and great sufferings of many wel-affected, for whose subsistence the Publick will be addebted unto them great summes of money, and finding themselves obliged to provide some effectually means for satisfaction thereof, Therefore the saids Estates Ordains a Commission to be granted bearing a power to these who shall be therein nominate, or Quorum thereof for borrowing of money, according to the restrictions contained in the Act at St. Andrews of the date the day of One thousand six hundred and fourty years: And in respect that one of the restrictions of the said Act bears, That these who have lent moneys should not be urged to lend againe; yet notwithstanding thereof it is Declared, that these who have onely lent to the unlawfull Engagement, and these who being formerly proccessed and advanced money under the name of lending, are Declared not to be exeemed from lending, as also bearing a power for borrowing in an ordinary way from those who have been employed in the publick service, and have been faithfull in their places,

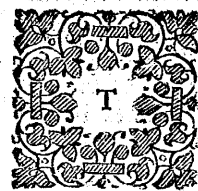
Places, and have not formerly lent, and in like manner from borrowing from those who having payed money by publick Warrants have tak, good-deed, or gratitude from the parties to whom they payed the same, With power likewise to these contained in the Commission or Quorum thereof foresaid, To fine such Collectors and Intromettors with the publick dues, as have not charged themselves faithfully with all the publick money and provision intrometted with by them, Such as have discharged themselves of more nor they have really disbursd or given out, Such as at their own hand have taken more allowance nor was due to them for their service, Such as have taken greater prices from the publick nor they did pay themselves, for victuall or other provision being intrusted by the publick, and not by way of bargain, Such as have intrumetted with any publick money, or other goods belonging to the publick, and concealed, and not compted for the same, Such as have made and bigged up great sums and compts upon the publick by unwarrantable grounds, Such as have made up great Regiment-Accompts for more number of Souldiers then they truly had, Such as have applyed the money due to the common Souldiers and Regiments to their own uses, Such as have taken double payment for Quarters, viz. who have taken pay of the publick, and yet have taken free Quarters of the Country, Such as have exacted or uplited money of the Lieges without a Lawfull Warrant, Such as have taken money for Levies of Horle or Foot, and hath applyed the same to their own use, Such as have made themselves good fortune in the publick Service, and turned in opposition to the Covenant, as occasion offered; and this not to be extended to these who timously accepted the benefit of the Treaty at *Stirling*, Such as have any wayes wronged or abused their Trust in the publick service, Such who in publick Callings or Offices have extorted the Lieges.

ACT

ACT XXXVI.

Act anent the filling of the places of the Principals of Philosophy, within the Vniversity of St. Andrews.

7. March 1649.



THE Estates of Parliament now presently convened in the second Session of this second Triennial Parl. By vertue of an Act of the Committee of Estates, who had Power and Authority from the last Parl. for conveneing the Parl. Having taken into their serious consideration, an Act of the Commission appointed by the late Generall Assembly; and this present Parliament, for Visitation of the University of *St. Andrews*, whereof the Tenor follows. At *Edinburgh* the third day of *March*, 1649. yeeres. The Commissioners appointed by the late Generall Assembly and present Parliament for Visitation of the University of *St. Andrews*, Taking to the their serious consideration, of how great and publick concernment it is, That the principall places of Colledges in the University, when they shall happen at any time to vaik, be planted with men not only able for learning, but also eminent for gravity; and of known integrity, godlinesse, and good affection to the publick cause of Religion; considering that already upon the same ground of publick concernment, All the places of the new Colledge are planted by the direction and Call of the Generall Assembly: And furthermore that long agoe in the first Parliament of King *James* the sixt, Act. 11. It is appointed upon good and weighty reasons expressed in the said Act, That none be permitted, nor admitted to teach & instruct the youth in Universities & Colledges, But such as shall be tryed and approven by the Rulers of the Kirk, Doe herefore ordain that henceforth the places of the Principles of the Philosphick Colledges in the said University, when they shall happen at any time to vaik, shall not be planted but by the advise and authority of the Generall Assembly, Doe approve and ratifie the said Act in the whole heads and claues thereof; and ordains the same to have the strength of a Law and Act of Parliament in all time comming.

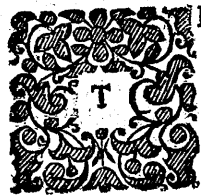
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ACT

ACT XXXVII.

Act of Maintenance for three Moneths.

7. March, 1649.



THE Estates of Parliament, now presently convened in this second Session of the second Triennall Parliament, by vertue of an Act of the Committee of Estates, who had Power and Authority from the last Parliament for convening the Parliament, Having considered the dangerous posture of affaires in this Kingdom, both in respect of Intestine and Forraign Enemies, And being informed that many of these who have been most active in the late Engagement, are upon Designs and Atremps to involve this Kingdom in new troubles, Withall having received severall intelligences of eminent dangers, to the Cause, Covenant, and this Kingdom, from abroad; And being obliged in discharge of the trust committed to them, to take care of the safety of the Kingdom, As they resolve for themselves, to use all lawfull means and peaceable ways to prevent these dangers, so that they have thought fit to prorogate and continue the monthly Maintenance, as the same was imposed upon the Kingdomes in the moneths immediately preceeding the moneth of February last, without the deduction of a third, and with a fift part more nor was payed in the saids preceeding moneths, And that for the moneths of March instant, April and May thereafter following, whilk shall be payed by the Shires and Burghs, without any deduction or defalcation; And therefore Statutes and Ordains, That ilk Burgh and Shire within this Kingdome are and shall be liable, and obliged in payment of the particular summes of money underwritten for the saids three moneths, And that betwixt and day of each moneth of the said three moneths, And Ordains the same to be payed to Sir James Stewart of Kirkfield Knight, Proveft of Edinburgh, Thesaurer of the Army, and Collector Generall of the said Maintenance, or his Deputies, or sub-Collectors, And that the summes to be paid by the severall Shires and Burghs, be as follows, viz.

The Sherifdome of Orkney of monethly pay, 1371. l. 12. s. Innernes 5011. l. 4. s. Caithnes 1134. l. Cromarty 118. l. 16. s. Sutherland 507. l. 12. s. Nairn 378. l. Elgin 2268. l. Aberdeen 7847. l. 12. s. Bamff. 1717. l. 12. s. Kincairdin 1879. l. 4. s. Forfar 6004. l. 16. s. Perth 9601. l. 4. s. Fyfe 7970. l. 8. s. Stirling 3045. l. 12. s. Kinrose 172. l. 16. s. Clakmannan 626. l. 8. s. Edinburgh 5000. l. 8. s. Linlithgow 2095. l. 4. s. Hadingtoun 4060. l. 16. s. Berwick 4266. l. Roxburgh 6933. l. 12. s. Selkirk 1533. l. 12. s. Peebles 1965. l. 12. s. Lanerk 6458. l. 8. s. Air. 7279. 4. s. Wigtoun and Kircudbright, 5248. l. Dumfreis 5335. l. 4. s. Renfrew

Renfrew 2646. l. Dumbartan 1479. l. 12. s. Argyle 3487. l. Bute 550. l. Followes the summs payable monethly by the Burghs, conform to their taxt Roll, viz. Edinburgh 6208. l. 16. s. Perth 972. l. Dundie 1440. l. Aberdeen 1512. l. Stirling 288. l. Linlithgow 388. l. 16. s. St. Andrews 936. l. Glasgow 1836. l. Air. 410. l. 16. s. Hadingtoun 388. l. 16. s. Dyferf 324. l. Kirkcaldie 720. l. Monrose 388. l. 16. s. Cowpar 259. l. 4. s. Anstruther-eister 216. l. Dumfreis 324. l. Innernes 540. l. Brechine 264. l. Irwing 302. l. 8. s. Elgin 162. l. Jedburgh 151. l. 4. s. Kirkcudbright 216. l. Wigtoun 162. l. Pettinweym 144. l. 8. s. Dumfirling 194. l. Dumbartan 194. l. 8. s. Renfrew 108. l. Lanerk. 194. l. 8. s. Aberbrothok 97. l. 4. s. Bruntland 259. l. 4. s. Peebles 129. l. 2. s. Craill 259. l. 4. s. Kinghorn 129. l. 12. s. Trayne 108. l. Selkirk 151. l. Anstruthe wester 64. l. 16. s. Culrofs. 108. l. Dumbar 216. l. Bamff. 86. l. 8. s. Whithorn. 54. l. Forfar. 32. l. 8. s. Rothesay 72. l. Forres 64. l. Rutherglen 54. l. Northberwick 43. l. 4. s. Cullein 32. l. 8. s. Nairn 43. l. 4. s. Lauder 54. l. Innerkeithing 108. l. Kilraynie 32. l. 8. s. Annan 36. l. Lochmaben 21. l. 12. s. Sanquhar 32. l. 8. s. Galloway 21. l. 12. s. Dingwall 21. l. 12. s. Queinsterrie 129. l. 12. s. Dornoch 21. l. 12. s.

For the better inbringing and collecting whereof, The saids Estates of Parliament allowes to the said Collector, Deputies, one or more in each Shire, to be nominate by the Committee of Warre thereof, betwixt the day of instant, such Fees as the Committees of Shires shall allow, not exceeding the former allowance, whilk Collectors Deputes shall finde sufficient Caution to the Generall Collector, wherein if the Committes of War shall fail, the generall Collector after the day foresaid to appoint his own sub-Collector in these Shires who shall fail to nominate and finde surety betwixt and the day foresaid: And that the said sub-Collectors be comptable to the Committees of War of their intromission with all publick dues to be uplifted by them, and how the samen are given out and imployed, without prejudice of their making compt and payment to the generall Collector of the maintenance due by the Shires, The Burghs always being free of the foresaids Fees: And the saids Estates Ordains that the Lettes and charges to follow upon this Act for payment of the foresaid three moneths Maintenance, shall be raised and direct at the instance of the said Sir James Stewart, against the sub-Collectors of Shires, Magistrates of Burghs, And at the instance of the Collectors of Shires and Magistrates of Burghs respective, against the sub-Collectors of Parochs, Heretors, Fewares, Life-renters and others indebted in payment of their severall proportions of their three moneths Maintenance now imposed; And with power to the said Sir James Stewart, that if any Shire or Burgh be deficient in payment of their parts of the foresaid three moneths Maintenance, to imploy any forces that shall happen to be upon the bounds for the time, or in the next neighbouring bounds adjacent thereto, for uplifting of the said three moneths Maintenance from the deficient Shires, Burghs, and Paroches, Which Troops are to receive their entertainment from the deficient at the ordinary rates, beside

side the payment of their Maintenance; And the saids Troops or Parties shall not be employed to quarter upon the deficientes, till first there be six dayes warning given to the deficientes, or at the Paroch Kirks where their Lands lyable for the said Maintenance lies: And it is hereby Ordained, That the Committees of War in the severall Shires, shall be aiding and assisting to the said generall Collector herein for inbringing of the said three moneths Maintenance; And in regard of the prorogating of the foresaid Maintenance on the Shires and Burghs for the foresaid three moneths of *March, April and May*, It is Statute and Ordained by the Estates of Parliament, That every debtor shall have retention from the creditor of one and a halfe, and a fift part more of each hundredth of one yeers annual rent proportionally for the saids three moneths, so that the debtor shall be liable in payment of six Merks, two shillings eight pence of annual rent of each hundred Merks of stock proportionably, according to the saids three moneths: And in regard of the present distressed condition of the Sheriffdomes of Argyle and Bute, This Estates doe exeem the whole Sheriffdome of Argyle from all payment of the foresaid three moneths Maintenance of *March, April, and May*, except the Lands of *Morven Ardgour, Kingerloche*, and the Isles of *Mule, Tery, Cole, Iolumkilne, Muck and Rowme*, the Maintenance whereof is assigned to *Hector Maccleans of Torlosk*, for keeping the strength and Garrison of *Barneboil*; As also exeems the Sheriffdome of Bute from all payment of the equall halfe of the saids three moneths Maintenance, and Ordains the same Shire of Bute, to be onely liable in payment of the other halfe of the saids three moneths Maintenance, and to be proportionably paid by the Heretors and others liable in payment thereof through the whole Shire of Bute; As also the Estates declares this present Act to be without prejudice to the Act granted in favours of the Town of *Innernes* of the fift of *January, 1647*. That any Taxations or Impositions to be laid on that Town, be allowed to them in part of their losse, conform to the Tenour of that Act. And lastly it is Ordained, That no suspension be granted without consignment, And that all Heretors within Burghs, Pendicles and Liberties thereof, shall contribute with them for payment of the maintenance, as is contained in the Act of the 27. of *February, 1645*. And the saids Estates Ordains, That the Lands and Teinds shall pay the foresaid Maintenance, as they lie locally in Shires and Burghs, conform to the former Acts of Maintenance; And it is hereby Declared, that this Act is to be without prejudice of the priviledges of the Lords of Session, conform to the former Acts of Maintenance; And to the effect it may be clearly known, what publick monies of tenth or twenty penny, Loan, Taxt, by-gone Maintenance, and borrowed monies is yet resting unpaid by the Shires and Burghs, or uncompted for and unpaid by the sub-Collectors to any generall Commissary, or not compted and allowed them: The Estates of Parliament, doe hereby give Power and Warrant to the Committees of Warre in the severall Shires to take particular tryall thereof, conform to the Parliaments Letters direct to them for this effect of the

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day of *February* last, and thereafter to make report thereof to the Parliament or Committee of Parliament, withall convenient diligence; And the Estates discharges any Heretor within this Kingdom, to exact any part of his Maintenance from their Tennents, except where the Committee of Warre upon hearing the Heretors and Tennents, shall find the Lands to be set to these Tennents with such ease and expresse condition, as thereby the Tennent is both liable, and bound to relieve him thereof.

ACT XXXVIII.

Act in favours of the Vassals of Kirk-lands.

8. March 1649.

THE Estates of Parliament now presently convened in the second Session of the second Triennall Parliament, by vertue of an Act of the Committee of Estates who had power and Authority from the last Parliament for convening of the Parliament, Do hereby ratifie and approve all and whatsoever Acts of Parliament formerly made anent the Superiorities of Kirk-lands, Declaring the same to pertain to his Majestie and his Successors, or annexing the same to his Highness Crown; Declaring the hail casualties of the saids Superiorities nor disposed before the 17. of *January 1627*. with the hail Few-mails, Few-fermes and others Rents of the saids Superiorities, sensyne to belong to his Majestie, reserving always to the Lords and Titulars of Erection, mentioned in the 14. Act of his Majesties first Parliament, the Few-mails and Few-fermes until they be satisfied in manner therein contained, and without prejudice to them of whatsoever Lands and others belonging to them in property, in manner mentioned in the said Act, And farther, the saids Estates of new Declares the foresaid Superiorities of all and whatsoever Kirk-lands, Milnes, Woods, Fishings and hail pertinents of the same, pertaining of before, To whatsoever Archbishops, Bishops, Pryors, Prioresse, Preceptors, and whatsoever other benefits of whatsoever other estate, degree, title or designation they be of, erected or not erected in temporall Lordships, Baronies and Livings to pertain to his Majestie and his Highness Crown, therewith to remain in all time coming, and by thir presents, Casses and Annulls the Reservation mentioned in the foresaid Act of the Superiorities of the Lands and others pertaining to the Archbishops, Bishops, and the Chapters for the time, And also declares all and whatsoever, Grants, Rights, or Infeftments of any of the saids Superiorities with all Warrants, Taks, Commissions, Bailiaries or Deputations for entring of the Vassals thereto made and granted by his

his Majestie in any time by-gone, since the surrender in Anno 1627. or to be made in time coming with all other gifts and donations of the saids Few-duties formerly belonging to the saids Lords of erection, And made by his Majestie after the surrender, and before the redemption thereof from the saids Lords and all Heretable and irredeemable Rights granted by his Majestie after the Redemption whereby the profits, casualities, and emoluments of the superiority of the saids Kirk-lands may be conferred to any other person, except the proper Vassals thereof directly or indirectly of whatsoever name, title or designation they be of, and all gifts of new Regalities or Jurisdictions to be Null, by way of exception or reply, Reserving alwayes to these persons who have right to the Few-duties, their right and title thereto, while the same be redeemed from them, either by his Majestie, or the Vassals in manner after specified. And discharges the Treasurer-principle, and Depute-Commissioners of the Treasury, and remanent Lords of Exchequer, Writers to, and Keepers of the Seals from all passing and expeding any such new Grants, Rights, Infeftments, Taks, Warrants, Commissions, Baylliaries, or Deputations for entring of Vassals, Excepting allanerly such Infeftments and Signators, as shall be granted by the Lords and others who had formerly right to the saids Ereftions, and Superiorities, whereby they may have right to claime the Few-fermes and Few-duties adebted by the Vassals and others subject in payment thereof allanerly, Ay and while they be satisfied therefore in manner specified in the 14. Act of his Majesties said first Parliament, Excepting alwayes herefrom the Duke of Lenox, his right of the superiority of the Barronie of Glasgow conform to the foresaid Act, excepting likewise herefrom all mortifications and lands therein contained, to Universities, Colledges, Schooles, Hospitals, and other pious uses; And siclike all and whatsoever dotations or mortifications, and lands therein contained, pertaining to his Majesties Royall Burrows in manner contained in the 33. Act of his Majesties Parliament, in March 1647. And all other Rights of Superiorities of Kirk-lands, and others foresaids acquired, and pertaining to the Burrows Royall, or to their Colledges, Schooles and Hospitals preceding the day and date hereof, and what they shall acquire hereafter, excepting also from this present Act, In the like manner and form as is excepted, for the Burrows in the foresaid Act, 1647. The Rights of the lands of *Larg* and *Kincarden*, and seventeen Akers of land lying about the Burgh of *Culros* with the Few-fermes thereof, and superiorities therein specified, pertaining to Mr. *Alexander Colvil* Professor of Divinity in the Colledge of *St. Andrews* conform to the Infeftments and Rights made to him and his Predecessours thereof, excepting likewise the Signator granted to the Earl of *Eglintoun*, and the Lord *Montgomerie* of the Abbacie of *Kilwinning*, with the Declaration, and Conform to the Tenour of the said 33. Act of his Majesties Parliament upon the 24. of *March*, 1647. Excepting likewise from this present Act, the Infeftment and Right of the Few-duties of the Abbacie of *Aberbrothock*

brothock granted to *Patrick* Earl of *Pannure*, in respect he hath not right to the Few-duties of the said Lordship by vertue of his Majestie of worthy memory his Decreet Arbitrall and reservation contained in the same, as likeways in the Act of Parliament 1633. But his right to the saids Few-duties were acquired by him at a very dear rate from *Wil. Murray* his Majesties servant who had right from the King his Majesty. Likeas the said *William Murray* his Infeftment and the Charters and Infeftments upon his resignation granted to the said *Patrick* Earl of *Pannure* are not onely ratified, but also the Few-duties are dissolved from his Majesties Crown, and from all annexation thereof, conform to an Act of the date the 27. of *July* 1644. And the said *Patrick* Earl of *Pannure* cannot be Ordained to dispone his right to the Vassals of the said Lordship, for any sum as being liable to accept the like sum from his Majestie for Redemption thereof, because he hath not right to the foresaids Few-duties by the reservation foresaid, neither is he liable by his right to receive any sums of money from his Majestie for redemption thereof, And the saids Vassals cannot crave to be in a better case nor his Majestie, for the whilk cause the exception foresaid is granted as laid is: And by this presents annuls, that clause whereby the Estates did then remit all by-gone right and Infeftments, Warrants, Commissions, and others therein mentioned of the Superiorities of Kirk-lands already past since the year 1633, To the decision of the Lords of Session, And farther, the Estates of Parliament Decerns and Ordains the saids Lords of Ereftion, and others in whose hands the saids Few-mails and Few-duties remains, untill they be redeemed by his Majestie, to accept the same sums from the Vassals themselves, whilk they are liable and bound to accept from his Majestie for Redemption thereof, And to dispone all right and title they have to the said Few-fermes, Few-mails, and casualities and Few-duties of the saids Superiorities, And denud themselves of the same within fourty dayes after they shall be required thereto, And in case of refusall by the saids Lords and Titulars of Kirk-lands the sums of money whereupon the saids Few-mails, and Few-duties are redeemable, shall be offered and consigned in the Deare of Guilds hands in *Edinburgh*, upon the perill of the consigner for redemption thereof, whereby the saids proprietars may be in the same case, anent the right and possession of the saids Few-fermes and Few-duties, as the saids Lords and Titulars of Kirk-lands now are, reserving alwayes the right to his Majestie to redeem the same upon the saids sums, conform to the Act of Parliament: And it is hereby declared, that the Vassals shall have the benefit of this Act, they paying yearly to his Majestie one fift part more of his Few-dutie nor his present Few-dutie is, And also after retention of the same Few-dutie by the space of fifteen years (the Vassall in the mean time making payment to his Majestie of the fifth part foresaid) That the Few-dutie foresaid shall be declared to be lawfully redeemed thereby by his Majestie, without payment of any sums of money; And his Majestie in all time

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time thereafter, to have the full right to the Few-dutie foresaid, and fifth part abovementioned. It is likewise declared that the Vassals of Archbishops, Bishops, Priors and Prioresses, Preceptors and other benefits of whatsoever estate or degree, title or designation they be of, and are not erected in Temporall Lordships, whose Few-duties have been given and disposed by his Majesty by gift or other right to any persons by whatsoever manner or right shall have the same benefit of redeeming their foresaid Few-duties from the said Persons having right thereto by payment to them or consigning as aforesaid in case of their refusal the like years purchase as is above specified, which shall be always redeemable again from, and expire to them in favours of his Majesty in the same manner as is above expressed: And it is hereby Ordained that the Heretors, who gets the benefit of buying of his Few-dutie from the Lords of Erektion, or others having right thereto, shall relieve him of the Blensh-dutie payed by him to the King, And of the contribution payable to the Colledge of Justice and that proportionally, And Declares and Ordains the Lords of Counsell and Sesion or his Majesties Commissioners of Theaurie and Lords of Exchequer at the option of the pursuers, to be Judges Competent to all citations and actions to be intended a the instance of any of the saids Vassals, after the offer and consignation abovementioned, against the saids Lords and others Titulars, for denuding them of the saids Few-mails and Few-duties, And for securing of the saids Vassals thereintill, And in the mean time Ordains the saids Lords of Erektion and Titulars of Kirk-lands to accept the same or like prices for the saids Few-fermes and Few-mails from the saids Vassals, as are or shall be Ordained and modified by the saids Commissioners of Exchequer, to be payed for his Majesties other Rents of the like kinde, And because the benefit of this present Act will be of no effect to such Vassals as have small and mean proportions of Lands, in respect they are not able to bear the expence of passing their Infestments through the seals, For remede whereof the saids Estates Statute and Ordain, That the Infestments of all Tenents and proportions of the said Kirk-lands, not exceeding the yearly Rent of three hundred Merks, shall passe and be exped by the Exchequer and great seal *per saltum* without any necessity of the other seals, And Ordains the precept of seizing to be contained in the Infestment, And Declares the same so passed to be as valid as if they had past the same through the hail Seals, And the Estates declares that he in whose hands the said infestments is past, shall be only liable in payment of the sum of four pounds for parchment to write the same on, and wax for the seal, and four merks for writing the same Infestment, which sum of ten merks is likewise declared to be sufficient for the price of the Brieve, Retour, and precept granted in favours of any of the saids Vassals at the time of their entring Heirs to their predecessors, And their shall be onely one Brief, Retour, and precept of Heirs Portioners, which is to be given out and exped for the like sum allanerly, And the

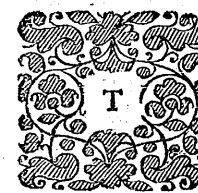
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said Estates Ordaines the compositions of the Infestments foresaid of the saids mean Vassals, to be past *gratis* by the Lords of Exchequer, and to be written out and past the great Seal within six dayes after the giving in thereof, to the director of the Chancellary and if the same be not exped by writing thereof, and appending the Seal to the same within the space foresaid, that the writer to, or appendar of the great Seale, in whose default the failzie is, shall content and pay an yeers rent of the lands contained in the Infestment, craved to be exped, the one half thereof to be payed to the party in whose favours the infestment is granted, and the other halfe to the Exchequer for his Majesties use. And siclike the said Estates Decernes and Ordaines that all Vassals of the saids Kirk-lands, whose Tenements being Houle, Yeards, Ruids, or Akers of Land, not exceeding twelve Akers, the same being within Regality, or Burgh of Barronie, or of Regality, shall have liberty to exped their Infestments by the Baylies of the said Regalities and Burghs *respective*, who shall be obliged to make compt and payment in the Exchequer for the Few-duties and Casualties belonging to his Majesty forth of the saids Tenements, and shall receive the saids Vassals *gratis*.

ACT. XXXIX.

Act abolishing the Patronages of Kirks.

9. March 1649.



HE Estates of Parliament being sensible of the great obligation that layes upon them by the Nationall Covenant, and by the Solemn League and Covenant, and by many deliverances and mercies from God, And by the late solemn engagement unto duties, To preserve the Doctrine, and maintain and vindicate the Liberties of the Kirk of *Scotland*, and to advance the Work of Reformation therein, to the utmost of their power, And considering that Patronages, and Presentations of Kirks, is an evill and bondage, under which the Lords people and Ministers of this land have long groaned, and that it hath no warrant in Gods word, but is founded onely on the common law, and is a custome Popish, and brought into the Kirk in time of ignorance and superstition, And that the same is contrary to the second book of Discipline, in which upon solid and good ground, it is reckoned among abuses that are desired to be reformed, and unto severall Acts of Generall Assembly, And that it is prejudiciall to the liberty of the people, and planting of Kirks, and unto the free calling and entrie of Ministers unto their charge. And the said Estates being willing and desirous to promote and advance the Reformation foresaid, That every thing in the house of God may

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be ordered according to his Word and Commandement, Doe therefore from the sense of the former obligations, and upon the former grounds and reasons discharge for ever hereafter. All Patronages and Presentations of Kirks, whither belonging to the King or to any Laick Patrone, Presbytries or either within this Kingdome, as being unlawfull and unwarrantable by Gods Word, and contrary to the Doctrine and Liberties of this Kirk; And doe repeal, rescind, make voyd, and annull all gifts and rights granted thereanent, And all former Acts made in Parliament, or in any inferiour Judicatory in favours of any Patrone or Patrones whatsoever, So farre as the same doth or may relate unto the Presentation of Kirks, And doth statute and ordain that no person or persons whatsoever shall at any time hereafter take upon them under pretext of any Title, Infeftment, Act of Parliament, Possession, or Warrant whatsoever, which are hereby repealed; To give Subscribe, or Seal any Presentation to any Kirk within this Kingdom, and discharges the passing of any infeftments hereafter, bearing the right to Patronages to be granted in favours of these for whom the Infeftments are presented; And that no person or persons shall either in the behalfe of themselves or others, procure, receive, or make use of any Presentation to any Kirk within this Kingdome; And it is farther declared and ordained that if any Presentation shall hereafter be given, procured, or received, that the same is null and of no effect, and that it is lawfull for Presbytries to reject the same, and to refuse to admit any to trialls thereupon: And notwithstanding thereof to proceed to the planting of the Kirk upon the sute and calling, or with the consent of the congregation, on whom none is to be obruded against their will, and it is decerned, statute, and ordained, That whosoever hereafter shall upon the suit and calling of the congregation, after due examination of their literature and converlation, Be admitted by the Presbytry unto the exercise and function of the ministry in any Paroch within this Kingdom; That the said person or persons without a Presentation, by vertue of their admission, hath sufficient Right and Title to possesse and enjoy the Mance and gleib, and the whole rents, profits and stipends, which the Ministers of that Church had formerly possesse and enjoyed, or that hereafter shall be modified by the commission for plantation of Kirks, and decerns all Titulars, and Taksmen of Tythes, Heretors, Life-renters, or others subject and lyable in payment of Ministers stipends, to make payment of the same, Notwithstanding the Minister his want of a Presentation; And ordains the Lords of Session and other Judges competent to give out Decrees, & Sentences, Letters conform, Horning Inhibition, & all others Executorials upon the said admission of Ministers by Presbytries, as they were formerly in use to doe upon Collation and Institution following, upon Presentations from Patrones, declaring alwayes that where Ministers are already admitted upon Presentation, and have obtained Decrees conform thereupon, That the saids Decrees and Executorials following thereupon, shall be good and valide Rights to the Ministers for suiting and obtaining payment of his stipend,

pend, And the Presentation and Decreet conform, obtained before the date hereof, shall be a valid ground and right for that effect; Notwithstanding the annulling of Presentations by vertue of this present Act, And because it is needfull that the just and proper interest of Congregations and Presbytries in providing of Kirks with Ministers be clearly determined by the Generall Assembly, and what is to be accompted, the Congregation having that interest; Therefore it is hereby seriously recommended unto the next Generall Assembly, clearly to determine the same, and to condiscend upon a certain standing way for being a settled rule therein, for all time comming. And it is hereby provided, declared, and ordained, that the taking away of Patronages and Presentations off Kirks, shall import nor inforce no hurt nor prejudice unto the title and right that any Patrone hath unto the tythes of the Paroch, nor weaken his Infeftment wherein the same is contained, But that the said Title, Right, and Infeftment, shall in every respect (so farre as doth concern the Tythes,) be as valid and strong as when Presentations were in use. It is further statute and ordained, that the Tythes of these Kirks whereof the Presentations are hereby abolished, shal belong heretably unto the saids Patrones, and be secured unto them, and inserted in their Rights and Infeftments in place of the Patronage. Likeas the Estates of Parliament declare said Patrones their Right thereunto to be good and valid, Hereby granting full power to them to possesse, sell, annalizie and dispone the same in manner after specified, as fully and freely as the Minister and Patrone might have done before the making of these presents, excepting alwayes therefrom these tythes which the Heretors have had and possesse by vertue of Taks set to them by the Ministers, without any deed or consent of the Patrones, concerning which it is provided, That the said Tythes at the issue and outrunning of the present Taks, shall belong unto the Heretors *respective*, The said Heretors and the Patrones above mentioned, each of them for their interest, being alwayes lyable to the payment of the present stipends to the Ministers, and to such augmentation and provision of new stipends to one or more Ministers, such as the Parliament or Commission for plantation of Kirks shall think fit and appoint, excepting also such Tythes as are and have been possesse, and uplifted by the Minister as their proper stipends, concerning which, it is hereby declared, that the Minister shall enjoy the same without any Impediment, as formerly it being hereby provided also, That this Act shall prejudice no person of the Right, Title, and Possession of their Tythes by Infeftments, Taks, and other lawfull rights acquired by them, and the Predecessors and Authors, as Accords of the Law. Likeas the Estates of Parliament renew the former Acts granted in favours of Heretors, for valuing, leading, and buying of their Tythes; Hereby ordaining any Patrone, having right to these tythes made to them by this Act, and having no right thereunto of before, To accept the value of six yeers rents, according to the prizes of valued bowls *respective*, injoynd and set down in the former Act thereanent. And that for the Heretable right of

the saids Tythes, And for all title interest or claim that the saids Patrons can have or pretend thereunto by vertue of this Act.

ACT XL.

Act anent Quarterings.

9. March, 1649.



THE Estates of Parliament, taking to their consideration the former great burdens of the Kingdom, in quartering of horse and foot, whereby the Lieges by abuse of these who were quartered upon them, were made liable both to the quarterings and payment of the monethly Maintenance imposed upon them: For eschewing the like thereof in time coming, They Statute and Ordain that all the Quarterings of this Kingdom by-gone since the first of November 1648, And in time coming, during the continuance of this present Maintenance, the same being Lawfully proven either by Billets or by Witnesses according to the Act made anent probation of Quarterings before the Committee of War of ilk Shire, or any two of them, who are hereby fully authorized for that effect, whilk being closed and made, shall be a charge upon ilk one of the Regiments, Troops or Companies pro tanto, And a sufficient Warrant to the party to receive payment or allowance, conform to the establishment after the fitting of the said compt and no otherwayes; And it is hereby expressly declared, that the severall Heretors and others liable and obliged in payment of monethly Maintenance, Having their quarterings lawfully instructed as said is, as well for themselves as their Tenents; They producing their Tenents assignation of their Quarterings to them, Shall have retention and allowance of all the Quarterings resting, owing, unpaid since the said first day of November last, And in time coming during the continuance of this present Maintenance: And also it is Statute and Ordained that for the relief of these who may be overburdened and exhausted by quarterings, that these persons and Paroches shall have their relief of their quarterings, which exceeds their Maintenance, And that to be payed by the severall Heretors 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 quartering above their Maintenance, In that case they shall have payment and relief from the General Commissar out of their Maintenance, And it is farther Statute and Ordained that what ever Officers of the Army within this Kingdom shall not give Billets or Notes for their Quarterings, it being proven that they Quartered in such and such places, and did not leave Billets or Notes for their Quartering, conform

conform to the just number quartered by the Officers and Souldiers: And in that case, no pay should be given to the saids Officers and Souldiers, untill the Notes and Billets be given to the Persons, Parochies and Shires upon whom they were quartered: It is likewayes Ordained the first Tuesday of every moneth, shall be appointed at the ordinary place of meeting for making of the Quartering compts within ilk shire, and leading the probation as said is: And also it is Ordained that the Collector of ilk Shire, Be Ordained either by himself or some in his name, to be present at the saids times and places respective foresaid.

ACT XLI.

Act anent the filling of vacand places.

10. March 1649.



THE Estates of Parliament taking to their consideration, That sundry Officers of Estate, and Lords of the Session and others persons in places which before used to be filled by the King and Parliament, are or will be deservedly deprived for the faults contained in the Act of Classe of the 23. January last, And that there will arise manifold inconveniencies both to the King and to the Kingdom by the long vacance of these places and delay of Justice, And that the Kings Majestie who now is, before he come to the exercise of his Royall power, is to give the satisfaction desired by this Kirk and Kingdom: Likeas in the propositions of both Kingdoms often past in the Parliament of this Kingdom, it was the judgement and desire of the Parliament, That these Places during these troubles should be filled by the Parliament, And that in the late Summons and Sentences, It is Declared, that these places should be filled by this Parliament, Therefore they Declare, that they finde themselves bound in duty, presently to fill the saids Places with fit persons according to the Oath of Parliament; And Ordains that these who shall be nominated and appointed by them, shall have Acts of Parliament and Patents, past the great Seal in their favours, as their Predecessors got at the Parliament 1641. for their bruiking or injoying their respective places ad vitam vel culpam: And Declares, that amongst other things wherein they are to seek and obtain satisfaction from the Kings Majestie for the good of the Kingdom, They will crave and insist (without any receding) upon the Kings Majestie his Approbation thereof: It being always provided and Declared, That this present Act shall not (after his Majestie comes to the exercise of his Royall power) prejudge his right and interest in choosing and nominating with the advile and consent of the Estates of Parliament, Counsell

sell and Session *respective*, fit persons to these places in the case of any subtequent new vacancie, according to the 15. Act of the Parliament, 1641.

ACT XLII.

Act Commission to the Committee of Estates.

14. March, 1649.



HE Estates of Parliament now presently convened in this second Session of the second Triennall Parliament, By vertue of an Act of the Committee of Estates, who had Power and Authority from the last Parliament for convening of the Parliament, Being upon good reasons to dissolve, And considering how necessary it is for the good of Religion, King and Kingdomes, for preventing and remedying all evils and dangers that may befall to any of these from intestine commotions, or forraign Invasion, for preserving the peace of the Kingdome, and union betwixt both, And for doing, acting and ordering all things relating either to Peace or Warre, agreeable to the Covenant and ends thereof. That a grand Committee be nominated and appointed by them, of able and well-affected persons, Doe therefore nominate, elect and make choise of the persons following, viz. For the Noblemen; Archbald Marquesse of Argyle, John Earle of Sutherland, Alexander Earle of Eglington, John Earle of Cassels, Francis Earle of Buccleugh, William Earle of Louthian, Robert Vitcount of Arbuchnet, Archbald Lord Angus, Lord Elcho, Lord Brechin, Allane Lord Cathcart, William Lord Rofs, John Lord Borthuik, John Lord Torphichen, John Lord Balmerino, Robert Lord Burghlie, James Lord Cowpar, Lord Kirkcudbright, Lord Fraser, and Master of Forbes. And for the Barones, Arthur Erskine of Scottiscraig, Sir James Halket of Pitfurren, George Dundas of Duddingstone, Mr. John Dikson of Busbie, Sir James Hope of Swinton younger of that ilk, Sir Charles Erskine of Cambuskenneth, Sir William Cunningham of Cunninghamheid, Sir Hew Campbell of Celnok Knight, Sir Andro Ker of Greinheid, Sir Thomas Ruthven of Freeland, Sir Robert Adair of Kinhilt, Andro Agnew sjar of Lochnaw, Sir George Maxwell of Netherpollok, John Dikson of Hartrie, Sir John Brown of Fordell, Arthur Forbes of Eight, Mr. William Sandilands of Hilderstone, John Cockburn of Ormeffone. To the whilks forenamed Barons, The saids Estates adde the particular persons following to be also upon the Committee of Estates, viz. Sir John Hope of Craighall Knight, Sir Alexander Belsches of Tofts Knight, John Schaw of Grennok, Sir Lodwick Houftoun of that ilk Knight,

Knight, Sir William Scot of Clerkingtoun, Colonel Walter Scot of Hartwoodburn. And for the Burtowes, James Borthuik for Edinburgh, Patrick Rofs for Pearth, Robert Davidson for George Porterfield for Glasgow, James Sword for St. Andrews, Thomas Bruce for Sterling, James Campbell for Lynlithgow, Hew Kennedy for Air, Mr. Robert Barclay for Irving, Mr. James Campbell for Dumbartane, Gedion Jak for Lanerk, Mr. John Hay for Elgin, Thomas Macburnie for Drumfreis, John Forbes for Innernes, William Simson for Disert, George Gairden for Bruntland, John Boswall for Kinghorne, Mr. Alexander Dowglas for Bamff, George Jameson for Cowpar, and James Macculloch for Whithorn. To the whilks forenamed persons of the Brurowes. The saids Estates likewise addes the persons following to be for the Burrowes, Sir William Dick of Braid K. Sir John Smith of Grottel Knight, Robert Lockhart Merchant, Burges of Edinburgh, John Schoart Burges of Sterling, Mr. William Moir Burges of Aberdeen, and James Ruchheid Bailly of Edinburgh. Likeas the saids Estates of Parliament also addes as supernumerary to the forenamed persons of the Committee of Estates, the persons following, viz. John Ea. of Loudoun, &c. High Chancellor of this Realm, The Generall officers, Sir Archbald Johnston of Waristoun Knight, Clerk of Register, Sir James Stewart of General Comissary, Sir John Cheislay of Alexander Brodie of that ilke, Mr. George Winraham of Libbertoun, William Glendonig Proveff of Kirkcudbright, and Alexander Fassray Bailly of Aberdeen. To whom, or any nine of the forenamed persons, there being two for every estate. The saids Estates of Parliament doe grant Power, Warrant and Commission to meet and conven at such times and places as they shall think fit, And there to take sick course and resolutions to give sick orders and directions in discharge of the great trust committed to them, during the vacancy of Parliament as they shall think necessary and conducing to the right ordering and governing the whole body of the Kingdom, according to the League and Covenant, and in perfuance of the ends thereof, for the better effectuating hereof, They are hereby warranted to authorize Commissioners to Treat and conclude with the Kings Majesty, and the Kingdome of England; As also to treat and negotiate with any forraign Princes or States in these things which may concern the honour, just power, and happinesse of the Kings Majesty and his Royall posterity, and the good of these Kingdomes, And to use all effectuall meanes for preventing misunderstandings, distractions and differences, and strengthening a firm amity betwixt his Majesty and his people, And in case they shall find necessary for the safety of the Kingdome to make use of more forces then are presently on foot, With power to them to give orders to the severall Shires and Burghs of this Kingdome for raising of such number of horses and foot out of the severall bounds and Jurisdiccions as they shall think necessary; And for providing them Arms, Ammunition, Victuall, and other necessaries, to appoint places of their Randevous, and give order for their quartering and entertainment, and for that end to augment and prorogate the mainte-

Maintenance and Excise (the whole Committee being first timouly warned to that effect, and the most part being present) And to appoint such Generall Officers over them as they shall think fit, and are not already named by the Parliament, Reserving to the Shires and Burghs the nomination of Officers whereof they have been formerly in possession by Order of Parliament, And to disband the Armies and Forces as they shall think fitting, And to Ordain the foresaid Maintenance and Excise as the same shall be augmented and prorogated by them as aforesaid to be employed for the use of the Forces raised or to be raised allanerly.

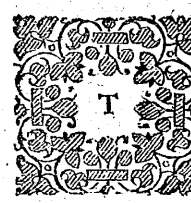
As likewayes with power to them to Treat and determine with the Kingdom of *England*, anent the rest of the moneys due by that Kingdom to the Scottish Army in *Ireland*, And generally with power to them to Ordain, dispose and imploy all the Forces of the Kingdom, levied or to be levied as they shall judge fittest for the ends above-nominate within the Kingdom; With power also to the said Committee to Treat, consult and determine without prejudice of former assignments anent the payment of the remainder of the brotherly assistance, or any other moneys due by the Kingdom of *England* to this Kingdom, and for settling removing and preventing all differences betwixt these two Kingdoms, With power also to them to cite and convene before them all persons that are guilty of any of the Clases of the Act of this present Parliament, and to take tryall of their carriage and behaviour in reference to the late unlawfull Engagement, and to pronounce sentence and determine against them as they shall finde just, and to purge the Judicatories and places of trust according to the Act of Clases, And also With power to the said Committee to apprehend or call before them all such persons as shall invade this Kingdom, or have or shall make any insurrection to the disturbance of the peace thereof, or shall oppose or rise in Armes against the Authority of this Parliament, or Committee of Estates here nominate, or who shall concur with, assist, keep intelligence or correspondence with any of the saids Invaders or rises in Armes, and to pursue them for the same, pronounce Sentence and do justice upon them by forfaitor or otherways, conform to their severall degrees of guiltinesse, And als fully in all respects as the Parliament might do if they were sitting; And als with power to them to bring off such as are or have been in Rebellion (excepting these persons excepted in former Acts of Parliament) as they shall think most conducing for the publick good and peace of the Kingdom, Providing the same be conform to the limitation contained in former Acts of Parliament, And farther, With power to them to give orders to the Committee of War of the Shires and to all Colonells, Stewarts, Sheriffs, Bailies and other Magistrates and Subjects to Burgh or Land, in every thing concerning the good and quiet of the Kingdom, And generally with power to the said Committee to do, Act & Order all & sundry other things that shall be found necessary for the good of Religion, the honour and happiness of the King and his Posterity,

Posterity, the union between the Kingdoms, and the peace of this Kingdom, And for ordering, providing for, and disposing the Forces belonging to the Kingdom, and for procuring obedience to the Authority and resolutions of the Parliament or Committee of Estates, And for governing of the whole body of the Kingdom as fully in all respects as the Parliament might do if they were sitting in *pleno concessu*, excepting alwayes herefrae the Commission granted or inbringing, and distributing the publick moneys and regulating the accompts, which is reserved in the full force thereof: And it is Ordained that the whole Commissioners aforesaid shall at their first meeting in the Committee accept the Commission, and give their solemn Oath for their faithfull and diligent discharge of their trust; And last with power to them to make choice of new persons of that same degree and quality to supply the places of these who shall happen to decease, or by sicknels or otherways shall be necessarily absent, And also to fill the places of these of the Committee of Accompts and moneys who shall happen to decease, or by sicknels or otherwise shall be necessarily absent, with others of the same degree and quality, And further in case the said Committee shall augment the Maintenance & Excise for the use aforesaid, With power to them accordingly to grant Retention of the Annual rents of mony for such space as they shall augment the foresaid Maintenance. And if any matter of importance do occur that requires a meeting or resolution of the Estates, With power to the Committee foresaid or their *Quorum*, To convene the Parl. sooner nor the 23. of *May* next to come, to the whilk day the Parliament is to be continued, if they think fitting, And siclike the said Estates gives hereby power & warrant to the Committee aforesaid or *Quorum* thereof above mentioned to decide in all things referred to them by Parliament, firm & stable holding and for to hold what ever the saids Commissioners or *Quorum* aforesaid shall do, in manner & for the end aforesaid: Likeas the saids Estates, Discharge all former Commissions to any Committee of Estates, And appointeth this Commission to endure till the next meeting of Parl. and ay and while the same be *simpliciter* discharged.

ACT XLIII.

Act of Commission for Moneys and Excise.

14. March, 1649.

 HE Estates of Parliament now presently convened in the second Session of this second Triennall Parliament by vertue of an Act of the Committee of Estates, who had Power and Authority from the last Parliament for convening the Parliament, Taking to consideration the present great burdens of the Kingdom, And that there are great sums of money belonging to the Publick, resting uncompted for in the hands of the Collectors and Intromettors with the Publick dues, or unuplifted and received from these who are liable and subject in payment thereof, to

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the great prejudice of the Kingdom and continuance of the burdens thereof; As als that the matter of moneys may be rightly regulated and distributed for Maintenance and Entertainment of the Army and Garrisons, and other Publick uses within the Kingdom, And finding it necessary that it be cleared what sums are owing to the publick, and the same in-brought to be applied for payment of the most necessary and pressing debts and burdens of the Kingdom, Do therefore hereby nominate, authorise and appoint the persons following, *viz.* Archibald Marquis of Argyle, John Earl of Cassils, Vicount of Arbuchnot, Robert Lord Burley, John Lord Torphochin, Sir Hew Campbell of Cesnok Knight, Sir William Cuninghame of Cuninghameid, Sir Thomas Ruthven of Frieland, Sir Charles Erskene of Cambuskenneth, Sir James Hope of Forthe Barones, Mr. Robert Barclay Provest of Irwing, George Porterfield Provest of Glasgow, Hugh Kennedy Provest of Air, Sir John Smith of Groatwell, late Provest of Edinburgh, and Gedeon Jack Bailly of Lanerk. To whom or any seven of them for passing of the precepts underwritten, and otherways to any five of them as the Quorum thereof, The Estates of Parliament do hereby give full Power, Warrant and Commission, to take and survey an exact tryall of the publick Accompts, Debts and Burdens of the Kingdom, And also what publick moneys is received to be uplifted by Loan, Taxt, Maintenance, tenth, twenty penny, Excise, lending and fining, or any other way are yet unpaid and in-brought for the use of the publick, And to try how and where the same is resting, and call all parties and persons, heavers thereof, or who intromitted with the same, and have not as yet compted therefore, And all persons owing and liable in payment thereof to an Accompt, hear and allow or dis allow the same as they shall finde just: And after tryall thereof to enjoyn them to pay what shall be found to be resting, And for that effect with power to them to issue forth and direct such Orders, Letters and execution, and take such other expeditious way as shall be found necessary for that end, and to pronounce Decreeets and Sentences thereanent, And to cause put the same to execution, and to reduce the whole debts, compts, and publick moneys of the Kingdom in such Order as the Burdens of the publick may be known, and als what sums are owing to the publick, and what are owing by the publick to any; And for the better clearing of the said publick Accompts and burdens of the Kingdom, and also what sums are resting to the publick yet unpaid, With power to the said Committee or their Quorum to call for the inspection of the Registers, Rectories and Warrants of Parliament, and all other Committees, and any other publick Records thereanent, To the effect that all Compts, Bands, Rests and Responds may be exactly extracted forth thereof, and the persons liable therein may be made comptable for the same: Likeas the saids Estates of Parliament hereby commits and intrusts to the foresaid Committee the sole and only power of disposing and distributing of all moneys which shall come in and be due to the publick, together with

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with the whole rents and duties of Lands, summes of mony, Moveables, and others belonging to Malignants, and foresaulted persons, with all Fynes, and prizes of foresaulted Lands, and others whatsoever pertaining to the publick, and to imploy the same in the first place, for the maintenance and entertainment of the Armies within the Kingdom, and subsistence of these who shall bee found by them to bee utterly ruined; And for that effect, grants to them the sole and onely power to give out and subscribe Precepts for the pay and maintenance of the Armies, and satisfying any persons of sick summes as are, or shall be appointed by Parliament, or Committee of Parliament, for taking, or killing of any person in the Rebellion, And for Intelligence, Posts, buying of Armes, Ammunition, the Train of Artillery, Carriages, and such other pressing and urging affairs as shall be recommended by the Committee of Estates, and as concerns the out-reak expedition and maintenance of the Armies, and provision of the Garrisons allanerly. And Ordains every Precept to be subscribed by a full Quorum of the said Committee at the least, Which persons, Subscribers thereof, shall be answerable to the Parliament, That they subscribe no Precepts upon the Monethly Maintenance, but for the cause foresaid, till the affaires and maintenance of the Armies be first dispatched and satisfied, wherein if the said Committee contraveen and failzie, The saids Estates of Parliament hereby Declares and Ordains the Subscribers of the same Precepts, to be liable in payment to the publick of all such sums, for which they shall draw Precepts for any other cause, till first the affaires and maintenance of the Armies be satisfied; With power to the said Committee in the next place to dispose and grant Precepts upon the Excise monies for the incident charges allanery, and all Precepts are appointed to be drawn upon the Generall Commissar onely. And Ordains the said Committee frequently to consider the Estate of the publik cash, and what monies are therein from time to time, and to sit monthly an accompt of incident charges, and to draw no Precepts, but when there is mony in the cash to satisfy and answer the same. Likeas the said Estates Ordains the foresaid Committee in their distributions, and ordering of the payment of the monies for the Armies, To distribute the same equally, and to take such constant course as all Regiments of foot and horte, be put and kepted in equality, either in mony, proviant or provision, according to their strength and muster-rolls, being mustered, as is already provided, And to the effect that both officers and souldiers may know their own proportion due to them, for all monies to be payed to them, It is ordained, that all precepts to be direct by the said Committee for that effect, shall bear *in cumulo*, what proportion of the whole summes contained in the precept, is allowed to be payed to the officers, and what proportion thereof to the souldiers of the Regiment, Troop, or Company; for which the saids precepts are granted. And ordains the the Clerk to be appointed by the Clerk Register for this Commission, shall have the trust and keeping of the respondie books, and of all the Accompts, Instructions, and

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Warrants thereof, which concern the publick. And the Estates Ordains the Clerk to have a Register containing the whole accompts, both of Intromission, and how the same is given out, and where matters of difficulty or importance shall occurre, The saids Estates of Parliament Ordains the Committee of Estates to give their advice to the foresaid Committee hereby appointed, as they shall necessarily desire the same. With power also to the said Committee or Quorum thereof, to fyne and borrow monies from all such persons as are qualified after the manner, and according to the restrictions contained in the Act of this present Parliament, of the date

And with power to them to give publick surety to those from whom they borrow, according to former use, And Ordains the well affected to be first satisfied. It is hereby declared, that whatsoever person to whom the publick is owing any monies, shall give in to the said Committee a List of persons able to lend monies, or are or shall be fyned, and not excepted by the Act of this present Parliament, That in that case, the one halfe of the saids summes be given to the parties in part of payment of their summes, and the other halfe is to be given to the generall Commissar, and applyed to the use of the publick, To the whilk Committee likewayes or Quorum thereof foresaid, The saids Estates gives Power to issue forth Commissions for trying of wasted and burnt lands and other losses by Sea or Land, and to receive in reports of the same. Siclike the saids Estates doe hereby nominate and appoint the persons above named, to be Commissioners for the Excise, And grants Power and Warrant to them or their Quorum foresaid, or sick of their number, as they shall substitute and appoint to govern the Office of Excise, Ferm the same; And appoint Collectors, Surveyers, and other under Officers, and set down such Acts and Ordinances, as shall be necessary and requisite for that effect, Conform to the Act of Parliament concerning the Commission, and Ratification anent the foresaid Excise, and according to the Act of Parliament anent the late addition to the Excise, and to prosecute the Wayes and Acts already set down anent the said Excise, as they shall think fit: And for the incouragement of the said Committee, and inabling them to attend and prosecute the said Commission, The Estates Ordains them to have the allowance granted formerly to the Commissioners of Excise, according to their sederunts, and two of the hundred of the monies which they shall discover and bring in of publick dues and rests, preceding October last, And for the better clearing of the Generall Commissars charge, It is likewise Ordained, That all discharges to be granted, and accompts to be fitted, at any time hereafter, by the Generall Commissar, to any Sub-collectors, or other Intromettors whatsoever, with any publick dues, or who are appointed to pay to him any monies for whatsoever cause for the publick use, shall be by them brought in to the said Committee within one moneth after the subscribing thereof; to the effect, that the names of the persons to whom the same are granted, the summes therein contained, with the cause for which, and date thereof may be recorded by their Clerk

Clerk, who shall be holden to doe the same gratis, And if the same be not recorded, or instruments taken upon the resull thereof within the space foresaid, the same are hereby declared to be Null, and to make no faith in all time thereafter. And it is further ordered, that one clause to this effect, be insert in all Commissions or Warrants, discharges, or subscribed accompts to be granted hereafter by the Generall Commissar, to any of the persons aforesaid, and that the Generall Commissary with all conveniencie, cause intimate the foresaid certification to such as have already received their said Commission or Warrant.

ACT XLIV.

Act anent the Creditors of forefaulted persons.

14. March 1649.



THE Estates of Parliament taking to their Consideration the ninth Act of the second Session of the third Parliament of Umquhyll King Charles of worthy memory dated the 20. of February, 1645. Intituled Anent the selling of the Lands of forefaulted persons, and especially that clause thereof ordaining all persons whatsoever, to whom any person already forefaulted before the date of the said Act, or who should happen to be forefaulted in that Session of Parliament, was adebted justly and really in any summes of mony, or any other wayes, either as principall debtors, or as cautioners for any other persons, and als that all persons who were cautioners for any persons then already forefaulted, or who should happen to be forefaulted in that Session of Parliament, to their lawfull creditors, Should exhibit before the Committee of Estates their lawfull securities whereby the saids persons already forefaulted, or who should happen to be forefaulted in that Session of Parliament, were their just and reall debtors, either as principall debtors to them, or as debtors to them, as cautioners for other persons, or whereby they were cautioners for the saids forefaulted persons, or to have been forefaulted in that Session of Parliament, and whilk cautioner they were obliged in law to releive, and the production of the foresaid securities, be made by the creditors and cautioners, so many of them as were without the country within three months, and these that were within the country, within threescore dayes after publication of the said Act at the head Burghs of the severall Sheriffdomes within the Kingdome. And the saids Estates finding that doubts and questions hath risen, and may arise among the Leiges upon the doubtfull conception and words of the said clause, as if the meaning of the Estates of Parliament in the said Act had been, that the creditors or cautioners foresaid, who were without the Kingdome, had not been obliged to the production foresaid, unlesse the said

said Act had been published at the head Burghs of the severall Sheriffsdoms within the Kingdom; Therefore for removing of all occasions of doubts or scruples to the Lieges, The Estates of Parliament Declares, That the true meaning of the foresaid Clause anent the Publication of the foresaid Act at the head Burghs of the severall Shires of the Kingdom was onely in relation to the foresaid Creditors and Cautioners being within the Kingdom dwelling within the saids severall Shires *respective* and that the same had no relation to the Creditors or Cautioners foresaid being without the Kingdom, and that the certification of the said Act did and doth militate against such of them as did not produce their Bands and Securities within three moneths after the Publication of the said Act within the remanent Acts of the said Parliament at the Mercat Crosse of *Edinburgh*: And that the saids Creditors or Cautioners without the Kingdom could nor, nor cannot pretend the not Publication of the said Act at the saids severall Cresses of the head Burghs of the severall Shires to free them from the certification of the said Act, in respect of the not production of their securities before the Committee of Estates within three months after the Publication of the said Act, Reserving always, Likeas the Estates of Parliament reserves power to themselves or to their Committee of Estates, to dispense with the said certification in favours of any of the Creditors or Cautioners for any of the foresaid defaulted Persons, The Estates of the whilk defaulted Persons are yet in the publicks hands undisposed upon, and to grant a new day if they or their Committee shall think expedient to the saids Creditors and Cautioners, yet to produce their securities foresaid, providing that this reservation be not extended to the Creditors nor Cautioners of the defaulted persons whose estates and livings are disposed by the Publick to whatsoever person or persons before the date hereof.

ACT XLV.

Act anent Ministers Stipends, Gleibs and Manfes.

14. March, 1649.



THE Estates of Parliament now presently conveyed in this second Session of the second Triennall Parliament, By vertue of an Act of the Committee of Estates, who had Power and Authority from the last Parliament for conveying of the Parliament, Taking to their consideration, That severall Ministers of the Gospel are discouraged and distracted from their calling, some for want of competent Maintenance, some for want of legall security, And others for want of timous and thankfull payment of their stipends; And that within these few years

by gone, the value of money or rather the prices of every thing have been so exceedingly altered and heightned, that Stipends formerly provided for Ministers do altogether prove ineffectuall for their Maintenance; For remedy whereof, the said Estates having taken in consideration the overtures presented unto them by the Committee of Overtures, Do therefore Ordain all Parochines where victuall can conveniently be had, to pay to their severall Ministers out of the Teinds of the Paroches eight chalders victuall at least of the measure mentioned in the Act of Parliament in *Anno 1617* years; And where victuall cannot conveniently be had, That the said Paroches pay to their Ministers three chalders victuall, and money for the other five chalders victuall, which compleats the eight chalders victualls, the same not exceeding an hundred pound, nor being beneath an hundred Merks for each chalders of the said five, to be so modified by the Commissioners appointed for Plantation of Kirks, And where Vicarrage is paid to Ministers, the same is to be allowed to them proportionably in part of their stipend of the quality and quantity above specified respectively, Ordaining also that all Ministers Stipends which do not yet extend to the proportions in quantity and quality *respective* above expressed, shall be augmented to the said eight chalders victuall where it can be had, or otherways to three chalders victuall, and the remanent in money in manner abovementioned, and that notwithstanding of any former Augmentation; And in case Ministers get not thankfull and timous payment of their stipends, at the day and times of payment appointed or to be appointed, or within fifteen days thereafter, That Heritors or Titulors one or more, or others appointed to pay the same, shall make payment to them of a fifth part more nor their stipends, without defalcation or modification by the Lords of Session or any other Judges whatsoever, And that by and attour the expen se of pley to be decerned by the Judges competent; And the Commissioners for Plantation of Kirks are hereby authorized and appointed to follow this present Rule set down in this Act in such Paroches where the foresaid Stipends can conveniently be had, And to judge and determine betwixt the Heritors who hath bought their Teynds or hath standing Taks thereof; And the titulars or others having right to the Teynds which of them shall be lyable in payment of the foresaid augmentation, and what proportion thereof shall be payed by every one of them, Declaring hereby to the effect Ministers may have the more effectuall payment of their Stipends, and ready execution for the same, That it shall be lawfull to Ministers in case of not thankfull payment of their stipends in manner aforesaid, to poynd, apprise and distrenzie the readiest moveable goods and geir upon the ground of any of the Lands belonging to the persons deficient in payment of their Stipends, according to the portions addebted by them, which poynding and apprising being done upon the ground of the Lands, and by honest sworn men residing within the bounds of the Presbyterie shall be as sufficient as if the same were done at the Mercat Crosse of the head Burgh of the Shire where the

Lands

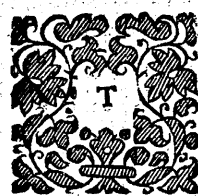
Lands lies: And it is further Declared, that Ministers Stipends, and the provisions and Rents of Universities resting owing for three years al-
 lannerly, shall affect the ground right of the hands of the persons ad-
 debted in payment thereof, against Comprisers, or other singular succes-
 sors whatsoever. And because notwithstanding former Acts of Par-
 liament for providing Ministers Manfes and Gleibes, yet divers Mini-
 sters are not provided therewith, and others do not get their Manfes
 free at their entry; Therefore the said Estates Statute and Ordain, That
 where competent Manfes are not already built, that the Heretours of
 the Paroch at the sight of three Ministers and three ruling-Elders to be
 appointed by the Presbyterie, build competent Manfes to their Mini-
 sters, the cost and expenses thereof not exceeding one thousand pounds,
 and not being beneath five hundred Merks; And where competent
 Manfes are already built, the Heretours of the Paroch are hereby Or-
 dained to relieve the present Minister and his Executors, & the intrant
 of all cost, charges and expenses for building and repairing of the
 Manfes, Declaring hereby, that the Manfes being once built and re-
 paired, or the building and repairing thereof satisfied and payed by
 the Heritours in manner aforesaid, that neither the Heritors nor the en-
 trant shall be thereafter troubled for the same, but the said Manfes
 shall be upholden in time of vacance of the Kirk by the Heretours and
 by the incumbent Ministers during their possession; And it is hereby
 appointed that Burghs, and the Heretours of the Landward parts of the
 Paroch provide also competent dwelling places and houses for their
 Ministers, the sum not being above nor beneath the sums above ex-
 pressed: And in like manner it is Statute and Ordained that every Mi-
 nister have a horse and two kyes grasse, and that by and attour his
 Gleib; And where Gleibs are far distant from the Manfes so that they
 cannot conveniently be laboured in respect of their distance from the
 Manfes, these Gleibs shall be changed, and new Gleibs designed more
 commodious and neerer to the Manse, as good in quantity and quali-
 ty as the former, the same being designed within a quarter of a mile at
 furthest from the Manse, excepting always and exeeming villages and
 incorporate Akers lying neerer the Manse then the old Gleibs which
 are not lyable to any designation of a Gleib or any part thereof; And
 the Estates give hereby power to the Commission for Plantation of
 Kirks, to make and appoint the new Gleibs as good in quantity and
 quality as the former, and as is provided by Law, and to rectifie the
 same if they be not so, and to consider and determine the relief of the
 burden of the Gleibs, horse and kyes grasse, designed to be gotten of
 the remanent Parochiners, the persons liable thereunto every ones pro-
 portion thereof, and the way and manner of the payment of the same:
 And further, where lesser Paroches lie neer to over great and large Pa-
 roches, It is declared, that some parts of the large Paroch may be ta-
 ken and adjoynd to the smaller Paroch, that thereby both the char-
 ges may be made more proportionable, And the stipend of the Mini-
 ster in the lesser charge may be made competent and sufficient, which
 is

is hereby recommended and presented to the Commission for planta-
 tion of Kirks, authorising them with power for that effect, And the
 Estates Ordains Letters to be direct,

ACT XLVI.

Act annulling new Sheriffes.

15. March 1649.



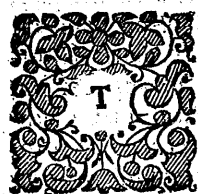
THE Estates of Parliament now presently convened
 in the second Session of the second Triennial Parlia-
 ment, By vertue of an Act of the Committee of E-
 states, who had Power and authority from the last
 Parliament, for convening the Parliament, Taking
 to their consideration the manifold reasons obligeing
 them to purge the Judicatories of this Kingdom, And
 considering the Commission granted for the conserving the Articles of
 the Treaty, And the same day by the thirty two Act of the Commis-
 sion for regulating the common burdens by the twenty fourth Act, and
 the Commission for plantation of Kirks be the thirty Act, January
 fourteen, And the Commission granted by the Exchequer,
 the first day of February, 1645. yeares, Be the fift Act, and all
 other Acts of Parliament renewing or establishing the foresaids Com-
 missions, or adding any persons or clause thereto in any Session
 of Parliament since; and withall, considering the manifold prejudi-
 ces and evill consequences of the late designe, to inflave the Kingdom,
 or by many other means. So by the late new gifts, Heretable, or Life-
 rent Sheriff-Ships, new Regalities, so farre contrary to the old Acts of
 Parliament, whereby they should not be disposed without expresse ad-
 vice and consent of Parliament, and contrary to the will of the King-
 dome, and our late Sovereign Lord his manifold Resolutions and De-
 clarations in favours of the Shires; Therefore, and for many other re-
 sons and considerations moving them. They doe repeal, recall, and re-
 schind the foresaid Commission to the conservers of the Peace, to the
 Commissioners for regulating the burdens, to the Commissioners for
 plantation of Kirks, to the Exchequer and Commission for changing
 of Waird-holding, and all other Acts of Parliament or Councill, or
 Exchequer, renewing or establishing any of the saids Commissions, or
 adding any persons or clause thereto, and declares the same to be voyd
 and expired in all time comming, and discharges the persons nominate
 therein, to sit or act in any of the Judicatories, by vertue of the foresaid
 Commission unles these Commissions be renewed by the Parliament,
 and their names insert therein. Likeas they repeal, reschind, and annull
 all Commissions or gifts of new Heretable or Life-rent Sheriff-ships,
 new

new heretable, or Life-rent Bailliaries, or Regalities granted of new by our late Sovereign Lord since the Parliament, 1641 years, To any (except to such as had them of before, and are free of the Classes) And discharges the receivers of these gifts to claime any Jurisdiction thereby over the Leiges, or make any use thereof hereafter, under pain of imprisonment of their persons, and confiscation of their Estates, as the Parliament or Committee of Estates shall think fitting, Likeas the Estates of Parliament discharges the Leiges after the Proclamation of this Act, To acknowledge or obey the course or orders of the foresaid Sheriffes and Baylies, And appoirteth the Sheriffes of these Shires, to be particularly nominate and serled in the same ordinary way, as they were before these pretended gifts and Commissions of new Heretable, or Life-rent Sheriff-ships, or Bailliaries.

ACT XLVII.

Act Commission for revising the Lawes and Acts of Parliament.

16. March 1649.



THE Estates of Parliament now presently convened in this second Sesson of the second Triennall Parliament, By vertue of an Act of the Committee of Estates, who had Power from the last Parliament for convening the Parliament, Having taken to their consideration, That for the Glory of God, the Weal of his Kirk, and the just and peaceable government of his Majesties Leiges within this Kingdome, It is most necessary, that there be a constant, certain, and known Modell and frame of Law, according to equity and justice establishd by publick authority, and published to all his Majesties Leiges, And withall taking to their consideration, that divers of his Majesties progenitors, By Acts of Parliament, and by Commissions under the Great Seal of this Kingdome, Have given Warrants, Power, and Commissions to certain persons therein nominated, for revising and considering the Lawes and Acts of Parliament of this Kingdome, as well Printed as un-printed; The old book of Law called *Regiam Majestatem*, and the customes and practises of the severall Judicatories of this Kingdome, aswell Civill as Criminall, and for gathering and collecting generall Lawes to have been perpetually and constantly established for administration of Justice within the Kingdom, which Commissions did never take the wished effect, partly by the over-great and important affaires of the Kingdom, and partly in regard of the respective incident troubles of the times; And the Estates of

of Parliament, being zealously desirous for the Glory of God, for the Weal of the people, And for the furtherance of the administration of justice within this Kingdome; To have als farre as possibly may be, by the blessing of God, a perfect rule for administration of Justice, In all causes before all Judicatories, aswell Civill as Criminall, established by his Majesties Authority, and by Anthority of the Estates of Parliament of this Kingdome; Doe therefore give and grant full power and Commission to the persons following, *viz.* John Earl of Loudoun &c. L. Chancellor of this his Majesties Kingdom of Scotland, Archbald Marq. of Argyle, Sir Archbald Johnston of Waristoun Clerk of Register, Mr Thomas Nicholson our Sovereign Lords Advocate, Sir Hew Campbell of Cefnok, Sir George Maxwell of Nether-pollock, Mr. George Winrame of Libertoun, Sir James Hope of ... Sir George Haliburton of Fodderance Knight, John Dickson of Hartrie, Sir James Stewart Provest of Edinburgh, Sir John Smith of Grottall, Mr. Robert Barclay Mr. Alexander Person Mr. Robert Bruce of Gellats, Mr. Rodger Mowat Advocate, Mr. James Dalrumple, M. Thomas Murray, and Mr. John Ellis Advocates, Mr. Robert Macgill.

With Power to the foresaid Commissioners or five of them to be their *Quorum* to appoint a Sub-committee of their number, not exceeding five as said is, for preparing the whole materials to them who are constantly to attend and doe diligence therein, unto whom the saids Estates allowes *per mensem* to ilk one of them for their paines and attendance, with power also to the saids Commissioners to convene in whatsomever places, and at whatsomever times, and how oft as they shall think fit, and to revise and consider all the Lawes, Statutes and Acts of Parliament of this Kingdome, made and enacted at any time bygone, as well Printed as not Printed; And als to consider all the consuetudes and practises of the Kingdome, whilk have had the force of Lawes, and whilk have been received as practicks, aswell in Criminall as in Civill Judicatories within this Kingdome, as well before the Lords of Sesson, Justice Generall, Commissar, and Sheriffe Courts, or any other inferiour Judicatories within this Kingdom; And to that effect with power to the saids Commissioners, and their *Quorum* foresaid to cause be exhibited before them, by the Clerk of Register, the Justice Clerk, Commissar Clerk, or any other Clerks of any ordinary Judicatories foresaid, and their Deputes; All and whatsomever their Registers and Rolls containing the foresaid Lawes and Acts of Parliament, aswell Printed as unprinted, And also the Registers of all Sentences Interloquutors, or defunctive before the Lords of Sesson, Justice Generall, Commissar, or any other Iudge ordinar within this Kingdome, Together with the old Registers of the Kirk, called *Regiam Majestatem*; To the effect that after due consideration of the foresaid Lawes, Acts of Parliament, Consuetudes, and Practises, and mature and solid Consultation and Deliberation had and taken thereupon by the foresaid Commissioners, or their *Quorum* foresaid, they may by their care, sollicitude and industry collect, draw up, and compyle

a formall modell and frame of a Kirk of just and equitable Laws to be established and authorized by his Majestie and Estates of Parliament for Government of the Lieges in time coming, and for administration of justice to them in all the foresaid Judicatories, to be reported by the saids Commisisoners or their *Quorum* foresaid to the Estates of Parliament with all diligence, Together with their opinion and judgement, concerning the abrogating of any by-gone Acts of Parliament, whilk are now of long time by-gone, gone in defuetude, or whilk are superfluous or unprofitable in time coming, To the effect that the Kings Majestie and the Estates of Parliament after the revising and considering of the report, and after they shall have found the same to be for the good of his Majesties Lieges, may establish the same as a perpetuall Law in all time coming.

ACT. XLVIII.

Commission for Plantation of Kirks.

15. March 1649.



THE Estates of Parliament now presently convened in this second Session of the second Triennall Parliament by vertue of an Act of the Committee of Estates, who had power from the last Parliament for conveying the Parliament, Gives hereby full power granted in the Commission for plantation of Kirks and valuation of Teynds in the 30. Act of the Parliament in the year 1641. and in the twenty fourth Act of the Parliament 1644. And in the 32. Act of the Parliament 1647, To the persons after named, viz. For the Noblemen, *John* Earl of Lowdown high Chancellor of this Realm of Scotland, *Archibald* Marquis of Argyll, *John* Earl of Sutherland, *Alexander* Earl of Eglintoun, *John* Earl of Cassils, *Francis* Earl of Buchan, *William* Earl of Lothian, *Alexander* Earl of Leven, *Archibald* Lord Angus, *Robert* Viscount of Arbutnot, *Allan* Lord of Cathcart, *William* Lord Rosse, *John* Lord Borthuik, *John* Lord Torphichen, *John* Lord Balmerino, *Robert* Lord Burleigh, *James* Lord Comper, *Balcarris*, Lord Kirkcudbright, *Andro* Lord Fraser, *Geo.* Lord Farrester, *David* Lord Elcho: For the Barons *Dundas* of that ilk, *Sir John* Waychope of Nidrie, *Sir David* Home of Wedderburn, *Sir Ch.* Erskine of Alweth Kt. *Beaton* of Creich, *Alex.* Bradie of that ilk, *Sir Alex.* Belsches of Toftis, *Sir Jo.* Hope of Craighal Kt. Baronet, *Arthur* Erskine of Scottisraig, *Dundas* of Dudingston, *Mr. John* Dickson of Busbie, *Swinton* younger of that ilk, *Cunningham* of Cunningshamheid, *Sir Andro*

dro Ker of Greinheid, *Sir Thomas* Ker of Cavers, *Ruthven* of Freeland, *Sir Robert* Adair of Kipbilt, *Arthur* Forbes of Eight, *Sir George* Maxwell of Netherpollock, *Sir James* Fraser of Bray, *Robert* Hepburne of Keith, *Sir John* Cheistie of Carswall Knight, *Sir James* Hope, *Sir James* Hacket of Pitfirraim, *John* Shaw of Greinock, *Sir Adam* Hepburn of Humberie, *Sir John* Sinclair of Dumbeth, *Andro* Agnew apparand of Lochmaw Sheriff of Galloway. For the Burghs, *Sir James* Stewart Provost of Edinburgh, *Alexander* Fassray Provost of Aberdeen, *James* Sword, *Hugh* Kennedy, *John* Sempell, *Mr. Robert* Barclay, *George* Gardene, *William* Glendonig, *Mr. Alexander* Dowglas, *George* Porterfield, *Sir John* Smith, *Robert* Lockhart, *Thomas* Bruce, *Mr. Robert* Cunningham, *James* Barthuik, *Robert* Davidson, *Mr. James* Campbell, *James* Campbell, *John* Steich, *Gideon* Jack, *John* Williamson, *James* Rucheid, And the persons following as supernumerary, *Sir Archbald* Johnson Clerk Register, *Mr. Thomas* Nicolson his Majesties Advocate, *Sir William* Scot of Clerkintoun, *Sir Hugh* Campbell of Cesnok, *Mr. George* Winhame, of Libbertoun, and maister *Alexander* Rierion, Authorizing hereby the saids forenamed persons or any eleven of them, three being of each Estate, With full power contained in the said Commissions, conform to the said severall Acts in the years aforesaid made thereanent als amply, fully and freely, as if the saids persons had been named and insert in the said Commission and Acts thereanent from the beginning, or as if the said Commission and Acts had been here repeated in the full Tenour and extent thereof, And the said Commission or *Quorum* thereof are to proceed in the matter concrening the Provision of Ministers, according to the Overtures and the Answer of this Parliament given thereanent upon the fourteenth of this instant, With power also to them to Judge and determine finally in such particulars as are referred to their Determination in the said Answers or other references of this or any other Session of Parliament, And Ordains the Clerk to be appointed by the Clerk Register to have the trust of keeping the Books and Registers of all the proceedings of this and former Commissions, to be forthcoming for the good and use of the Lieges, And this present Commission to endure ay and while the same be discharged by the Parliament,

ACT

ACT XLIX.

Act anent Sope-works.

14. March 1649.



THE Estates of Parliament now presently convened in this second Session of this second Triennall Parliament, Taking to their consideration the great benefit this Kingdome had by making Sope within the country, and the prejudice whilk the decay of Sope works hath occasioned to the Kingdom, And it being incumbent to the Parliament to encourage all such as are vertuously disposed to maintain and advance all such publick Works and Manufactors, as may tend to the good of the Common-wealth, Therefore the saids Estates declares all the Oyles, Ashes, Vessels, Toolles, and other simples and materials of whatsoever sort, which the undertakers & maintainers of any Sopenworks within this Kingdom, shall import by Sea or Land for the necessary & true use of the said Sopenworks, and for the maintaining thereof, Are and shall be exempted and free from payment of any Custome, Excise, or other imposition in all time comming. Likeas the saids Estates of Parliament discharges all Takemen, Customers, and Collectors of the Customes and Excise present and to come, That they presume not to exact any Custome, Excise, or other imposition for any of the saids materials hereafter to be imported by Sea or Land, for the proper and true use of the saids Sopenworks, and for the maintaining and upholding thereof allannerly. And the saids Estates of Parliament discharges all former Acts and Warrants granted to any private persons, giving them the sole liberty of making Sope, And becaule there are many other commodities brought home and imported under the pretext and colour of these commodities, which are onely made use of for making of Sope, which nor being of that nature, may frustrate his Majesty, and the Takemen of his Customes, of the Customes due for these commodities; Therefore the said Estates of Parliament declares that whatsoever goods or commodities are imported under pretext of materials for making of Sope, which truly are not of that nature, shall be confiscate; And declares the same to fall under the compasse of the Acts of Parliament made thereanent.

ACT

ACT L.

Act of Commission for the Exchequer.

16. March 1649.



THE Estates of Parliament now presently convened in the second Session of this second Triennall Parliament by vertue of an Act of the Committee of Estates, who had Power and Authority from the last Parliament for convening the Parliament, Considering how necessary it is for his Majesties Interest, and ease of his Subjects, That a Commission of Exchequer be granted to a certain number of Noble men, and others able and well qualified, by whole Care, Countell and Advice, the managing and right government of his Majesties Rents and Casualties, may be ruled, guided, or ordered and directed, As also considering that for the good of his Majesties service, and the ease and satisfaction of his Subjects, They have made and constitute by an Act of this present Parliament, *John Earle of Loudoun*, Lord high Chancellour, *Archbald Marquesse of Argyle*, *Alexander Earle of Eglington*, *John Earle of Cassils*, *Robert Lord Burghlie*, and *Sir Daniel Carmichael* Treasurer Depute, Commissioners for for the Treasury, Comptrollery, and Treasury of his Majesties new augmentations within this Kingdome, Therefore they doe hereby nominate, choose, and appoint *Francis Earle of Bucleuch*, *Archbald Lord Angus*, *Robert Viscount of Arbutnet*, *David Lord Elcho*, *James Lord Coupar*, *Sir David Hume of Wedderburn*, *Sir Hew Campbell of Cefnock*, *Alexander Brodie* of that ilk, *Master George Winrahame* of Libertoun, *Sir Thomas Ruthven* of Freeland, *Sir William Cunningham* of Cunninghamhead, *Sir John Hope* of Craighall Knight, *Mr. Alexander Colvill* of Blair, *Sir James Stewart* Provest of Edinburgh, *Alexander Jaffray* *George Porterfield* Provest of Glasgow, *Master Robert Barclay* Provest of Irving, and *Hew Kennedie* Provest of Aire, by and attour all and every one of the Officers of Estate, or any foure of them, with any three of the Commissioners of the Treasury to be a *Quorum*, Commissioners of Exchequer; And hereby renewes to them, and prorogates the Commission formerly granted to the Exchequer upon the first day of *February*, 1645 years, and renued and prorogate upon the twenty fift of *March*, one thousand six hundred and fourty seven, Excepting alwayes therefrom the power thereby given to them to grant right of any Patronages of Churches, and als excepting the power of granting remission for the crimes of slaughter, and adultery, Excepting likewise therefrom the clause conceived in favours of *Sir James Carmichael* then Treasurer

Treasurer Depute, without prejudice of any right competent to Sir Daniel Carmichael now Treasurer Depute, whensoever there shall be an high Treasurer settled, and this present Commission to endure till the next Session of Parliament.

ACT LI.

Act of Commission for the Treasurer.

16. March, 1649.

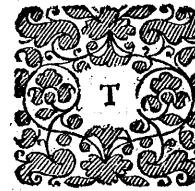
THE Estates of Parliament now presently convened in this Second Session of the second Triennall Parliament, By vertue of an Act of the Committee of Estates, who had Power and Authority from the last Parliament for convening of the Parliament, Considering how necessary it is for the just ordering and directing the matter of Exchequer, and for ingathering and managing his Majesties rents and casualties for the good of his service, and ease of his Subjects, that some faithfull and able persons be chosen and elected to supply the place and office of Treasurer principall. Therefore they do hereby make, nominate and constitute, John Earl of Lowdown, Lord High Chancellor, Archbald Marquesse of Argyle, Alexander Earl of Eglington, John Earl of Casils, Robert Lord Burghlie, Sir Daniel Carmichael Treasurer Depute, his Majesties Commissioners of Treasury, Comptrollerie, and Treasury of new augmentations, and hereby gives, Grants, and renews to them or any three of them, the Power, Warrant, and Commission formerly granted by the Act of Parliament, 17. Nov. 1641. to the Commissioners for Treasury therein nominated, with the privileges and casualties therein contained, excepting therefrom the clause conceived in favours of Sir James Carmichael then Treasurer Depute, and without prejudice of any right competent to Sir Daniel Carmichael now Treasurer Depute, whensoever there shall be an High Treasurer settled, and this present Commission to endure aye, and while it be recalled in Parliament.

ACT

ACT LII.

Act Salvo jure cujuslibet.

16. March, 1649.



THE Estates of Parliament now presently convened in this second Session of the second Triennall Parliament by vertue of an Act of the Committee of Estates, who had Power and Authority from the last Parliament for convening the 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 prejudiciall to the parties having Interest, and not heard: Albeit the meaning of the Estates 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 partie should be hurt or prejudged of their lawfull Rights and defences competent to them of the law, For remedy whereof it is Statute and Ordained, that no Ratification, or other particular Act whatsoever, made in favours of any particular person in this present Session of Parliament, be prejudiciall to any other Parties, Rights, or Defences, competent to them of the law, but that the saids particular Acts, and Acts of of Ratification made in favours of particular parties, be always understood, Salvo jure cujuslibet.

ACT LIII.

Act continuing the Parliament to the 23. of May, 1649.

16. March, 1649.



THE Estates of Parliament now presently convened in this second Session of the second Triennall Parliament, By vertue of an Act of the Committee of Estates, who had Power and Authority from the last Parliament for convening of the Parliament, Continues this present Parliament, and all matters belonging thereto, (which are not committed or remitted respective to the Committee of Estates of Parliament, or to other Commissioners of Parliament, or to the Lords of Session) while the twenty third day of May next to come, at the which day Ordained

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Ordains the whole Estates to be present to attend at *Edinburgh*, or where it shall happen the Committee of Estates foresaid or *Quorum* thereof to appoint, And Ordains the whole Acts and Statutes made and concluded in this Sesson of Parliament, To stand and have the force and strength of Acts of Parliament, conform to the Tenours thereof, siclike as any Acts and Statutes of any preceding Parliaments in any time bygone, And also the Estates of Parliament Ordains the Lords of Sesson, to convene and sit down in Sesson for administration of justice to the Leiges, the first day of *June* next to come, and to continue in the exercise thereof, at the ordinary time appointed for sitting of Sesson, And Ordains publick Proclamation to be made hereof at the Mercat Crosse of *Edinburgh*, by sound of Trumpet, that none pretend ignorance thereof, either for attending the Parliament at the day above mentioned, or the down-sitting of the Sesson.

The



The Table of the Printed Acts, done and past in the second Sesson of the second Triennial Parliam. of our Sovereign Lord *CHARLES* the first, King of Great Britain, France and Ireland: And in the first Parliament of our Sovereign Lord *CHARLES* the second, by the grace of God King of Great Britain, France and Ireland: Beginning the 4. of *January*, and ending the 16. of *March* 1649.

- 1. **A**CT anent the Election of the Earl of Loudoun Lord Chancellor to be president of this Sesson of Parliament.
 January 4.
- 2. Act anent a solemn humiliation to be kept by the hail Members of Parliament, and anent the subscribing of the Covenant by them.
 January 5.
- 3. Act ratifying the Act of Indiction of this present Parliament.
 January 11.
- 4. Act repealing all Acts of Parliament or Committee made for the late unlawfull Engagement, and ratifying the Protestation and Opposition against the same.
 January 16.
- 5. Act in favours of the Ministers who were at Mauchline Moore.
- 6. Act of Commission anent the Vniversity of St. Andrews.
 January 18.
- 7. Act containing the return of the Estates of Parliament upon the Testimony communicated unto them by the Commissioners of the General Assembly, and their concurrence with the same.
 January 23.
- 8. Act of Clasp for purging the Fudicatories and other places of publick trust.
 January 25.
- 9. Act in favours of the Vniversity of St. Andrews and others, anent the Rents of the Archbishoprick and Pryorie of St. Andrews and others.
 January 26.
- 10. Act ratifying and containing the tenour of the Band for securing the Peace of the Kingdom.
 February 1.
- 11. Act against Consulters with Devils and Familiar Spirits, and against Witches, and Consulters with them.
- 12. Act against Fornication.

The Table.

- 13. Act of Maintenance for the month of February. February 3.
- 14. Proclamation of Charles the second King of great Britain, France, and Ireland. February 5.
- 15. Act anent securing of the Covenant, Religion, and Peace of the Kingdom. February 7.
- 16. Act anent the Catechismes, Confessions of Faith and Ratifications thereof. February 10.
- 17. Act for Information of the Lieges, anent the securing of the Peace of the Kingdom. February 10.
- 18. Act against Remissions and Respites. February 13.
- 19. Act anent the severall degrees of casuall homicide.
- 20. Act against swearing, drunkennesse, scalding and other prophanesse.
- 21. Act anent Mortifications and Dotations to Hospitals and othera pious uses.
- 22. Act against Clandestine Marriages.
- 23. Act against scandalous persons.
- 24. Act against going of Mylnes, Kills, Salt pans, or fishing on the Lords day. February 15.
- 25. Act of Posture. February 17.
- 26. Act for keeping of the Judicatories and Places of trust free of corruption. February 17.
- 27. Act anent Mines and Minerals.
- 28. Act against the horrible crime of Blasphemie. February 28.
- 29. Act of Leavie. March 1.
- 30. Act anent the Poore. March 1.
- 31. Act against these of Innernes, who have now risen in Rebellion. March 2.
- 32. Act against Worshippers of false Gods. March 3.
- 33. Act against beaters and cursers of Parents. March 3.
- 34. Act of additionall Excise. March 7.
- 35. Act anent these persons who are to be fined, and from whom money is to be borrowed.
- 36. Act anent the filling of the places of the Principals of Phylosophie in the University of St. Andrews.
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- 38. Act in favours of the Passals of Kirklands. March 8.
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- 46. Act annulling new Sheriff-ships.
- 47. Commission for revising of the Laws and Acts of Parliament.
- 48. Commission for Plantation of Kirks.
- 49. Act anent sope-works.
- 50. Commission for the Exchequer. March 16.
- 51. Act of Commission for the Theaurie.
- 52. Act salvo jure cujuslibet.
- 53. Act continuing the Parliament to the 23. of May 1649.

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The Table of the unprinted Acts and Ratifications past and done in the second Session of the second Triennial Parliament of our Sovereign Lord CHARLES the First, King of Great Britain, France and Ireland: And in the first Parl. of our Sovereign Lord CHARLES the Second by the grace of God King of Great Britain, France and Ireland: Beginning the 4. of January, and ending the 16. of March, 1649.

5. Januarii 1649. Ratification of the Act of the Committee of Estates anent the Excise and prorogation thereof. Prorogation of the Committees of Warre in the severall Shires. Act in favours of John Dickson of Heartrie, anent the Records of Parliament. 9. Januarii 1649. Ordinance anent the Initiall words to be prefixed to Acts of Parliament. Warrant to Sir James Hope to hold Courts within his Majesties Mint-houfe. 12. Ian. 1649. Protestation Lord Borthuikie for precedencie. Protestation Lord Ross for precedencie. Protestation Lord Cathcart for precedencie. Protestation Laird of Wedderburn for the Sheriffdom of Berwick. 15. Ian. 1649. Act against these who were upon the unlawfull Engagement, and had used Insolencies. 18. Ian. 1649. Warrant to Sir William Scot Clerk of Parliament, to subscribe extracts and Acts thereof. Oath of the Members of Parliament, anent their knowledge of, or accession to the late proceeding of the English Army in relation to the King or Houses of the Parliament of England. Act in favours of John Dickson of Heartrie. Act in favours of the Lord Ross. Act anent the citation of these who falls under the Act of Classes. Act discharging the Transportation of Victuall. Dispensation for inferiour Judicatures to sit, notwithstanding the sitting of the Parliament. 25. Ian. 1649. Act in favours of the University of Saint Androis, anent execution to follow upon sentences to be given out by the Commission appointed therefore. 27. Ian. 1649. Act in favours of the Lord Ochiltzie. 30. Ian. 1649. Act in favours of the Town of S. Androis for provision of a third Minister. Act anent the taking of the Oathes of these lyable in payment of the Excise. 2. Febr. 1649. Ordinance for ane Solemn Fast. 3. Febr. 1649. Act in favours of the Shires in the West and others that rise in opposition to the late unlawfull Engagement. Act in favours of the Earl of Sutherland. Act of exemption from payment of the Maintenance for the Moneth of Febr. Act in favours of certain persons in Elgin and Nairn. 5. Febr. 1649. Act declaring the meeting of Parliament and Acts done upon the 5. Febr. 1649. to be lawfull. Act anent the solemnities to be kept in reading and proclaiming of Charles the Second King of Great Britaine, France and Ireland. Act in favours of John Campbel. 6. Febr. 1649. Act in favours of the Lieges who purchased Brieves and others Writts before or after our late Sovereign his death, and before the knowledge thereof. 7. Febr. 1649. Commission in favours of the Earle of Sutherland. 8. Feb.

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8. Febr. 1649. Warrant granted to the Justice to sit upon Patrick Bald. Act in favours of the Town of Breichen. Act for using the scales and cassat, while new ones be made. Act anent Signators and others past our late Sovereign his hands, and not past the Exchequer before his decease. Act in favours of the Tutor of Caddell, anent the Garison of Yla. Answer of Parliament to the obstructions whilks might occasion defalcation of the Maintenance of the four Moneths preceeding Februar instant. Act in favours of Reformeir Officers. Act joyning the Bailliarie of Lawderdale to the Sheriffdom of Berwick, anent the publick Dues. 9. Febr. 1649. Act in favours of Robert Pattoun. Act in favours of Christian Forret. Act in favours of Dame Geils Moncreif. Act anent the Kirk of Camerone. Act in favours of Captain Alexander Lokhart. Act in favours of John Campbel and others. Act in favours of the Lord Lavat and Sir James Fraser. Act in favours of Hector Maclean of Torlosk. Act in favours of the Laird of Kilsyth. Act in favours of Alexander Meinzie, and Patrick Ross. Act in favours of the Committee of War of the Sheriffdom of Linlithgow. Act in favours of the Town of Aberbrothe. Act in favours of the Town of Forfar. Act in favours of the Town of Forres. Act in favours of the Heretors of Spyne. Act in favours of the Tenents of Inchekeir. Act in favours of Master Robert Gordoun of Straelothe. 13. Febr. 1649. Act in favours of the Committee of Wars of Perthshire. Act in favours of the Laird of Honstoun. Decreet against the Earl of Crawford-Lindsay Thesaurer principall. &c. Decreet against the Earl of Lanerk Lord Secretar &c. Decreet against the Earl of Roxburgh Lord Privyseal, &c. Decreet against Sir Alexander Gibsone of Durie Clerk of Register, &c. Decreet against Sir Andro Fletcher of Innerpeffer, one of the Senatours of the Colledge of Justice, &c. Act of dissolution of the Parsonage of Kinghell. Ratification of the contract betwixt the Earl of Carnwath, and Presbyterie of Biggar. 15. Feb. 1649. Decreet against the Lord Halkertoun, one of the Senatours of the Colledge of Justice, &c. Decreet against Sir John Hamilton of Orbestoun, Justice Clerk, &c. Decreet against Sir James Lokhart of Lea, one of the Senatours of the Colledge of Justice, &c. Decreet against William Earl of Glencairne Justice Generall, &c. 16. Feb. 1649. Act in favours of the Ministers of Drumire and Kirkpatrick. Act in favours of the Earl of Levin Lord Generall, &c. Act in favours of Master William Twedie Minister at Slamanno. Act in favours of John Duff and Christian Allane. Act in favours of Christian Forret. Act in favours of Robert Patoun. Warrant to the Lord Chancellor to passe all Suspensions in matters concerning the Exchequer. Act in favours of the Laird of Ardkinlas. Act in favours of the Lady Lamount. Act in favours of James Campbel Writer. Act in favours of the Town of Monros. Act in favours of the Town of Dundie. Act in favours of the Parochin of Kirkcanders. Commission for trying of William Mackernock. Protestation by the Earl of Haddingtoun against the Act of Mines and Minerals, with the Protestation in the contrare. 26. Feb. 1649. Act in favours of the Earl of Glencairne. Ordinance for repairing the Works in and about Perth. Act

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