A

COLLECTION

OF

Original Papers

About the

SCOTS PLOT.

CONTAINING,

Besides what has been already publish'd, the following PAPERS, never before printed;

I. *The Duke of* Athol's *Memorial to her Majesty, read in the Scots Council at St.* James's, Jan. 18. 170$\frac{3}{4}$. *giving an Account of the Discovery of Capt.* Simon Frazer *and his Accomplices.*

II. *A Letter in Ciphers to* Colin Campbel *of* Glenderoul, *with a Key.*

III. *The Examinations of Mr.* George Bruce *and Mr.* George Graham, *about the Lord* Belhaven.

With REMARKS upon the whole.

AND

Cunningham of *Montgrenan*'s DECLARATION, on his Death-Bed, against several Persons that would have suborn'd him to Swear against the Family of *Hamilton.*

To which is added, *Considerations* upon the Interest of both Kingdoms, with relation to the settling of the *Succession* in *Scotland.*

LONDON, Printed in the Year, 1704.

The Preface.

IT is needless to detain the Reader with a long Account of the Reasons of this Publication, it is enough that here are inserted several Papers not hitherto publish'd, which may give farther light into the Plot; and the Remarks are added for no other End, but to help the World to distinguish betwixt the Innocent and the Guilty. The Principles of false Policy imbib'd by the Jacobites *and* Papists, *make it natural for them to wish the overthrow of the present Establishment. And we may assure our selves, that the Courts of* France *and St.* Germains *will not be wanting to put them upon acting according to those Principles, and to cultivate all the other Seeds of Division sown among us, in order to give them an Opportunity. But, as we ought carefully to avoid all Causes of publick Divisions and Discontents on the one hand, we ought as carefully to distinguish betwixt Persons so discontented on the other, else we may be led into dangerous Mistakes. And since a Spirit of Calumny and Slander is inseparable from a Spirit of Faction, what one Party says against another ought to be well weigh'd before it be publickly receiv'd; especially when the States of a Nation are brought in to be sharers of the Reproach. It's known that ever since the Revolution, but more particularly since the Affair of* Darien, *there has been a Party in* Scotland *struggling for the recovery of their Ancient Constitution, and to the Eternal Honour of our Estates of Parliament be it said, they have made Noble Efforts for that End. This being a popular Cause, and by consequence apt to take with the Nation, such of our Scots Administrators as sold themselves to all the Measures of the late Courts, found nothing so*

likely to bring the Persons and the Cause into disrepute, as to Charge them both with Jacobitism *and Designs upon the Prerogative. In this Charge they have been so unconscionable, as without just ground to include not only many of our greatest Families, and some of the chief Instruments of the Revolution in particular, but the Proceedings of our Parliament during the last Session in General; and by this means, to satisfie their own private Resentments, they would confound the Innocent with the Guilty, and graft a false Plot upon the Stock of a true one. It's unaccountable to think how much they have impos'd upon the Revolution Party in* England *by such Misrepresentations, industriously spread by their Tools; but it's hop'd our Neighbours will at last be undeceiv'd, and distinguish betwixt the Efforts of true Patriots, to recover an Ancient and Brave Nation from the Oppressions of Domestick Courtiers and the bad Influences of a Forreign Ministry, and the Designs of real* Jacobites *to overturn Religion and Liberty.*

ADVERTISEMENT.

IT was at first design'd to number all the Papers of this Collection, for the better referring to 'em in the following Remarks; and, accordingly, some of 'em are numbred, but finding that would be troublesom, and not having a Conveniency to print the Book all at one House, there was a Necessity of dividing it into two Parts, and, for the greater Ease of the Reader, to make the following Alphabetical Index, *by which any Paper referr'd to will be easily found out.*

AN

An Alphabetical INDEX, of the Original Papers contain'd in this Book.

—— *to*

M.

E R.

ERRATA.

PART I. Page 14. line 5. for *promoted* read *protected*. p. 35. l. 1. of the 2d Col. of the Key, for 84 read 14. p. 36. l. 10. over E. of *Braidalbin* put 77. p. 43. l. 36. for 24, read 14.
PART II. p. 31. l. 20. *dele* mark'd XXXVII.

A COLLECTION OF Original Papers Concerning the SCOTS PLOT.

Translations of part of the Gibberish Letters, directed to Mr. David Lindsay *at* Edinburgh, *by the Post.*

I. THE Letter to Lord 3. appears to be writ to a Person of great Quality in *Scotland*, in answer to some Demands made by him; in which the Writer gives an Account that he had laid those Demands before M. *de Torcy*, who had acquainted the French King therewith, and that it was (after some Difficulties) agreed to, That not only Men and Arms should be sent to them, but also the Sums of Money demanded; which, if complied with, he expresses himself as sure of Success. He gives also Directions that the Forts should be well survey'd and fathom'd; and presses to have a speedy Answer. *June* 1. 1703.

II. THE Letter to Lord 7. seems to be writ by a Person of great Consideration in *France*, to some Man of Quality and Interest in *Scotland*: It takes notice that the Measures between *France* and *Scotland* were then fully adjusted, which nothing but want of Unanimity amongst themselves could fruftrate: It advises what is to be avoided, and what to be insisted on in the Parliament then sitting; and takes notice that the Conjunction *June* 1. 1703.

with *Bavaria* will put the *French* into a Condition of bringing the *Dutch* to Terms, and of assisting *Scotland*.

June 1. 1703.

III. THE Letter to *Philotheus*, appears to be writ to a Person of great Quality and Interest in *Scotland*, in whom the Writer hath an intire Confidence: It complains that some great Men who have not always been in the Interest, insist upon engrossing too much to themselves, to the Prejudice of others, who have been always faithful; that they ought not to think of playing the Old Game again, as at the Treaty of *Breda*, since the young King is in much better Circumstances than King *Charles* II. was at that time, and is not now to be impos'd upon and tied up from rewarding his ancient Friends: It likewise desires that the Person who is writ to, would make use of his Interest and Power with that sort of People, to make them sensible that it will be well, if after a Reconciliation they are put upon an equal foot with those who never did fall.

Octob. $\frac{8}{9}$. 1703.

IV. THE Letter from *Philarchus* is dated from *London*, and writ to the Queen in *France*: It gives an Account of having (according to order) treated with some great Person, who seem'd shy at first, but afterwards promis'd when the King should appear with a Strength, to do all in his Power; but that as to the particular Service desir'd of him, he could not promise it, because it might not be in his Power to perform it; that he would not give any thing under his Hand, nor make any Terms for himself.

Copy of a LETTER *to Mr.* Stanhope, *from* Amsterdam, July $\frac{4}{15}$. 1703.

Honoured SIR, *Amsterdam, July* 15. 1703.

V. THere is something pernicious to our Queen and her Government working in *England*, *Scotland* and *Ireland*, for here are great remittances of Money from *Paris* and *Lisle*: To the Duke of *Hamilton* 50000 Pistoles, to Sir *Robert Hamilton* 25000 Pistoles, to *William Worth* Esq; 25000 Pistoles; these two latter are in *Ireland*, most of this Money is already drawn for, this Money has passed through my hands, to appear in this would ruin me and my Partners; however, this I thought my Duty. Adieu.

Directed thus:

For the Right Hon. Mr. Stanhope, *Envoy and Plenipotentiary from the Queen of* England, *at the* Hague.

A true Copy examin'd by

John Ellis.

Extract

Extract of Mr. Stanhope's LETTER *to Mr. Secretary* Hedges. *Dated* Hague, July $\frac{9}{20}$.

VI. AFter I had sent my Letters to Post Tuesday Night, I receiv'd the inclos'd, which I send you with the Cover just as I receiv'd it; nor do I know or can guess from whom it came; however, the Contents are of such Concern, that I think it my Duty to transmit it to you; I have only this one Remark to make upon it, That it's dated as from *Amsterdam*, and mark'd on the outside 2 Stivers for the Post; whereas the Letters from *Amsterdam* constantly pay three.

A true Copy examin'd by

John Ellis.

Extract of a LETTER *from Mr.* Stanhope, *to Mr. Secretary* Hedges, *dated at the* Hague, August $\frac{20}{31}$. 1703.

VII. I Have heard nothing more of Remittances to *Scotland* from this Country, *Lisle*, or any other Part since the Mystical Letter, of which two Months ago I sent you the Original, nothing is come since of that kind to my knowledge, either from the same or any other Hand; but since what has lately happen'd in that Country, makes it suspicious there was some ground for that first Advice, I will try if among my Friends at *Amsterdam* I can make any further Discovery; in order to which, if you could send me back that same Letter I sent you, it might be of use, by the Lights it might give us by the Hand and Character.

A true Copy examin'd by

John Ellis.

Copy of Captain Hamilton's LETTER *to Brigadeer* Maitland, *dated at* Inverness, July 23. 1703,

Right Honourable, *Inverness, July* 23. 1703.

VIII. I Wrote to you Tuesday last, in answer to your last Letter to me, but I neglected to acquaint you of our News here: The thing is, there is a Match of Hunting to be, as is said, against 2d of next Month, amongst several of our Great Folks, particularly the Duke of *Hamilton* is to be there, the Marquis of *Athole*, and our Neighbour the Laird of *Grant*, who has ordered 600 of his Men in Arms, in good order, with Tartane Coats all of one Colour and Fashion. This is his Order to his People in *Strathspey*. If it be a Match at Hunting only, I know not, but I think it

 my

my Duty to acquaint you, whatever may fall out, of any ſuch Body of Men in Arms, particularly in our Northern Parts. My humble Duty to your Lady. I am,

Right Honourable,

Your obedient Servant,

James Hamilton.

This is a true Copy examin'd by

David Nairne.

Directed on the Back thus: *To the Right Honourable Brigadier-General* Maitland, *Governor of* Fort-William. *To the Care of Captain* Maitland, *Agent to the aforeſaid Brigadier's Regiment at* Edinburgh.

Extract of the Duke of Queensberry's *LETTER, to the Queen, dated* Auguſt 11. 1703.

IX. I Preſum'd lately to acquaint your Majeſty that I had ſeen ſome Letters from a Gentleman come from *France*, in which he ſpeaks with ſome Aſſurance of overturning the Government here; ſince that time, thoſe who receiv'd the Letters ask'd Liberty from me to meet with that Gentleman, that they might try if they could learn any thing that might be uſeful to your Majeſty's Service; which I yielded to, and one of them had a long Conference with him, of which I have given your Majeſty an Account in a Memorial herewith tranſmitted *, and I beg of your Majeſty that it may be kept a Secret, and made known to as few as may be; I am not yet allow'd to name the Perſons, but if your Majeſty Commands me, I muſt obey.

See N° X.

God knows whether the Story be true or falſe, but my Author is a Man of that Quality and Intregrity, that I dare aſſure your Majeſty, there's neither Miſtake or Trick on his Part; and this I muſt ſay farther, that there are ſeveral Points related in the Memorial that are otherwiſe confirm'd, for I have ſeen a Letter to Brigadeer *Maitland* from one of his Officers, wherein he tells him, that he had Intelligence of a Highland Hunting, where 600 of the beſt of the Laird of *Grant*'s Men were to be in Arms, and the Duke of *Hamilton* and Marquis of *Athol* were to be there; this Letter I have ſent to Mr. *Nairne* †. Major-General *Buchan* acknowledges that one *Mackenzie* was put into the Baſtile before he came away; beſides the total Deſertion of all the Cavaliers, except my Lord *Balcarres*, *Wigton* and *Dunmore*, at the Inſtant when theſe laſt Orders came from *France*, and their joining in all things contrary to the Prerogative of the Crown, with the Vote of this Day of arming the Country, do mightily inſtruct this Declaration; and it agrees pretty well with the Advertiſement Mr. *Stanhope* had about Money to be ſent hither *; but whatever is in the matter, I thought it my Duty to repreſent it to Your Majeſty. I muſt beg leave to know from Your Majeſty, if that Perſon ſhall apply to me, and be willing to own what he has ſaid, how ſhall I uſe him; it's ſtrange enough,

ee N°

N° V. & VII.

enough, that in his Circumſtances he ſhould have ſaid ſo much; and it can hardly be expected that he will forfault what he may expect from *France* without getting ſome Terms from Your Majeſty.

The Memorial mention'd in the Duke of Queensberry's *Letter to the Queen,* Auguſt 11. 1703. *Being Captain* Frazer's *Information.*

X. HE ſaid, being under the laſh of the Law here and his Circumſtances deſperate, he found himſelf oblig'd to try his Fortune in *France*, and having offer'd his Service to the late Queen and her Son, after ſome time, ſhe told him that ſhe would truſt him and take Care of him; he ask'd to whom he ſhould apply himſelf, for it was not fit upon all Occaſions to trouble her Majeſty; and ſhe told him, that ſhe was not very confident of all the Servants that were about her, and that my Lord *Middleton* was not very well with the French Court at that time, but that ſhe would recommend him to the Pope's Nuncio, who could introduce him to M. *de Torci*; that accordingly he had acceſs to the Pope's Nuncio, and gave the beſt Account he could of his Intereſt here, and made ſome Propoſals for advancing the Prince of *Wales*'s Service, which the Nuncio reliſh'd well, became favourable to him, and introduc'd him to M. *de Torci*, with whom he had ſeveral Converſations, in relation to the Affairs of *Scotland*, and was brought by him to the French King's Cloſet, where that King diſcourſed with him before M. *de Torci*, and afterwards he had an Audience of the French King in his Cloſet alone, and ſpoke fully to him: He pretends to have great marks of great Favour and Confidence, and to be at the bottom of all that was projected againſt the Government here, and ſays that in *France* they did expect that this Country ſhould have been in Arms before now, and that he was made a Major-General in order to his coming over for that End, and that all the other Officers came upon the like Occaſion; for Duke *Hamilton* had undertaken to get the Parliament broke here ſoon after its meeting, and to draw to the Field about this time in the Summer. He ſays that Duke *Hamilton* was to be the chief Man of the Party; tho' he believes that either the Earl of *Mariſhal* or *Hume* are more truſted at St. *Germains* than the Duke of *Hamilton*, becauſe that Duke had ſome times before fail'd them, and they have ſtill thoughts that he may have ſome Deſign to ſet up for himſelf; however, of late they have given Orders to all their Friends here to obey him in every thing, and to take no notice of the different Appearances he might make: He ſays that Duke *Hamilton*'s Terms were to be Duke of *Chatterlerault*, and ſince the Eſtate that belong'd to that Dutchy was otherwiſe diſpos'd on, a conſiderable Penſion, equivalent to the Value of the Eſtate, was to be ſettled upon him; he was alſo to have the Command of the *Gens d'Arms Ecoſſoiſe*, and to be made General of all the Forces of this Kingdom: He ſays that there was ſome Debate about the Command of Wardenſhip of the Borders betwixt

twixt *Scotland* and *England*, for the Duke of *Hamilton* would have the Command of the whole Borders, they were willing to grant him that part towards *Carlisle*, which lies neareſt to his Intereſt both in *Lancaſhire* and in this Kingdom, but that the Command of the Borders towards *Berwick* was thought moſt proper for the Earl of *Hume*, and doth not know if that Matter be yet adjuſted. He ſays that the French King did refuſe to ſend Forces into *Scotland* as he was deſir'd, but was willing to ſend what Money they could require, for he could venture that, but could not be ſure to get his Men again; he ſays the Money is ready, but believes little is as yet tranſmitted, for they did demand it preſently, but that the French King deſires that there ſhould be a riſing in Arms.

He ſays that the French King and M. *de Torci* were the more unwilling to ſend Troops here at preſent, becauſe their Fleet was in no good Condition, but that in a Seaſon or two they hop'd to be Maſters of the Sea, and would then invade theſe Iſlands, and that they ſpar'd no Expence to prepare a great Fleet; that they had now, as he was told, about 30000 Men at work on the Fleet; that they were very confident of the Succeſs of the Prince of *Wales*'s Affairs in *Scotland*; that they did conſider the young Gentleman was grown up, and that it would be long before the Queen would be an old Woman; that they would not ſtay for her Death, he ſays he is a Proteſtant, and hath ſome trouble in his Mind about Popery, and what may fall out to his Native Country; but that the Neceſſity of his Affairs has carried him to the Courſe he hath taken; that he hath been conſider'd as capable to do the French Court and the Prince of *Wales*'s Service here, he received Money for his Journey, and is ſure the French King will not ſpare his Money in our Affairs; that he found thoſe who did not own the laſt Government were come into the Parliament, and were reſolv'd to ſerve the Queen, and wait the Event; but now they were directed to follow the Duke of *Hamilton* wholly, and endeavour to break the Parliament, and that they make it their Intereſt to raiſe the Country in Arms. He ſays that theſe Advices were ſent by a Perſon who afterwards he explain'd to be Captain *James Murray*, Brother to Sir *David Murray* of *Stanhope* that came from *France* about the ſame time when he came, which is about a Month ago; that it was not thought fit to charge him with them, becauſe he durſt not truſt himſelf with the Duke of *Hamilton*, becauſe of the cloſe Connexion betwixt him and his moſt avowed Enemies; he ſays that the Earl of *Perth* keeps Correſpondence with ſome of the Queen's Government here, and that many of the great Men of this Nation, and ſome in the Queen's Service were making up their Peace with *Verſailles* and St. *Germains*; he ſays before he came away one Mr. *Mackenzie* was to be ſent Expreſs with Letters from my Lord *Perth* and others, to ſome Perſons here, that he reckon'd that Perſon to be his Enemy, and left he ſhould have diſcovered his coming over, he acquainted M. *de Torci* that ſuch a Man was to be ſent by my Lord *Perth* with Diſpatches to *Scotland*, without the Participation of the French Court, which he thought was wrong; upon which Mr. *Mackenzie* was preſently put into the Baſtille, and was ſtill there when he came away.

Extract

Extract of the Duke of Queensberry's *LETTER to the Queen, dated* September 25. 1703.

XI. I Have ſeen the Perſon of whom I formerly made mention to your Majeſty. He confirms all he had ſaid to thoſe Perſons who had dealt betwixt us, and adds many things more. He ſays he was let into all the Secrets of the Correſpondence of *Scots* Men, and tells plainly that very many do correſpond there. I am bound to tell your Majeſty (tho' I ought not to believe him) that he ſays he ſaw a Letter laſt Winter written by my Lord *Tarbat* to my Lord *Middleton*, bearing that he was made Secretary of State, and that in a ſhort time the Duke of *Queensberry* was to be ſhifted out, ſo as he was to be Secretary, and would have all the Management of *Scots* Buſineſs in his Hands; that to ſecure their Friends, there would be a General Indemnity paſt, and the North Country and Highlands would be made all of a piece, and that the Duke of *Queensberry* had received 5000 *l.* from the Family of *Hanover*; that my Lord *Middleton* ſaid he knew the Duke of *Hamilton* was capable to be brib'd, but did not believe the Duke of *Queensberry* would have taken Money. He declares that Mr. *Ogilvy* of *Boyne* has frequent Correſpondence, which he begun when he went over to *France* about his Marble (yet I muſt do this Gentleman Right, and tell your Majeſty, that he did behave himſelf fairly in the Parliament, and there was none of the Gentlemen who calls themſelves Cavaleers who did keep their Words ſo well to me as he did.) He declares that there were then Letters written by the late Queen at St. *Germains*, whereof one was directed to the Duke of *Hamilton* as Earl of *Arran*, which was delivered by one Captain *James Murray*; the other was committed to the Perſon himſelf to deliver to the Duke of *Gordon*, which he actually did before he entred into any Correſpondence with me; and the third was directed to the Lord *Murray*, now Marquiſs of *Athol*, † which was not delivered when he begun this Correſpondence, and that he found the way to be Maſter of that Letter before it was delivered, which he gave to me, and I have tranſmitted it to your Majeſty without breaking the Seal, which is clear the Effigies of the King your Majeſty's Father. This Perſon is willing to come to *London* and to give what Accounts he knows, provided he may do it ſecretly; and he offers to return to *France* and diſcover all the Correſpondence and Deſigns; but ſays, that if he falls under Obſervation, or that he be diſcovered, he runs the risk to be broken on the Wheel. He ſays what Money is tranſmitted yet from *France*, is only for the uſe of ſome particular Perſons, and that it comes by Bills to *London*, and is brought hither in Specie.

† See N° XII.

I confeſs it hard to think how one ſhould know or be ready to reveal ſo much, yet the delivering of that principal Letter, and the ſhewing his own Commiſſion under the Hand and Seal of the Prince of *Wales* as King *James* 8th and 3d, which he ſays was the firſt Paper ſeal'd with his new Seal, theſe do give Credit to what elſe could not have been ſo well truſted,

and

and he ſays that he has a Commiſſion as Major General from the French King, which lies there, that it might give no offence till onee the Forces deſign'd were rais'd, I thought it neceſſary to entertain him with ſome Money, till your Majeſty do ſignifie your further Pleaſure about him.

Letter to L. M——y, May *the* 20*th.*

XII. YOU may be ſure that when my Concerns require the help of my Friends, you are one of the firſt I have in my view, I am ſatisfied you will not be wanting for any thing, that may be in your Power according to your Promiſe, and you may be aſſur'd of all ſuch Returns as you can expect from me and mine; the Bearer, who is known to you, will tell you more of my Friendſhip to you, and how much I rely on yours for me, and thoſe I am concern'd for.

M.

Obſ. *It's directed on the Back to L.* M . . . y, *in a Character and Ink different from the Letter, and not mark'd at bottom L.* M . . . y, *as it muſt probably have been, had it been deſign'd for that Lord.*

The Thread and Method of the Diſcovery that followed upon all this, will be beſt underſtood by the following Memorial.

Memorial to the Queen by the Duke of Athol, *read to her Majeſty in the* Scots *Council, met at St.* James's, January 18. 170$\frac{1}{4}$. *Giving an Account of the Diſcovery of Captain* Simon Frazer *and his Accomplices.*

XIII. HAving come to this Place about the middle of *October* laſt, by your Majeſty's particular Commands, I ſoon after heard Surmiſes that were induſtriouſly ſpread as if ſeveral of your Majeſty's good Subjects in *Scotland*, and even that ſome of your Majeſty's Servants were upon ill Deſigns againſt your Majeſty and Government, but I not being acquainted with any ſuch Deſigns, did beg of your Majeſty that you would be pleaſed to call your Servants together, that they might condeſcend on or name the Perſons that were guilty or ſuſpected; and alſo that we might together give your Majeſty a true Account of the Proceedings of the laſt Parliament, which I alſo had heard had been miſrepreſented to your Majeſty.

Your Majeſty was graciouſly pleaſed to ſay you intended to call us together, for theſe Ends, but it was delay'd.

In the mean time, on the 25th of *November* laſt, it pleaſed God in his Providence, that there was a Diſcovery made to me that one Captain *Simon*

Captain *Simon Frazer*, who is a declar'd Rebel, intercommuned and outlaw'd in your Majeſty's Kingdom of *Scotland* for a moſt barbarous Rape, and other Crimes, had been in this Place about a fortnight before, and that he had come from St. *Germans* in *May* or *June* laſt; and after having ſtaid ſometime in *London*, had gone to *Scotland*, and there had met with the Duke of *Queensberry* at *Edinburgh*, in the time of the ſitting of the Parliament, and having got from the Duke of *Queensberry*, then your Majeſty's Commiſſioner, a Protection and Paſs, he with them Travels to ſeveral places in *Scotland*; particularly to *Argyle*-ſhire, were he produced the ſaid Paſs and Protection, as alſo a Commiſſion and Inſtructions ſign'd by King *James*, as he call'd him, and in this manner he ſeduc'd and trepann'd ſeveral of your Majeſty's Subjects.

After this, and about the end of *September* laſt, he return'd to *London*, where he again meets privately with the Duke of *Queensberry*, who procur'd a Paſs to the ſaid *Frazer* and three of his Accomplices from the Earl of *Nottingham*, under falſe Names, and which Paſs being thus procur'd was given or ſent by the Duke of *Queensberry* to the ſaid *Frazer*, who with it went to *Holland*, on his way to St. *Germains*, in order to give an Account of his Negotiations in *Brittain*.

Mr. *Robert Ferguſon* * was the firſt that inform'd me of Captain *Frazer*'s having been at *London*, which he did by a Gentleman he ſent to me, for I had not ſpoke to him ſince I examin'd him in Priſon, by Order of the late King *William*, when I was Secretary of State about Seven Years ago. * See N° XV.

He acquainted me that Captain *Frazer* was not only gone to St. *Germains* with ill Deſigns againſt your Majeſty, but alſo that the Duke of *Queensberry* did intend by him and his Accomplices to ruine me and ſeveral Perſons of Quality in *Scotland*, by taking away our Reputations, Lives and Fortunes.

This Information being brought thus to me on the 25th of *November* laſt, the next Day I met with the Earl of *Nottingham*, and deſir'd to know of his Lordſhip if he had given a Paſs on the 12th, or 13th of the ſaid Month, to four Perſons, under the Names of Captain *Smeaton*, or *Campbel*, ... *Monro*, ... *Dickiſon*, and . . . . . *Forbes*, his Lordſhip believ'd he had; but could not be poſitive till he had look'd his Books, which he did, and acquainted me the next Morning, being the 27th that he had given a Paſs to Perſons of thoſe Names, I ask'd his Lordſhip if he knew who they were, and who recommended them to him, he ſaid he did not know them; but that the Duke of *Queensberry* had writ a Note to him, to deſire a Paſs for theſe four Perſons.

The ſame Morning I waited on your Majeſty, and acquainted you with what Information I had got, and I left with your Majeſty a Copy of the feign'd Names contain'd in the Paſs, procur'd by the Duke of *Queensberry*, and in another Paper their true Names, according to my Informations. At the ſame time I told your Majeſty, that if the Duke of *Queensberry* ſhould deny the knowledge of the true Names of the Perſons he procur'd the

Paſs

Paſs for, that I was aſſur'd it could be prov'd, that he did know that the Paſs was really for Captain *Frazer* and others, who had been at St. *Germains*, and were returning thither.

There having paſs'd three or four Days before I knew what anſwer the Duke of *Queensberry* made, at laſt I underſtood he pretended ſometimes he had forgot, and at other times that he had given the Paſs to a Servant of his, who could give no account of the matter.

Upon this, I firſt acquainted your Majeſty, and then I told the Earl of *Nottingham* that I was inform'd the Duke of *Queensberry* had deliver'd the ſaid Paſs to *Coline Campbel*, of *Glenderoul*, an Officer in your Majeſty's Army in *Scotland*, and that he deliver'd it to one *Thomas Clerke*, an Apothecary, in *Watling-ſtreet*, who did follow the ſaid Captain *Frazer* to *Gravesend*, and deliver'd it to him there, and that with this *Thomas Clerke* the ſaid Captain *Frazer* did Lodge when in *London*.

Your Majeſty was pleas'd to order the Earl of *Nottingham* to ſend for the foreſaid *Clerke*, and Examine him about it. Accordingly on the ſecond of *December*, *Thomas Clerke* declar'd before the Earl of *Nottingham*, that a *Scots* Gentleman who call'd himſelf a Captain, having lodg'd in his Houſe about a Fortnight, whoſe Name he pretended not to know, did leave his Houſe on the 13th of *November*; that the ſaid Day another Gentleman, whom he deſcrib'd to be the foreſaid *Coline Campbel*, brought him a Paſs for the foreſaid Captain *Frazer*, and three more, which Paſs was ſign'd by the Earl of *Nottingham*. *

See N° XXXIX.

Then the Earl of *Nottingham* ſent for *Coline Campbel*, who not appearing for two or three Days, did at laſt attend his Lordſhip, and acknowledg'd the delivery of the ſaid Paſs to *Thomas Clerke*, and own'd he had received it from the Duke of *Queensberry*.

November 30th, I acquainted the Earl of *Nottingham* that I was inform'd how the Accomplices of Captain *Frazer* were to direct their Letters, from hence to him beyond Sea, *viz.* to Mr. *Vincent Nierinx* Merchant, in *Rotterdam*, under whoſe Cover the Letters directed to Mr. *Smeaton* were underſtood to be for the foreſaid Captain *Frazer*. I alſo told the Earl of *Nottingham* that Captain *Frazer* did direct his Letters to his Correſpondents here under Cover, to the foreſaid *Clerke* in *Watling-ſtreet*.

Upon this diſcovery ſeveral Packets of Letters were intercepted by the Earl of *Nottingham*, which diſcover'd Captain *Frazer*'s Correſpondents, particularly the foreſaid *Coline Campbel*, Mr. *Keith*, *John Murray*, and Captain *Maccleod* an Officer in your Majeſty's Guards in *Scotland*. *

See N° XIX, XXI, II, III, IV, V.

And it appear'd that one *Corbouſier*, a Merchant in *London*, had given a Bill to the ſaid Captain *Frazer*, which my Informer had alſo acquainted me of, and that the Bill was for 150 Guinea's.

And by theſe Letters it was likewiſe diſcover'd that Captain *Frazer* had written to the Duke of *Queensberry*, under Cover to the ſaid *Coline Campbel*, †, which Letter was deliver'd by him to the ſaid Duke of *Queensberry*, and who yet did not produce it for above a Fortnight after he had got it; and there

See N° V and VI.

there was likewiſe a Letter intercepted from Captain *Frazer* to the Earl of *Leven*. *

* See N° XXVII, XXVIII.

Monday, *December* 6th, Being two Days after this Affair came abroad, Mr. *Keith* acquainted me (which he had not done before) that he had ſeen the ſaid Captain *Frazer* in Town, and that he had met with him twice and no more. That the firſt time he had ſeen him was on a Letter to meet him at a place Captain *Frazer* had appointed (where as he ſaid) Captain *Frazer* deſir'd him to try if I would pardon the Injury he had done my Family, he being penitent as he pretended.

I enquired of Mr. *Keith*, why he did not acquaint me of it ſooner, he anſwer'd that he knew it would be to no purpoſe for him to undertake ſuch a Meſſage from Captain *Frazer*, and that he did believe Captain *Frazer*'s deſign was to trepan me. But before Mr. *Keith* had confeſs'd; my Informer declar'd (which I acquainted your Majeſty with) that Mr. *Keith* had been with him ſeveral times. The ſame day Mr. *Keith* alſo acquainted the Earl of *Seafield*, your Majeſty's Chancelor, with what he had told me, as he did the day after, the Earl of *Nottingham*.

By the means of *Coline Campbel* and Mr. *Clerke* were found ſeveral Papers belonging to the ſaid Captain *Frazer*, and left by him before he went out of this City with the foreſaid Paſs to *France*. Amongſt which Papers there is a Commiſſion for his being a Colonel, ſign'd by the pretended King *James*, and as I am inform'd two Bonds of the late Lord *Lovats*, the ſame I ſuppoſe that appear'd forg'd when produc'd in *Scotland*.

By the Declarations of *Coline Campbel*, †, and Sir *John Macclean*, and others, and by Captain *Frazer*'s Letters it appears, that beſides the deſign of an Invaſion, there was another moſt wicked Contrivance to bring ſeveral of your Majeſty's Good Subjects and Servants into a Plot, in order to ruin them and their Families.

† See N° XVI, and XXXI.

(1.) WHEREFORE, It is humbly begg'd your Majeſty would be pleas'd to order the Duke of *Queensberry* to give his Reaſons why he met with, emploied, and gave 200 Guinea's to the ſaid Captain *Frazer* in *Scotland*; with whom, as being an intercommun'd Rebel, it is Treaſon by the Law of that Kingdom to Converſe or have any thing to do.

(2. And how the Duke of *Queensberry* came to give a Paſs or Protection to a Rebel, who had come from *France*, to go to the *Highlands* of *Scotland*, whoſe buſineſs there, as appears by the Commiſſion and Inſtructions he had from the pretended King *James*, was to tempt your Majeſty's Subjects into a Rebellion.

(3.) I likewiſe beg your Majeſty, to order the Duke of *Queensberry* to declare for what purpoſe he ſent the ſaid Captain *Frazer*, and three Perſons with him ſo carefully and privately to *France*, and what were the Services he expected your Majeſty would reap by their going thither, ſince it appears by the Letters and Declarations, that Captain *Frazer*'s main

 deſign

design was to engage the *French* King to prosecute his Design of an Invasion.

The above Memorial was read by the Duke of Athol *to the QUEEN in Council at St.* James's, January 18*th*, 170¾. *And no part thereof was disown'd or controverted.*

ATHOL.

SInce the Writing of this, I am inform'd from *Scotland* that the Duke of *Queensberry* gave a third Pass to Captain *Frazer* to carry him from *Scotland* through *England* to *London*, strictly discharging all her Majesty's Forces and Garisons to disturb or molest him; notwithstanding it appears by the Journals of the Council of *Scotland*, of the 27th of *September* last, the Duke of *Queensberry* then her Majesty's Commissioner being present, that there was was a Commission of Fire and Sword granted by the Council, against the said Captain *Frazer*, which Commission declares that the said Captain *Frazer* was formerly denounc'd Rebel, and intercommun'd, and therefore did expresly require and command the several Sheriffs and Officers of her Majesty's Forces therein mention'd, to search for, apprehend, imprison, and present to Justice the said Captain *Simon Frazer*, and in case he should resist to pursue to the Death the said Captain *Frazer*, and such as should associate themselves to him, as Rebels and Traitors.

I find it necessary for my own Vindication and self Defence to give the following Account, concerning some Declarations and Letters which I understand are to be made publick here.

I see by Captain *Frazer*'s Letters and the said Declarations, and by what a Lord hath publickly said, that there has been a design of accusing me and several others of corresponding with St. *Germains*.

(1.) *First*, The Declarations that mention me are by *Coline Campbel* of *Glenderoul*, and one Captain *Maccleod* in *Scotland*, both of them I have discover'd (as appears by the Narrative above) to be guilty of having Correspondence with Captain *Simon Frazer*, and likewise that they were emploied by the Duke of *Queensberry* in his secret Affairs with him.

(2.) *Secondly*, What these Persons alledge is only founded upon a hearsay from the said Captain *Frazer*.

(3.) *Thirdly*, What they declare is, That the said Captain *Frazer* told them I design'd to send *Glengary*, and one Captain *James Murray* to St. *Germains*, but *Coline Campbel* owns that he found it was false as to *Glengary*, for indeed nothing can be more false; since I never spoke to him of such a message, or so much as design'd to send him or any other.

And as for the other Person, to wit, Captain *James Murray*, whom they say I design'd to send, I don't remember ever I spoke to him, I am sure I did not since he came from *France*.

As

As for that *Mackenzie* mentioned to be at St. *Germains*, I never knew there was one of that Name there, until it was declared by Captain *Mackleod*, and now that it is mention'd, I don't remember that ever I spoke to or saw such a Man.

And for the other *Mackenzie* that Captain *Frazer*, mentions in his Letter, went over in the Ship with him, I never heard of him or saw him till now, that he was sent for back again from *Holland* to be examin'd. *

I am mentioned likewise, as is also the Duke of *Hamilton* by Sir *John Mackclean*, who, it seems, was the last that came over from St. *Germains*, and says his Instructions were to sound, or try Duke *Hamilton* and me. † But this is rather a Vindication, and shews, since we were to be sounded, we were not engag'd, or had Correspondence there. This Sir *John Mackclean* I do not remember to have seen but once, and that was about 11 Years ago.

By what is above-said the World may judge of the rest of the malicious Calumnies of my Enemies, and how easie a Matter it will be for me to refute them when publick, especially the inconsistent Story of a Letter said to have been sent from St. *Germains* to me. *

ATHOL.

* See N° XXVI.

† See N° XXVI.

*See N° XII.

Mr. Robert Ferguson's *Declaration*, December 24. 1703.

XIV. I Do solemnly declare, that so far as concerns either my Knowledge or my Belief there is not a Nonjuror or one reckon'd a Jacobite engag'd in a Plot, or that will, against her Majesty and the Government. Yea, 'tis so far from giving them uneasiness that her Majesty is on the Throne, that they heartily bless God the Monarchy is preserv'd against the Designs of the Republicans, and that one of the Serene Family of the *Stuarts* possesses the Soveraignty in despite of all the Endeavours of such as would either have supplanted her, had the late King William liv'd, or would have brought either the Princess *Sophia* of *Hanover*, or the Prince her Son into *England* or to *Scotland* during her Reign, since his Decease; and that 'tis not to be denied but there are those in her Majesty's Dominions who will not swear to serve her against the Prince at St. *Germain*'s; yet since they are willing to live quietly under her Majesty's Authority, 'tis hop'd they will be distinguish'd from Rebels and Traytors.

And should the weight of Foreign Affairs bring her Majesty into a Necessity of capitulating with *France*, there's none in these Kingdoms who will be either more careful for the Security of the Protestant Religion, and of the Church of *England* as by Law establish'd, or of her Majesty's enjoying the Royal Dignity during her Life, as was anciently stipulated in this Kingdom. 1. Between *Henry* II. Son of the Empress *Maud* and King *Stephen*; and, 2. Between *Richard* Duke of *York* and King *Henry* VI. than they who are branded and stigmatiz'd, for Jacobites will. Nor are French Plots against her Majesty much to be dreaded, whilst the Ministers of that King know not better how to chuse their Tools for promoting them,

them, than to employ Captain *Frazer* in *Scotland* upon such a Design, who is both so obnoxious to the Laws of that Nation, and accounted infamous by all Men for the vilest and most abominable Crimes. Neither can it be reasonably thought his Grace the Duke of *Queensberry*, who not only promoted the said *Frazer* in *Scotland*, but obtain'd a Pass by a sham Name of the Right Honourable the Earl of *Nottingham* here, for conveying him abroad again, would be in a Conspiracy with the Court of *France* against her Majesty and the present Government.

And it ought to be held ridiculous that either my Lord *Stair*'s, who was the Author of the Massacre of *Glenco*, or Mr. *William Carstares*, who was deeply engag'd in the intended Assassination at the *Rye-House*, and in all the treasonable Designs against King *Charles* II. as against the late King *James* while upon the Throne, should now become embark'd in the Service of those at St. *Germains*, and cooperate with those who are said to be carrying on the exalting of the Prince of *Wales* to the Throne of his Ancestors.

Nor will it pass upon any Man of common Sense that the Duke of *Queensberry*'s Confidence and Kindness to, and the singular Care for the covering and protecting of Captain *Frazer*, should be meerly in hopes of *Frazer*'s getting his Grace's Pardon, in case of a Revolution, as the said *Frazer* was pleas'd to say both to my self, and as I have been told by others, and not rather to be that Dukes getting Intelligence from abroad as his Grace is reported to have affirm'd.

And what sort of Information his Grace had contriv'd with him about, may be partly conjectured from the Rumours which have obtain'd for some time about this Town of a Plot carrying on in *Scotland* against her Majesty, wherein, not only the Duke of *Athol*, but divers others of the first Quality of that Kingdom were criminally concern'd.

But as the more exact knowledge of what Tidings *Frazer* was to convey to the Duke of *Queensberry* from the other side were to be, will be learn'd from intercepted Letters hither and thither, so both my own getting the Duke of *Athol* acquainted how such Letters might be laid hold of, and his Grace's laying it before her Majesty, are undeniable Evidences, that both the said Duke of *Athol* and my self are far from being in any Conspiracy against her Majesty and her Government.

Nor can it escape the Observation of her Majesty and of the Honourable Lords of her Privy-Council, how precarious the Lives as well as the Liberties and Fortunes of all such must needs be, against whom *Frazer* doth entertain Resentments, and bear Revenge, as he is known to do in reference to the Duke of *Athol*, and to many more of the first Rank in *Scotland*, or against whom the Duke of *Queensberry* himself shall harbour the least Revenge.

And seeing 'twill contribute to the giving further light in this Matter to have those strictly examin'd, who either here or in *Scotland*, have had several Conversations and Transactions with Captain *Frazer*, 'tis my humble Opinion, that besides what may be learn'd from the Laird of *Lothiel*, and

and from other Heads of the Highland Clans in *Scotland*, all whose Names are in great probability known to his Grace the Duke of *Queensberry*, it having been under his Grace's Protection as well as by his Advice that *Frazer* went to them; so much more may in the use of the proper Method be gain'd from Mr. *Keith* and Lieutenant *Campbell*, who of all Men seem'd to be more in *Frazer*'s Confidence, and in his Secrets than any that they have yet declared.

And in my humble Opinion, 'twill be one of the most effectual Courses to prevail with them to do it openly, without reserve, if they shall be threaten'd with the being sent to *Scotland*, in order to be proceeded against.

Nor is it unlikely that something considerable in this Affair may be wrested out of Mr. *Carstares*, in that he having procur'd the late King *William*'s Pardon for *Frazer*, with respect to his having levied War, and he being still reckon'd by *Frazer* for one of his special Friends, which also was told to my self by the said Captain *Frazer*; 'tis not to be suppos'd but that one endow'd with that insinuating Faculty and Art, for which Mr. *Carstares* is so much valued by his Party, as he is known to be, would wind himself as much as he could into the Knowledge of what *Frazer* came to transact in *Scotland*, especially when he could not avoid the having a prospect of rendring the being let into it, serviceable to the Interest of the Kirk.

Sic Subscribitur,

Decemb. 24. 1703. *Robert Ferguson.*

Mr. Robert Ferguson's *Paper*, *dated* December 27. 1703.

XV. AS I could not escape hearing that several Persons that came from *France* the last Summer, were gone to *Scotland*, and, as I suppos'd, for no other end, than the taking the Benefit of her Majesty's Gracious Indemnity to such of that Nation, who should return home and oblige themselves to live peaceably (but of whom I neither saw, and much less convers'd with any) so I do remember the having been told by Mr. *Clerk*, in the Month either of *May* or *June* last, that one of that Kingdom represented to me, by the said *Clerk* for a Person of Quality, after some stay in this Town, where he had been visited by divers, and particularly by one Mr. *Keith* was likewise gone thither.

And tho' his Name was then conceal'd from me, yet I was made acquainted that he was one, who had not only many Friends in *Scotland*, but that he reckon'd himself secure of being protected by some of the chiefest Men in the Government there.

And that before he went from hence thither, he had dispatched two Persons Northward, with order that after having transacted what he sent them about, (which I took to be the obtaining a Pass for him) they should either

either both or one of them return to *Durham*, and abide there until after Notice from them he should come to them.

But as I have understood since by Mr. *Clerke*, that this foremention'd Person, whom he had Character'd to me as a Man of great Dignity was no other than *Simon Frazer* Laird of *Beaufort*, so I have learn'd that it proceeded from his assuming to himself the Stile and Title of Lord *Lovat*, that *Clerke* gave him out for the Man of Bulk and Grandeur that he did.

And I do now further recollect the having been also inform'd by Mr. *Clerke*, how that the foresaid *Frazer*, on his getting as far North as *Durham*, did from thence Write back Letters, both to the said *Clerke* and Mr. *Keith*, telling them that he was safe, and that all things went well.

Which as it is the whole I was let into concerning *Frazer*, at his being here in Summer, so I heard nothing of or about him, after his arrival in *Scotland*, until it came to be publickly discours'd that Her Majesty's most Honourable Privy Council of that Kingdom, on a discovery made to them of his being there, had issued out an Order for pursuing him with Fire and Sword, but to which her Majesty's then High Commissioner the Duke of *Queensberry*, and *Lord Stairs* would not so far consent and agree as to Subscribe it.

On the hearing whereof I not only thought my self sufficiently enlighten'd who those Great Men in the Government there were, of whose protection *Frazer* privatly at his going into *Scotland* had affirm'd himself assur'd, but it raised in me a very strong Jealousie, on what designs, and against whom, *Frazer* was to be emploied and made use of in that Kingdom.

And what I entertain'd only a suspition of, I grew afterwards into a Moral certainty concerning; but whether upon sufficient grounds and motions, I do humbly submit to the Judgment of such as are unbias'd, and Impartial, after their having perus'd what I am here further to relate.

However being made extreamly apprehensive that there was either some Treasonable design on foot against her Majesty and her Government, or some malicious Contrivance in hand, for ruining of Loyal as well as of peaceable Men; and even such as were of the sublimest rank, both of which I judg'd it my Duty to discover; if I could, I resolved to be as Inquisitive as my meaness and Circumstances would allow me to be, both after *Frazer*'s Conduct, in case he came hither again, as I was told he would, and likewise after what manner he had behay'd himself in *Scotland*, with whom his Conversation had been, and in whom his Confidence had seem'd chiefly plac'd during the time of his being there.

Nor was it long before I was told of *Frazer*'s being on the Road to this Place, and in the mean time was in a manner deafned with the noise of a *Scots* Plot, wherein the Duke of *Athol* and divers other Noblemen of that Nation were said to be engaged.

The Person who inform'd me of *Frazer*'s being on his return for *London* was Mr. *Clerke*, of which he gave me the following Evidence; namely, that either Mr. *Keith*, or *Campbel*, or both of them had been with him, and not only told him of their having receiv'd Letters from *Frazer*, concerning

concerning his being got safe into *England*, and that he was hastning for *London*, with all the Expedition he could, but that they had thereupon desir'd of him the said *Clerke*, that in case he should know of his Arrival here, ere they did, he would immediately give them Intelligence of it.

And accordingly in a few Days after, I was made acquainted by the said Mr. *Clerke*, that *Frazer* was come to Town, and that both *Keith* and *Campbel* had been with him.

Which I cannot forbear declaring its having rais'd in me a firm belief that the said *Frazer* was brought hither, in order to be an Evidence, and that I should speedily hear of the Duke of *Athol*'s being publickly accus'd of a Plot (pursuant to the Reports that had been spread both about Court and City of him) and that *Frazer* would be produc'd as a Witness against him, and that under the said Character he should take upon him to depose either of or concerning Letters, sent from St. *Germains* to the said Duke, or at least of his being spoken of very favourably there, as one being in the Interest of that Court.

And of this for some Days, I remain'd in a manner fully perswaded and the rather in that I was told by Mr. *Clerke*, that there was a frequent Correspondence between the Duke of *Queensberry* and *Frazer*, and that the said Correspondence was upheld and carried on by the means of *Campbel*, who went to and fro between them.

Nor am I to omit, how that during my continuance, under the said belief, I came to be invited by Mr. *Clerke* to visit a Gentleman at his House, without being directly told who he was; but tho' by the frequent Informations given me before of, and concerning *Frazer*, I could not miss concluding it was he; yet I resolv'd to comply with the Invitation, as not only knowing my self prepared and fortified, not to be drawn into any Treasonable design against her Majesty, or to become involved in any Conspiracy, that might have been form'd to the prejudice, if not the ruin of honest and peaceable Men; but as likewise hoping that instead of his finding me so weak, and altogether silly as to be impos'd upon and dup'd by him; I might be able to wrest out of him, both on what Contrivance he had been imploied in *Scotland*, and to what purpose he was returning into *France*.

And accordingly I made the Visit desired of me, and as I had more than imagined, I found it to be *Frazer* that I paid it to; wherein tho' I was not so fully successful, as I had been inclinable to conceive I might, yet I so far wound my self into him, as to gain the knowledge of those things from and by him, which not only abundantly satisfied me, there had been no Plot carrying on in *Scotland* against her Majesty and Government, but gave me clearer light than I had, as well on what Projections *Frazer* had been imploied in that Kingdom, as on what Offices of Service to some and disservice to others; he came protected back from *Scotland* hither, and had the obtaining a Pass promised unto him (as he then told me) for his returning into *France*.

For upon my saying unto him what a bold Man he was in venturing to *Scotland*, where he knew himself Capitally obnoxious to the Laws, and to have the Duke of *Athol*, and the Duke of *Hamilton*, and many other Persons of the first Quality as well as the Inferiour rank for his Mortal Enemies, he replied unto me, that he had as Potent and Great Friends there as he had Enemies. At which I not only seeming surprized, but telling him my thinking it could not be as he had said, he thereupon declared that besides several other Noble Friends he had there, how the Duke of *Queensberry* was both his most singular Friend and his Protector in a most distinguishing manner. And that as he had both gone down to, and returned from *Scotland*, under the shelter and Safeguard of his Grace's Pass, so he had been under the same Covert and Defence the whole time he was in that Kingdom, and particularly in his going to and coming back from the *Highlands*. Which as it administred Occasion to me for asking whom he had seen in those Parts, and how he found the Clans disposed, either as to the supporting of her present Majesty, or the falling into Measures, in favour of the Prince at St. *Germains*, towards the assisting for a Revolution, the whole he thought fit to say to me in way of return, was, that either in his going thither, or in his return from thence, he had spoken with Earl of *Braidalbin*, and that during his being there he had convers'd with the Laird of *Lochiel*, and with divers others, whose Stiles being more unknown to me than Arabick, I have forgot; but that none of them were inclined to enter into Conspiracies against her Majesty and her Government only he intimated to me that divers of the Inferiour sort of the People in the *Highlands* (whom I could no otherwise look upon than as Robbers and Banditti) were ready enough to join any Foreign Force that should invade that Kingdom, which I could not avoid silently thinking would be held for a Banter and Ridicule, upon the Ministers of *Versailles* and St. *Germains*; should he in compensation for the 500 Louis's d'Or's given him by the Marquis *de Torcy*, for defraying his Expences to and from *Scotland*, and for bribing the Parliament there, carry it to those Places as the Sum and Result of his Envoyship and Expedition. It being too well known (without any disparagement to that Nation) through all *Europe*, that as the People of their Understanding and Rank in the *Highlands*, were not to be depended upon without their being call'd by Force, as well as the Consent of the heads of their Respective Principalities; so that whatsoever Invaders they might be forward to join with, in the hope and view of Plunder, they would as soon abandon and desert whensoever they became loaded with Prey and Spoil.

But as the Duke of *Queensberry* is much better inform'd of all these things than I upon an hours Conversation with *Frazer*, should we have talk'd *Cœur ouvert*, as well as *Tete a Tete*, dare pretend to be; so the forementioned Gentleman being the said Dukes Emissary thither, and acting there pursuant to his Instructions, it is not to be doubted but that his Grace hath both exacted of, and had an Account from him of all his Interviews and Transactions in those Parts, and that he hath long ere now laid

laid them before her Majesty: Though I cannot forbear blaming his Graces Conduct in sending away the Chief, if not the only Witness who should have supported and justified them.

However, as I did not think it convenient in the short time I was with *Frazer*, to be too Critical in Enquiries after matters of that kind, least by giving him a hasty and unseasonable Alarm, I should not only have obviated, but defeated my self in the Resolution, which upon the few foregoing Intelligences I had entertain'd, namely of penetrating as far as possibly I could into this Mystery of Mischief as well as Darkness, by the assistance of such Persons, and the subserviency of such means as I should judge to be the most proper.

Yet notwithstanding my finding upon the Reason I have assigned, that it was not only impracticable, but unsafe for me to have endeavoured the getting into a full and clear discovery by my Conference with *Frazer* of all the Interviews and Transactions that had been and past between the Duke of *Queensberry* and him in *Scotland*, nevertheless I do in all Humility assume the Liberty of declaring my belief that *Campbel* is able to unfold most of them, and that provided he will be Ingenuous, he is capable of laying before the most Honourable Lords of the Council things which will as well amaze them as set all these things in a Meridian Light.

And therefore waving the insisting on such matters which do not fall so perfectly as I could Wish, within my knowledge, the next thing I am to relate is my being inform'd by Mr. *Clerke*, that the Duke of *Queensberry* had obtain'd of the Earl of *Nottingham*, a Pass to go beyond Sea, for four Persons, under false and sham Names, and that as *Campbel* had brought it from his Grace to the forementioned *Clerke*; so he the said *Clerke* had carried it to *Frazer*, who upon Intelligence and Assurance which the foresaid Duke had given him of its being procured, was gone down to *Gravesend*, where upon the presenting it to the proper Officer by *Clerke*, *Frazer* and the other three were without trouble given unto, or enquiry made about them, admitted to go safely on board in the Virtue of it.

Which as it could not but mightily astonish me, as well that upon my first thoughts, I apprehended the *Scots* Plot, which had been so much talk'd of, would be Irretrievably blasted, through sending away as I imagin'd the sole Evidence of it, so much more on my second, when I came plainly to discern that instead of a Plot contriv'd against her Majesty and her Government, whereof the Witnesses should be only found in *Great Brittain*, there was a Conspiracy on the Wheel, against some of her Majesty's most Eminent and best Subjects, of which the Proofs were to be transmitted in a Cloak-bag from *France* hither, as the Holy Ghost was said to have been from the Pope at *Rome* to the Council at *Trent*.

But as I did not account my self sufficiently furnish'd by all this for revealing unto any body, what I not only conceiv'd, but thought my self in some manner fully appriled of, unless I could get possess'd of Evidence, which should be held both Legal and Uncontroulable, I determin'd to wait a few days, in order to be so undeniably and demonstratively enlighten'd

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and confirm'd in what I was to say, as that I might not be expos'd and Lampoon'd, if not also ruin'd.

Which little more than a Week afforded me, through my receiving a Letter from *Frazer* in *Holland*, directed to me under the Stile of Uncle, I being desired by Mr. *Clerke*, who brought it to me, to return an Answer; I readily undertook to do so, and accordingly did it by the Name of *Ralphson*.

Wherein as all my Intention and meaning was to get into an exact understanding, about what, and with whom, all *Frazer*'s Correspondence from hence thither, and his returns from thence again hither was; so I was no sooner compleatly Master of it, which without giving an Answer to the forementioned Letter I could never have been, but that I did by a Friend acquaint his Grace the Duke of *Athol* with it, humbly beseeching him both to lay it before the Queen, and also to communicate it to such of her Majesty's Ministers of State as he should think fit to apply unto, and that he would particularly discover the whole of it to the Right Honourable the Earl of *Nottingham*.

And what Services have been done her Majesty, your Lordships and the Government, by the discovery how Letters to and from *Frazer* might be intercepted, I will not take upon my self to say, but do refer it to the Judgment of those who have either read 'em themselves, or have heard them read.

And as I had not the Honour to be known to the Duke of *Athol* previously thereunto, either *Beneficio* or *Injuria*, save that about seven Years since, he came by the late King *William*'s Order to Examine me in *Newgate*, and to tell me I was to be carried to *Scotland*, which I could put no other Construction upon, than that I was design'd to be destroy'd there without Law, when by all the Laws of *England*, in which I had liv'd since the Year 1655, I could not in the least be affected; so from the time of his Grace's coming to me in the foremention'd place, I never so much as saw him, save once *en passant*, near the *Privy-Garden*, and at this Honourable Board on *Thursday* last.

So that what I do now lay before the most Honourable Lords of her Majesty's Council, is neither in acknowledgment of favour received from the Duke of *Athol*, and much less in revenge against the Duke of *Queensberry*, for having done me discourtesies, from whom as I never met with any; so to the best of my remembrance I did never see him unless at this Table, when I was commanded a few days ago to attend here; but the only motives on which I do make this discovery, are the preserving of the Safety and Honour of her Majesty, the preventing those discontents which this might produce in the minds of most of her Majesty's Subjects, especially of those in *Scotland*, and for covering the Lives of many Innocent as well as of divers very Eminent Men.

Dated, *Decemb.* 27. 1703. *Sic Subscribitur*

Rob. Ferguson.

May

May it please your Honours,

IN Obedience to your Lordships Commands, I have put into writing not only, what I am said to have omitted in my former Paper of things declared by me before the Right Honourable the Lords of the Council on *Thursday*, but whatsoever since then I have been able to Recollect, for as there is nothing on which I will more value my self than the setting this Affair in its true and full light, so I hope it will now be found done to the Satisfaction of the whole Board, I am with the profoundest and most sincere respect,

Dated, *Decemb.* 27. 1703. *May it please your Honours*,

Your Lordships most Humble,

Dutiful and Obedient Servant

Sic Subscribitur

FERGUSON.

Colin Campbell's *Declaration*, December 24. 1703.

XVI. MAY 1702. *Simon Frazer* was in the North of *Scotland*, and on K. *William*'s Death went to Sir *Hugh Cameron* of *Lochzell*, *Macdonald* of *Clanronald*, Sir *Donald Macdonald*, and several others in that Country, that were but Dependants on the former Persons, and not necessary to be nam'd here. I cannot be positive whether he had Allowances from Sir *Donald* to treat with the Court of St. *Germains* or not, but *Frazer* himself told me he had from the rest. With this he went for *France*; the first Person he sent for was Sir *John Maclean*, by whom he understood the Circumstances of the Court at St. *Germains* to be such with *Perth* and *Middleton*'s Animosities among themselves, that there could be nothing done by them, he applied himself to the Queen at St. *Germains*, and had her Allowance to treat with the Court of *France*, to see how *Scotland* might be invaded, the Incouragement he gave that Court was, That he himself was come there with Allowances from the Highlanders, tho' in effect he had Allowance from none but what I have nam'd, yet he pretended he was come with Allowance from the whole Highlanders of *Scotland*, and that they wanted only Men, Money and Arms, to put them in Condition to appear for their Master (as he call'd him) the King. The Court of *France*, as he said, was very frank and willing to give Men, Money and Arms; but when the design was publick, and known, to the Court of St. *Germains*, their Animosities were a great hindrance to it. His Proposal was that the Court of *France* should land 5000 Men in *Scotland* with Money and Arms to the Highlanders, and that he would undertake to make a Rebellion in *Scotland*. Captain *Alexander Maclean* did represent

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at St. *Germains*, that *Frazer* was not able to make good his Propoſals, ſo that it was not fit to truſt him with Men, or much Money. This was repreſented to the Court of *France*, which made them unwilling to venture Men or Money without a good Aſſurance from *Scotland*, ſo it was reſolved that *Frazer* ſhould be ſent to *Scotland*, with Captain *John Murray*, who was ordered to be a Witneſs to *Frazer*'s Tranſactions in *Scotland*, and that he might himſelf make all the Friends he could for their Intereſt. There came over with them Col. *Graham*, and Major *Frazer* from *Calais*, in Capt. *Gibſon*'s Ship. They went thro' the Country of *England* to the Borders of *Scotland*, where *Frazer* ſtaid. Capt. *John Murray* and Col. *Graham* went for *Edinburgh*. This was all of *Frazer*'s own Account to me, that was material to be writ. Colonel *Graham* and Captain *John Murray* received the Benefit of the Queen's Indemnity. *Frazer* ſent for me, and Captain *Maccleod*, he went, but I did not. He wrote to the Duke of *Argyle*, with Captain *Maccleod*, and to the Earl of *Leven*; *Frazer* came within twelve Miles of *Edinburgh*, where Captain *Maccleod*, Captain *John Murray*, Major *Frazer* and I met with him. (1.) He told me he was to meet the Earl of *Leven* within a little ſpace of *Edinburgh*; and was to go to meet with the Duke of *Argyle* near *New-Caſtle*. (2.) I was asking of *Frazer* of his Tranſactions abroad, and what his Inſtructions were, he told me that if he could but make any ſort of Rebellion in the Highlands of *Scotland*, his Fortune was made for ever. Next day he met with the Earl of *Leven* at *Carthar*, from that he went near *New-Caſtle* and met with the Duke of *Argyle*, then he went to *Argyle-ſhire*; the Duke of *Argyle* and the Earl of *Leven* recommended him to the Duke of *Queensberry*, Captain *Maccleod* was ordered by the Earl of *Leven* to write for *Frazer* to *Argyle-ſhire* to come to *Edinburgh* to wait on the Duke of *Queensberry*, and ſent him the Duke's Paſs, to carry him along. When he arrived at *Edinburgh*, he ſtaid at Captain *Maccleod*'s Houſe, where the Earl of *Leven* had ſeveral Conferences with him, and ſent Captain *Maccleod* along with him to the Commiſſioner, I cannot be poſitive how often he waited on the Commiſſioner, but I think it was twice. I ask'd him what his Conference was with the Duke of *Argyle*, the Duke of *Queensberry* and the Earl of *Leven*, for I had reaſon to think that they were imploying him to ſerve the Queen and her Government. He ſaid to me, that all of them were his good Friends, and were making him Offers; but that he would not quit the Intereſt of St. *Germains*, if they kept Meaſures with him. (3.) This is the Subſtance of what he ſaid to me on this Occaſion. He went from *Edinburgh* to *Monteith* and *Strathern*, Captain *John Murray*, who was ordered by the Court of St. *Germains* to go along with him, and to be Witneſs to all his Tranſactions, ſtaid after him at *Edinburgh*, and was making all the Friends he could with all thoſe in the Parliament, who he thought were inclin'd to the Intereſt of St. *Germains*. He ſaid he had been with the Earl of *Errol*, the Earl of *Mareſchal*, the Duke of *Gordon*, and ſeveral others, but named no more to me, and that he had been ſpeaking with ſeveral Barons, but did not name any. He went with the Lord *Drummond* to meet with *Frazer*. *Frazer* told me

me they met with him at *Drummond*, and that *Stuart* of *Appin* was there, that *Murray* of *Abercarny*, young *Cameron* of *Lochzel*, *Stuart* of *Gregton*, *Robert Murray*, *Abercarny*'s Son, with ſome of the leading Men of the *Macgrigors*, and *Drummond* of *Bohaidah* were there.

This is *Frazer*'s own Relation to me. He ſaid they were all ready to ſerve the King, if there was but a reaſonable occaſion. He deſired me ſome time before, to carry a Line to the Earl of *Braidalbin*, deſiring earneſtly to ſee him; I delivered his Letter to the Earl, who underſtood by me *Frazer*'s Deſigns; the Earl ſaid he was too old to turn Papiſt, and that no Man who was a real Proteſtant could meddle with a Popiſh Intereſt, and be ſecure of either his Life, Liberty or Eſtate, and that he would not meddle, for that he was reſolved to ſerve the Queen and her Government. I had occaſion to ſee *Frazer* again, who preſs'd me to carry another Line to the Earl. I told the Earl that *Frazer* had ſeen the Duke of *Argyle*, *Queensberry* and *Leven*, and then he ſaid, That ſeeing he had ſeen ſo many, that he ſhould not have to ſay, but he ſhould ſee him. I met *Frazer* afterward, and told him that he might ſee him. *Frazer* told me that Duke *Hamilton* and the Duke of *Athol* were to ſend *Mackdonald* of *Glengary*, and Captain *Murray*, *Stanhope*'s Brother, to *France*, to treat with the Court of St. *Germains*, in order to reſtore the King as he ſaid, and to ruin him, and do all themſelves. As to *Glengary*'s being ſent, I diſcovered that to be falſe, he going ſtrait to the North to his own Houſe, which I underſtood when I arrived at *Edinburgh*; and that tho' Captain *Murray*, *Stanhope*'s Brother, was but come from St. *Germains* a little before him, yet that he durſt not truſt himſelf to him, becauſe of his entire dependance on Duke *Hamilton* and Duke of *Athol*. *Frazer* ſaid alſo to me, that e're he left *Paris*, he had got a Man that the Earl of *Cromartie* had doing for him abroad with the Court of St. *Germains*, put into the Baſtile as a Spye, and who would not be truſted. All this is *Frazer*'s Relation to me, but I cannot aſſert it as truth. *Frazer* went to ſee the Earl of *Braidalbin*, from *Argyle-ſhire*, where he had left his Brother and Major *Frazer*, and ſo return'd again to *Drummond*, where he had a Conference with the Lord *Drummond*, and the Perſons I nam'd before, ſome of them were angry at him that he had ſeen *Braidalbin*, and ſaid he could not be truſted, yet they reſolved to offer him the ſole Command, if he would but go along with them; he ſaid he had ſpoke to the Earl, but that his Anſwer was, That he was too old to turn Papiſt, and would not meddle or allow him to ſay any thing for him at his return to St. *Germains*, for that he found by the Earl that he was determined to ſerve the Queen and her Government. This was *Frazer*'s Relation to me. *Frazer* came ſtrait from *Drummond* to *Edinburgh*, and ſtaid a Night at Captain *Maccleod*'s, and made the beſt of his way for *London*. Captain *John Murray*, when *Frazer* was in *Argyle-ſhire*, went to *Stuart* of *Appings*, where he expected to meet with *Frazer*, but *Frazer* being now ſent for to *Edinburgh*, he miſs'd him; but as he told me by accident, had met with Sir *Hugh Cameron* of *Lochiel*, *Stuart* of *Apping*, and *Mackdonald* of *Glenco*, who he ſaid would be very

very ready upon a reasonable Occasion to serve the King. *Murray* from that return'd to *Edinburgh*, and went no further in the Highlands, *Murray* was to go thro' all the People of the Low Countries that he thought were inclin'd toward the King's Interest, to see what assurance he could have from them. I left *Scotland* upon the rising of the Parliament, so that I know no more of *Murray*'s Transactions. When *Frazer* arrived here in *London* he sent for me, and I went to him, he desir'd me to acquaint the Duke of *Queensberry* which I did. The Duke met several times with him, but I was not present. All *Frazer* said to me of it was that the Duke was using endeavours with him to serve the Queen and Government, and said to me if measures were not kept with him abroad, that if the Duke procur'd him his Pardon, he would return and serve the Government, for he said he suspected the Animosities of the Court of St. *Germains* would destroy all the Designs. He lodged at Mr. *Clerke*'s House, who knew what he was, and the Designs of his going abroad. (4.) I saw Mr. *Keith* with *Frazer* several times at Mr. *Clerke*'s, Mr. *Keith* was privy to all his Transactions abroad, as I understood by their Discourse before he went to *Scotland*. (5.) All our Discourse at Mr. *Clerke*'s was of the King, and how *Scotland* might be Invaded, and of *Frazer*'s Transactions in *Scotland*. Mr. *Clerke* did over hear us several times as I think. I supp'd with *Frazer*, Mr. *Keith*, Mr. *Corbusier*, Major *Frazer*, his Brother and an *Irish* Man, who *Frazer* said to me had been a Priest. I know not his Name, the most of our Discourse was on Bills that he was to receive from *Corbusier* to *Holland*. I did not mind the particulars of what past. I doubt not but we spoke of the King and drank his Health, which is all I mind of what past that Night. I did see *Corbusier* twice with *Frazer* and Mr. *Clerke*, he discours'd none with him in my presence, but brought him aside, and talk'd a little of private Affairs and went his Way. I saw Mr. *Ferguson* with him once, when I came into the Room, *Ferguson* got up and made an end of a Discourse he had with *Frazer*, telling how much he had repented his former way of Living, and being concerned against the Royal Family, which is all I could make of what he discoursed and so he went his way. *Frazer* told me he did not trust him, for tho' he had a Pension from St. *Germains*, yet he might have one from the Queen and the Government here for ought he knew; so he did not trust any of the Secrets of his Affairs to him, as he said, but sent for him to know what was passing here in Town, for that he was very Intelligent, this is all he told me concerning *Ferguson*. I dined with *Frazer* the same day he went off, at a Tavern hard by the Monument, with the same Company that I supp'd with him formerly. I staid with him till I had din'd, but did not mind particularly what Discourse pass'd, save of his Bills, tho' no doubt there was Discourses, tho' I cannot descend to particulars. I left them and came for a Pass, which Pass he desired me to give to Mr. *Clerke*, who was there at Dinner. I brought him the Pass which the Duke of *Queensberry* procured from the Earl of *Nottingham*, under the Names of Mr. *John Campbel*, Mr. *Monro* and *Dickison*, which I delivered to Mr. *Clerke*, who went with it to *Gravesend*, when the

the discovery was made of *Frazer*'s being here, and my carrying the Pass to Mr. *Clerke*; and that as I heard the Duke of *Athol*, who had made much Enquiry about it, was very angry with me. I Jealous'd that Mr. *Keith*, who was Privy to all, made the Discovery to the Duke, and gave it him as a handle to reflect on the Duke of *Queensberry*, who I knew *Keith* had no friendship for. I was resolved not to go near *Keith* afterwards, nor meddle more with him; but he had asked several times for me at my Lodgings, and got me at home at 10 a Clock at Night, he asked me if I had heard any News, for that there had been much talking of our Friend *Frazer* in Town, I said that that I knew, for that I had been examined by the Earl of *Nottingham*, and that it was a surprise to me how my carrying the Pass could be discovered, and that none could do it but Mr. *Corbusier*, *Clerke*, he or I. *Keith* was very uneasie, and said he would be at the bottom of it, with this we parted. I went to see *Keith* afterwards, who told me he had been with the Duke of *Athol*, and owned that *Frazer* had sent for him, and that his business was to see if he could make a Friendship for him with his Grace: This *Keith* said he did to keep himself right with *Athol*. He said that *Athol* desired him to go to the E. of *Nottingham*, and own that he had seen *Frazer*, this made me Jealous of *Keith* the more. Sometime before this I had occasion to be with Mr. *Keith* at his Chamber, where we spoke of the King's Concerns at St. *Germains*, and he told me that he had advis'd *Frazer* not to return to Invade *Scotland*, unless the King came in Person as he said, for otherwise he could not expect any Man of Interest would meddle; but if the King would Land himself in *Scotland*, that he would be sure of the Old Gentry of the Nation. I was saying to him my self, that I thought the *Highlands* of *Scotland* was generally well inclin'd, I did say to Mr. *Keith* on some occasions, that I thought the Earl of *Braidalbin* was very well inclined, and all his Interest; though truly I must say, I had no warrant for it, nor did he ever say so to me; but on the contrary that he would never meddle with a Popish Interest. Mr. *Keith* read to me a Paper, which was Observations on the Court of *England*; the substance of it was this, shewing how the Duke of *Marlborough* and my Lord Treasurer manag'd all, and made *Middleton* and *Perth* believe that they were Friends to the King, and designed to restore him after the Queens death. This he said in his Paper was all but a sham, and that the real design was to amuse them, and settle the Succession on the Family of *Hanover*. He told me he was to send this to *Frazer*, who was to shew it at the Court of St. *Germains*.

He had also Proposals in his Paper, how *Marlborough* and my L. Treasurer's designs might be prevented and the K. brought home; I cannot mind the particulars, save only that a speedy Invasion was one of the ways he proposed in his Paper. He was also to send a Scheme of the Army here to *Frazer*; all this passed between *Keith* and me, before our Letters were intercepted between us and *Frazer*. The first direction we had from *Frazer*, was to write to him by the Name of Mr. *John Smeaton*, to the Care of Mr. *Vincent Neerinx*, Merchant in *Rotterdam*; the Letter I had this Di-

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rection by, came to me by the hands of Mr. *Clerke*, and there came a Letter to Mr. *Keith*, as Mr. *Clerke* told me, by the Name of Mr. *Hill*, and one to Mr. *Ferguson* by the Name of Mr. *Smith*. I had one inclosed in my Letter to the Duke of *Queensberry*, and one to the Earl of *Leven*, both I delivered. When it was said publickly here, That *Frazer* was gone as a Spy from the Duke of *Queensberry*, to the Courts of *France* and St. *Germains*, the Duke sent for me, and said it was fit I should write to him, to return for that his undertaking to him, would be heard of in *France*, and that certainly they would destroy him there. The Earl of *Leven* and the Earl of *Stairs* were present, and proposed not to write so plain, for that there was Reason to think that by that time he was at *Paris*, and that he had been taken up there, and a Letter of this Nature Intercepted would be an Evidence against him; so that it was resolved that I should only write, that his Affairs and Practices here were discovered, and that it was fit for him to consider what the Import of this might be to him where he was. I wrote twice to him to this purpose by the Dukes Allowance. I sent my Letter under a Cover to Mr. *Gilbert Black*, Merchant at *Rotterdam*, to be given to *Vincent Neerinx*, who was to further them to *Frazer*, under the Name of *Smeaton*. The way I desired *Frazer* to write to me was by the Name of *John Moncrief*, to the care of Mr. *Campbel* Goldsmith in the *Strand*. I did see Mr. *Keith*, and he and I both resolved after that, to correspond no more with *Frazer*, for fear our Letters might be intercepted, and we resolved if we should be examined by the Government, not to own any Correspondence with him. I went to Mr. *Clerke* and gave him several Papers to keep, and *Frazer*'s Commission as Colonel from the King at St. *Germains* with the King's Picture. I sealed the Kings Picture and Commission in a Paper, and I told him what they were before I sealed it. (6.) When *Frazer* went off he left several Letters with me, one to the Earl of *Bradalbin*, one to *Bohady*, and one to *Frazer* of *Invahellia*, one to Mr. *Coline Campbel*, the Earl of *Bredalbin*'s Son; one to Captain *Maccleod*, by the Name of Colonel *Corbet*; the Substance of his Letter to *Bradalbin* was, shewing him how much he was his Servant, and offering him the Command of all, if he would but meddle in this Project, and that he hoped to see him, and put a piece of Parchment into his hand; the Substance of his Letter to *Bohady*, was Protestations of Friendship, to himself and his Family, and his Father-in-Law *Lochzel*, and that he would mind him effectually where he was going, and told him he had sent him by me the King's Face set in Gold.

The substance of *Envahellia*'s Letter was, telling him, he being nearest of kin to him, that he left with me in case he should never return, the King's Picture, his Commission and Instructions, with several other Papers concerning his Estate. This Letter was not to be deliver'd, unless I heard that he and his Brother were dead; his Letter to *Coline Campbel* was nothing but a Complement, desiring his Friendship and a Correspondence. These Letters were all in my Custody unseal'd; when I considered how obnoxious he was to the Government, and that the Earl of *Braidalbin* did not

not write to me that he had seen him, or allow me to correspond with him; I burnt his Letter and all the rest, save Captain *Maccleod*'s Letter, which I sent him by the Post, seeing I had no manner of allowance from them to correspond with him. *Frazer* told me that he had sent his Servant *Tom Frazer* with the Instructions he had from the Court of St. *Germains*, to shew them to Sir *Donald Macdonald*, *Mac Donald* of *Clanronald*, and to the rest of the *Clans* of the *Highlands*, and that he had ordered him to give me the Instructions when I arriv'd in *Scotland*. He told me that by the same hand, *Tom Frazer*, he had sent Letters to Sir *Donald Macdonald*, *Macdonald* of *Clanronald* and several others, but had not time to stay in *Scotland* to receive an Answer. *Frazer* told me that Captain *John Murray*, with a Son of *Lochzels* was to be here this Month, in order to go after him to *France*. *Frazer* said that if measures were kept with him abroad, and that the *French* would Land an Army in *Scotland*, he resolved himself to come to *Scotland* before them, and raise as many of the *Highlands* as would go along with him, and divert the Army in *Scotland* with them, till the *French* landed. He said he would urge with all his might, that the King should come to *Scotland* in Person. He wrote to me a Letter from *Holland*, with the first Letters I had by the Hands of *Clerke* to Captain *Maccleod*, under the Name of Colonel *Corbet*, which I burnt without reading. The way that he was to correspond and send his Letters to *England* as he said, was with Captain *Gibson*, by the Interest and Means of a Person in a Cloister at *Calais* or *Dunkirk*. This is the substance of all that ever *Fraser* communicated to me of his Transactions, I was several times with Mr. *Clerke*, who still said, that the sooner the King came over the better. I met twice with Mr. *Ferguson*, at the *Vine Tavern* in *Holbourn*, where Mr. *Clerk* was present; I told *Ferguson* that I had been examin'd by the Earl of *Nottingham*, I ask'd his Advice what to do. He told me certainly I should be re-examin'd and put in Custody, he told me also that *Frazer* was gone from the Duke of *Queensberry*, as a Spy to the Courts of St. *Germains* and *France*, and to give the Duke notice of all their Proceedings, and that certainly he would be put in the *Bastile* at *Paris*, for that Notice would be there before him, then *Clerk* said, if he was perfidious, and not a Friend to the King's Interest, he would never trust a Man after.

Decemb. 24. 1703. *Coline Campbel.*

Sworn before me this 24th Day of December, 1703.

Nottingham.

To the Right Honourable the Earl of Nottingham, *Principal Secretary of State.*

My Lord,

THE inclos'd is the matter of Fact, of all that I know concerning Unhappy *Frazer*'s Transactions against the Government: I would to God I had never seen him, I had liv'd a Dutiful Servant to the Queen and her Government. This is all the mends I can make. I thank God I have

 repented,

repented, which gives me full hopes of her Majesty's Pardon in all respects, as your Lordship assur'd me of, on my performing what now your Lordship sees I do, without reserve. Your Lordship knows well what a Person in my Circumstances is liable to; but the great hopes I have of being received into her Majesty's favour, makes all easie to me: for I am resolved, while I breath, to serve her Majesty against all Mortals, and will for ever repent what I have done. I hope a favourable Answer from your Lordship, for I am, in all respects,

Decemb. 24. 1703.

May it please your Lordship,
Your Lordships most Humble
and Obedient Servant

Coline Campbel.

Additions Jan. 12 *and* 15. *to be inserted in Mr.* Campbel's *Narrative of* December 24.

I. WHich was the first time of my conversing with him after his return into *Scotland*.

II. And that Captain *Murray* was to bring my Lord *Drummond* to him the day after he was to meet the Earl of *Leven*, and *Frazer* told me, he would use his endeavour to perswade my Lord *Drummond* to join with him in the Rebellion. (*vide* II. *Inf.*)

III. He further told me, that he had acquainted the D. of *Argile*, the Duke of *Queensberry*, and Earl of *Leven*, that Duke *Hamilton*, and the Duke of *Athol* did keep a Correspondence with the Court of St. *Germains*. (*v.* III. *Inf.*)

IV. Tho' *Frazer* did not impart to me all that past between the Duke of *Queensberry* and him, yet after he was gone, the Duke told me, that *Frazer* had given him an Account of some designs that were carrying on in *Scotland* against the Queen and her Government; wherein he said the Duke of *Athol* was concern'd. And the Duke of *Queensberry* further told me, that the reason of his countenancing of him, and procuring him a Pass to *Holland*, in order to his going into *France*; was, because he had undertaken to discover all the Designs of the Court at St. *Germains*, against the Queen and her Government, and would return to make known all he could discover, and what Persons were concerned in any such Designs.

V. But the Duke of *Queensberry* did not know that *Frazer* had any Correspondence with *Keith*, neither did *Keith* know what he had promis'd the Duke to do upon his going to *France*.

VI. Among the Papers was a Pardon that *Frazer* and several of his Kindred had from King *William*, and two Bonds from the late Lord *Lovat*, to him for 50000 Merks each, and several other Papers of private Concerns.

This

This further Information was dictated by me on the 12th Day of *January* 170¾. the several Clauses of which are to be inserted in a former Information, given in by me the 24th of *December*, 1703. according to the Numbers annexed, and is what has occur'd to me since.

Witness my hand,
Coline Campbel.

II. FRAZER then said, that he was not to tell the Duke of *Argile* or Earl of *Leven* the Secrets of his Design; but that he was resolved to go privately to the *Highlanders*, and shew them his Instructions from St. *Germains*. This was what he said to me then, tho' afterwards he alter'd it: At the same time he gave me a Letter to the Earl of *Braidalbin*, desiring Liberty to see him. This Letter I carried to the Earl who told me he would not see him: As also some other things, mention'd in the Information formerly given by me.

III. When *Frazer* lodg'd at Captain *Maccleods*, Captain *Murray* brought him to my Lord *Drummond*, and *Frazer* told me that it was then they concerted their meeting at *Drummond*, when he was at Captain *Maccleods*: His Discourse was in general, concerning his Transactions at St. *Germains*; but I cannot remember any other particulars than what I formerly delivered, only that *Frazer* told me, he was to receive some Money of the Duke of *Queensberry*. This was all a Mystery to me, till coming to *London*, the Duke of *Queensberry* told me of the discoveries he had made to him.

January, 15. 170¾. *Coline Campbel.*

Mr. Campbell's *further Examination.*

MR. *Campbell* being asked, Who were the Persons in the *Highlands* that he says, in the beginning of his Narrative, were not necessary to be named? He answered, That they were several little Gentlemen, of that Country, of the name of *Cameron* and *Macdonald*, and that they were not particularly named to him by *Frazer*.

Being asked, Who Captain *Alexander Macclean* was, who is mentioned in his Narrative? He said, He was made a Knight in *Ireland*, and that he is now in the French Army, a Captain in the *Irish* Guards.

He said *Frazer* told him, That the Lord *Drummond* was ingaged in the whole Affair of the Insurrection.

He said, Captain *John Murray* told him, during the Session of Parliament, That he had seen the Duke of *Gordon*, and the Earls of *Errol* and *Mareshal*; but he could not tell what to make of them, People were so very cautious of saying any thing, while the Parliament was sitting.

Being asked the meaning of what is wrote in the Margent of his Narrative, that *as to* Glengary's *being seut, he discovered that to be false, he going straight to the North to his own House.*

He

He said, He meant no more, than that he discovered that he did not go directly from *Edinburgh* to *France*, but that he went first into the North; but he knows not where he now is, or has been since he left *Edinburgh*, nor knows not but that he did go into *France*.

Frazer told him, The Lord *Cromarty* had a Person at *Paris*, who correspondED with the Court at St. *Germains*, his Name was *Mackenzy*, whom he represented as a Spye to Monsieur *de Torcy*, and got him put into the *Bastile*.

Campbell said, He came Post to Town in *October* last, in Expectation of having a Company, by the favour of the Earl of *Cromerty*, being recommended to him by the Earl of *Braidalbin* and *Arbuthnot*.

Being asked, Who Captain *Murray*, that is so often named in his Narrative, was, he said, Captain *Murray* is *Stanhope*'s Brother; and *Frazer* told him that *James Murray* was in the Interest of D. *Hamilton*, and the Duke of *Athol*, but he never spoke with him himself.

Being Examined as to *Clarke*; he said, *Clarke* himself told him of all *Frazer*'s Design; and he heard *Frazer* and *Clarke* talk together of the whole Affair, and *Clarke* was look'd upon as a Man fit to be trusted in all things.

He also said, He shew'd the Commission as well as the Picture to *Clarke*; he says, *Frazer* told him, That it was *Clarke* who got the Case of the Picture engraved for him; *Clarke* said, The sooner the King comes the better.

He also said, That *Keith* and *Frazer* advised together of the whole Matter; he found by their Discourse, that *Frazer* had made *Keith* acquainted with the Design before he went into *Scotland*.

It was *Frazer* told him, That *Keith* was an Enemy to the Duke of *Queensberry*.

Campbell said, That as soon as he was examined about the Pass, he began to suspect *Keith*; he said, that *Frazer* trusted *Keith* entirely.

Being asked, If *Frazer* knew of *Keith*'s Acquaintance with the Duke of *Athol*, and if so, how he came to trust him so much: *Campbell* said, that *Frazer* did know of *Keith*'s depending upon the Duke of *Athol*, and that he hoped to be Secretary-Depute by the Dukes means, which *Keith* told both to himself, and to *Frazer*; but *Keith* made *Frazer* believe, he loved *Frazer* better than the Duke of *Athol*; and *Frazer* thought by his means to know all that *Athol* was doing.

Frazer did not only tell *Keith* of the *Highland* Affairs, and of all his Business abroad; but also told him that the Duke of *Queensberry* was to procure a Pass for him.

Keith's Scheme which he shewed *Campbell*, wherein Notice was taken of the Duke of *Marlborough*'s, and the Lord Treasurer's design to bubble *Perth* and *Middleton*, was written with an intent to prevent that Design of theirs.

And therein he said, That he thought the most effectual Means to do it, was to send the young King into *Scotland*.

Keith

Keith told *Campbell*, That he shewed *Frazer* the Paper; but *Keith* said, It was not so perfect at that time: But he told *Frazer*, That his Opinion was, that *Frazer* should not enter into the Business of *Scotland*, unless King *James* came in Person. *Campbell* being asked, Where *Frazer*'s Instructions were? He said, They were left with *Tom Frazer*, to be shewed up and down in the *Highlands*; he had seen those Instructions, and that by them, *Frazer* had Power to renew all the Commissions formerly sent by King *James*, when he was in *Ireland*, to the *Highlanders*, if he saw occasion.

There was also in them a Promise and Assurance, That the *Highlanders* should be supported with Men, Arms and Money.

Campbell said, That after he had been examined about the Pass, he thought it necessary to see *Ferguson*, with whom *Frazer* had advised him to consult on all Occasions, as being very Intelligent, tho' he cautioned him not to trust him too far, because, he said, he knew he had a Pension from St. *Germains*, and he did not know but he might have a Pension from the Court here. Thereupon he spoke to *Clarke* to appoint *Ferguson* to meet him at the *Vine-Tavern* in *Holbourn*, in order to advise with him, how he was to act upon the present Occasion.

Accordingly *Campbell*, *Clarke* and *Ferguson*, met at that Place; and *Ferguson* told *Campbell*, He would certainly be re-examined and put into Custody, and therefore bid him take Care of himself, for if he was brought to a Tryal, *Ferguson* thought he would be in a very great Hazard. *Campbell* understood the meaning of his Discourse to be, that it was adviseable for him to get out of the way. And thereupon he said, He did not apprehend the Danger to be so great as *Ferguson* expressed it.

Ferguson told *Clarke* also, That he would be put into Custody. *Clarke* made answer, That he had a Family, and would abide by it.

Ferguson said, It was discoursed that *Frazer* was gone into *France*, as a Spy for the Duke of *Queensberry*, and if that was so, *Frazer* would be certainly put into the *Bastile*; and then he proceeded to insinuate to *Campbell*, that it was his wisest way to strike in with the Duke of *Athol*, for that *Frazer* being a Spy for the Duke of *Queensberry*, and the Duke of *Queensberry* not so well affected to the Interest of St. *Germains*, as the Duke of *Athol* was, it would be better for him to join with *Athol*.

Campbell said, He could not remember his very Words, but that he expressed himself in such a manner, that he found that to be his meaning, and that nothing else could be understood by what he said. He said, The Duke of *Athol* was more truly engaged to that Interest they were engaged in, than the Duke of *Queensberry* was.

Campbell told *Ferguson*, That he was upon too ill Terms with the Duke of *Athol* to comply with that, and that if the Duke of *Athol* sent for him, he would not go to him.

Campbell said, *Ferguson*, *Clarke* and he, met at the *Vine* twice, and their Discourse was to the same effect both times.

Campbell said, That after he had been examined about the Pass, he met the Lord *Tullibardin*, at the Earl of *Cromarty*'s Office; and the

Lord-

Lord *Tullibardin* told him, his Father desired him to come to speak with him, and that he would forgive *Campbel* for getting *Frazer*'s Pass, because he knew *Frazer* was of kin to him. He thinks this was about the beginning of *December*; the Duke of *Athol* afterwards sent a Servant to *Campbel* to desire *Campbel* to come to him, but he declined it.

Being shew'd the Intercepted Letter, dated *Feb.* 24. as from *Liege*, he said it was *Frazer*'s hand writing, and that he believ'd it came from *Paris*, tho' it was mention'd to come from *Liege*.

Coline Campbel.

March 11. 1704.

MR. *Campbel* being farther Examined as to *Frazer*'s Letter of the 24th *Febr.* said, That by the Words, *My good Friend* N. *Frazer* meant Captain *Maccleod*, whose Christian Name is *Neill*.

That by *To.* in the Letter, was intended *Tom. Frazer* his Servant, who is employed in his Business in the *Highlands*.

Being ask'd, What was meant by the Words in the Letter, *You tell me that* K. *betrayed me to* A. *and now we hear of his Sufferings for me?* He said, The first Part related to the Letter *Campbel* wrote to *Frazer*, wherein he told *Frazer* that *Keith* had betray'd him to the Duke of *Athol*; and as to the latter Words, that he believed some other Body had sent word to *Frazer*, that *Keith* was in Prison upon his Account, and he could not but wonder, why the same Person did not give him an Account of *Campbel*'s own Imprisonment.

Coline Campbel.

Coline Campbell's *farther Examination.*

XVII. *CAMPBEL* being again examined upon the Occasion of a Letter, intercepted, which was writ to him from *Paris*, by *Simon Frazer*, Dated, *Decemb.* 27. / *January* 8.

He said he had written three Letters to *Frazer*, by the Privity of the Duke of *Queensberry*, since *Frazer* went away, and before he himself was apprehended.

In the First he told *Frazer* that the Letter of the Late Queen which he left with the Duke of *Queensberry*, had the Superscription in a different hand from the Letter, and therefore was of a less weight, * and he told him his Brother was come hither.

*See N° XII.

In the Second he told him all was discovered, and that he suspected *Keith* to have done it.

The Third was only a kind of Duplicate of the second, and upon reading *Frazer*'s Letter of the 8th, he said that *Keith* had told him (*Campbel*) that he aimed at the Deputy Secretaries place, by the means of the Duke of *Athol*.

That *Keith* was to give an Account of all that past here.

And *Frazer* told *Campbel* that *Keith* was to correspond with him, and *Keith* said, That in that place he should be more capable to serve his Friends.

Frazer's

Frazer's *Letter to* Campbel *abovementioned.*

My dearest Cus. Decemb. 27. / *P. S. the* 8. *of* January, 1704.

I Am very much confounded at the receipt of your Letter, I wish you had been more particular, I received at the same time a very kind Letter from Mr. *Keith*, with Intelligence of all that past at your Court. I can hardly believe that he can be such a Monster of Nature, as to swear perpetual Friendship to me, to swear Eternal faithfulness to the K. and to tell me that his only design of being great with *Athol*, was to get him the Deputy Secretaries Place, of purpose to send us an Account of all the Motions of that Court; and that he knew that his Father, and all his near Relations are ingag'd with us, that in the mean time to serve a private end of his own, that is to be reveng'd of my Friend, that he should Sacrifice his Honour and Conscience; and offer to ruin my Master's Intereft, to which he swore Fidelity, and to ruin me, to whom he swore perpetual Friendship. I can't for my part comprehend how a Man can be guilty of such a gross Villany. I must own, and I do acknowledge my self mightily in the wrong to my great Friend, in not telling him that I did converse with *Keith*, it was to save my word of Honour which I gave him, that I should not tell it. I could not shun seeing him, because his Uncle wrote of him to me: But by all that's good, I made only use of seeing him to do my good Friend Service, by knowing the minds of his Enemies and mine, which I still told him. But let him be as much Devil as he can, my good Friend may make my converse rather useful than hurtful, to him and his Friends, because his end was to gain me, or get Intelligence from me, and either was better Service than his Enemies can do this Year. *Keith* cannot say for his Soul, but I always told him that my great Friend was an obstinate Enemy to my Master here, and all his Party, which I oft regretted, and which he still curs'd them for; all the hurt of his Discovery must be only to me here, but I hope I am so well establish'd here with the first degree of People, that all my Enemies can't wrong me, and if I can't do my Friends Service there, I will endeavour to do it here if the Guise turn. I have what my great Friend sought secur'd; but I believe it will will be of no use now. However let me know, if I am lost with my great Friend or not, for if he and my old Friend *L.* mislike me, I never will go to *Scotland* till my Master goes home, which will be in spight of all his Foes. I beg you let me know what is pass'd in all, and how my good Friends are inclin'd towards me; since this fatal blow, they will certainly think me a Fool, but I am sure a true Friend of theirs. Tell me what your Brother does, I am still

Your Affectionate Cus.
and True Friend,
L. Jo. Smeaton.

Directed thus, *To Mr.* John Moncrief,
to the care of Mr. John Campbel,
Goldsmith, in the Strand, London.

To

To Mr. John Moncrief, *to the Care of Mr.* John Campbel, *Goldsmith, in the* Strand, London.

[Note, *By* John Moncrief *is meant* Coline Campbel.]

Dear Cus.

I Believe all the Devils are got loose to torment me. With you I am abus'd, ruin'd, and my Reputation torn. Here I suffer by those whom I served, and am treated like a Traitor and Villain; and if I had not had good Friends here of Strangers, I had perish'd like a Dog. I do not yet know what my Fate will be, but I have dear bought my Conversation with those you call my Real Friends. You tell me that K. betrayed me to *A.* and now we hear of his Sufferings for me; but none in *England* could wrong me but he or you, and if either of you has wrong'd me, I cannot trust my self or any Flesh and Blood: my Comfort is, that I neither betrayed my Trust, nor my Friends, nor would not for the Universe; and I wonder how you suffered little Fellows to dare Calumniate me: however, my Dear, if you have any thing left in you of the Tyes of Nature or Comradeship, I hope you will do me what Justice you can with my Friends, and those you know intrusted themselves to me; and let me know, if possible, what all this is, and what they rely upon in all this Matter. My good Friend *N.* is likewise brought as an Evidence. For my Part, I believe the Day of Judgment is at Hand, for I see a great many of the Symptoms of it. I hope you will take Care to support *To.* and my poor little Concerns of my Family, which I will not abandon for all that's come and gone. Pray write to me, and if you cannot send it to the former without Suspicion, send it, under Cover, to Mr. *William Cromie*, Factor at *Rotterdam*, to be given to Mr. *Neerinx*, and write on the back of it, to *Peter Tomson* at *Liege*. Fail not in this, if you Love

Your Cus. and faithful Friend and Servant,

Liege, the 24th *Feb.* 1704. J. C.

Letter to the Laird of Glenderoul, *and a Key.*

SIR,

THIS is my third to you, and I have only had two from you, 36 has wrote none to me, and 2 can't quarrel that, since he writes only two Letters to 26; he talk'd that 4 has difficulty to get 14, tho' 15 is offer'd to him, 68 is not here. We hear that 7 and 45 were to visit 71, but found not 4, 'tis said that 4 will not countenance 10.

It's certain that Earl of *Cromarty* has pass'd a Gift of *Brogholl*, and his Mothers Estate in favour of *Balgune* on a most unfavourable ground when his Lordship comes to understand the Case; but I find my Chamberlain is forgot and let fall, if I had applied to 64 I had got it done; but since I am balk'd of that, I shall not be so of my next asking that way.

I have since my last discours'd *Carshine*, and I find their Foolish Consultations, *go on Trep, ou Fooll, you ay Mungo, and Topicks*, only they project, to set upon the departure 95, if they can get leave, and thereby shun *Roshills* adjudication, and all other Personal Debts.

If you have not spoken to 52 anent 37, pray do it not, for 24 does not expect any Friendship that way, as 30 will find. 77 I fancy will stand with us, and not make a separate bargain. Let me hear from you oftner, if you think fit, that I may know somewhat what's to be expected. It's strange that 71 wrote to none here, save to 26 two Letters, and one to another.

Edinburgh, December 20. Adieu.

The KEY.

1	The Queen 38.	84	Horseguards
2	D. of *Queensberry* 64.	15	Extraordinary L^d of the Session
3	E. *Cromarty* 45. 52.	16	Lord of Treasury
4	D. *Argile* 36. 71.	17	Justice General
5	E. *Glasgow*	18	Title 301. 37.
6	*Fonab.* 68. 27.	19	*Scots* Parliament
7	D. *Athol*	20	Dutchess *Argile*
8	*Highland* Comp. 75. 67.	21	*David Campbel*
9	*Patric Cowme*	22	Lord *Cromartie*
10	*Glenderoul* 59. 30.	23	D. *Hamilton*
11	E. *Roseberrie*	24	*Aberuchil* 60. 70.
12	*Prestonhall*	25	Lord *Godolphin*
13	E. *Bredalbin* 100. 77.	26	D. of *Marlborrough.*

SIR,

THIS is my third to you, and I have had two from you. D. *Argile* (36) has wrote none to me, and D. *Queensberry* (2) cannot quarrel that, since he writes only two Letters to D. *Marlborrough* (26). He talk'd that D. *Argile* (4) has difficulty to get the Horseguards (14), tho' an Extraordinary Lord of Sessions (15) place is offer'd to him. *Fonab* (68) is not here, We hear that D. *Athol* (7) and E. *Cromartie* (45) were to Visit *Argile* (71), but found not *Argile* (4). It's said that *Argile* (4) will not countenance *Campbel* of *Glenderoul* (10). It's certain that E. *Cromartie* (45) has pass'd a Gift of *Boghall*, and his Mothers Estate in favours of *Balgune*, on a most unfavourable Ground, when his Lordship comes to understand the Case; but I find my Chamberlain is forgot and let fall. If I had applied

plied to D. *Queensberry*, I had got it done, but since I am balk'd of that, I shall not be so of my next asking that way. I have since my last discoursed *Carshine*, and I find their foolish Consultations go on *trep on fool you ay Mungo and Topicks*: Only they project to set up on the departure 95. if they get leave, and thereby shun *Roshills* Adjudication, and all other personal Debt.

If you have not spoken to E. *Cromartie* anent the Title, pray do it not, for Ld *Aberuchil* does not expect any friendship that way, as Mr. *Campbel* of *Glenderoul* will find. E. *Braidalbin* I fancy will stand with us, and not make a separate Bargain.

Captain Macleod's *Declaration*, January *the* 4*th*, 170¾.

Edinburgh, 28th *December*, 1703.

Sederunt. The Earl of *Loudon* Elected President, the Earl of *Northesk*, Earl of *Glasgow*, the Lord President of Session, Lord Register Advocate, and Justice-Clerk, Mr. *Francis Montgomerie*, Lieutenant-General *Ramsey*, and Sir *Robert Sinclar*, as Committee of Council for Inquiry into Evil Practices, and Practices against the Government.

WHere appeared Captain *Neill Macleod* Prisoner; being interrogat, declared as follows, That being in *Edinburgh* in the Month of *July* last, he received a Letter from Captain *Simon Frazer*, sent by his Servant, who said, his Master and he were come from *Hanover*; whereupon he went and met with Captain *Simon* at *Durham* in *England*, and there Captain *Simon* told him he was come from *France*, and that he had been with the King of *France*, who was very kind to him, and promised to give him a considerable Sum of Money, in order to raise an Insurrection in *Scotland*; but that Sir *Alexander Macleane* of *Otter* getting Notice of it, had told the Queen-Dowager to the late King of *England*, that Captain *Simon* was not a Man to be intrusted with such a Sum of Money; whereupon the said Queen-Dowager went to the King of *France*, and put a stop to the giving of the said Money: But that the said King ordered him a Sum to bear his Charges, and that the Declarant saw Captain *Simon* have both Gold and Silver to the Value of about 40 or 50 *l.* Sterling, which he said he got from the French King; and that Captain *Simon* told him, there was a Correspondence betwixt St. *Germains* in *France* and *Scotland*; and that the same was kept with the Duke of *Atholl*, the Duke of *Hamilton*, and the Earl of *Cromarty*; and that the said Intelligence was kept up for the Earl of *Cromarty* by one *Mackenzie* at *Paris*, whom he had caused to be put in Prison. And the Declarant being interrogat, If Captain *Simon* gave him any reason of his Knowledge of the

the said Correspondence, or wherefore he caused the said *Mackenzie* to be imprisoned in *France*, for keeping the said Intelligence? He said, that the Captain told him no more, save as above: But that he also told him, an Invasion from *France* was design'd, and that very quickly: And that he was sent Home with Encouragement from the King of *France* to procure an Insurrection, and Promises were made to him of both Men, Money and Arms; but that it was expected he should first bring an Assurance in Writing from *Scotland*, for which Ends he was going to the *North* to speak with Friends: And one Captain *John Murray*, Brother to *Abercarnie*, was sent along with him from *France*, to be an Assistant and Witness to his Behaviour; and that the said Capt. *John Murray* and Capt. *Patrick Graham* came with him from *France*; But that Captain *John Murray* and Captain *Graham* were gone into *Scotland*, before the Declarant did meet with Captain *Simon* at *Durham*. And the Declarant being interrogat, If Captain *Simon* told him what Number of Men, or Quantities of Money or Arms, were promised, or where and when, and in what manner the Descent should be? Declareth, That Captain *Simon* told him no more, but as above; and Captain *Simon* being desirous to speak with the Earl of *Leven*, sent a Letter to the Earl, and another to the late Duke of *Argyle*, by his Servant: And that the Declarant, and Major *Frazer*, who came along with Captain *Simon*, and the said Servant, came together to *Edinburgh*, and the Letter was delivered to the Earl of *Leven*: But the Earl saying he could give no Answer till he spoke to the Commissioner, the Servant went away, and Major *Frazer* stayed for the Answer. He also declares, that by Captain *Simon*'s Order, he told the Earl of *Leven* that he wanted Money: And the Earl answered, That if Captain *Simon* would make any Discovery for the Service of the Government, he would speak to the Commissioner to give him some Money on the Queen's Account. And thereafter the Declarant, and Captain *John Murray*, after some days Attendance, went with *Glenderoul* in Company, and delivered the Earl's return to Captain *Simon* at the Kirk of *Shotts*, as he was returning from *Argyleshire*, where he said he had been, and had left Major *Frazer* there. And then the Declarant also told him, That the Duke of *Argyle* could not meet with him until he returned from *Charltoun*; and that Captain *Simon* went again to meet with the Duke of *Argyle*, and met him at *Ouller-Haughead*. And the Declarant being interrogat, If he had seen or knew the Contents of the Earl of *Leven*'s Letter, to Captain *Simon*? declared he knew them not; but that he being returned to *Edinburgh*, went thereafter with Captain *Simon*'s Brother, and the said Captain *John Murray*, and met Captain *Simon* and Major *Frazer* at *Redpath*, 3 or 4 Miles beyond *Lauder*, where some of them stayed with him four or five days. But the Declarant came back the next day, and Captain *John Murray*, and Captain *Simon* appointed to meet at the House of *Stuart* of *Appin*; like as *John Murray* told him thereafter, That he came to *Appin*, and mist both Captain *Simon* and *Appin*: But that *Appin* was gone away half an hour to meet with *Lochzeell*, and that Captain *Murray* followed, and overtook them, and they both went, and met with Old *Lochzeell*, at a Ferry-side, and stayed with him

him all Night: But the Declarant having in that time returned to *Edinburgh*, got a Pass from the Commissioner to Captain *Simon*, and went and met him with it at a Place about three Miles to the South of the Kirk of *Shotts*; and then Captain *Simon* came to *Edinburgh* towards the end of *September*, and was with the Earl of *Leven*, and with the Commissioner: But the Declarant was not present at their meeting, nor knows what past: But Captain *Simon* going again to the *Highlands*, the Declarant got from the Commissioner 200 *l.* Sterling in Bank Notes, whereof he turned a part into Gold at the Bank-Office, and with the Gold and Money went beyond *Sterling* to *Balhadie*'s, and Captain *John Murray* with him, where they dined at *Balhadie*'s House; after which he did not see Captain *John Murray*, and that he got the said 200 *l.* from the Commissioner some days before his Grace parted for *England*: And declares that Captain *Simon* told him, That while in the *Highlands*, he had met with *Lochziell* older and younger, and *Appin*; and with one called the Laird of *Mackgreiger*; and they gave him all Incouragement for an Invasion, and *Appin* promised several thousands of Men: And that it was said to him, That *Glengerie* was to be sent to *France* by the Duke of *Hamilton*, and the Duke of *Athol*, and others of that Faction.

And the Declarant being Interrogat, If Captain *Simon* gave him any reason of his Knowledge? Declares, He gave him none, but that he heard it in the *Highlands*: And farther declares, That Captain *Simon* was to go from *Balhadie*'s, to meet with the Lord *Drummond* at *Castel-Drummond*; and that when he, the Declarant, was returning from *Balhadie*'s, he met with the Lord *Drummond* upon the Road, and told him of Captain *Simon*'s going to meet with him. And the Lord *Drummond* said, he would send a Footman to advertise him of his coming; That when Captain *Simon* was returned to *Edinburgh*, after the Commissioner was gone, he told the Declarant he had been with the Lord *Drummond*, and that thereafter he went and saw the Earl of *Breadalbin*; and being interrogat if he saw any other Person there, and what had past betwixt them, declares, That the Captain said he saw none else, except Servants, and that he told him not what past betwixt the said Lord *Drummond* and him: But said, that *Breadalbin* refused to meddle, but would wait, and see how Matters went: That about ten Days after the Commissioner was gone, Captain *Simon* went to *England*, and then the Declarant went with him; and that Major *Frazer* did also go away with him: That at parting Captain *Simon* settled a Correspondence with the Declarant, how they should write to one another; and that Captain *Simon* should address his Letters to him, by addressing them to Major *Corbat*, with a particular Mark, by which he was to take them up at the Post-Office, as he did, without acquainting Major *Corbat*; but he received only one Letter, which he had not; but that it contained nothing, save that Captain *Simon* was going for *Holland*; and they also agreed that the Declarant should write to Captain *Simon*, by directing to Mr. *Tho. Clarke* Apothecary in *Wailing-street*, *London*, and that he had only wrote one to Captain *Simon* about his private Affairs: That Captain

Captain *Simon* told him also at parting: That the Duke of *Athol* and Duke of *Hamilton*, had dispatched Captain *James Murray*, Brother to the Laird of *Stenhope*, to the Court of *France*, to discredit Captain *Simon*. And Captain *Simon* also told him, That he had brought a Letter from Queen *Dowager* to the Duke of *Gordon*, which he delivered to Captain *John Murray*; who told him the Declarant, he had delivered it to the Duke; but the Duke refused to see, or speak with Captain *Simon*. The Declarant did further affirm, That when Captain *Simon* stayed in *Edinburgh*, some days before his going to *England*, he stayed in his House, and that *Glenderoull* did frequently visit him, and he hath reason to believe that *Glenderoull* knows as much of Capt. *Simon*'s Affairs in *Scotland*, or else where, as he doth. He also adds, That Captain *John Murray* did likewise several times visit Captain *Simon* at his House; and that Captain *John* told the Declarant, that he had Letters from Captain *Simon* for the Countesses of *Errol* and *Seaforth*, and that he had delivered the Letters to the Countess of *Errol*: But that the young Countess of *Seaforth* was at that time in the North; and Captain *John Murray* could not tell whether these Letters were from Captain *Simon* himself, or only committed to his Trust. The Declarant further adds, That Captain *Simon* told him, That when he was with *Lochziel* and *Appin*, they told him that there was a Design to send *Allan Camron*, *Lochziell*'s Son, who is Lieutenant to Capt. *Grant*, to the Court of *France*, to give an Account of the Condition of Matters in *Scotland*. And this Declaration, written on this and the two preceding Pages, the said Captain *Neil Macleod* declares to be the Truth, and that he is ready to affirm the same by his great Oath, when he shall be required.

Loudon, J. P. D.

Subscribitur,
Neill Maeleod.

By Order of the Lords of her Majesty's Privy-Council, this is attested to be a true Copy of Captain *Neill Maccleod*'s Declaration, By

Lauderdale.

To Mr. Colin Campbel, *next door to the* Hampshire-Hog, *in* Charles-street, *Westminster*.

My Dearest Cus. *Rotterdam* the 4th of *Decemb.* 1703.

I Have sent this to let you know, that to my loss and trouble I am here yet, because that little Devil *Corbusiere*, forgot to give me a Letter of Advice to answer my Bill, and for want of it, I cannot get a Farthing, and live here at the rate of twenty Guilders a day; and I could not set out my Nose, but twenty *Scots* People knew; some of them are going to *England*. I believe they will give Account of me. I made them all believe, that I am going on the present Expedition to *Portugal*: I desire you tell the Duke this, and send me an Answer to my last, write all to me freely, and

and direct to Mr. *John Smeaton*, to the Care of Mr. *Vincent Neerinx* Merchant in *Rotterdam*, he will send it safe to me where-ever I am. My Dearest, let me hear from you often. I ever am,

Your Brother is Groom of the Bed-Chamber. *Yours Eternally.*

You may tell the Duke that I saw a Man from *France*, but I will not tell what I hear from him; only they say, the St. *Germains* King will Command in *Flanders* next Year. Adieu, my Dear.

To Mr. John Hill, *at the* Marine Coffee-House *in* Pickadilly.

[Note, *By* John Hill, *is meant* Will. Keith.]

My most Dear Friend,

THis is to give you an Account of my unlucky stay here, cursed *Corbusiere* not giving me a Letter of Advice. I spend much here, I lose my time, and I am unluckily known by many *Scots*; I persuade them, I am going to *Portugal*; I believe they will inform against me; so acquaint me, my Dear, of all you'll hear. Direct to me to Mr. *John Smeaton*, to the Care of Mr. *Vincent Neerinx* Merchant at *Rotterdam*, and it will be sent very safe to me where-ever I am. I met here with one *Dalaville*, that has a Pass to carry eight Horses to *France*; he says, that the Court of St. *Germains* expects to succeed to Queen *Anne*; that they will make no Disturbance while she lives: They say, that their Young King is to Command in *Flanders* next Year, so we will see what the Pretended Kings will do in the Field. My Dear, write all things to me by *Edinburgh* very freely: I am Eternally Yours. Tell *John* to march Day and Night. Adieu,

Mon Cher Enfant.

Write often this way, for it's safe, till we have another.

To Mr. Collin Campbell, *next Door to the* Hampshire-Hog, *in* Charles-Street, Westminster.

My Dearest Cus, *Rotterdam, 7 Dec.* 1703.

THis Day the Packet-Boat came in, and I get my Money to Morrow, and goes away next Day. I have been known here by a great many *Scots*. I persuaded them all that I go for *Portugal* with the King of *Spain*, which you may improve, if you hear any thing of me there. I wrote to you so fully in my Two last Letters, that I have nothing to add now, but to intreat of you to write to me often. Direct for Mr. *John Smeaton*, to the Care of Mr. *Vincent Neerinx*, Merchant in *Rotterdam*. You may write fully to me, for it will come very safe to me where-ever I am. Let me know what my Friends do for you and me. I pray God may still Preserve and Prosper you. My Duty to my Dearest Aunt; her Son is now Groom of the Bed-Chamber and fonder of his Fair One than ever, which is the height of his Ambition, so that he is lost to us all. My Dear, let

let not this trouble you, but let you and me take Example, and let us do Brave, Gallant Things while we live. I hope *Thom.* will not disappoint me. Adieu, my Dearest of all the World. Farewell.

The following Letter was Inclosed in one to Mr. *Smith*.

To Captain John.

[Note, *By Captain* John, *is meant* John Murray.]

My Dear John,

IHave sent this Express to let you know, That, tho' to my Loss, I have been obliged to stay here till now; yet I am glad, upon your account, that I have stayed; for, by good luck, I met one M. *Dalaville* here, who has a Pass for Eight Horses and Four Men. He says, he knows you very well. I told him, after Four or Five Days Acquaintance, that I believed you would come shortly this way, and go forward. He told me to write to you immediately, to tell you, That he would wait here a Month for you, to bring you safe where you would be. So, my Dear, make all the haste you can to *London*. Come from thence here by your Nephew's Direction; and when you come to *Rotterdam*, inquire for one Mr. *Vincent Neerinx*, Merchant, on the *Vine-Haven*. *Dalaville* lodges with him; and tho' *Dalaville* should be gone, *Neerinx*, who is a mighty honest Man, will do your business well enough. After I have considered all the ways, I think this absolutely your best. So I advise you to take it. I wrote this Day to our Friends by a sure way. We are confounded here that we lost 13000 Men at the Battel of *Spires*, and that we have private Letters, that Prince *Lewis* of *Baden* is Beat in *Germany*, which Ruines us all. I intreat you make all the Dispatch possible, and let me hear from you by your Nephew. My kind Service to all your Family, which I will always reckon my self a part of. I said a great deal of you to my Friend in my Letter. I wish we may make good our words; and, I hope, we will do more. I ever am,

Rotterdam, 7th *Dec.* 1703. *Yours sincerely and eternally.*

Smeaton's *Letter to* Tho. Clarke, *with one Inclosed to* Colin Campbell, *and one to your Broiher*, Decemb. 11. 1703.

To Mr. *Tho. Clarke*, Apothecary in *Watling-street*, over-against St. *Austin's* Church, near St. *Paul's* Church-yard, *London*.

My Dear Clarke,

THE Post is just going off, so that I have only time to tell you, that I received yours, and that I am mighty glad to know you are well, and to assure you of my constant Friendship and Gratitude for your many Services: I will write by the next to you, and to your Uncle, whose Letter I can hardly read it is so blotted; but I will work a whole Day at it, or get

it

it read. Tell *Keith*, whom I beg you may find out as ſoon as you can, that I am angry that I did not hear from him, and that I expect a full Letter by the firſt. Deliver the incloſed as ſoon as can be. Pray let me know. In your own write what our Parliament is a doing. Adieu. I ſtill am,

Rotterdam, 11th *Dec.* 1703. *Your Real Servant*,

Jo. Smeaton.

Incloſed, one to Mr. *Colin Campbell*, and one to your Brother, as follow :

To Mr. Colin Campbel, *next Door to the* Hampſhire-Hog, *in* Charles-ſtreet, Weſtminſter.

My dereſt of all Couſins,

I Am glad to hear and know by your Letter, that you are well. I am unluckily here ſtill, but to Morrow or next Day I go off to a moſt dangerous and impracticable Journey, but it muſt be ventur'd. My Service to my dear Duke, and my dereſt Fr. the E. if he be come there ; and tell them, that I am intirely their Servant, and that I wonder they did not honour me with a Line. I am confounded to know that your Brother is Priſoner : I am afraid they will keep him ſo ; however, his only Buſineſs is to give them fair Words till he be in the *Highlands*, for I had rather ſee him Shot and Damn'd, than that he ſhould do an ill thing. Since his Lady is with him, he and ſhe muſt be humour'd till he be once in *Gray-Steels* Bounds, and when I return I hope we will manage him : Our Maſter's Buſineſs muſt carry, for nothing happens every day but Melancholy Misfortunes to the other Party every day. However, my Dear, ſince he knows nothing but what ſhe will know, and then her Father, who is a Knave, you muſt not let your Brother know what paſs'd in *Scotland*, but in fair Generals, as I have done in the Incloſed. But, my Dear, keep him from Engaging with either Party if he can ; but if he has Reſolutions of making any Engagements, let it be to our Friends, and not to our Enemies ; but let him conſider, not to loſe his Fourteen Years Service, and let him not be prepoſſeſs'd with a Pique, for he will never make any thing but by that means : However, if nothing will keep him from the Government, conjure him to ſome of your Friends and mine. Let me hear from you, for I will wait for it to know what he does. I am yours eternally more than all the World.

John Smeaton.

To your Brother.

[*Note*, By your Brother is meant Sir *John Macleane*.]

My dear Cus, *Rotterdam* 11th *Dec.* 1703.

I Am glad to hear that you are alive, but I am ſurprized to hear that you are Priſoner, and I cannot underſtand how you came to throw your ſelf in an open Boat, and afterwards give your ſelf up to the Government ; when, in my humble Opinion, your Buſineſs was to go quietly Home, where you

you might either ſerve your Maſter, or make an honourable Capitulation for your ſelf and Friends : However, my Dear, ſince you are in their Hands, my Advice is poſitively, that you give them fair Language in every thing that will procure your Liberty, and then make the beſt of your way Home, where you will meet with Friends that will ſtand by you. My Dear, I know I need not bid you keep firm to your Maſter's Intereſt, which is the only thing to preſerve your Honour and Intereſt, and the making of an ill ſtep now, would ſo ruin your Reputation, that tho' I love you intirely, I had rather ſee you buried than that you ſhould be guilty of it. So, my Dear, I conjure you, as you will be anſwerable to God and your Honour, to keep firm to your Maſter, that ſo you may receive the Rewards that you and your Family deſerve. Our Maſter's Affairs are in extreme good Condition : I have puſh'd them ſo, that all his Friends are ready to obey, upon reaſonable Grounds, which the Bearer, who is the Man upon Earth, you ſhould be moſt guided by, knows. He is not only your Brother, but a tender one, and the prettieſt Young Fellow alive of his Generation, and who will raiſe himſelf, and ſerve his Friends ; and all I conclude is, that you are Infatuate if you do not follow his Advice, for he is brave and ſolid. Let me immediately hear from you, and let me know upon what Terms you came away, and how you left Matters there ; for I will wait your Anſwer here. Take care, for Chriſt's ſake, that no Condition may make you or your Friends tell a word of the main Buſineſs, to any Body. Many things may be ſaid, that are true and probable, that may do you Service, without touching the main ; which Torture ſhould not oblige you to diſcover. My Dear, pardon my Freedom, ſince I reckon my ſelf but a part of your ſelf ; and, as I told you many times, if you bid me, and go along with me, I'll return to morrow, and hazard my Courage, and all mine, to get you your own, and will do the ſame if I was ſettled to morrow at Home. I give my kind Service to your Lady : I wiſh her and you much Joy of your Son, Sir *Hector* ; I wiſh and hope you may do ſuch great things as will make him great. Adieu, my moſt dear Couſin, and remember your Honour, and our many days Reſolutions : If you will ſtand by me, we will force our Enemies to give us our own. I ever am, Yours,

Be full in all that paſs'd ſince I ſaw you. *Jo. Campbell.*

Smeaton's *Letters to* Tho. Clarke, *and ſeveral Letters therein Incloſed*, Dec. 24. 1703.

To Mr. Tho, Clarke, *Apothecary in* Watling-ſtreet, *over-againſt St.* Auſtin's *Church, near St.* Paul's *Church-Yard*, London,

My dear Friend,

I Have nothing to Acquaint you with ſince my laſt, but what you may ſee in your Uncle's Letter, which I deſire you may Read and Seal, and afterwards give it to him. I intreat you ſend the Incloſed forward for *Edinburgh*, and deliver the Incloſed to Mr. *Keith*, and my Couſin, as ſoon as poſ-

ſible :

ſible: I reſolve to go out of this Town on *Sunday*, God willing. I intreat you let me hear frequently from you, with a full Account of what your *Engliſh* Parliament is doing, and how the King of *Spain*'s Buſineſs goes on there, with a Conſultation always from my good Phyſicians concerning my Health, which I hope a better Air than this will recover. This with my kind Service to your ſelf and Family, is all from

Rotterdam, December 14. 1703. *Your Affectionate Friend and Servant,* John Smeaton.

Incloſed, one to *Colin Campbell*; one to Colonel *Walter Corbet*; one to *Alexander Frazer* from L. *Lovat*; in which is incloſed, one to all the Gentlemen of the Name of *Frazer* of the Lord *Lovat*'s Family; and one to Captain *Tho. Frazer* from L. *Lovat*; one to Mr. *Smith* from *Smeaton*; one to Mr. *Ralphſon* from *Smeaton*; and a *Rotterdam* Gazette, as follows.

To *Mr.* Colin Campbell, *next door to the* Hampſhire-Hog, *in* Charles-ſtreet, *Weſtminſter*.

My Dearest Cus. *Rotterdam, Dec.* 14*th.* 1703.

I Am ſtill here, I was perſwaded by my Friends, that I could not any manner of way paſs the Frontiers without the *States* Paſs; I have ſent Money to the *Hague* for it; and whether I get it or not, I will venture on *Sunday*. Give my Service to my great Friend the Duke and to my dr. L. if they prevail, I hope they will remember me. I met one *Alexander Campbell*, a Son of *Craigneſs*, who perſwaded me to write a Letter to *Argyle*, and to his Brother, but in very general Terms, only that I told him, if he was Friends with *Atholl*, he muſt loſe me and many more. For God's ſake, my Dear, puſh your own Affair now briskly, that the Month is come in, and put my great Friends in mind, that I told them, that I would take their doing for you, as a Demonſtration of their Friendſhip for me; and if they do not for you, I am ſure I will never do for them; which will be of loſs to them. Give my ſervice to your Brother, if you ſee him, and tell him to remember what I wrote in my laſt; I had rather ſee him dead than do an ill thing: but if he join any Party, perſwade him to join our Friends, without which he never will do any thing in the Government, ſince he is fully bewitched by that Woman. I think it's beſt not to be rude to her, till the Plantation-time of Year come in; for God's ſake, my Dear, let not him or any body, except the Colonel, know what is, and was, 'twixt you and me. Your Brother will tell her all, and there it goes. Keep this Letter in a ſure Place or burn it, that he or ſhe may not ſee it: tell him that I preſs'd you to make him ſend me a full Account, how he came away, and how he left Matters there, and how my Friends ſtood for me. My Dearest, if I eſcape this Journey, you will ſee me in Summer, if I am alive in Health; and I'll do, or dye upon the head of it: But I doubt not of doing Great and Glorious Things, if I keep my Health. I pray God preſerve and proſper you, my dearest Couſin, I hope to ſee you enjoy a great Reputation, and a

a plentiful Eſtate. Your Coſin *James*, Sir *Normand*'s Son, is dead and buried laſt *Wedneſday*. Pray let me hear frequently from you, and believe that you are the Creature in the World I love moſt. Let *Tom* do good things. Adieu, my Dearest, I am,

Yours for ever,
John Smeaton.

To *the Honourable Colonel* Walter Corbet, *First Major of Her Majesties Regiment of Foot-Guards at* Edinburgh, Scotland.

[By *Walter Corbet*, is meant Captain *Macleod*.]

My Dear Couſin,

I Received both your Letters laſt Night in this Town Quarters. One of your Letters was dated the 11th, and the other the 13th. In the firſt, you give an Account of your Receipt of a Letter from *London*. In the ſecond, you tell me of my Friend *L.* his going up Poſt to *London*, which my Friend *Q.* told me before I left *London*. I had a Letter from that the laſt Night, which gives me hopes, that they will prevail, which I would be very glad of. You writ to me to recommend *Charles Mekeenon* to my Lord *Lorn*. I believe you do not know, that it is reaſon enough for my Lord *Lorn* not to do for him, that he ſerved his Father. I can recommend you and him effectually to my Friends *Q.* and *L.* which I will do; but if you and *Charles* reflect on what I told you, your firſt and beſt Preferment will be that way. And now I adviſe you, as you wiſh your own Riſings, you abſtract from that till that time, at leaſt till I acquaint you. I intend to go to morrow or next day up the Country, a moſt dangerous Journey, but muſt be ventured. I have ſettled a Correſpondence, that you may write to me where-ever I am. So that you may direct one of two ways, for Mr. *John Smeaton*, to the Care of Mr. *Thomas Clarke*, as formerly, or to the Care of Mr. *Vincent Neerinx*, Merchant, in *Rotterdam*, and that M. *Vincent Neerinx* will ſend them to me where-ever I am. I have ſent the incloſed Letters to you, that you might take care to ſend them North. Send them under your own Cover to *Donald Frazer*, Poſtmaſter at *Inverneſs* if he is alive in that Poſt; if he is not, ſend them to a ſafe hand, that will deliver them to *Culduthell*, or to one of his Brothers. Send the other Line to *Thom.* and let me know what he is doing by the firſt. You may expect to hear from me once a Month, or a Fortnight, while I am on this ſide. Give my moſt kind Service to your Diſcreet Lady, to honeſt *Charles Mekinnon*, and tell him to be as good as his word; and I am ſure he will not have occaſion to repent it. My Service to my Couſin Mr. *Alexander*, and tell him, I have on ſight of his Brother *Normand* Heir, and that he is well, and that his Brother *James* was buried yeſterday at *Bomell*. They have no News this ſide, but that the Empire is every day more and more in danger of utter Ruine; and the Storm of *Saturday* laſt has done greater Damage to *Holland* and *England*, than if they loſt three Battles. I deſire you write frequently to me, and believe, where-ever

ever I am, you have the Friend in the World, that loves you best, and will continue unalterably,

Rotterdam, December 14. 1703. *Your Affectionate Cuz. and Servant,*
John Smeaton.

My Brother, and the Major, gives you and your Lady their Service.

To the Honoured Alexander Frazer, *Younger, of* Culduthel, *in his Absence, to* John *or* James, Frazer, *his Brothers.*

Most dear Cousin,

I Have sent you this to assure you, That my Love for you is as much this Day as the Day we parted, and that I hope to make you and your Family, and Fathers Children, happy very soon. I hear you are Married, if it is so, I wish you much Happiness, and if you are not, I hope to get you a good Marriage before a Twelve-Month be over: let no Mans Saying discourage you; for if we live both a Year, you will, by God's Help, see me the greatest Lord *Lovat* that ever was: I am so already out of my Country, and I hope to be so in my Country very shortly. If you think that it will not be hurtful to your present Condition, I desire you go about with the Inclosed; if it will, send one of your Brothers with it, that will give me a faithful Account of what every particular Mans Answer to it will be. You may propose their sending me a Letter to try their Pulses, for by or not Signing it, I would know who is my Friend, and who not. I refer all this to your Management; and whatever word you have for me, send it to Captain *Macleod*, and I will get it safe where-ever I am. Believe that I am, dear *Saunde*,

Rotterdam, December 17. 1703. *Your Affectionate Cousin and Chief,*
Lovat.

My kind Service to all your Relations, and all my other Friends. Adieu.

To the Honourable, all the Gentlemen of the Name of Frazer, *of the Lord* Lovat's *Family.*

My dear Cousins,

SInce I design not to go home this Winter, but make a Journey up the Country, I thought fit to send you this Letter, to let you all know, that I bless God I am in very good Health, and in extraordinary good Expectations of my Business, so that the next Summer I hope will see me as my best Friends would wish me, since there is no Pleasure or Preferment, tho' I have now both very considerable, is capable to hinder me from venturing my Life, and all that's dear to me, to make you happy, and to keep you from being dispersed and banished from the Lands of your Fathers. I hope you will reflect on your Foolish Divisions, and abhor them; and as I never did revenge my self against the particular Persons that appear'd against me, because I hated mortally to dip my Hand in my own Blood, so I do heartily and sincerely forgive all, and every one of them, by this,

this, since I believe they did not see their Error, till they see their Door-Neighbours like to take their Bread from them; and as I do pass by, and intirely forgive all by-gone Injuries, so I hope they will join and concur with me to keep out our Enemies, and to preserve my Family, and their own Name and Kindred; which if they do not, when I come to my Country, I declare solemnly, That I will treat them as my worst Enemies, and cut them off as monstrous Members, who are like to destroy the Body whence they have their Birth: and I can assure you, I will have Power to do it, and be fit-sides with all my Enemies, if I live a few Months. So if you should not hear from me till I see you, let this Letter be a faithful Advertisement to you, that I never resolve to quit my Birth-right, and preserving of you while I live; and let it be a convincing Exhortation to you, to be united as one Man, to keep the Possessions of your Fathers, and resolve to dye bravely together, rather than survive your Honour, and the *Mackenzies* domineering over you, and transplanting you, which none of you is so ignorant, but you must see is their Design and Endeavour; but they never will do it while I live, and I hope to turn the Chace on some of them, before it be long. So begging of you all to believe that you never had a more Affectionate Relation, or a more tender-hearted Chief; I ever am,

Rotterdam, December 14. 1703. *My dear Cousins, Your Affectionate Cousin and Chief,*
Lovat.

To Captain Tho. Frazer, *These.*

Dear Tom.

I Wonder I do not hear from you. I hope you are well, and that you do brave Things. To morrow I begin the dangerous Journey that we made last Year. If I were over that, I hope to be soon with you. For God's sake do Gallant Things, and do not fear to see me very soon. I am

Rotterdam, Dec. 14. 1703.

Yours,
Lovat.

To Mr. Smith *at the* Marine Coffee-House, *in* Pickadilly.

[*Note*, By *Smith* is meant *Keith.*]

My dear Will.

I Believe you are not in the Land of the Living, or *John Smeaton* could not be so soon forgot by you. I have been very unlucky, but never so miserable as I would be, by being neglected by you and your Uncle, the only two Friends I have in the World. I believe all the Witches of my Enemies Country have conspired to keep me here. I was kept Twelve Days by my Bills; when I got them the Storm came to Ruine me, as well as King *Charles* the Third, who lost all his Plate, Clothes and Equipage, many of his Men and Officers; the Loss is universal, and so great, that

Rotterdam, 14, *Dec.* 1703.

that the States conceal it as much as they can: For, as unlucky as I am, I think the Poor King of *Spain* is yet more unlucky; for he has not only the *French* that Fight against him, but the Heavens and Seas seem to Fight against him. But we hope that a hard beginning may be a good beginning. I hear Sir *John Macleane* and his Wife are come to *London*; pray see him, and conjure him to do brave just Things to his Creditor, and all of us. As I conjure you to do this, so I advertise you to tell him no more, than what you would tell for a Shilling to any Body. I would have gone away seven Days ago, but my Friends told me, That it was something impossible to pass without the Pass-Port of the States. I sent Money for it to the *Hague* to procure it, and whether I get it or not, I go after to morrow to attempt this confounded dangerous Journey. If you love me, let me hear from you, with a full Account of every thing, *English* and *Scotch*. I have a Fever this Two Days, and I had rather be hang'd in any other Country, than die in this. I need not write to *John*, but send him this, by which I conjure him to come immediately to *London*. His Friend and mine, the Knight-Arrant, Sir *David Lindsay*, is at *London*, I hope you will find out his new Poetick Fancy. I can get no Account of *Muravius Tulliberdinus*, that betrayed the *Scots* to the *English* at the Water of *Cairn*, (if he went not to *France* by *Calais*.) I give my kind Respects to all the dear Family of your Grandfather. Adieu, my most dear Friend. I am, Yours,

John Smeaton.

To *Mr.* Ralphson, *at* London.

[*Note*, By *Ralphson*, is meant *Ferguson*.]

SIR,

I Received the Honour of yours of the Twenty-sixth of *November*, for which I give you my hearty Thanks. I met with such hindrances here, that I could not begin my Journey as yet to my Garison; and the Roads are so full of Parties, that it is a most dangerous Attempt. I resolve to venture it to morrow or next day. You may be assured, that I will do you all the Justice imaginable with our General and Superior Officers. I will be sure to lay your Demands before them in the most Advantageous Terms I can; yet I could wish I had something material from you to tell them; for what you told me of the publick Proceedings of Parliament is in the printed Votes and Gazettes, which they have by every Post; for one of my Friends here sends it punctually. So I would be thought very Barren, if I have no more Information from you to give them, than what is in the publick Papers. As to what you writ of my taking Care of being transported to particular Resentments in Prejudice of my Generals Interest, I do assure you, That you need not be afraid of it, for I always did and will prefer my Honour, and my Superiors Interest, to my own private Concerns; but I know most certainly, that those you call my Enemies, as well as those you call my Friends, have equally a Dislike to my General, and that they will both serve him at the same time, that is, never till they are

are forced to it; and as I do design to give a real Account to those that you call my Friends; that is, that my General needs expect no favour from them; so I would wish that you and all those that are his good Friends, might not be deluded by the sneaking Pretences of those, who have no other End or Design than to make a Party in the C. Army, to force Pensions and Places from the Government. I am,

SIR,

Rotterdam, Dec. 14. 1703.

Your affectionate humble Servant,

John Smeaton.

To *Mr.* Collin Campbell, *next Door to the* Hampshire-Hog, *in* Charles-Street, Westminster.

My Dearest Cus,

P. 3*d Jan.* 1704.

This is to let you know, that I am come alive here, and that's all; for I am very ill with a Swelling and Pain in my Knees and Legs, I cannot go Abroad for a Fortnight. Every thing will go right here. Tell my Great Friend, That I will do effectually what I promised for him. I hope he will give you the 100 *l.* I was obliged to borrow. Let me know how Matters goes with your self. I hope that *Tom* will do brave things, for I will assure him of Relief. Pray let me know what your Brother does, I fear he will be sent back; but if they order him, let him slip privately down, and he will see me before the Spring is past, if I be in Health. I can't be full in this, because I have not yet seen the great Folks, only heard from them.

Give the Inclosed to my stedfast Friend *L.* who will help you to get the 100 *l.* from his Friend the D.

Yours,

Jo. Smeaton.

To E. L.

My dear L.

I Have presumed to trouble you with this, to let your know that I am alive here; but very ill in my Health; however, I hope to recover in a Month, for I have an able Physician that attends me. I am greater here than ever; so that you may assure your Friend, that I will do what he ask'd of me very effectually. Those People carry on things here just as I told him, and that Great Person he serves is much Infatuate to trust them. I hope you will not forget me, nor let your Friend forget me, since I am most intirely,

P. 3*d Jan.* 1704.

Your own,

Jo. Campbell.

To Mr. Keith, *at the* Marine Coffee-House *in* Pickadilly, London.

My most dear Friend,

THis is to let you know, that I am come alive here, but very ill. I will be a Month in *Mac-Gie*'s Hands before I can be well. I hope all things go well, for my Friends are still my Friends. Your Nephew is im-

pa-

patiently expected; so send him this, by which I conjure him to make no Delay. My Dear, you have been very unkind not to write to me, since I left you. Pray send me a long Letter, and let me know when the King of *Spain* goes from *England*. Direct to me, to Mr. *John Smeaton*, to the Care of Mr. *Vincent Neerinx*, Merchant in *Rotterdam*, and it will come safe to my Hands. Let *John* come this way, and he will put him right. Pray let me know how all Matters goes with our Great Ones, and with the *E. P.* I will long extremely to hear from you. I ever am,

Yours sincerely, without Alteration,

P. Jan. 3. 1704. John Smeaton.

To Colonel Corbett.

[By Col. *Corbett*, is meant Capt. *Macleod*.]

My Dearest Cus,

I Have sent you this to let you know, That I am come alive here, but that is all, for I am ill in my Health, if that was well, I hope all other things will go right. I hope *Tom* has done good things, since I will be sure to relieve him. I cannot yet tell you how long I may stay here, but I will not be idle; and keep you right, and *Charles*, as I spoke to him. My kind Service to your Lady and to the Infanta. I ever am,

P. 3d Jan. 1704. Your own,

To the Honourable Col. *Walter Corbett*, First Major of Her Majesty's Regiment of Foot-Guards in *Scotland*. *Sic Subscribitur*, Jo. Smeaton.

LETTER *from* Simon Frazer, *to the Duke of* Queensberry, *from* Rotterdam.

SIR,

I give you the trouble of these Lines to let you know, That we are come safe here, and that your Goods are safe; I will have a most dangerous Journey before I come to my Garison, for all the Roads are full of Parties and Partisans, and the *Fr.* insult now because of their last Victory at *Spires*. It is certain that we are routed there; we are in hopes that the Duke of *Savoy* will hold out till he can be relieved by his Allies, tho' we know perfectly that the Duke of *Vendosme* is within four Leagues of *Turin*, and has all *Piedmont* under Contribution. What I told you of your Chief *Scots* Ministers having constant Correspondence with *France* is too true, I had it confirmed to me by one of *Ta.* his own Relations, who is employed in the Ambassage; he told me plainly that *Athol* and *Tarbat* were resolved to call home the King, he having discovered himself very soon to be a *Jacobite*: I convinced him I was one too; and to this hour he does not know what I am, otherwise it would be very dangerous for me: I extolled *Atholl* and *Tarbat* to him, and their Party; which wrought so well with him, that I plainly saw all his Intrails: He is a Cousin German of *Tar.*'s, come from *Oxford*, and going to study the Law at *Utrecht*; his Father is a

a Man of Estate, and a Parliament-Man for the Shire of *Rosse*: He has no great Sense, and is but Young, and I think unfit for such an Intrigue: But he is *Tarbat*'s nearest Relation and a zealous *Jacobite*, and that makes them trust him; *en fin*, he gave me Demonstrations of their Correspondence with *France* and St. *Germains*: He came over with me in the same Ship, and when I was afraid to be known by him, he began on his Loyal Theme, which I entertained with a great deal of Passion, and in giving an Account of their Power in *Scotland*; he gave a whole hours Discourse of my self; so that I was obliged to set my Patience and Wit at work, in entertaining a Story of my self. SIR, you know what a Demonstration I gave you before of *Atholl* and *Ta.* Knavery; if, after all this, the Great Person you have to do with does not believe it, I conclude they are infatuate, and that it is of no use to tell them any thing, tho' never so plain; what Service I did was upon your Account, for I ow'd none to their height of Cruelty against me, ; but I bless God I am now out of their reach, and I do assure you, if I can, they will not Sir *John Fenwick* me; so, dear SIR, without you can do effectually for me, let me lie dead till I can do for my self, and then they will find to their Cost, that what I told is true. Trust the Bearer intirely, and I beg you do for him, he is engaged for me, which I hope you will assist him in, if it is not inconvenient to you; if it is, I rather suffer, than that you should be much troubled by me. I have found a way here, how I may Correspond with you; but, if you do not things effectually for your self and me, I beg you may not Command me to write to you; for if your Great Friend do not do me Justice, I will not in any degree serve him farther than I have done already, and I will endeavour to get my self redressed effectually another way. I intreat I may have a Line from you, to let me know how Matters go: I hope you will pardon this long Letter, since it is the last I can write to you in this Country, for I design to go out of it to morrow. If you give your Letter to the Bearer, he will send it safe to me. I am, in sincerity.

Rotterdam, Nov. 29. 1703.

Mr. Mackenzie *of* Scatwell's *Declaration.*

MY Father sent me to *Oxford* to prosecute my Studies, and there he continued me a Year and some Months. I came from it about the middle of *October* last; and when the Earl of *Cromerty* came for *London* I waited on him, according to my Father's Order, to be advis'd by him (I being to go to *Holland*) what Studies I was to follow, and what time I should there. Accordingly my Lord gave me his Advice, and desired me to wait for the Convoys going back, which came over with the Duke of *Marlborough*; and he promis'd to get me an Order from the Admiralty, to let me go in one of the Men of War, and he told me he was promised it; but when I went to see what time the Ships were to go, I was told that they were gone. Then I went down to *Gravesend*, to try if I could get aboard any of them without a Pass: I was directed to a House there;

 the

the Landlord ſaid, he would ſecure me of a Ship to go in, and ſo I ſaw the Maſter, and accordingly he conſented to it. I went on board the 16th of *November*, and there were ſome Gentlemen who called themſelves my Country-men. I was very glad to ſee them, ſince I wanted known Company. So after we ſet ſail, one of the Gentlemen ſaid to me, You that are Country-Gentlemen need paſs the Seas but once or twice, but Soldiers muſt go almoſt every Year; and I ſaid, I hoped if I got ſafe back to *England*, I ſhould ſcarce croſs the Seas again. I talking a little after this manner, he ſhewed me his Paſs, and there I ſaw ſome Names writ down: The firſt, which he took to himſelf, was *John Campbell*, the ſecond *Munroe*, the other two paſt as Servants, under the Names of *Dunkinſon* and *Forbes*: And ſo Mr. *Campbell*, as he called himſelf, ſaid, He dared not to write down Captain *Campbell* for fear of *Argyle*'s getting Notice of it, becauſe he had promiſed to break him if ever he could; and ſo, ſince he ſtaid ſome time longer than his Furlough, he intended to keep private till he ſhould come to his Regiment, which he ſaid belonged to Sir *David Collier*; but he ſaid he had no great pleaſure in ſtaying there, ſince the King's Death, who was to have given him a Regiment if he had lived, for the ſingular Service he did that Regiment, in getting a great many Recruits to it; but from the Queen he needed not expect Preferment, ſince ſhe was a Woman that did not reſpect Merit. I ſaid, that I was not much converſant in Military Affairs; but as to what I heard in *England*, all People ſaid, That the Queen was not in the leaſt inferior to King *William*, in giving every Man his due. He anſwered, That they were miſtaken that ſaid ſo. Then I ſaid, the Generality of *England* are miſtaken, for any thing I could ever hear. After this he begun to talk of the Union, and ſaid, *Scotland* could never be happy if united with *England*. I beg'd his Pardon in that, and told him, I differed from him. He ſaid, he wiſh'd they would unite with his old Maſters the States of *Holland*; and the Maſter of the Ship agreed with him in that. I ſaid, it may be the *Hollanders* will fit my Humour better than I expect; but for any thing I ever heard of them, they'd never agree with my Humour, ſo well as thoſe that were *Britains*. And then after he ask'd what I was, and that I told him, he began to ask me if I knew *Simon Frazer* of *Beaufort*? I ſaid, I did, little thinking that he was the Man I ſpoke to, and I believe that ſcarce any Body could know him then, if they ſuſpected nothing. He asked what my Opinion was of him? I ſaid, I thought him a great Fool, ſince he took Advice from thoſe who advis'd to ſo illegal and extravagant things. He ſaid, he thought him ſo too. After ſpeaking on ſeveral ſuch little and private Things, we at length arrived at *Rotterdam*, where we were recommended to a private Houſe of one, a Potter by Trade, ſo he adviſed me to go along with him. I was willing, ſince all Places were ſtrange to me alike, and ſo we went; and after we all ſat down, I ſaw in the Room to which we were conducted, one *Campbell* of my Acquaintance, and I told him of it: So he immediately went out, and left Mr. *Munroe* and Mr. *Dunkinſon* behind, and deſired me to go with him, for if he ſtay'd in

in that Houſe he would be ruined. At which I went, and after a deal of Travel, we found a French Houſe, where we got a Bed that Night, and Supper: And that Night at Supper he ſpoke with Paſſion againſt the Duke of *Argyle*, and ſaid he would fight for King *James*, to be alike with *Argyle*. He ſent Mr. *Monroe* next day to one *Frazer*'s Houſe at *Rotterdam*, a Wine-Merchant, to get a private Room if he had it for him; and *Frazer* came the ſame day, and when he ſaw him, he ſaluted him, Captain *Campbell*, and told him he had no Rooms to let, but if he would come this Night at Six of the Clock, he'd give him a good Bottle of Wine: And the Captain promiſed he would come, and bring me along with him, but deſired to be private; and ſo the Captain appointed me that Night there, ſince he could not promiſe to meet me ſooner, becauſe he was to go to his French Banker, whom he called by a great many ill Names, becauſe he did not anſwer him his Bill, before he got his Letter of Advice, and ſo about Six a Clock I met him at *Frazer*'s Houſe; and there was with him one Mr. *Munroe*, an Officer in the Army, and one Mr. *Abercromby*, Merchant at *Rotterdam*, and there paſſed nothing but general Things that Night. We drank our Friends Health, and Mr. *Munroe* drank to him *Argyle*'s Health, which he would not pledge; but he drank my Lord *Seaforth*'s and the Earl of *Cromerty*'s Healths to me: And this was all I heard him ſpeak of the Earl of *Cromerty*, ſave at firſt, when I told him what I was, he ſaid he knew ſeveral of my Friends, and the Earl of *Cromerty* was one of them he named. After he came home, he and Mr. *Munroe*, his Companion, fell to ſpeak French, and I did not underſtand them: But after he had done, I asked him privately, what the Matter was? He told me, he was angry at himſelf, becauſe he had ſent Mr. *Munroe* to that *Frazer*'s Houſe; and he was angry at Mr. *Munroe*, becauſe he had told *Frazer* where he lodged, for *Frazer* was ſuch a one that he could conceal nothing; for, ſaid he, I was ſurprized to ſee all that Company there when I came in, but I hope, ſince I deſired them, they'l keep it private. I ask'd him what *Munroe* was? He told me, he was an *Angus* or *Aberdeen*'s Man, he did not know which; for *Munroe*, ſaid he, ſcarce knows what he is himſelf, becauſe he came from his Father's Houſe at 16 Years of Age, and went to *Italy* and *Germany*, and ſerved in the German Service, and was made a Major in it; but upon an unhappy Quarrel betwixt him and one of the Officers, whom he killed, he was oblig'd to run for it, and came to the French Service; but for ſome diſcontent he relinquiſh'd that alſo, and intended to go for *Portugal* with the New King of *Spain*, being recommended to him by a great many *Engliſh* Noblemen; but he was with him a good time, and was kept by him as a Companion, for he loved his Company well. Next Morning I was obliged to go about ſome Buſineſs, and I told him, I was to go for the *Hague* that Night; and before Dinner I came, and took my Leave of him, and there I left him, after he promiſed he would ſend a Letter for me to *Utrecht*, when it was ſafeſt to come to the next Campaign.

This

This is all the Discourse that past, for any thing I can remember; and I did not suspect him in the least to be *Simon Frazer* of *Beaufort*, until I received the Earl of *Cromerty*'s Letter, and I know no more of him since.

If your Lordships desire to ask me any more Questions, I am ready to answer so far as I know.

Sworn before me this 1st of February 170¾. *Nottingham.*

Mr. Mackenzie's *Examination.*

February 1. 170¾.

MR. *Mackenzie* being ask'd, Whether the Earl of *Cromerty*, by word, writing, or any manner of way, employ'd him, or any other to his Knowledge, to Correspond, or to Convey this Correspondence to any in, or employed by the late Queen, or Pretended Prince of *Wales*, at St. *Germains*, or with, or to any Person or Persons imployed in or by them, or their Ministers, the Earl of *Middleton* or others? He answered, *No.*

Whether he did tell to, or inform *Simon Frazer* in the Ship, as he went to *Holland*, or in *Holland*, after they landed, of the Earl of *Cromerty*'s Correspondence, or Resolution to Correspond, or to serve the said Queen, or Pretended Prince of *Wales*, any manner of way? He answered, *No.*

If the Earl of *Cromerty* desired him to say so, or what Grounds he had from him to say so? He answered, *No.*

What Discourse past betwixt Mr. *Frazer* and him, of the Earl of *Cromerty*, or of his Correspondence with the aforesaid Persons? He answer'd, *All his Discourse was contain'd in his Affidavit.*

Duke of Queensberry's *Declaration*, January 14. 170¾.

WHen the Duke of *Queensberry* went into *Scotland* last Summer, as her Majesty's High Commissioner, amongst other things, he was ordered to spare neither Money nor Pains, to discover any ill Designs that might be in *Scotland*, against her Majesty's Government. Soon after the meeting of the Parliament, the Earl of *Nottingham* and Sir *Charles Hedges*, by the Queen's Order, sent to the Duke of *Queensberry* a Copy of a Letter from Mr. *Stanhope* to them, by which it appears that great Sums of Money had been remitted out of *France* to *Amsterdam*, and *Lisle*, to be remitted from thence to *Scotland* and *Ireland*, mentioning the Persons to whom the Money was payable.

About this time there was a Letter writ by an Officer of the Garison of *Fort-William*, or *Inverlochy*, to the Governour, who was then at *Edinburgh*, telling him, That the Highlanders were to draw together upon a pretence of Hunting, upon the 2d Day of *August*; and that several great Men were to be present, and that one of the Chieftains of the Clans had ordered 600 of his Men in Arms, and had provided Cloaths for them, so as all

all the 600 should be in the same Livery, which Letter was sent to Mr. *Nairn*, Secretary Deput for *Scotland*, and is now in his Hands.

About the same time there came over a Multitude of Officers from *France*, pretending the Benefit of the General Indemnity, which had been granted by her Majesty several Months before; upon which many Persons well affected to the Government were alarm'd, and believ'd they came upon ill Designs; and there were several other Letters intercepted about that time, which increased the Suspicions.

Sometime thereafter the Duke of *Argile*, and the Earl of *Leven*, told the Duke of *Queensberry* that there was a Person come from *France*, who was willing to make great Discoveries, providing that he got his Pardon and some Establishment for a Maintenance, and that his Name should be secret till these were obtain'd. This was Captain *Frazer* of *Beaufort*, a Man unknown to the Duke of *Queensberry*, and with whom he had never convers'd before. He knew that he was found Guilty of a Rape, which made him so earnest for his Pardon. The Duke told them he would not promise him Pardon; but considering the dangerous Appearances in *Scotland* at that time, and of what importance a Discovery might be, he assured these Lords, that if *Frazer* could make any valuable Discovery, he should have Money to subsist him in the mean time, and that his Name should not be reveal'd, except to the Queen, if she required it.

Frazer, to convince the Duke of *Queensberry* and those Lords, of the sincerity of his Intentions, gave an Information, which was put in Writing, and transmitted by the Duke of *Queensberry*, to the Queen in a Letter; in which he plainly declared he could not answer for the Faith or Reputation of the Informer, and had her Majesty's Return, approving what he had done, and allowing him to proceed. A little after, upon Representation that *Frazer*'s Money was spent, the Commissioner sent him 300 *l.* Sterling, which was carried by Captain *Maccleod*, to whom the Duke never spoke either before or since, and was brought only then to him, to receive the Money. The Duke was inform'd of some other Particulars by *Frazer*, which he communicated to the Queen in another Letter, and that he had advanc'd Money to him.

Frazer engaged to be at *London* about the same time the Duke should arrive there, and said that he would make the Journey sooner, and that he would employ that Time in finding out some more Intelligence from those Persons who had come lately over from *France*, and that he would acquaint the Duke with all he could discover when he came to *London*, and offer'd to run the hazard of returning into *France* to make farther Discoveries. When *Frazer* came to *London*, he told the Duke that he had been in *Argileshire*, to speak with some of his Friends in relation to Discoveries; but of his Design of going to any Part of the *Highlands*, or of his having been there, the Duke was wholly ignorant till he came to *London*.

He said he had discover'd, that there were returns to be made from several Persons in *Scotland*, to the Messages they had from *France*, and that these Returns were to be made by Captain *James Murray*, or the Laird of

Glene

Glengary, or both; and that he heard these Informations came from *Gideon Murray*, but did not mention one Word of Capt. *John Murray*. He desir'd the Duke of *Queensberry* to trust *Campbel* of *Glenderoul* in any thing that concern'd him, with whom the Duke had never spoke before his last coming to *London*; but he seem'd to be very zealous to make this Capt. *Frazer* do all he could for the Queens Service; and, considering his Education as a Protestant, and his Post in the Army, the Duke did not doubt of his Sincerity.

The Duke communicated to the Earl of *Nottingham Frazer*'s Informations, without naming the Person, and told him he was willing to go again into *France*, to make farther Discoveries in relation to the Returns from *Scotland* and the Resolutions in *France*; and it was his Lordship's Opinion, that the Person might be more useful in *France* than here.

Frazer appear'd most hearty and forward to make farther Discoveries, and renew'd the offer he had made formerly of returning to *France*, and there to do great Service for the Government, by finding out what Returns had been made from *Scotland*, and said he believ'd he might be Master of the Original Papers, and that he would return and discover the Resolutions that should be taken in *France*, upon the Answers from *Scotland*; and that he would do such Things for Her Majesty's Service as should deserve Her Pardon and an Establishment for his own Subsistance: Which induc'd the .D of *Queensberry* to let him go, considering that there was then no Evidence to concurr with his Discovery, and that the Testimony of such a single Witness, could not be regarded nor Measures taken upon it. At that time Sir *John Macclean* was not apprehended, who makes *Frazer* a Person far more considerable, than he was believ'd to be; for, tho' he had said great things of his Intereſt and Credit in *France*, yet that appear'd either Vanity, being supported by nothing, but his own Assertion, or that he magnified his Intereſt there, to make his Terms the better here; and in these Circumstances he appear'd of little use to us; whereas, if he had been sincere in what he had propos'd, he might have done great Service to the Government, by the Discoveries he said he was able to make in *France*.

Earl of Nottingham's *Account of the Plot.*

THE Earl of *Nottingham* had an Account of some Designs of an Insurrection in *Scotland*, to be supported with Money, Arms and Men from *France*; with which he acquainted Her Majesty, who having received some Informations of the like kind from the Duke of *Queensberry*, commanded him to communicate these Matters to his Grace, that by comparing them together, Her Majesty might the better judge of them: This the said Earl did, and his Grace said the Accounts he had received were much of the same kind; and added, That his Informer was come from *France*, but his Name he was obliged to conceal; and was so forward and zealous in doing Service to Her Majesty, that he was willing to go again into *France*, and

and to send from time to time, or even to bring Intelligence of the farther Progress of the French Designs, with which he was sure he should be trusted, as he had been formerly. And his Grace said, he accordingly designed to send him: Which the Earl of *Nottingham* approved, and acquainted Her Majesty with this Conversation with the Duke of *Queensberry*.

Nov. 10. 1703. The Earl of *Nottingham* had an Account that Sir *John Macclean*, with others, were in Custody at *Folkston*, as coming out of *France* without Leave. And the same day the said Earl had a Letter, as had also the Earl of *Cromertie* from Sir *John Macclean*. That at his landing he had surrendered himself, desiring he might be brought before the Earl of *Nottingham*, to give Account of his coming; and that he intended so to do, appears by a Letter fron Monsieur *Pigault* to the Mayor of *Folkston*.

So Sir *John Macclean*, with the others, was sent for in Custody, and examined by the Earl of *Nottingham*; who at first gave Account that he had long desired to come Home, and had ask'd often Leave by his own Friends without success; but that now hearing of the Indemnity granted by the Queen to Her *Scots* Subjects, he gladly laid hold of it, being weary of the Hardships he endured in *France*, where he could not subsist on his Allowance; and he had never had any Post either in Court or Army, and he resolved to live quietly at Home, in hopes of some Favour from Her Majesty, in Consideration of the Suffering of his Family for their Loyalty.

But being told, that tho' this was a very specious Representation of his Case, yet it was impossible to believe that this was all, or the true design of his coming, for he had delay'd coming many Months after he knew of the Indemnity; for which indeed he pretended Sickness, and that he now came in so much haste, that he brought his Wife, who had lain in but 11 Days: That an English Fisher-Boat had been discharged by order of the Court of *France*, a thing never known before, without Ransom or Exchange, on purpose to bring him to *England*, as appears by *Pigault*'s Letter to *John Jordan*, and by the Affidavit of *Emptige*, the Master of the Vessel. And being farther told, that however Indemnified he might be in *Scotland*, he was still liable to the Act of Parliament in *England*, which made it Treason to come hither, and that he must expect the Rigour of the Law, being so justly, from the above-mentioned Circumstances, to be suspected of ill Designs: He at last said, he would tell the Earl of *Nottiegham* all he knew, upon Assurance of his Pardon, and being treated like a Gentleman, so as not to be required to appear in Publick as an Evidence against any Person; of which, by the Queens Order, he being assured, he then told the Earl of *Nottingham* the Things mentioned in his Paper. And afterwards, upon a farther Examination, he recollected the Names of the Persons, and the Men they could bring into the Field, which *Lovat* alias *Frazer* reckoned upon, when he gave Account to the Court of *France*, of the *Scots* readiness to rise if the *French* would support them: And this he put into writing.

The

The Queen commanded the Earl of *Nottingham* to acquaint the Duke of *Queensberry* with what Sir *John Macclean* had discovered; who thereupon told the said Earl, that this *Frazer* was the Man who had disclosed to his Grace some Matters of this nature, with which he had acquainted the Queen, but he had not told Her Majesty the Persons Name, being under one solemn Engagement to conceal it. That this *Frazer* was brought to him by the late Duke of *Argyle* and the Earl of *Leven*, who were privy to all his Proceedings with him. That *Frazer* was gone to *France*, and had promised to send his Grace an Account of all the French Designs, and would come back when ever any thing of Moment happened, or that his Grace should require him; whereupon the Duke of *Queensberry* was desired to call him brck, for he was more likely to do harm than good, by any Intelligence that could be expected from so ill a Man.

Afterwards the Duke of *Athol* having got Information, that the Duke of *Queensberry* had some Communication with *Frazer* in *Scotland*, and that *Frazer* was gone into *Holland* by a Pass under a feigned Name. He asked the Earl of *Nottingham*, whether he had not granted a Pass about the 13th of *November* to *Campbel*, *Munroe*, *Dickenson* and *Forbes*, which upon search the said Earl found he had, and at the desire of the Duke of *Queensberry*. Then the Duke of *Athol* told the said Earl, that *Frazer* was gone by Virtue of that Pass. That whilst he was here, he lodged at the House of *Thomas Clarke* an Apothecary, who had received the Pass from Mr. *Campbel*, and carried it the same Day to *Frazer*, who was gone that Morning to *Gravesend*. And, upon enquiry of the Duke of *Queensberry*, the said Earl found that *Frazer* did go away under one of these Names.

Upon this the Earl of *Nottingham* sent for Mr. *Campbel* and *Tho. Clarke*; which last, upon his first Examination, would own no more than what is contained in his Affidavit.

But the Duke of *Athol* having told the Earl of *Nottingham* the ways by which Letters were conveyed to and from *Frazer*, and by that means the said Earl having intercepted several Pacquets from *Frazer*, directed to *Thomas Clarke*:

Clarke was again examined, and then owned that he had a Letter from *Holland*, subscribed *Smeaton*, which he burnt; and, inclosed in that Letter, were two directed to Mr. *Campbel* and Mr. *Hill*, who both called for their Letters. That he had sent a Letter from Mr. *Campbel*, directed to *Smeaton*, under a Cover to *Neerinx* at *Rotterdam*, which were the Directions sent him by *Smeaton*, in the Letter he received from him. And further said, That the Person called Uncle in one of *Smeaton*'s Letters, is Mr. *Ferguson*: He denied he ever had any Letters for others than *Campbel* and *Hill*: But afterwards, upon another Examination, he owned he had sent one from *Ferguson* to *Smeaton*.

And upon a third Examination he described the Person who came for the Letter directed to *Hill*, to be a thin Man, and to be the Person himself meant by *Hill*. And Mr. *Campbel* having said, that *Clarke* told him he had a Letter for Mr. *Keith*, *Clarke* afterwards owned that he had delivered

vered the Letter directed for *Hill* to Mr. *Keith*; and owned it to *Keith*'s Face when they were confronted; and that he had seen *Keith* once or twice with the Captain, (for so he said *Frazer* was always called) but denied that he ever saw any other Person with him at the same time that *Keith* was there.

To proceed in what relates to *Clarke*, *Campbel* said that *Frazer* assured him, that he had told *Clarke* all Designs with the Court of *France*; That *Campbel* himself had delivered to *Clarke Frazer*'s Commission, signed *J. R.* together with the Picture of the pretended Prince of *Wales*, sealed up, but he told *Clarke* what was under that Cover. *Clarke* denied he knew of any such Commission; whereupon *Campbel* wrote a Letter to *Clarke*, to deliver to the Earl of *Nottingham* the Commission he left with him. *Clarke* owned he had received a Pacquet, but knew not what was contained in it, and, being weighty, he did not carry it home, but gave it to one *Thomson* a Pike-Maker; who, being sent for, brought the Pacquet, and made Oath he received it from *Clarke*: And in this Pacquet was a Commission to *Lovatt*, to be a Colonel, signed *James R.* and countersigned *Middleton*, and dated *Feb.* 7. 1703. and the Picture of the pretended Prince of *Wales*; and *Campbel* again declared to *Clarke*, being confronted, That he had told *Clarke* both of the Commission and Picture, upon the delivery of the Pacquet to him.

Clarke is committed for High-Treason to the *Gatehouse*.

Mr. *Campbel* being sent for and examined about the Pass, before-mentioned, he owned he had come for it by the Duke of *Queensberry*'s Order; and that *Frazer* was gone with a design to do Service to the Government, by giving and bringing Intelligence of the French Designs: But not giving any Account that was satisfactory of his Transactions with *Frazer* here, he was detained in a Messengers Hands, in order to a farther Examination. And afterwards, the before-mentioned Letters being intercepted, of which several were directed to him, he owned that *Frazer* had ordered him to write to him by the Name of *Smeaton*, under Cover to *Neerinx*, and that he had writ one Letter so address'd, by the Duke of *Queensberry*'s Order, for *Frazer* to stay at *Rotterdam* for the Duke's farther Directions, but denied he had ever received any Letter from *Frazer* before he came first to the Earl of *Nottingham*; that he communicated all this to the Duke of *Queensberry*, that he afterwards writ a second Letter, which he sent by *Clarke*, to tell *Frazer* that Sir *John Macclean* was come: He said he had received a Letter by *Clarke* from *Frazer*, with one inclosed to the Duke of *Queensberry*, which he delivered; but being asked for the Letter, he said he had burnt it, because it contained Reflections upon great Men. And being ask'd, if he had shewn it to the Duke of *Queensberry*; he answered, No; but he had told him it was about Money, that *Lovatt* had writ for the payment of it; and that the Money which *Frazer* had was returned by *Corbusiere*. He said, when ever he spoke of *Frazer* to *Clarke*, he called him *Smeaton*, and that he had seen *Clarke*, *Keith* and *Ferguson* in *Frazer*'s Company, but not all at one time; but he never told the Duke of *Queensberry* that

* *Mr.* Lindsey *says it's the pretended Prince of* Wales's *Hand, as also Lord* Middleton's, *and that the Commission is in the Hand-writing of* Nairn, *Clerk to the Lord* Carrol.

that he had met those Persons with *Frazer*: And he owned a Copy of a Letter he had writ to *Frazer*, to tell him all was discovered here; which he said he did because *Frazer* should take Care of himself in *France*, lest he should be destroyed; but in the same Letter he ordered *Frazer* to change the Address of his Letters.

After this he was again called for and examined, having desired that the Duke of *Queensberry* and Lord *Comerty* might be present; after having ask'd, Whether he should have his Life and Pardon here, and in *Scotland*, if he ingeniously discovered all; and being assured by the Lords present, That they would so interceed with the Queen, that he need not doubt of it. He gave a large Account of his Transactions with *Frazer*, and of *Frazer*'s Designs and Actions, which need not to be specified, because, being by her Majesty's Command assured of his Pardon, he put all into Writing and signed, and made Oath of the Truth of it. He was afterwards ask'd some Questions; part of which were mentioned before in the Account of *Clark*'s Case. Others will be mentioned in the Case of *Keith*; besides which, he was ask'd by the Duke of *Athol*, What *Frazer* had told him, that *Frazer* had told to the Duke of *Queensberry*, to which *Campbel* answered, that *Frazer* said he had told the Duke of *Queensberry*, that Duke *Hamilton* and Duke *Athol* had Correspondence with the Court of St. *Germains*.

Mr. *Keith* upon all his Examinations has so positively denied every thing that was laid to his Charge, even when confronted with *Campbell* and *Clarke*, that it's needless to do more than to set down what is charged upon him, *viz.* what is contained in *Campbell*'s Information; and Mr. *Ferguson* charges him with having had Conversation with *Frazer* here, before he went last into *Scotland*; *Campbell* says so too, and that when he first saw them together they discoursed as if they had been well acquainted.

That he received a Letter from *Smeaton* directed to him by the Name of *Hill*, which *Clarke* said he called for, and *Clarke* gave it to him; and among the intercepted Letters some are directed in like manner to *Hill*.

That *Campbell* says, *Lovat* told *Keith* all that he had been transacting in *Scotland*, which *Keith* seem'd to approve.

And that *Keith* and he had been several times in Company with *Lovat*, which also *Clerk* says *Keith* had been with *Lovat* once or twice.

He bought three Watches, and gave them to *Lovat* to carry to *France*.

Keith is in *Newgate* for High Treason, and *Campbell* is still in the Messengers Hands.

There is also *David Lindsay*, who went Secretary to the Earl of *Middleton* into *France*, with him committed for coming out of *France* without leave; he is mentioned in the intercepted Letters, but what he says in relation to the Designs is contain'd in his Papers. He was the Person that carried the Draught of a Letter from Lord *Dundee*, to be signed by the late King *James* to the Convention in *Scotland*, but was cheated of it by Lord *Melfort*, who fram'd another, which was carried back into *Scotland*.

The

The Duke of *Athol* informing the Earl of *Nottingham*, that *Ferguson* could and would give an Account of *Frazer*, he was sent for.

Mr. *Ferguson*'s Account of *Frazer*, &c. is contain'd in his Paper. He did also give in another Paper, which did not contain any Matters of Fact, and therefore is not here inserted.

Upon some further Examinations of the Persons mentioned in the foregoing Relation,

Mr. *Campbell* said that he saw *Frazer*'s Credentials which he brought from *France*, sign'd *James R.* and countersign'd *Middleton*: That *Simon Frazer* left them in *Scotland* with *Tho. Frazer*, with Orders to deliver them to *Colin Campbell*, to be laid up with the Picture, and his Commission.

That *Simon Frazer* never told the Earl of *Braidalbin* of his Design of returning to *France*, lest that Earl should have told it to the Earl of *Cromarty*.

That Captain *Murray* knew of Captain *Frazer*'s design of going to the Duke of *Queensberry*, and believed it was only to amuse that Duke.

That Captain *Maccleod* knew of *Frazer*'s and *Murray*'s Design, and *Frazer* told *Maccleod*, that if *France* would keep Promises made to him, he would go on with the Design, aud accept of no Remission.

Campbell shew'd to *Clark* his Commission, and the Picture, in order to *Clark*'s getting a Case made for it, and shew'd them to *Clark* before he seal'd them, and gave them to *Clark*.

That *Clark* knew of all *Frazer*'s Designs, and said, the sooner the King came the better.

That the Occasion of the Duke of *Queensberry*'s trusting *Campbell* was *Simon Frazer*'s Recommendation of him to the Duke.

Mr. *Ferguson* denied he ever had any Discourse about the Duke of *Marlborrough*.

Denied he ever saw Captain *John Murray*, or knows any thing of *David Lindsay*.

That he ask'd nothing of *Simon Frazer*, but *Frazer* said he would do him Justice; to which *Ferguson* made no Reply.

He advis'd *Frazer* to do nothing through Pique against King *James*'s Interest.

He owns that he heard *Clark* say at the *Vine-Tavern*, That if *Frazer* was not true to the King's Interest, he would never trust any Man, or to that effect.

Sir

Sir John Maclean's *Account of the Names of* Chieftains *in the* Highlands, *and of the Numbers of Men they were to Raise, as it was represented by* Frazer *to the Court of* France.

SIR *Ewan Cameron.*
Sir *Donnald Macdonnald.*
Captain of *Clanrannald.*
The *Macleods.*
Mr. *John Mackenzie*, Uncle to the Earl of *Seafort.*
For the Families of the *Mackenzies.*
Glengery, and the other Families of
The *Macdonnald*'s.
The *Farqhuarsons.*
The *Mac-Phersons.*
A Part of the Family of the *Mac-Culloichs.*
Under young *Borlamine.*
The *Rosses* in *Murray* under *Ross* of *Killraick.*
The *Frazers.*
The *Chisolms* of *Strath-Glasse.*
The *Stuart* of *Appin.*
The *Highlanders* belonging to *Perth.*
Some Horse out of *Murray* and *Inverneſſe.*
With *Innis* of *Caxton*, and others.
Some *Graunts* by *Baddendalish.*
Some of the *Rosses* of *Belnagowan*'s Family.
Lovat answered for by his Relation to them.
The *Highlanders* belonging to the Duke of *Gordon.*

		The Numbers reduc'd by the E. of *Cromarty*, Her Majesty's Secret. of State in *Scotland*, to what he suppos'd the several *Chieftains* might be capable of Raising.
The Families of the *Macdonalds*	1800	
The *Mackenzies* of *Seafort*'s Family	1200	
The *Macleods*	700	
The *Frazers*	1000	600 or 700
The *Farqhuarsons*	700	200
The *Mac-Phersons*	700	300
Of the *Mac-Culloichs*	500	300
Of the *Rosses* by *Killraick*	500	200
Chisolms of *Strath-Glasse*	200	150
Stuart of *Appin*	200	
Perth his *Highlanders*	600	
Graunts by *Baddendalish*	300	600
Of the *Rosses* of *Belnagowan*'s Family	300	200
Belonging to the Duke of *Gordon*	1000	500
To be made up of Horse in the Shire of *Murray* and *Inverneſſe*	1000	200

Com-

Commission to Lord Lovat, *to be Colonel of a Regiment in* Scotland.

L. S.

JAMES R.

James the Eighth, by the Grace of God, King of *Scotland*, *England*, *France* and *Ireland*, Defender of the Faith, *&c.* to our Right Trusty and Well-beloved *Symon* Lord *Lovat*, Greeting. We reposing especial Trust and Confidence in your Loyalty, Courage and good Conduct, do by these Presents constitute and appoint you to be Colonel of a Regiment of Foot, to be Raised for our Service, in our Ancient Kingdom of *Scotland*, and Captain of a Company in the said Regiment. You are therefore to take the said Regiment as Colonel, and the said Company as Captain, into your Care and Charge, and duly to Exercise as well the Officers as Soldiers thereof in Arms, and to do your utmost Endeavours to keep them in good Order and Discipline: And we do hereby Command them to be Obedient to you, as their Colonel and Captain, and you to observe and follow such Orders and Directions, as you shall, from time to time, receive from us, or any your Superiour Officers, according to the Rules and Discipline of War, and in pursuance of the Trust and Confidence, we have hereby Reposed in you. *Given at our Court at St.* Germains, *the 25th Day of* February, 1703. *And in the Second Year of our Reign.*

By his Majesty's Command,
Middleton.

Mr. Keith's *Letter to the Earl of* Nottingham.

My Lord,

THE Circumstances of my private Affairs do at present straighten me to that degree, that were it worth your Lordship's hearing, the very Relation would be some kind of Apology for this Trouble, to a Person of your Lordship's Justice and Goodness; but since that is not proper, the next best I can make use of, is not to detain you with a long Narration, but simply to beg, that after your Lordship has Revised the Inclosed Papers, and made your Judgment of them, whether they be such as can properly be laid before the Council, for their Lordship's Information, as well as the Relief of their Petitioner, That then your Lordship would have the Goodness to use them as you shall think fit, for obtaining the humble Request of,

My Lord,

Decemb. 23. 1703. *Your Lordship's most Humble, and most Obedient Servant,*

Will. Keith.

Mr.

Mr. Keith's *Petition.*

To the most Honourable the Lords of Her Majesty's Cabinet-Council.

The humble Petition and Representation of William Keith, *Esq*

Sheweth,

THat your Lordships Petitioner having been Called and Questioned before your Lordships, concerning very abominable Practices, whereof he is not only innocent, but absolutely ignorant,

he Declaration is in t II.

Humbly begs Leave to lay before your Lordships the † Declaration herewith subjoined, which your Petitioner, under a very close Confinement, hath drawn up for your Lordships more distinct and particular Information, at one View, of all that he knows, and wherewith alone he can be justly Charged; patiently waiting for a Vindication of his true Loyalty and Affection to Her Majesty and the Government, as well from your Lordships Impartial Enquiry and Justice in this Matter, as from the Truth it self.

That tho' your Petitioner be ready to submit with all Cheerfulness, to whatsoever your Lordships shall think fit to order concerning his farther Confinement or Liberty, yet he hopes it will be thought no Breach of his Submission and Duty, humbly to represent to your Lordships Goodness and Charitable Consideration, That this, the only Confinement ever he was under, is not only like to prove very prejudicial to his weak Constitution of Health, but also fatal to a little private Business of his own, that was to be perfected this *Christmas*, upon which his future small Fortune and Estate in the World altogether depends, and which will be utterly ruined and lost to him, without your Lordships special Goodness and Consideration.

May it therefore please your Lordships, with Goodness and Compassion, as well as Justice, to take under your Consideration the Case of your humble Petitioner, with all its unfortunate Circumstances, and to Release him from his present Confinement, as soon as in your Lordships Wisdom and Justice you shall think fit.

And your Petitioner shall ever Pray, &c.

PART

PART II.

The Substance of Sir John Maclean's *Discovery to the Earl of* Nottingham.

IN *July*, 1702. The Lord *Lovat* came to *France*, and told Sir *John Maclean*, that he had Matters of great Importance to Communicate to the Late Queen; but before he would tell them, he requir'd a promise from her, not to reveal any Thing of what he said, to any of her Ministers, which she did make him, and thereupon Sir *John Maclean* carry'd him to the Queen, as he did afterwards, by her Direction, to *Monsieur de Torci*, to whom, as before to the Queen, he said, he was come from *Scotland*, particularly, from the *Highlands*, where he had discours'd with many Heads of *Clans*, particularly *Stuart* of *Appin*, Sir *Evan Cameron*, Sir *Donald Macdonald* and others; from whom he brought assurances, That they would rise in Arms with Ten Thousand Men, if they were assisted from *France*, with Money, Arms, and Troops, to support and protect them in gathering together. *Monsieur Torci*, after communicating this to the *French* King, and some difficulty of sending Men, assur'd him that his Master would furnish them with Money, and Arms, and also Men, as soon as his Affairs would admit of the Last; and the Number agreed upon, was Five Thousand, which were to be transported from *Dunkirk*, and Landed at *Dundee*; from whence the March was short and easy to the Foot of the *Highlands*, to which if need were, they might retreat, and in the mean time, they might make a Stand, and oppose any of the Queen's Forces, that might be sent against them, and give Time and Opportunity to the *Highland Clans*, to assemble and come to them, and form and increase the Army, to be superiour to all the Queens Force's in *Scotland*; and to facilitate this Design, Five Hundred more Men were to be sent from *Brest* to and seise the Fort of *Innerlochy*, which could not resist Cannon, being commanded by Hills near it. This would give security to Ships coming into the River, and be a Means

to

to convey Supplies of all kinds, from Time to Time, as there should be Occasion.

The Execution of this Project was delay'd, partly as has been said, because the *French* K. could not spare his Troops; partly because his Fleet was not in a Condition to oppose us, and the Men then he sent would be lost, if they could neither be succour'd, nor brought off; and partly because he did not entirely rely on the Lord *Lovat's* Information, and Assurance, and partly that he might see the Event of the *Scots* Parliament, by which also he might Judge of the Temper and Dispositions of the *Scots*, as well as by some farther Enquiry, which he resolv'd to make; and in order to it, he had thoughts of sending some *Frenckman* to *Scotland* with L. *Lovat*, and to bring a Just Account of what might be expected from them; but the hazard of a *French-Mans* being discover'd by his Language, the difficulty of making Enquiries for want of the *Scots* Language, and the Easiness of deceiving him, by shewing false Persons to him, under the Names of Heads of *Clans*, diverted him from this thought, and therefore *Lovat* was sent back in *May* last, with Captain *Frazer*, and Captain *John Murray*, who had long been in the *French* Service, with orders to come back as soon as the *Scots* Parliament was ended, with a distinct Account of the Inclinations of the *Scots*, and what their Numbers would be, which might be relied upon to joyn with the *French*: And at Sir *John Macleans* comming from *Paris*, they were expected back but were not return'd, but upon the Accounts they should bring, depended the Execution of this Design. Besides this Captain *Murray*, there was another, *James Murray*, who was sent to *Scotland*, with Orders to speak with *D. Hamilton* (to whom one *Bell* was sent before, with like Directions, but died in *Holland*) and to engage him in the Interest of *France*, for the support of the Pr. of *W.* There had been other Messages sent to him, but the Queen told Sir *John Maclean*, she had had no Answer, and therefore ordered Sir *John Maclean* to sound *D. Hamilton*, and if he found him dispos'd to her Service, then and not otherwise, to communicate to him this Project; this he was also to do to the Lord *Athol* and Lord *Marshal*. Sir *John Maclean* said also, that *Stevenson* a Banquier was formerly sent to *D. Hamilton*, and at his Return was put into the *Bastile*, which they thought, was occasion'd by *D. Hamilton's* not trusting him; and to prevent his Discovery, *D. Hamilton* being Cautious of speaking with any that came from St. *Germains*, where the Factions were so great, that nothing was Secret, and therefore would send by Persons of his own Choosing.

Being ask'd, How he knew these Persons were so sent? he answer'd, That the Late Queen told him so.

He said he saw several *Scots* Gentlemen in *France*, in the time of Peace, particularly the Lords *Montrose*, *Hay*, *Seaton* and *Roxborrough*, who desir'd to pay their Respects, and wait on the Late King, but he refus'd them, saying it would be known, and might do them Harm; and he was enough assur'd of their Fidelity and good Inclination, without that Ceremony.

He

He does not know the particular Errand of *David Lindsay*, but says he has been several times sent into *Scotland*. He says *Lindsay* was the Man who carried the draught of a Letter prepar'd by the Lord *Dundee* and others for the late King *James* to Sign and send to the Convention of Estates, with Orders to deliver it to none but King *James* himself, but was deluded by Lord *Melfort*, who prepar'd a different Letter and suppreft this. He says, this Story he had from my Lord *Dundee* himself.

There is one Mrs. Fox in Custody, who came over with Sir *John Maclean*; he says she was a great Friend of the Lord *Melforts*, and upon his disgrace turn'd to the other side, and has all along been a very intriguing Woman.

Sir John Maclean's *Large Discovery*, Feburary 26th 1704.

IN *July*, 1702. The Lord *Lovat* Arriving at *Paris*, sent to Sir *John Maclean*, to let him know he wanted to see him; and upon his meeting with him, told him he had matters of great Importance to communicate to the late Queen; but before he would give an account of them, he desired her Promise, not to reveal them to any of her Ministers: Sir *John* told him, he had no call to meddle in any business, all negociations at that Court passing through the hands of the Ministers, and that all he could do was to carry his message, and give him whatever answer he received: The Lord *Lovat* told him, he was more particularly concern'd in this, because the propositions were from the Chieftains of *Clans*; as he would give the Queen an account, according to the Answer she should send him. Sir *John* deliver'd his Message to the Queen, who agreed to see him, and gave her promise to keep from her Ministers whatever he should say to her: But since it was absolutely necessary she should trust somebody about her with it, she desir'd to know if he would condescend it should be my Lord *Perth*, which he agreed to, and the Lord *Lovat* had a private audience of the Queen where my Lord *Perth* and Sir *John* were present, in which he told her, that he was Commissionated from the greater part of the Chieftains of the Highland *Clans*, that they would rise in Arms with 10000 Men if they were assisted from *France*, with Money, Arms, and Troops to support them; that he had been with them and spoke to them upon the first account of King *William's* Death, the King and on it and the War breaking out, as a fit opportunity. The Queen told him she would send to the *French* Minister *M. de Torci*, to communicate it to him; and then he should hear from her. Some days after my Lord *Perth* desired Sir *John* to acquaint the Lord *Lovat* that the Queen had spoke to *Torci*, and that he had appointed to meet him next day at *Paris* to hear his Proposals: My Lord *Perth* and Lord *Lovat* went next day to

Paris, from whence they found *Torci* had been call'd to Court, but left M. *de Callieres* (whom he intrusted) to hear what *Lovat* had to say, and that he would acquaint the Queen in a few days when *Lovat* might see him privately at *Marly*. Lord *Lovat* gave M. *de Callieres* the same account he had given the Queen; which he said he would report to *Torcy* who would commune with him upon it at *Marly*: In some days my Lord *Perth* acquainted Sir *John*, that *Torci* had appointed next day to meet with *Lovat* at *Marly*, and that left it might give some Umbrage to the Ministers from whom it was conceal'd, if he should be seen going often to the *French* Court, the Ministers having formerly desir'd of the Queen that he should not meddle in business, because of his Relation to *Melfort* then in disgrace, that therefore Sir *John* should carry him to M. *de Torcy*. Sir *John* replied that he was as little known to *Torci*, as the Lord *Lovat*, having never spoke to him in his Life; upon which he told him, he would have the Queen's Orders to write to *Torcy*, which he did accordingly, and gave the Letter to Sir *John* to be given to *Lovat*, which he deliver'd to *Torcy*, who told him M. *de Callieres* had acquainted him with the proposals he had made; that for Money and Arms he believ'd his Master would condescend to, but he was so straitened as to Men, that the difficulty would stand there: That he desired in the mean time, he would draw up a Memorial of the Names of those who had Commissionated him, what Men they could raise, and what number of Troops they desir'd, and that since he had more time at *Paris* than at Court, he gave him a Day, which he would acquaint the Queen of, to meet him, and since she had inform'd him her Ministers were not trusted with the Secret, he thought it were best they should meet at the Pope's Nuncio's at *Paris*, where he us'd to be frequently. The Lord *Lovat* return'd and met privately with *Perth*, to whom he gave an account to be given to the Queen, of what had past with *Torcy*. The Lord *Lovat* at his return having drawn up his Memorial, desir'd Sir *John* to Translate it into *French*. *Sir* John *in reading it, told him that he found some Men nam'd there, whom he enquir'd after some Days before, whom he had told him he had not seen, but heard they were well, and that he thought he ought to name no body but those he had assurance from*; he said he knew their Inclinations, and would take it upon himself: Sir *John* told him that besides this, he found in the List he made, *that he had set down some of the Chieftains for twice the number they could raise*; the Lord *Lovat* answer'd *that he must make the number sufficient, otherwise the Court of* France *would never engage. Sir* John *told him, that for his part, he would never impose on any body, and if ever the Queen should disclose to her Ministers the project in hand, finding a part false they would not fail to say the whole was suppos'd. The Lord* Lovat *was so much displeas'd with* Sir John's *freedom, that he put up his Memorial, carried it to* Perth, *who put it into* French, *and went to* Paris *without him*: The number of Men desir'd of the *French* were 5000, who were to Land in some place near *Dundee*, where they might easily march to the Foot of the Hills, where the Highlanders might joyn 'em, being secur'd by them from any forces then in

in the Kingdom. Those Troops were to be Transported from *Dunkirk*, and at the same time 500 Men from *Brest* to Fort *William*, to take in that Fort, and free the Highlanders from its inconvenience at Home, when they were to take the Field. The difficulty as to sending and Transporting the Men, stuck still with the *French* Court: So that the Lord *Lovat* went frequently afterwards to *Paris* alone, where he met with *Torcy* at the Nuncio's and *Callieres*, to press the Affair. My Lord *Perthy* some time after meeting with Sir *John*, told him, he had a Letter from *Calleries*, desiring him to go next Day to *Paris*, and bring Lord *Lovat* with him, for he hop'd *Torcy* would come to a conclusion; but that it being impossible for him *(Perth)* to go, next day he desir'd Sir *John* would acquaint Lord *Lovat*, and go along with him to be present at the Conference; which Sir *John* did, and found *Torcy* and *Callieres*, who told *Lovat* that his Master had agreed to the Proposals, but he desir'd to have more essential assurances from the Chieftains of *Clans*. *Torcy* propos'd in sending back *Lovat* to send a *French* Commissary, but the difficulties arising from the want of the Language, and from his being easily impos'd upon, being a Stranger, made him lay it aside; but *Callieres* proposing some *Scots-man* in the *French* Service whose dependance upon the *French* Court would make them secure of, Captain *John Murray*, who had serv'd there several years was pitch'd upon, as being known to *Callieres*. The Lord *Lovat* and Captain *John Murray* went afterwards frequently to *Versailles* and *Paris* communicating very little to Sir *John*, because of the diffidence *Lovat* had of him, which had encreas'd by a refusal of a Commission of M. General he had ask'd of the Queen, and which he attributed to him Sir *John* had occasion of speaking to the Queen about a part of his Pension that was owing; she took that occasion to tell him that *Lovat* ask'd the said Commission, and desir'd to have his thoughts. Sir John told her plainly *that he apprehended the giving him a Commission over the Heads of* Clans, *who, were able to raise more Men than he, would disgust them, and that since she spoke to him of that Affair he was oblig'd to give his Sentiments of the whole, that he was afraid the bad Circumstances* Lovat *was in at home, and the Natural heat of his Temper would push him to advance more than he could make good, and that tho' these Gentlemen he nam'd, were willing to rise in Arms, yet if she had not assurances from some considerable party of the Nobility in the Low Country, the event would only be that the* French *might make a diversion for themselves, without any other Effect, as to her Affairs, than the ruin of the Gentlemen engag'd; and tho' no body wanted more than* Sir John *a handle for changing his Circumstances, that he had rather suffer still, than expose his* Friends *and Relations; but that she was best judge of what she might expect from the Low Country into which he did not presume to enter: She told him with some heat, that she had sent several Messages to D.* Hamilton, *but could have no return; that he was so shy, she knew not what to make of him; that she sent lately to him by Captain* James Murray, *and that if she was to have any answer it would be before the return from the Highlands, that the business in the mean time was to dispatch* Lovat, *and she should judge best at their returns.* The Lord

Lord *Lovat* and Captain *Murray* were for about three Weeks from *Paris* at *Versailles*, that Sir *John* did not see them. When they received their dispatches from the *French* Court, they return'd to St. *Germains*, where *Lovat*, had his last Instructions, which he did not communicate to Sir *John*, tho lying at his Lodgings; but Sir *John* coming into his Room, when he was in bed, look'd them over, which it seems he perceiv'd, and in the afternoon read them to Sir *John*; what he remembers of the Contents of them is, *That he was to assure the Chieftains that they should be supported with Money, Arms; and Men, that he should return positive assurances from them of what number they should raise, with an account of the State of the Nation in General, and of their Inclinations in the present Parliament*, and to return with the Account.

The Lord *Lovat* and *Murray* were about three Weeks more at *Versailles* and *Paris* before they went off, that Sir *John* did not see them; he went to *Paris* two Days before their departure, when *Lovat* told him, that he should scarce have as much Money left him as would perform his Journey; on which Sir *John* ask'd him what Summ he had got, he told him four hundred Pistoles, which he had said nothing of to him, tho' he had received it a considerable time before. At his departure, he prest Sir *John* to write by him to some of the Chieftains who were his Relations, and to of the Gentlemen of his own Family; which Sir *John* shunn'd, telling him, that those that had trusted him before, would trust him again, and that if Sir *John* found it necessary to write to those of his own Family, he would send his Letters to him to *Brussels*, where he said he was to make some stay. Sir *John* had a Letter from him from St. *Omers*, where he fell ill, complaining of not sending him recommendations to his Friends with some sower expressions: Sir *John* never wrote to him since he went from *Paris*, nor design'd no further Communication with him, neither did *Lovat* let him know where he was to take his passage. Major *Frazer* who went with him, was only as one of his Family and Relations; *Murray* was then only intrusted from the *French* Court: Some little time after Lord *Lovat*'s departure, there came an account of the Queen's Act of Grace to her *Scots* Subjects; a surmise of which had come before he went off: those of the *Scotch* Nation at St. *Germains*, ask'd and easily obtained leave to return, that Court never refusing it to any; those who return'd, as Sir *John* remembers, were Collonel *Buchan*, Captain *Midleton*, Colonel *Graham*, Captain *Deane*, *David Lindsay* and Captain *Mears*.

Sir *John* went immediately to the Queen, and put her in mind that some years before, the late King *James* had given him leave to return if he could procure a License, that he hop'd she would give him leave as she did the rest of his Country-men, to take hold of this Opportunity to live amongst his Friends, who on the former occasion had promis'd him their assistance to subsist him, she easily condescended to his proposal. Sir *John* went about his Journey, in which he had great difficulties, having a Family to carry with him, resolving to leave nothing behind him he had any Relation to: Finding the passages to *Holland* stopt, he sent to *Calais*

Calais, to know when the Packet-boat for exchange of Prisoners was expected, which was the only passage left. Having an Answer that its return would be in fifteen Days he prepar'd himself, but it did not arrive till two Months after. Sir *John* immediately took post, but arriv'd two Days too late; the Ship returning without any Prisoners, a fortnight sooner than its ordinary course, by a dispute between the Governour of *Calais* and the Master of the Ship: Sir *John* staid two Months there, in hopes of its return, where he found some *English* Gentlemen Prisoners there, waiting for the same Occasion, till the Governour sending them out of Town, believing by the delay of the Ship, that the Commerce was entirely broke off: Sir *John* hazarded in a little open Fisher-boat, which had been releas'd and with the hazard of his Wife, who was but eleven Days brought to Bed, and of his Children, Landed in *England*; where there must be two hundred People to draw up the Boat: He ask'd for the Magistrate, deliver'd himself, and told who he was. The Late Queen, as Sir *John* took leave of her, told him she hop'd he would have no resentment of any neglect he had met with there; that as to Lord *Lovat*, she believ'd he would be return'd before Sir *John* could be well in *England*, that she *recommended to him to sound* D. Hamilton, *from whom she had no Answer, but not to communicate any thing of* Lovat's *Affair, if he did not find him dispos'd for her Service; she recommended to him to speak to* Athol, *if he should find him dispos'd as also to* Marischal,

What Sir *John* knows of *David Lindsay* is, that he had been sent from St. *Germains* to *England*, and return'd with the E. of *Middleton*, which was before Sir *John* went to *France*, he knows nothing of any particular Errand he now has, nor ever had any Communication with him whilst there.

Sir *John Maclean* being farther examin'd, he declar'd, that upon the Queens Accession to the Crown, he had apply'd himself to the Earl of *Cromarty*, by Sir *Æneas Macpherson*, his Father in Law, for a License to come over, but had receiv'd no Answer.

That he was willing to take the said Opportunity of coming away upon the publishing the Indemnity in *Scotland*.

That upon his coming away, the Late Queen at St. *Germains*, procur'd for him Two Thousand Livres, from the *French* Court, as for a particular Service of her own.

His allowance while he staid in *France*, was about Nine Hundred Livres *per Annum*.

When he took his leave of the late Queen, *she told him she had sent to Duke* Hamilton, *by divers persons, and had no Answer from him, but that she had lately sent* James Murray *to him, by whom she hop'd for an Answer.*

The Late Queen gave him in Charge, *to use the discreetest measures he could, with Duke* Hamilton, *to sound him. He was not to speak to Duke* Hamilton *at first as from the Queen, but was to discourse him, as from himself, and if he found him well dispos'd, to enter into the Business of* France; *then he was to tell him that he knew of* James Murray's *Message to him, and to use the Queen's Name, but he was to break* Frazers *Business by Degrees; the Queen apprehending*

hending he would be averse to it, by reason of his Conjunction with the Athol Family, *who hated* Frazer.

The Queen did not give him any Credential to the Lords she emploied him to, she knowing that he was related to D. *Hamilton* and knew him, and the knowledge of *James Murray*'s Message was a Credential.

The Queen knew it was very well between theFamilies of *Maclean* and *Athol* and *Marshal*: *The Queen told him, the Lord* Athol *had a great Interest in the Highlands, and she knew what great animosities there were between him and* Lovat, *and that if Sir* John Maclean *could find any way to mitigate things between them, he would do her a great Service.*

They look'd on the Duke of Athol *as one rather engag'd by D.* Hamilton. *Its on the latter they depend principally, as having been entrusted by King* James, *and never meddled with any Employment under the late Government, which the D. of* Athol *had done. As to the* E. Marshal, *the Lord* Perth *pretends an Interest with him, as being his Son in Law: The E.* Marshall *and his Father were always look'd upon as Creatures of K.* James.

The Lord Perth *said to Sir* John Maclean *that he was privy to* James Murray's *being sent to Duke* Hamilton, *and he hop'd the Duke would trust him.*

The Lord Perth *also told Sir* John Maclean *he had given Instructions to* John Murray *to speak with the E.* Marshall,

He never talk'd of the Duke of Athol *with any confidence or Friendship their Families haveing been never well together,*

One *Bell*, who had been a Captain in *Buchan's* Regiment, and had liv'd at St. *Germains*, from the Conclusion of the *Highland* Business, was sent for *Scotland*, last Winter, but died in *Holland*, in his way thither; Sir *John Maclean* was with my Lord *Perth*, when the News of his Death came, who express'd himself to be much troubled at it, because *Bell was one whom Duke* Hamilton *entirely trusted, and who he hop'd would have done good with him, and then he told Sir* John Maclean, *that was the Business, about which* Bell *was sent to* Scotland; *afterwards Sir* Adam Blare *told him the same Thing.*

As to what Sir John Maclean *had formerly said of* Stevenson's *Message to* D. Hamilton, *he had it no otherwise than by common Report.* Nevil Pain, *and Colonel* Parker, *and a Club at* Paris (who are in opposition to the Earl of *Middleton*, and pretend to have License from the *French* Court, to keep Intelligence) *said that* Stevenson *was sent to the D. of* Hamilton, *by the Earl of* Middleton; *and when about a Fortnight after* Stevenson's *return from* Scotland, *he was put into the* Bastile, *they said he had not been trusted by D.* Hamilton, *and that word had been sent privately, that he should be clap'd up.*

Sir *John Maclean* being ask'd who was to Command the Troops which *France* was to send to *Scotland*? made answer, That in the Discourse between the Lord *Perth*, *M. Torcy*, *M. Callieres* and himself, together with *Frazer*, *it was agreed that if D.* Hamilton *would engage, he should have the chief Command. That the D. of* Hamilton *was look'd upon in* France,

France, *as an Officer; but that they intended to send a* French *Man to take care of the Troops, and to act under him, but they did not then seem to think of sending the D. of* Berwick, *because if the Great Men in* Scotland *engag'd, they would not be willing to be commanded by him.*

Being ask'd, *How they came to have so great an Opinion of the D. of* Hamilton, *at the Court of* France, *Sir* John Maclean *said he was look'd upon as the most popular Man, being at the Head of that Great Number of Lords and Gentlemen, who protested against the sitting of the last Parliament. Upon the sitting of this present Parliament, the Court of St.* Germains, *thought it their Business to obstruct the declaring the Succession to the House of* Hanover, *and approv'd of the Acts, and other Things, brought into the Parliament, as tending to that Point.*

The Council at St. *Germains* consists of the Duke of *Berwick*, the Earl of *Perth*, Earl of *Middleton*, and the Lord *Caryl*.

The Queen at St. *Germans* had promis'd *Frazer*, not to discover his Design to any of the Ministers, besides the Lord *Perth*; but after *France* had agreed to the whole Matter, she desir'd the Lord *Perth* to tell Sir *John Maclean*, that she desir'd to speak with *Frazer*, and that she hop'd he would be brought to Consent it should be communicated to the whole Council, for they had got an inkling of it, and it would be better she should tell it them herself, than that it should be known without her.

Sir *John Maclean* gave an Account of this to *Frazer*, who went to wait upon her, and at his return to his Lodgings told Sir *John Maclean* that he had consented to it, and that he thought it in vain to do otherwise, for he believ'd she had told them of it before. *Frazer* said she had ordered him to wait upon them. Frazer *first sent Sir* Alexander Maclean *to the Duke of* Berwick, *to know when he would be attended, and a Time being appointed,* Frazer *and Sir* Alexander (*as they both told Sir* John Maclean) *went to him, and discours'd with him of the Number of Men and Provisions, and how they could make up their Magazines, and about the Situation of the Country, and he brought out Maps to them.*

The Duke of Berwick *told them that the Court of* France *had already concluded Duke* Hamilton *the fitest Man to command in chief, if he would be engag'd, and That there would be no Occasion for him, since he would not serve under Duke* Hamilton; *but if Duke* Hamilton *did not engage, and if upon* Frazer's *return, he saw the Affair turn more General, then if the Two Courts gave him any Orders, he would be ready to obey.*

Frazer said the Duke of *Berwick* would not be acceptable to the *Scots* Nation, all the *Scots* Officers in *France* being discontented with him, for favouring the Pretensions of the *Irish* Officers, in order to their being provided for in the *Irish* Regiments, for they all knew it was the Duke of *Berwick's* doing, tho' the Commissions were giv'n out by the *French* Court. Sir *John Maclean* did suppose this was told by *John Murray* to *Frazer*.

Frazer told Sir *John Maclean*, that he had been with the Earl of *Middleton*, and *John Murray* had gone along with him. The Earl of *Middleton* said the Queen had giv'n him an Account of the Design, and he was well satisfied of the Project, approv'd of it, and bid *Frazer* take care of himself, and said it was incumbent on *Frazer* to be very particular in the Accounrs return'd or brought Back.

Sir *John Maclean* was with *Frazer*, when he took leave of *the Earl of* Middleton, *who express'd a Resentment, that the Project had been kept so long from him.*

Frazer desir'd to speak in private to the L. *Middleton*, in his Closet, and did so, at Night he told Sir *John Maclean*, what he said to the Earl of *Middleton*, then was, *to desire a Pardon for himself, as to the Business which concern'd the* Athol Family, *because he foresaw, if Duke* Hamilton *should engage, he would have the Great Sway, and being so much in the Interest of the* Athol Family, *that was bent against him, he thought it securest for him to get a Pardon by the Lord* Middleton's *Interest at this time. The Lord* Middleton's *Answer was, That there was no* Scots *Lawyer about the Court, who knew how to draw a Pardon, which must be nicely done, but that if* Frazer, *could get one prepar'd in* Scotland, *it should be pass'd upon his coming back.*

The Earl of Middleton *is not look'd on to be a Friend to Duke* Hamilton, *the Earl of* Melfort *was thought to be his principal Friend; the Earl of* Hume *is thought to be the Top of the Party that depends on the Lord* Middleton; and that its generally thought at St. *Germains*, that he is the man most relied on, by the Lord *Middleton*, and whose Interest he supports. When Mr. *Frazer* and *John Murray* went away, they agreed with the Lord *Perth*, to settle a Correspondence in *Scotland*, for him.

They pretended they would go by the way of *Holland*, and pass through the *French* Army, but Sir *Alexander Maclean* wrote word to Sir *John Maclean* afterwards, that they had not pass'd that way.

Sir *John Maclean* said he had often discours'd with the Lord *Perth*, about *Frazer's* Affair, and that the Lord *Perth* was the first that was acquainted with it.

The last Directions the Lord *Perth* gave Sir *John Maclean*, was to press *Frazer* and *John Murray* (if they were not come away before Sir *John Maclean* came to *Scotland*) not to fail to bring Authentick Proofs of what *Frazer* had said, for that otherwise his Friends would suffer at the Court of *France*, and his Enemies would take Advantage at the Court of St. *Germains*. He propos'd in particular, that when they return'd to *France*, if it were possible, they should bring over one of the *Highland* Chieftains with them.

The Lord *Perth* was the Person with whom Sir *John Maclean* was to hold Correspondence; He told Sir *John Maclean* at parting, that if he found *Frazer*, and *John Murray* in *Scotland*, they would tell him how that Corrrespondence was fixt, and what address was to be us'd; but if they were come away, then he was to know it from *Robert Murray*, *John's*

John's Brother, who was generally in *Edenborrough*, but if he chanc'd to be absent, he might be heard of at his Elder Brother's House in *Perthshire*.

He said he gave an Account of this intended Correspondence, to the Earl of *Nottingham*. The reason of trusting *John Murray* to go along with *Frazer*, was not only because he had serv'd long in the *French* Troops, but because he was also well known to *M. Callieres*.

The time propos'd for Action, in the *Highlands*, is just between Harvest and the beginning of Winter.

The money desir'd for this Expedition, was 100000 Crowns, and the Arms were for 20000 Men; both which were promis'd, but the Arms were not sent, when Sir J. *Maclean* came away, nor was there any of the money to be sent, till the security of things appear'd, upon *Frazer's* return, and then it was to be sent, by a *French* Commissary. Sir *John Maclean* was ask'd, What Persons left *France*, upon the News of the Indemnity in *Scotland*? and What was their Character? and upon What Designs they came? He nam'd Major General *Buchan*, Captain *Dean*, *Patrick Graham*, Captain *Middleton*, Captain *Meers*, and *David Lyndsay*.

He said, as to Major General *Buchan*, he believ'd he was not trusted with the *Highland* Business, because he knew he was the most ungrateful Man living to the *Highlanders*; so that if he was imployed in any Thing, it must be with Respect to the *Lowlands*; but that it was kept as much from them, as their Design of the *Highlands* was from others, tho' he did not doubt but other Men were imployed in other places.

He said, he knew that formerly, when he was in the *Highlands*, Major General *Buchan* kept Correspondence with the then Earl of *Arran*, and the Earl of *Hume*; and the Earl of *Arran* remitted money to him.

As to *Patrick Graham*, Sir *John Maclean* said, he was very low at St. *Germans*; he believ'd Captain *Murray*, who is his Sister's Son, has communicated to him all *Frazers* Affairs, and says, they went together from *Paris*.

He look'd upon Captain *Middleton*, as superannuated, it was one of his Sons, who kept the *Bass* for King *James*; he believes him to be very hearty, in the Cause of St. *Germains*.

Captain *Dean*, and *David Lyndsay* went off together. Sir *John Maclean*, said, Captain *Dean* was Governour of my Lord *Middleton's* Children, for about Two Years. Sir *John Maclean* was present, when *Dean* came to take his leave of Sir *Randolph Mcdonald*, who ask'd him What he would do in *Scotland*? He would starve their, as well as at St. *Germains*. But Captain *Dean* made answer, he had a Brother, or Relations, who might help him. *Dean* has no Estate in *Scotland*.

What

What Orders or Instructions *Dean* had, he believ'd were from the Earl of *Middleton*; *Dean* was one of the Officers concern'd in the mutiny of *Dumbarton*'s Regiment, at the beginning of the Revolution, he has the Reputation of a very good Officer.

Sir *John Maclean* said, *David Lyndsay* was the person most likely to be intrusted, by the Earl of *Middleton*, and that he came away about the same time with *Frazer*.

He continued in the Secretary's Office, till the time that he came away, he had the least pretence of any Body, for going for *Scotland*, for he had no Estate there, and had a good Salary of Twelve or Fourteen Thousand Livres *per annum* for his Office, besides perquisites: As to Mrs. *Fox*, Sir *John Maclean* said she had formerly been a great Friend of the Earl of *Melfort*'s, and was look'd upon as one that had all the Secret of his Correspondence in *England*, whose Agent she was. She liv'd sometime with the Lord Chief Justice *Herbert*, and the Lady *Philips*, and some others; but they fell out, and parted, upon Occasion of my Lord *Melfort*, she endeavouring to sustain his Interest, after his disgrace. Then she liv'd in a Monastery, for sometime, and since that, in a Pension, at one Mrs. *Conn*'s.

She told Sir *John Maclean*, she had been piqu'd at some ill usage she met with from my Lady *Melfort*, and Lady *Perth*; and by making a Friendship with my Lady *Middleton*, she came at last to be entirely trusted, by my Lord and Lady *Middleton*.

She pretended to Sir *John Maclean*, That she came over about some Law-business of her own, but he believes she comes intrusted and employed by the Earl of *Middleton*. She being vain and passionate, he hop'd to have got the matter out of her, but could not do it; but she own'd to Sir *John Maclean*, that she was to return to *France*, when her Business was over, and gave as a Reason for that pretence, that she could not live, where she must see her Husband live with another Woman; she said to Sir *John Maclean*, that they who were now in the Government here, were not inclin'd to use any severity to those who had been under Vexation before.

The Lord *Perth*, told Sir *John Maclean*, that the Lord *Middleton* had employed Mrs. *Fox* to enquire about Sir *John Maclean*'s House, where *Frazer* lodg'd, to learn what she could of him.

After *Frazer* had been with Lord *Middleton*, he ask'd Sir *John Maclean* to carry him to Mrs. *Fox*, but he declin'd it; thereupon he applied himself to *John Murray*, who brought them together.

Sir *John Maclean* believ'd, that as soon as the Earl of *Middleton* was acquainted with *Frazer*'s Business, Mrs. *Fox* knew of it.

He said that Mrs. *Fox*, and the Lady *Maclean* being warm in Dispute together, Mrs. *Fox* said, in his hearing, we laugh at your *Highland* Projects, my Lord *Middleton* and I, know more solid Things.

Sir

Sir *John Maclean*, heard Mrs. *Fox* say, that *Peter Cook* had been sent over to *France*, and was sent back again from thence.

Being ask'd about the Four Lords, nam'd in the Paper given in to the House, by the Earl of *Nottingham*, who are therein mention'd, to have desir'd to see King *James*.

He said he was told by divers of King *James*'s Servants, that the Lord *Montrose* had been at *Fountain Bleau*, for near a Fortnight together, when King *James* was there.

That the Lord *Perth*, who is Uncle to the Lord *Hay*, told him he had acquainted King *James*, that the Lord *Hay* desir'd to see him, but King *James* would not consent unto it, for it might do them Harm, and would do King *James* no good.

Sir *John Maclean* saith he never heard or said that the Lord *Roxburgh* or the Lord *Seaton* desir'd to see King *James*, nor did he ever see those Two Lords, but at *Paris*, during the Peace, but he heard some of King *James*'s Servants say, That those Two Lords took Occasion once to go into the field, upon an Hunting Day, which they apprehended might be with an Intent to see King *James*.

The Reason of his naming the Lords, was upon a General Question, ask'd him by the Earl of *Nottingham*, Which of the Lords (amongst a great many, which he had nam'd, to have been at *Paris*) were thought to be dispos'd towards the Court of St. *Germains*?

The Earl of *Errol*, Father to the Lord *Hay*, and the Earl of *Winton*, Father to the Lord *Seaton*, are thought, at St. *Germains*, to be well affected, and so is the Lord *Sinclare*.

Sir *John Maclean* has heard *Buchan* say, he had Correspondence with the Lord *Aberdeen*, when he was in the *Highlands*, the Lord *Aberdeen* is look'd upon at St. *Germains*, generally as well affected to their Interest.

Being ask'd, if he knew that any Liberty had been granted to People, to take the Oaths to this Government.

He said, that upon the Capitulation with the *Highlands*, in 1692. when Terms were offer'd them, upon taking the Oath of Allegiance, one Captain *Meinzies*, and *Sir George Barkley*, were sent into *France*, to know King *James*'s Mind, in that particular, *Meineres* return'd with an Answer, that the King said he would never order any Body to swear, but that he left every one to Judge for himself, what he could best do, and to do as they thought fit, *Meinzies* declar'd he understood this, for a Tacit Compliance, he said he knew nothing of this kind since that time.

Being examin'd about the Intercepted *Gibberish* Letters; he said there was an Account at *Paris*, from the *Dutch Gazzet*, that such Letters had been Intercepted, but he affirm'd, that he never knew any of them, or how to Interpret them

Sir *John Maclean* being ask'd the meaning of the Paper mark'd No 5, which was giv'n in to the House, by the Earl of *Nottingham*, said it did contain the Names of the Heads of the *Clans*, which *Frazer* nam'd

to

to the *French* Miniſters, as engag'd with him, and for whom he would anſwer ſo far as Sir *John Maclean* could remember them, and the firſt Numbers put to thoſe Names, are the Numbers *Frazer* gave in as what they would bring into the Service.

The Second Numbers are not of Sir *John Maclean*'s ſetting down, nor does he know by whom they were ſet down, nor does he think that reducement is rightly done.

Sir *John Maclean* ſaid, he ſaw the Maſter of *Oliphant* at *Paris*, and look'd upon him to be a Papiſt; but does not know of what Religion he is

He ſaw him at *Paris* twice, he told Sir *John Maclean* he had Directions from his Father to return to *Scotland*, and intended to go through the *French* Army in *Flanders*; he ſays that Sir *Alexander Maclean* wrote him word that the Maſter of *Oliphant* came down to the Army, to paſs into *Holland*, and he was recommended, by the Duke of *Berwick*, to M. *Villeroy* to have a ſafe Conduct, to go to the Duke of *Marlborough*'s Camp, and he went thither accordingly.

Sir *John Maclean* ſaid there was no intimacy between Sir *A. Maclean* and the Maſter of *Oliphant*, that Sir *Alexander* is a very Prudent and Cautious man, and Sir *John Maclean* ſaid he was fully perſwaded that he would not have us'd any ſort of *Freedom*, in talking of any Secret Deſign, or any Thing, he would not have had every Body know, to one he was ſo little acquainted with, or with one of the *Maſter of Oliphant*'s Character, who by his indiſcreet talking, had like to have brought himſelf into Trouble, both at *Paris*, and in the Army.

March 11.

The Lady Maclean's *Confeſſion.*

THE Lady *Maclean* ſaid ſhe remembred a Diſcourſe that was between her and Mrs. *Fox*, and that Mrs. *Fox*, ſaid to her, when Sir *John Maclean* was preſent, we laugh at your *Highland* Projects; my Lord *Middleton* and I know better Things, or to that Effect.

She ſaid, that Mrs. *Fox*, in her Diſcourſe, was us'd to deſpiſe all that could be done in *Scotland*, and to ſay, that ſhe had great Friends here in *England*, and that ſhe fear'd nothing; ſhe us'd to ſay, King *James* had good Friends in *England*.

My Lady *Maclean* ſaid, Mr. *Frazer* deſir'd her ſeveral times, to introduce him to Mrs. *Fox*, but ſhe refus'd to do it; ſhe ſaid the Reaſon of his deſiring it, was in hopes to be well with the Earl of *Middleton*, by her means.

She ſaid, ſhe had ſeen Mrs. *Fox* ſeveral times, very familiar with the Counteſs of *Middleton*, but ſhe had never ſeen her with the Earl of *Middleton*.

The Earl of *Perth* ſaid, before the Earl of *Middleton* was acquainted with *Frazer*'s buſineſs, that Mrs. *Fox* was ſent, to be a Spy upon *Frazer*, and

and to obſerve what he did; but ſhe ſays, ſhe believes Mrs. *Fox* knew of *Frazer*'s Buſineſs, before *Frazer* was introduc'd to her.

The Lady *Maclean* has heard Mrs. *Fox* complain of my Lord *Melfort*'s ingratitude to her, tho' ſhe was a great ſupport to him, by means of her great Friends in *England*, and that he had never done any thing for her, in recommending her to King *James*, or his Queen, and particularly ſhe mention'd one Paſſage, which Mrs. *Fox* complain'd of, that ſhe had giv'n very conſiderable Intelligence from *England*, to my Lord *Melfort*, to be laid before King *James*, in her Name, and that the Lord *Melfort* gave an Account of it, to King *James*, without naming her to him; which ſhe took very ill.

The Lady *Maclean* ſaid, that when they landed at *Folkſton*, and were giving in their Names to the Mayor, that Mrs. *Fox* ſaid, her Name was Foſſüe, or ſome ſuch Name, and ſaid ſhe was the Lady *Maclean*'s Siſter; the Lady *Maclean* ask'd why ſhe ſaid ſo, ſince it was not true? Mrs. *Fox* ſaid then, ſhe would ſay ſhe was Couſin to the Lady *Maclean*, for ſhe was deſirous to paſs for one of *Scotland*, that ſhe might have the Benefit of the Indemnity; the Lady *Maclean* ſaying that it would be enquir'd into, and the Truth found out, Mrs. *Fox* ſaid, ſhe was afraid to give her right Name of *Fox*, becauſe ſhe had been nam'd in Sir *John Fenwick*'s Buſineſs, and ſhe apprehended, that would bring her into Trouble.

Mrs. Foxes Letter January *the Second*, 1704.

YOUR Lordſhip having been pleas'd to ſay, that you would acquaint the Queen with the Reaſons I gave for my going and coming back from *France*, makes me with the greateſt Submiſſion, humbly beg to know, if I may hope the Queen will Graciouſly commiſerate my unhappy State, that made me chooſe ſo diſtant a retreat, and which obliig'd me by neceſſity to return.

I call GOD Almighty to Witneſs, to my Knowledge, I never offended the Queen, or this Government, except in my coming to *England*, which Fault was occaſion'd by my Ignorance and Neceſſity, being told, that ſince I went with a Paſs to *France*, I ſafely might return; the certainty of my wanting Bread in a Strange Country if I ſtaid longer (my little Fortune being in *England*) and all Commerce being ſtopt under ſo great a Penalty, 'twas impoſſible for me to hope to get a Licence, or any return of money.

This my Lord, I proteſt before Almighty GOD, was the Occaſion of my coming, and the only Cauſe, but if I am ſo unfortunate to be repreſented under an unjuſt Character, I beg it as a Common Juſtice, that I may appear Face to Face, with my Accuſer, your Lordſhip will then, eaſily Judge of my Innocency; but if nothing but my coming out of *France*, be alledg'd againſt me, I can only throw my ſelf at her

Majeſties

Majesties Feet, and with the greatest Humility, humbly implore her mercy.

If your Lordship's great goodness can extend so far to have Compassion for me, 'twill be the greatest Charity, for Eight Weeks close Confinement, the change of Air, and Drinking differently has thrown me into o great a disorder, that to give me liberty is almost to give me life, which I should ever, in the most Humble manner, acknowledge as such, being with the greatest Submission and Veneration.

My Lord,

Your Lordship's most humble,

and most respectful Servant,

Jan. 2*d.* 1704.

Frances Fox.

Mrs. *Fox* was Twice examin'd. She said she went into *France*, about Twelve Years since, by the Earl of *Nottingham*'s Pass, and had never since been in *England*. She was ask'd several Questions, and in particular, as to what was said against her by Sir *John Maclean* and others, but she behav'd her self very obstinately, and peremptorily, and refus'd to Answer to any thing materially.

Sir Thomas Steward's *Discovery.*

I Do affirm, that Mr. *Robert Ferguson* does know that Mr. *Frazer* did make such interest with the Popes Nuncio in *France*, or by some others at the Court of St. *Germains*, in Concert with the Nuncio as to get himself recommended, and introduced to the *French* King and his Court, and that the Nuncio by himself, or in concert, as aforesaid, did procure with the King, to order one or other of his Ministers, or some other about his Court, to cause to be given to *Frazer* 3000 Livers or *Lewi d'ors*, which of the two I do not remember, and that afterwards it was agreed between the two Courts of *Versailles* and St. *Germains*, by intervention of the Nuncio, and some others of the Court of St. *Germains*, that *Frazer* alone or some others in conjunction with him, should be intrusted with Commissions Credentialls instructions, or some such like power and Authority to go into *Scotland*, and feel the Pulse of that Kingdom, how they are inclined and disposed towards joyning what Forces they could, with such Troops and Forces as the *French* King should send thither, with all sorts of necessary Warlike Forces and ammunitions, and from thence to return, and make report to the *French* King, and the Court of St. *Germains*, at such a limited time, or as soon as he could

of that his Negotiation, and that pursuant to those measures concerted between the two Courts, Mr. *Ferguson* does know, that *Frazer* did repair into *Scotland* last Summer, and went into the Highlands through *Argyleshire*, as I suppose he has heard, and there did use his utmost endeavours to meet and converse with such of the Heads and Chiefs of the respective *Clans*, and whom other he could get there to engage conformable to the Commissions, Credentials Instructions or some such like Power and Authority *Frazer* had from the Court of *France*: And I do vouch that the said Mr. *Ferguson* does know that *Frazer* returned from *Scotland* to *London*, about the beginning of last Winter, and that he did meet and converse with the said *Frazer* some Weeks or there abouts, before his departure from hence, and that *Frazer* did tell the said Mr. *Ferguson*, what is but now mentioned, at least the Substance of it; and I do say, that Mr. *Ferguson* did ask *Frazer*, how he durst venture to go into *Scotland*, where he stands convicted of hainous Crimes, and that a Commission of Fire and Sword (as it runs in the style of that Kingdom) was Issued to apprehend and seize him dead or alive, and that an account of those odious Crimes, he had made himself justly obnoxious to the utmost resentment of several great Men there, and to that of their Friends and Families. Whereunto *Frazer* answered, that he had as many Great Men, and Families in *Scotland*, who would stand his Friends, as those who were his Enemies; and that Mr. *Ferguson* knows, that in some short time afterwards it was talk'd about the Town that *Frazer* had procured a Pass or Passes for going beyond Sea by the way of *Holland* under feigned Names, for himself and some others, particularly for one that went by the Name of Major *Monroe* (who as it was said did come from *France* with him, as also for a Brother and Servant of *Frazer*'s, under convert of which pass or Passes, Mr. *Ferguson* knows, that *Frazer* and his Bompanions went accordingly into *Holland* in their way to *France*, to make report to the two Courts, what success he had met with in *Scotland*, and especially in the Highlands thereof; and that Mr. *Frazer* has writ several Letters from *Holland* hither, under false Names; and I suppose, Mr. *Ferguson* knows to whom some of them were Directed, and Addressed; and I affirm, that Mr. *Ferguson* did regret that the Court of St. *Germains*, or any Person there should have had any hand in reposing such a Trust, in so ill a Man as *Frazer*; and when it was suggested to him, that such a treacherous Conduct should be made known to the Courts of *France*; He answered, that care would be taken for so doing, or words to this Effect and purpose, the greatest Part of all which, in Substance, I believe, Mr. *Ferguson* does know.

In the Months of *November*, *December*, *January* and *February*, in the years 1702, and 1703 last past, I did see and hear Sir *Æneas Macpherson* read several Letters, at divers times, in that Quarter of *Lincolns-Inn*, next to *Chancery-Lane*, and in *Spring-Garden*, or near to it; which he said came from Sir *John Maclean*, who was then at St. *Germains* in *France*, as Sir *Æneas* told me; in several of which Letters Sir *John* writes to Sir *Æneas* with utmost and repeated Earnestness, that he would employ

all the Interest he had here, to obtain Licence of the Queen for him to come over into *England*, and that in diverse of these Letters that Sir *Æneas* read in my hearing, were Sentences or Expressions to the following Effect and purpose, that those there (*viz.* at St. *Germains*) were now come to that seeming Resolution, as to pretend to put little or no value upon *Scotland*, or the People thereof, for they made account to do their business otherwise. I do not think or remember that *England* was as much as hinted in any of these Letters; there were likewise contained in several of them, Sentences and Expressions in *Irish*, and the Highland Language, as Sir *Æneas* did affirm to me, upon which I told him I did not understand the Language, whereunto he made no answer; nor did I in the least desire him to explain the meaning thereof. And I do affirm that Sir *Æneas* has a just and true Copy of what I wrote to Sir *John* about the beginning of last Spring, which he read in my hearing, in some few days after I delivered him the principal, which was sent to Sir *John*, as Sir *Æneas* told me. This is the Substance to the best of my Memory and Knowledge of what Sir *Æneas* said to me was contained in the aforesaid Letters; and it being told to Mr. *Robert Ferguson* the substance of what is above recited, as to the Contents of these Letters, and how hurtful they may prove to the interest of St. *Germains*, it was insinuated to the said Mr. *Ferguson*, that advice thereof might be sent thither, but with great caution. That Sir *John Maclean* might not be brought to suffer thereby at the Court, he being the best able to explain and give the true meaning of what he wrote, and that without prejudice to himself; whom I believe to be a Man of Honour and Probity; and Mr. *Fegu-son* did answer, that notice accordingly should be sent thither, or words to that effect. And did not I think that the Errand and Business that *Frazer* and his Companions were sent into *Scotland* about, sometime afterwards had not then been hatching I had made little or no mention of what is above recited, touching Sir *John Maclean* and Sir *Æneas Macphrson*.

Major *Boucher* and I, were walking in that part of St. *James's-Park*, called the short Walk, in the Months of *July* or *August* last, or thereabouts; we fell to talk about the Proceedings of the Parliament in *Scotland*, that was then sitting, and particularly of the heats and animosities which were about that time come to a great height among the members thereof. Mr. *Boucher* did say, that if those Persons who were upon their way thitherwards, were arrived at *Edinburgh*, we should hear of other kind of doings there. In a little time after he went off towards *Spring-Garden*, nor did I ask him then, or any time after, to explain himself, as not being my way with any body that I converse with, except I believe my self particularly concern'd, but I do suppose he meant by that his expression, the Emissaries or Agents that were on their way from *France* to *Scotland*, and particularly of *Frazer* and his Companions. Mr. *Boucher* and I met by chance several times both before and after, near to *Grays-Inn-Walks*, on the North Side; and we fell to discourse divers times; amongst other Stories about the Stag-hunting that was frequently and

and warmly talked of about Town; and from several Remarks and Circumstances I had reason to imagine that he had the same notion thereof, as many others, as well as my self at that time had, which was a raising of the Highlands in Armes, and afterwards upon the breaking out of the noise of that which is called the *Scots* Plot, we discoursed many times about many of the Circumstances thereof, and particularly of what Mr. *Frazer's* part was in it, as to which he spoke his mind very doubtfully, whether he thought it a Real or a Sham-Plot, but (said he) be in it what will, *Frazer's* conduct therein was Villianous, that care would be taken to send notice thereof to *France*; where he did not doubt but he would be punished according to his Deserts. This is the substance of what passed between him and me, upon the matters aforesaid; and the Truth, according to my best Memory and Knowledge of the meaning and purport thereof.

Jackson Esq; and I have had several Meetings and Conversations, near to *Grays-Inn*, and *Red-Lyon-Square*, in the Months of *November* and *December* last, or thereabouts, at one of which, as we were walking along *Grays-Inn-Lane*, he told me, that the Secretary of State to the *French* King for the Forreigne Affairs had sent a Messenger into *London* much about that time, and said he did not go into *Scotland*, nor stayed here above eight days, and I told him that it would not have been very safe for him to go to *Scotland*, or to have stayed much longer here: The noise of the *Scotish*-Plot being then so warm. I did not ask who he was or about what he came, nor did I ask any questions on the matter for the reasons as above, and so we parted within *Grays-Inn-Gate*, that leads into *Grays-Inn Lane*; and afterwards he and I met casually about the latter end of *February* last and went towards *Red-Lyon-Square*, and took some turns in a little Street, on the North-west corner, thereof, and fell to discourse about the inconveniences and misfortunes that accrue to both King and People, when they are of different Religions, and particularly I argued with him about the Irreconcileable contrarieties and inconsistencies that were between a Popish King and a Protestant People, and we reasoned together a pretty while on that Subject, to conclude our discourse (said he) the young Prince at St. *Germains* is their King and will be so in spight of all his Enemies and did express it without heat or passion, and so we parted; and at divers other occasions, we met always near the same places, and fell a talking of what the People said of the *Scots* Plot, the noise of which had broke out but a little time before: he was very modest as to his Opinion about it; but said, whatever be in it, whether it be a Sham, or a real Plot; *Frazer's* part therein was Treacherous; and if he goes into *France*, as according to report he is on his way thither, having obtained passes for that end, he might certainly expect to be treated accordingly; and that if he was not of *Scotland* or *England*, but a Subject of *France*, he would undoubtedly have been broken upon the Wheel, if he goes thither; but as he is, he may expect at least to be Pri-

soner

ſone for Life, for notice was ſent thither before him, of his Villanous behaviour.

This is the ſum-ſubſtance and effect of what paſſed betwixt, *Jackſon* Eſq ; and me, of, or concerning the aforeſaid matters, to the beſt of my Memory and Knowledge. *T. Stewart.*

Papers about the Lord Belhaven.

London *May 9th* 1702.

MY Lord *Belhaven*, whoſe Name is *Hamilton*, came to *Paris* about the Month of *December*, 1701, where he continued for three Months; during which time, he had frequent Conferences with the Court of St. *Germains*, and was no leſs then three ſeveral times introduced to the Late Queen, by the Earl of *Middleton*, being uſher'd in to him by Captain *John Levingſton*, who was Brother in Law to *Belhaven*. The ſaid Lord often told me, that he coreſponded to, and received Inſtructions from the of Duke *Hamilton*, who he ſaid was become the head of all thoſe who were true and faithful to the Intereſt of their Country, which he ſaid had been abuſed and Cheated by King *William*, whom he hated upon that account. The ſaid Lord told me, that the Conjunction of *Scotland* and *England* (for he could not call it an Union) had been the Ruine of that Kingdom, and that if they did not ſet up a King of their own, or call home the Prince of *Wales*, and ſo lay an obligation upon him to be more in their Intereſt then his predeceſſors, that Kingdom would be undone.

He further ſaid, that if the Prince of *Wales* could be prevail'd upon to turn Proteſtant, it would be better to call him home, then to ſet up a King of their own: For ſaid he, *England* is ſo much ſuperior to *Scotland* in Force by Sea and Land, that if the King of *Scotland* have not a Conſiderable Intereſt in *England*, he may run the hazard of being Conquer'd at one time or other. But (ſaid he) the Prince of *Wales* has not only that, but will be ſure at all times to have a firm Alliance with *France*.

He added alſo, that when he had an Audience of the Late Qeen, the ſecond of *February*, he laid all this before her, and gave her aſſurance, that if the Prince her Son would turn Proteſtant: That the Duke of *Hamilton* himſelf, and all that party which he ſaid was very conſiderable would declare for and call him home.

But he ſaid to his Sorrow, that he found the Queen inflexible upon the head of Religion ; which he ſaid would extreamly divide and weaken the Party. He told me alſo by Advice of D. *Hamilton*, he had made Propoſals to the Queen, that if the Prince could not change his Religion, that he ſhould enter into Articles, and give aſſurance that he would reſtrict himſelf to a determinate number of Prieſts, and never attempt any thing againſt the Proteſtant Religion: This he ſaid the Queen conſented to, and ſeveral other things, upon which he engag'd in the Name of the Party to keep the *Scots* from joyning with the *Engliſh*, as to the Succeſſion.

Having for theſe four years laſt paſt, had an extraordinary intimacy with Dr. *Gordon* Late Biſhop of *Galloway*, inſomuch that he conceal'd

none of his Affairs from me; The ſaid Biſhop about the beginning of *March* laſt at *Paris* told me, that he had a proſpect of making his Fortune e're long, but ſaid he was ſworn to ſecrecy. We met almoſt every day, and he told me from time to time, that his hopes increas'd, and that before he left *France* he would diſcover to me, and me only, ſo far as his Oath could poſſibly allow him, and that he would even ſtretch a little. I being to leave *Paris* the 20*th* of *April* laſt, was ſome days before with the Biſhop every day, and being about to take my leave of him, he told me he would be in *England* in a few Days after me, for now, ſaid he, I am engag'd in an Affair, that will make me, or break me. I told him, I knevv his Prudence to be ſo great, that I was not afraid of any miſcarriage: He ſaid that the Affair vvas ſo delicate, that a Man of more Experience than he might eaſily miſcarry in it. But, ſaid he, as I have never conceal'd any thing from you, ſo will not this ſo far as I can or dare at preſent diſcover it.

I am, ſaid he, by *Abbe Rennedo* my good Friend engag'd to go as an Agent from the Court of *France* into *England* and *Scotland* : at *London* I ſhall meet vvith the Lord *Belhaven*, vvho vvill carry me to Duke *Hamilton*, and having adjuſted Matters with him, I ſhall go to *Scotland* to the diſaffected Party there, among vvhom I have many Friends and Relations. My Inſtructions, ſaid he, I have not yet received but in general terms, and therefore cannot be more particular ; but, ſaid he, it is referred to my ſelf, what Money I will call for, for my Expedition. The ſaid Biſhop is now come over, and in Town ; if he is not gone this day for *Scotland*. If he be taken up, he is naturally timorous ; and I am ſure ſo great a Libertine; both in Religion and Government, that he'll never run any Risk for one or t'other.

The Late Biſhop of *Galloway* is aged about 58 years, is of a freſh ruddy Complexion, pretty tall, and broad Set, full ſix foot high, and Lodges or did Lodge near the Blew-ball in *Salisbury-ſtreet*. He wears an Iron girdle, being a little troubled with a Rupture, which no body knows but my ſelf.

Being to come into *England* I diſcover'd my ſelf to Captain *William Delavall* at St. *Germains*; who is, and has been my great Friend. He deſired me to make all the haſte back I could, and ſaid, I know you to be a Perſon of Secrecy, and one that dare do any thing ; and if you be here in ſix Weeks, or two Months at fartheſt, I'le introduce you to one ſhall make your Fortune; for ſaid he, if a fortunate Card does not turn off all this juncture for our King, ſomething that will be ſurprizing, is to be quickly attempted, and I will bring you in for one, therefore pray make haſte back, which I faithfully promis'd, he firſt having engag'd that if the deſign went on, to write to me about ſome pretended Buſineſs, which was to be the Signal for me to make haſte and accordingly I have received his Letter.

Mr. *Ramſay* a *Scots* Gentleman who reſided in *England*, during the laſt War, being then a Spy from *France*, and had 4000 *Livers Penſion*, is now again come into *England* upon the ſame account. It's ſo true that Mr. *Ramſay* was a Spy, (during the laſt War) that I my ſelf have ſeen and read his Petitions, written and ſign'd by his own hand, addreſs'd to the

King

King of *France*, wherein he sets forth his Pretensions at large; with an account of his Services: It's so true that Mr. *Ramsay* is in the same Post, again, that the Night before he left *Paris*, I dog'd him to Mr. *Golar's* House, who was the Man who engaged him at first in that Service, of whom he received Money, and with whom he still Corresponds: He went in, and being to pay me 20 Livers he ow'd me; he not only did it when he came out, but shew'd me a handful of *Louis-d'or's* and a Sealing-Ring, which I presume he Seals Letters with, which he sends that way.

If this be discover'd, I shall not only run a great Risk of my Life, but be rendered uncapable of any further Service, particularly in a very desperate blow, that I have reason to believe is intended.

Several Officers of Note are gone from St. *Germains* into *Scotland*, who I am sure are ill intended to the present Government, to wit Captain *James Murray* Brother to Sir *David Murray* of *Stenhope*, Captain *John Bell*, who formerly serv'd in *M. G. Buchan's* Regiment, Captain *John Levingston*, of my Lord *Dumbarton's* Regiment, commonly call'd *Cassius* to distinguish him from the other; Captain *William Deans*, who lately was Governour to my Lord *Clarmont*, Son to the Earl of *Midleton* at St. *Germains*, *Robison* of *Struan*, who has a considerable following in *Scotland* is in *London*, but absconds, nor do I know how to find him, he taking extraordinary precaution, as being a Man of an Estate: *Levinston*, who is in Custody is Brother in Law to my Lord *Belhaven*, having married his Lady's Sister.

B.

White-Hall, May 14. 1702.

MY Lord the Inclosed is a Copy of what I mentioned last Night to your Lordship.

I am

My Lord

To the Right Honourable the Earl of Seafield.

Your Lordships most humble Servant,

C. Hedges.

White-Hall

White-Hall May 26. 1702.

My Lord.

I am commanded to transmit the inclosed to your Lordship, for her Majesty's Service; it being a second part of what I sent you before you left this place, and from the same hand,

I am

To the Right Honourable the Earl of Seafield.

My Lord

Your Lordships most humble Servant,

C. Hedges.

The Examination of Mr. George Bruce, May, 24. 1702.

GEorge *Bruce* of *Fife*, in *Scotland*, being examin'd, saith, that in the Month of *August* last, he went from *Scotland* to *Paris*, to study Anatomy, and Chirurgery, and pass'd Two Months in the Hospital of the Charity there, that when he began his Course of Anatomy, *George Graham*, and this Examinant were Comerades and Scholars of M. *Petit*, a Surgeon in the Street of *Tarent*. He said he has seen at *Paris* Mr. *John Levingston*, who us'd to frequent *Gregory's Coffee-House*, in the *Comedy street*, and the *English Coffee-House*, near the *Abby* St. *Germain*, and came sometimes to the House where this Examinant and his Comrade us'd to eat; This Examinant said he had only publick Conversation with him, being told he was a St. *Germain*.'s Man. He farther said, that passing near *Charing-Cross*, about Three or Four Days since, the said *Levingston* call'd to this Examinant out of a House, and he going in to him, the said *Levingston* told him, that he was a Prisoner, which surpriz'd the Examinant: He had no Discourse with him, but in the Messengers presence. Then he told this Examt, he was in Trouble about a Letter directed to Mr. *George Bruce*, from the Lord *Dunkell*, which he believ'd was intended for this Examinant; who owns that he was brought up at School, and in the Colleges with the said Lord, but says he has not seen him these Thirteen Years, nor ever receiv'd a Letter from him in his Life. The said Examinant further saith, that he came from *France* about Two Months since, with design to offer his Service to the Queen, to be employed in the Army or Fleet, in the way of Chirurgery, he being a Protestant of the Church of *England*, and looking upon himself to be otherways qualified to serve this Nation.

George Bruce.

Taken this 24. May, 1702. *by me*

John Ellis.

Exami-

Examination of Mr. George Graham, May, 27. 1702.

GEorge *Graham* of *Orkeny*, in *Scotland*, being examin'd, saith, That he is but Twenty Two years old, and desiring to make Physick his Profession, he went to *Holland* in *September*, was Twelve Months, to study Physick at *Leyden*, under M. *Detters*, and M. *la Mott*, Professors there; where he stay'd about Eight Months, and from thence he went to *Paris*, to study Anatomy and Chirurgery, which he did, under M. *Petit*, a Surgeon there, about Fourteen Months. He says, he came acquainted with Mr. *John Levingston*, by frequenting *Gregory's Coffee-House*, in the *Comedy-street*, and saw him afterwards, in my Lord *Belhaven's* Company, but had nothing further to do with him, than drinking a Bottle of Wine now and then, without medling with either Church or State-Politick's, this Examinant applying himself to Physick, as it was his only business. He says he has seen the said *Levingston* Twice or Thrice, since he came to *London*, which was the Twelfth of *April* last, in Mr. *Hopkins* the Messenger's House, but has not seen him elsewhere, since he came from *France*, nor had any Conversation with him there, but in the presence of the Messenger. This Examinant saith, that he is a Protestant, and was always so, and intended in Three or Four Days, to return to *Perth*, where he had been an Apprentice to an Apothecary, with a Design to practice Physick.

George Graham.

Taken this 27th. May, 1702. *by me*

John Ellis.

Interrogatories made to Mr. George Bruce, *and his Answers to them*, May 24th: 1702.

Q. MR. *George Bruce* being ask'd, what Letters he carried from *Scotland* to St. *Germains*? from whom, and to whom? if some directed to the Lord *Dunkell*?

A. He carried from *Scotland*, an open Letter to my Lord *Dunkell* from Mr. *Falkoner*, who married one of that Lords Sisters; and tho' it was open he did not read the Contents of it, but was told by Mr. *Falconer*, that it contain'd an Exhortation to my Lord to write to my Lady his Mother; acknowledging how much he had been in the wrong, in making a dishonourable Marriage, and begging her pardon for it. Mr. *Falconer* desir'd him to press my Lord *Dunkell* to write an Answer to it as

as soon as possible. This he says was the only Letter he carried to any Person concern'd about the Court of St. *Germains*, and had but one Letter, which was from Dr. *Pitcairn* a Physician in *Edinburgh* to Mr. *Duverney* the famous Anatomist at *Paris*, and another from the same Dr. to Dr. *Macgee* a *Scots* Physician at *Paris*, both which Letters were open, and related only to matters of their Profession.

Q. If when he was in *France*, he did not kiss the hand of the pretended Prince of *Wales*.

A. He acknowledges, that he had the Curiosity to see the Court of St. *Germains*, and kiss'd the Hand of the pretended Prince of *Wales*, being urged to it by Dr. *Constable* the Physician, and Mr. *Midleton* the Apothecary there, which latter is his Country-man.

Q. Whether he was not frequently at St. *Germains*, and on what account?

A. He acknowledges he was thrice at St. *Germains*, the first time passing from *Rouen* to *Paris*, he went through St. *Germains*, and there saw several *Scots* Gentlemen, as Captain *James Murray*, brother to *David Murray* of *Stenhope*, Captain *John Bell*, which two he had known in *Scotland*, and Captain *Montgomery*, whom he had not seen before, and has heard he was a Captain of a Ship: The second time he was at St. *Germains* was about six Weeks afterwards; and 'twas then that he kiss'd the pretended Prince of *Wales*'s Hand; the occasion of his going thither was to see Dr. *Constable* and Mr. *Midleton*, to whose acquaintance he was recommended by Dr. *Macgee*, as being Men that understood their Business very well; who were very kind to him, and perswaded him to go to Court: The third time was about three day before he came from *Paris*, thinking himself oblig'd to take his leave of Dr. *Constable* and *Mr. Midleton*, who had us'd him so civilly; he says, that he receiv'd from them no Letters or Messages to any Body, either in *England* or *Scotland*, and that he brought but two Letters from *Paris*, one from *Mr. Stevenson* the Banker, recommending him to Dr. *Welwood*; and another from *Mr. Murray*, *Mr. Stevenson's* Book-keeper, to *Mr. Pigualt* at *Calis*, to credit him for two Louis D'ors, if he had occasion.

Q. If he knows Captain *John Levingston*, whether he knows more than one of that Name, and how he distinguishes them?

A. He owns he knows one Captain *John Levingston*, commonly call'd the Dragoon: and has heard of another of that Name, who he is inform'd lives at *Rouen*, and was formerly in the Lord *Dumbarton's* Regiment.

Q. Whether he knows that the Lord *Belhaven* was at St. *Germains*, and what past there?

A. He says, he never saw him at St. *Germains*, nor heard that he was there but on the contrary, that he was ever so cautious as not to go thither.

Q. Whether he was in Company with Lord *Belhaven* and Captain *Levingston* in *France*, and what pass'd between them?

A. He

A. He ſays, he was in company with Lord *Belhaven*, and Captain *Levingſton* at the ſame time, that to the beſt of his remembrance he never ſaw the Lord *Belhaven* but twice, once in *Gregory*'s Coffee-Houſe, where he ſaid nothing to him; another time at *Verſailles*, where they happen'd to meet, ſeeing the rarities in the *French* King's Court, whilſt the King himſelf was at a proceſſion, and all the diſcourſe they then had, was only about the things they ſaw there.

Q. Whether he knows *Robinſon* of *Struan*? Whether he has ſeen him here? Whither he's gone? Whether he has a Penſion?

A. He owns, he knows *Robinſon* of *Struan*, having been at the Colledges with him in *Scotland*, and that he ſaw him when he was laſt at St. *Germains*, and that he then told him he was reſolv'd to leave that Court, and uſe all his endeavours to get his Peace made, that he might go home and look after his Eſtate, which is gone to ruine in his abſence; that he knows nothing of the ſaid *Robinſon*'s being here, or where he *is* gone. He has heard that the ſaid *Robinſon* has a Penſion from the Court of St. *Germains*, but what it is he knows not.

Q. Whether he knows the Biſhop of *Galloway*, or where he is?

A. He ſays, he ſaw the Biſhop of *Galloway* once at a Comrade's Chamber in *Paris*, but knew not that 'twas he, till he was gone: Another time at a Publick Houſe, and being told who he was, he thought it his duty to ask his bleſſing, as being a Proteſtant Biſhop; he ſays, he knows not where he is.

Q. Whether he has not frequently ſent Letters from *France* and *Scotland*, and keeps a Correſpendence in *France*?

A. He ſays, that whilſt he was in *France*, which was about ſeven Months, he wrote two Letters to Dr. *Pitcairn*, about matters relating to their Profeſſion, and three or four to Mr. *David Fife*, Surgeon at *Edenburgh* relating to matters of Employment, and the remittance of his Bills, and two more Letters to Mr. *Simon Cooper* a Miniſter at *Raſondes* in *Northampton-ſheir*, who is his particular acquaintance, giving him an account of his Progreſs in his Studies, and how he might direct Letters to him at *Paris*, and about what time he ſhould leave that place; that ſince he came to *London*, he has wrote two Letters to *France*; one to Mr. *John Craig* his Relation, whom he left there Studying Surgery, giving him an account of his Arrival at *London*, and deſiring him to ſend him a little Book call'd *Mauriceau*'s *Aphoriſms*, by Mr. *Murray*, Mr. *Stevenſon*'s Book-keeper; the other was to the ſaid Mr. *Murray*, deſiring him to bring with him a Wig he had left at *Paris*, thanking him for the Civilities he had receiv'd from him there; that he keeps no Correſpondence in *France*.

He further ſays, that he did not deliver to the Lord *Dunkell* the Letter aforeſaid, he being gone from *Paris* to the *Milaneze*, whither he ſent it enclos'd in one of his own, which contain'd nothing but an account of ſome new Relations he had got in *Scotland*, by the Marriages of his Brother and Siſters, and preſſing an anſwer to his Brother in Law's Letter.

George Bruce.

Further

Further Examination of Mr. George Graham, May *the* 28th. 1702.

Q. MR. *George Grahame*, being ask'd What Letters he carried from *Scotland* to St. *Germains*; from whom, and to whom; if ſome Directed to Lord *Dunkell*?

A. He carried not one Letter to *France*; for he went from *Scotland* to *Holland*, and carried never a Letter from thence to *France*, excepting a Letter of Credit to Mr. *Stevenſon* the Banker.

Q. If when he was in *France*, he did not kiſs the late King's Hand, and Prince of *Wales*'s?

A. He kiſs'd none of their hands, nor ever ſaw them otherwiſe than as they were walking abroad.

Q. If he was not frequently at St. *Germains*, and upon what account?

A. He was thrice at St. *Germains* to ſee his Relations, who are Colonel *Peter Graham* and *Robinſon* of *Struan*, but was never in the Court but once to ſee the ſaid *Graham*, who was Sick, and upon no other account.

Q. If he knows Captain *John Levingſt n*; if there be more than one of that Name, and how he diſtinguiſhe- them?

A. He knows Captain *John Levingſton*, who is now in Town, and has heard of another of that Name, who live ,at *Rouen*, but never ſaw him.

Q. Whether he knows that the Lord *Belhaven* was at St. *Germains*, and what paſs'd there?

A. He never ſaw the Lord *Belhaven* at St. *Germains*.

Q. Whether he was in company with Lord *Belhaven* and Captain *Levingſton* in *France*, and what paſs'd between them?

A. He has ſeen them both in a Coffee-Houſe, but never had any private Converſation with them together.

Q. Whether he knows *Robinſon* of *Struan*; whether he has ſeen him here; whither he is gone, and whether he has a Penſion?

A. He knows him very well, being his Kinsman, as he is the Lord *Portmore*'s, as he has heard; he expected to have ſeen him here ere this, becauſe he told him he was preparing to come over thither, with Captain *Johnſtone* Brother to the Marqueſs of *Anandale*; but he does not know where *Robinſon* is now. He knows he has a Penſion of 1000 *Livers p Annum* from the Court of St. *Germains*: He is, he ſays, a little black Man, of about thirty years old, and chief of the *Clan* of the *Robinſons* in the Highlands; he is a Proteſtant and very uneaſie at St. *Germains*, as the reſt of the Proteſtants are, being very ill us'd by the Prieſts,

Q. Whether he knows the Biſhop of *Galloway*, and where he is?

A. He knows the Biſhop of *Galloway*, who has had no Penſion allow'd him a great while, as he has heard, and is in a Begging and Starving-

Con-

Condition; he does not know where he now is, but he was at *Paris* when he left it.

A. Whether he has not frequently sent Letters from *France* to *Scotland*, and keeps correspondence with *France*?

A. All the Letters sent him from *Scotland* to *France* are to be seen in the Messengers hands, and he vvrote no Letters from *France*, but to his Brother *Mungo Graham* who lives with the Marquess of *Montross*, and those vvere only about his ovvn private Affairs; that he has no Correspondent in *France*, nor occasion to vvrtte thither, saving to Mr. *William Gordon* the Banker, vvho has in his hands the Books belonging to his Profession vvhich he is to send from *Rouen* to *Scotland*.

George Graham

Mr. David Lindsay's *Paper of* December *the* 8th. 1703

My Lord,

TO perform vvhat your Lordship and the Honourable Council required of me; I shall begin vvith some things, that pass'd before the Death of the late K. *James*. His Majesty enjoyn'd his Son in frequent Discourses of vvhat had befalen him, for not keeping exactly to the Lavvs of *England*, relative both to Church and State, and desir'd him, if ever he came to rule over that People, to take care to be a strict observer of them, that he might not split upon that Rock which had been fatal to him.

After his Death I never knew of any Measures that vvere taken, but in Prosecution of this, and that in no other manner but in Discourse, as Chance and Accident brought us in Company, vvith *English* and *Scots* Gentlemen; vvho came upon their Travels or other occasions to *Paris*, and that lasted but a very short time, the War immediately ensuing upon it; and for Correspondence by Letters after the business of *Calis*, either from *England* or *Scotland*, I declare, Nevvs Letters excepted My Lord *Middleton* had none to my Knovvledge, and yet I cannot say he mistrusted me in any thing.

After the Death of King *William*, and her present Majesty's Accession to the Crown, I never knew of any formed designe of disturbing her Majesties Government. There are restless, inconsiderate, and mad People among them, that I am as far from Justifying as any Man, and to muzzle and bridle these Fools, is a task too hard for any Man to get the better of. Follies from this kind has happed'd, and they have been quash'd by my Lord *Middleton* as much as it was in his Power.

But

But amongst these I never knew any that was likely to come to any hight but one, and that for four or five Months was kept as much from my Lord *Middleton*'s Knowledge, as it would have been from your Lordships.

One *Frazer* a *Scots-man*, who gave himself the Title of Lord *Lovat*, after having been condemn'd in *Scotland* for the most infamous Rape that ever was heard of, upon a Lady then Widdow of the Lord *Lovat*, and Sister to the Duke of *Athol*. This Man got an Interest and Acquaintance with some of those Mad People I have mentioned; and from thence it pass'd to an Interest with some of the Court of *France*. This Man, I declare I never saw, but his Character was, that he had Wit, a good gentile Behaviour, and was very insinuating, and with all these Advantages, gave out that he had very great Trust and Credit from very many of the *Scotch* Nation, particularly from the *Clans* of the Highlanders, and said they had impowered him to offer in their Names to bring out 16000 Men. at this last coming to be discovered to my Lord *Middleton*, he represented that to his knowledge, the Highlanders were not able to bring out 8000 Men; but tho' they were, it was unreasonable to enter upon any Business with a Man, by his Crimes so obnoxious to the Kingdom of *Scotland* in General, and where so many Ancient and Honourable Families were more particularly concern'd, but yet more unreasonable with one that had no Credentials but his own Assertion.

This Man came from *Paris* in the end of *May* last, and as I was informed, to bring back Certificates from the Persons concern'd, of what he had said in their Names, and when I came into *Scotland*, I was told the Government had notice he was gone into the Highlands of *Scotland*; and some days after the Council pass'd an Act of Fire and Sword against him. This the Duke of *Queensbury* and my Lord *Cromarty* Secretaries of State for *Scotland* can better inform your Lordships of.

Now my Lords, when I have given you this Relation, perhaps your Lordships, and the Honourable Persons, before whom I was examin'd yesterday, may think me desingenous for saying I knew nothing of any designs against the Queen or Her Government; for Explanation of which my Lord, I never thought this a thing that could come to any thing, and only the proposition of a Desperate Man, which never could be entertain'd, and that my knowledge of it came only from being upon the place, and I do assure your Lordships, that there were Persons that did all they could to break the undertaking of it, and particularly that *James Murray* whom your Lordships nam'd to me yesterday; and this my Lord, I declare is all I know, has been propos'd since her Majesties Accession to the Crown, and with this assurance, that if her Majesty be mercifully pleas'd to forgive what is past, and allow me to live in *England*: It shall be with that Duty and Obedience that is becoming the Loyallest, and best of Subjects, and I shall ever pray for her Majesties long Life and prosperity.

David Lindsay.

David

David Lyndſay's *Letter to the Earl of* Nottingham, December 23. 1703.

From the Gate-Houſe, December 23. 1703.

May it pleaſe your Lordſhip,

BEING conſcious of my own Innocence, and at the ſame time perſwaded of your Lordſhip's great Juſtice, Goodneſs and Honour, I muſt conclude, that the Trouble I am in, proceedes from malicious information, and tho' I have great reaſon to believe I could name the Perſon, having been ſerv'd ſo before at St. *Germains*, by a Countryman of my own, who is about this Court: But this I ſhall forbear, except your Lordſhip deſire it.

I told your Lordſhip, that I had been ſoliciting more than a Twelve Month for the Queen's Licenſe, that I believ'd my Lord *Stairs* had ſpoken to your Lordſhip about it, but I forgot to tell you that both the Secretaries of State for *Scotland* could inform your Lordſhip, that my Wife had been frequently with them about it. I came afterwards upon the Queen's Gracious Indemnity to *Scotland*; and I'm ſure, never Man came with a purer Intention to receive, and be more thankful for a pardon than I did, and I do declare to your Lordſhip, as in the preſence of God Almighty, and as I hope for Salvation at the Great Day of Accounts, I neither brought Meſſage or Commiſſion from the Late Queen, from my Lord *Middleton*, or from any other Perſon, Man, or Woman, in the Kingdom of *France*, directly or indirectly, and ſo conſequently could deliver none either in *Scotland* or *England*. And I therefore moſt humbly beg your Lordſhip would pleaſe to accept of Bail for my good Behaviour, I hope I can procure it; and in the mean time I beg you to take my Condition into your Conſideration, and if your Lordſhip, will have pity on my poor Condition, and allow me the Queen's maintainance in Priſon, ſince my poor condition cannot bear it, and that my Wife or Children may have liberty to come to ſee me, for without that I have not ſo much as the means of ſubſiſtance.

I am My Lord,

With great Reſpect,

Your Lordſhips moſt obedient

and moſt humble Servant,

David Lyndſay.

David

David Lyndſay's *Examination.*

HE ſaid he left St. *Germains* in June laſt, and took ſhipping at *Rotterdam*, and landed at *Leith* in *Scotland*.

He own'd he had been ſecretary to the Earl of *Midleton*, and that no other Perſon was in that Employment, at the time he left St. *Germains*.

That his Salary was a Thouſand Livres a Year (beſides ſuch ſmall perquiſites as happen'd) which was continued till his coming away, and he acknowledg'd he was in good Fellowſhip with the Lord *Midleton*, to the laſt.

That he was intitul'd to an Eſtate in *Scotland*, in right of his Wife, of about 63 *l. per Annum*; but his Wives Mother had the one half of it, during her Life, and his Wife and Children liv'd on the other Half, ſo that he had no part of it, return'd to him in *France*.

He ſaid he came to lay hold of the Indemnity, and to ſee to get an Employment, by the help of his Friends.

He procur'd Mr. *Stanhop* to write to Mr. Secretary *Hedges*, to know if he might paſs through *England*, to go to *Scotland*, and Mr. Secretary wrote word he might not.

Being ſhew'd the Paper giv'n in to the Earl of *Nottingham*, and his Narrative mark'd XXXVII. and ask'd how he came to write ſuch a Paper.

He ſaid he was directed by the Lords of the Committee of Council to give an Account of what had paſs'd at St. *Germains*, from the time of the Death of King *James*, till he left *France*.

Being ask'd, How he came to begin his Narrative with what had paſs'd before the Death of King *James*? He anſwer'd that it was all he had to ſay, and that there was no Fault found with him, by the Lords of the Council, for any thing in his Paper.

Being ſhew'd *Frazer*'s Commiſſion, which he own'd to be counter-ſign'd, by the Earl of *Midleton*, and ask'd how that could conſiſt with what he had ſaid in his Narrative of the Earl of *Midleton*'s oppoſing all deſigns, and particularly that of *Frazer*'s? He anſwer'd that he was not acquainted with the Commiſſion.

Being ask'd about the 3 intercepted *Gibberiſh* Letters, which were ſent in a Cover, directed to him; he ſaid he knew nothing of them, and that there was another perſon of his Name, and that if they had come to his Hands, he could not tell to whom they were to be deliver'd.

He refus'd abſolutely, to give an Account of any other thing whatſoever, that had paſs'd, during the time of his being in *France*, or in *Scotland*.

He

He ſaid he did not know of any Correſpondence that was kept by the Lord *Midleton*, either in *Scotland* or *England*, from the time he went into *France*.

He denied he was ſent into *England*, to perſwade my Lord *Midleton*, to go into *France*.

A Bill of Indictment being found againſt *David Lyndſay*, it was thought fit to ſend for him again, and acquaint him with it, in order to make him ſenſible of his Condition, and he was ask'd ſeveral Queſtions, in relation to his knowledge of the Conſpiracy, and of Correſpondence between *France*, and *Scotland*, and *England*, and particularly, in relation to the *Gibberiſh* Letters: But he ſtill continued obſtinate, and refus'd to give any ſatisfaction.

To the moſt Honourable, the Lords of Her Majeſties Cabinet Council.

The Declaration of William Keith, *Eſq; of all that he knows, in Relation to Captain* Frazer, *or any other Matters upon which he has been queſtion'd.*

I. THat the ſaid *William Keith*, was Two ſeveral times with the ſaid Captain *Frazer*, once at his Lodgings and once at a Tavern, is Truth.

II. The ſaid *Frazer* having ſent for him, by a Note, without any Name or Subſcription; he does declare, that untill he was in the Room with the ſaid *Frazer*, he did not know who he was to meet with, or who had ſent for him.

III. That the ſaid *Frazer* taking him aſide to a Corner of the Room, made an Apology for this Meſſage to Mr. *Keith*, whom he acknowledg'd he had no Acquaintance of, but hearing that Mr. *Keith* had ſome Intereſt with the Duke of *Athol*, whom he had unfortunately diſoblig'd, and finding that his miſerable and pitiful Condition, was no other way retrievable, but by a reconciliation with the ſaid Duke, he hop'd that Mr. *Keith*, would have the goodneſs and Charity, to interceed for him, with his Grace the Duke of *Athol*, and endeavour to commence a Correſpondence betwixt them; which Mr. *Keith* abſolutely refuſing, he then ſaid to Mr. *Keith*, that he was in his power, but hop'd that he would not diſcover him, and betray his Life. To which Mr. *Keith* anſwer'd, that he was ſorry he had ſeen him; but however, that to be an Informer againſt Mens Lives, was none of his Buſineſs; which Mr. *Keith*, declares, was all that paſs'd at the firſt meeting.

IV: Some

IV. SomeDays after, he the ſaid *Frazer* ſent anotherMeſſage to Mr. *Keith* begging earneſtly that he would come and ſpeak one word with him at the Tavern, which Mr. *Keith* complied with, being to go that Day to the City about other Buſineſs of his own; and when he came, all that *Frazer*'s requeſt amounted to, was that Mr *Keith* would adviſe him, or put him upon ſome method of geting a Conference or Correſpondence with the Duke of *Athol*, which Mr. *Keith* not only refus'd alſo, but told him poſitively, he would not ſee him any more. Upon which *Frazer* ſaluted him, and ask'd his Commands for *Holland*; Adding that ſince he could not ſecure himſelf, either in *Scotland* or *England*, he muſt fly to a Common Wealth. Upon which Mr. *Keith* ask'd him, When he had been in *Scotland*? He anſwer'd that he was but lately come from thence; Upon which Mr. *Keith* ask'd him farther, if in *Scotland* he had heard any thing of Emiſſarys from *France*, or plotting againſt the Government, as was ſurmis'd here, by ſome People; He declar'd to the contrary, that he had never heard of any ſuch thing, nor did he much concern himſelf, with any News, while his own Circumſtances were ſo miſerable; After which Mr. *Keith* left him, and does declare, that this is the whole Truth of his meeting with the ſaid Captain *Frazer*, All which, Mr. *Keith* voluntarily came and communicated to the Duke of *Athol*, and the Earl of *Nottingham*, upon the happy diſcovery of the ſaid *Frazer*'s Villany and Behaviour.

And Finally Mr. *Keith* declares, that whatever ſiniſtrous practices or Intentions to diſturb the peace and quiet of her Majeſties happy Government, may be charg'd upon Captain *Frazer*, or any Man elſe, they are not only altogether inconſiſtent with Mr. *Keith*'s Knowledge but contradictory to his known Practices, Inclinations, and Intereſt.

Whatever therefore is or ſhall be alledg'd to the contrary of this Declaration, either adding or taking from the ſame in the leaſt Article thereof, Mr. *Keith* doth affirm, and will maintain it, to be a manifeſt untruth, and falſhhood, as is particularly that horrid Contrivance of Letters againſt him, as alſo its being alledg'd or aſſerted, that ever he receiv'd a Letter from any Man under the Name of *Hill*; or that ever he had a thought of Correſponding, either by Word or Writ, with any Man diſaffected to the preſent Government, or that bore any ſuch Character, as does that Monſter, whoſe inſatiable Malice has been the Cauſe or Inſtrument at leaſt, of all this Villany and Contrivance againſt Mr. *Keith*, tho' perhaps it has had a further Proſpect.

Mr. *Keith*'s

Mr. Keith's *Narrative*, January, 3: 170¾.

My Lords,

THo' it has been my Misfortune to know things very disagreeable to my Inclinations and Principles, but which neither my Notion of Honour, nor the Natural Duty I owe to my Relations and Friends, would before allow me to divulge, or make known to your Lordships; yet least my Infirmity in pushing a principle of Honour too far; should in the least, prejudice the Service I owe to my Soveraign the Queen, or Her Government; I thought it the Wiseſt and safeſt Courſe, to lay the following Narration of Matter of Fact before your Lordships, and to depend intirely upon your Honour, in treating me as a Gentleman, who always has, to the beſt of my Knowledge, acted as a Man of Honour and good Principles with an Impartial regard to all the World.

Captain *John Murray*, who arriv'd here, from *France*, in *June* laſt being my very near Relation and Friend, communicated to me, the following Story.

That Captain *Simon Frazer*, and himself, were come over with Joint—Instructions, and Credentials, from the Courts of *France*, and St. *Germains*, including an Indefinite Promise of Money and Arms to support an Insurrection in *Scotland*, for King *James* the Eighth.

The Families and Persons they were to address themselves to, were as I understand, intirely left to their own Prudence and Choice, according as they could inform themselves of Peoples Inclinations; nor did I hear of any Letter they had, except from the Earl of *Perth*, to his Son the Lord *Drummond*; for I understand the Draught of their General Credential Letter from St. *Germains*, was such, as not only requir'd Duty and Allegiance, from every Individual Person, to whom it shou'd be produc'd, but also an Entire belief of these Two Gentlemen's Relations of Things; which Contrivance was design'd, not only to avoid the Inconveniency of Writing to some and not to others, but also for the greater Incouragement, Safety and Security of such, who should engage themselves, by their Words of Honour, to these Gentlemen, which was held Equivalent to any Writ. After Captain *Murray* had related this Matter, with some Difficulty, he prevail'd with me

me to see his Collegue *Frazer*, who lodg'd then, at an Inn in *Fenchurch-street*, and he told me the same Story, only with more Vanity, being mighty Proud of the Assurances the King of *France* had given him, from his own Mouth, to support him in this Undertaking, let the Number of Men be never so small.

I knowing the State of *Britain* a little better than any of them, was very sensible of the Folly and Madness of their Vain and Presumptuous attempt, wherefore so soon as I got my Uncle, Captain *Murray*, by himself, I thought it my Duty to endeavour all I could, for his own safety, to make him give over his part of the Matter; but instead of prevailing with him, he endeavour'd as much as was possible, to engage me to go down to *Scotland* with them, he and *Frazer* both Judging, that I might be a proper Instrument to sound the Inclinations of the Duke of *Hamilton*, the Earls of *Errol* and *Marischal*, all whom they design'd to assault, but they soon perceiv'd it was in vain to attack my principles upon that side, and so after several Meetings we parted without any other Agreement or Condition, but that *Murray* should give me an Account, as far as was Safe, by Letter of what pass'd in *Scotland*.

The first Letter I had, was from *Durham*, which contain'd nothing but an Account of their Arrival there, and of Captain *Murray*'s design of leaving *Frazer* at *Newcastle*, who because of his Circumstances, was to take some private way of getting into the *Highlands* of *Scotland*, with safety. I had afterwards, several Letters from *Murray*, dated at *Edinburgh*, wherein he complain'd much of the Crossness of his Affair in General, and particularly, that the Duke of *Hamilton*, the Earls of *Errol* and *Marischal* instead of being Friends to his Affairs, prov'd its greatest Enemies; and I remember in one Letter, he said, that he found there was more ground than he expected, for what I told him concerning the Difference of Peoples thoughts and Inclinations now, from what they were in the late Reign. I had also several Letters from his Brother *Robert Murray*, to the same purpose; but they all referr'd particular Accounts to *Frazer*, who was then upon the Road hither, and who sent for me assoon as he came to Town, to *Clerk*'s House, where he lodg'd. I was several Times with him, both at his Lodgings and the Tavern; He had a Brother of his own, and one Captain *Frazer* along with him, the last came from *France* with him, and is his Close attendant. The Accounts he gave me, are as follow, and the several Figures prefix'd, serve to mark so many different Meetings, for the knowing more distinctly, what pass'd each Time.

1. " As

1. " As to my own publick Affair, ſaid he, the *Highlanders* were not " ſo frank as I expected; however, I have engag'd ſome, having " carried them to my Lord *Drummond*'s Houſe, where we held a " Council, by Virtue of our Credential Letters, and have con- " certed Matters as far as was poſſible; but we found that there " was no engaging of People upon Simple Aſſurances and Pro- " miſes, wherefore there was a neceſſity of my returning to *France* " to have ſome other Courſe taken, for making it more Effectual: " nor can I think of any, ſaid he, but forth with to ſend " ſuch Supplies of Money and Arms, as ſhall be found neceſſary. " As for your Uncle Captain *Murray*'s Affair with the Gentlemen " of the Low-Country, I can give you no Account, for we were " all ſo taken up in diſpatching my Buſineſs with the *Highlanders*, " in order to my ſpeedy Return, that he was ſcarce begun to " move in any Thing, before I came off: but he will certainly " ſee you, as he paſſes this way, ſo that I muſt refer you to him " for that part of our Story, which you'll know, ſooner than I can my " ſelf.

2. " Who do you think was with me Yeſterday ſaid he, but " *Ferguſon*? who entertain'd me with a long Story of Politicks; " the Sum of which was, That the Duke of *Marlborough* and my " Lord Treaſurer knew every Thing that paſs'd at St. *Germains*, " by a Correſpondence with the Duke of *Berwick*; of whom " (meaning the Duke of *Berwick*) *Ferguſon* told me he knew as much as " cou'd take his Head in *France*, but would tell me nothing of " particulars, I did not indeed (ſaid *Frazer*) Jealous the Duke of " *Berwick*, but I have all along been afraid of my Lord *Midleton*'s corre- " ſponding with ſome Great Men, here in *England*, upon the Deſign of " getting King *James* VIIIth. call'd home by the Parliament, " which ſaid he is ſo ridiculous a Project, that if it's entertain'd by " the Duke of *Marlborough*, or my Lord Treaſurer, they can do it, " for no other end, but to impoſe, and put a Sham upon my " Lord *Middleton*, or any Man that could be guilty of ſo much " Simplicity. This to me was ſo odd a Story, that I ask'd him What Ground he had for theſe ſuſpicions of my Lord *Middleton*? he anſwer'd, " Indeed he could not prove it upon my Lord *Middleton*, but " that he had Reaſon, ſo to ſuſpect him, not only becauſe of the " Oppoſition he made againſt his coming over at this time, but alſo " that he perceiv'd my Lord *Middleton*'s Creatures and Emiſſaries " on this ſide the Water, built all their Arguments upon " modeling the Minds of the People, for a Reſtoration, oppoſing " and ridiculing any Thing of force by Arms, without which " (ſaid he) the Thing is plainly Impoſſible.

3. I ask'd

2. I ask'd him how it came that Captain *Murray* had done nothing, during the time they had been abſent from one another, eſpecially at *Edinburgh* the Parliament being then met, and a great concourſe of People there. He anſwer'd; ' That *Murray* had by very indirect and hidden ways, got ' ſome Perſons to ſound the Inclinations of the Duke of *Hamilton*, the Duke ' of *Athol*, the Earl of *Seafield*, and Lord *Tarbat*, but that there was no- ' thing to be expected from any of them, ſo that he did not think it fit ' to make any further Tryal for fear of a diſcovery.

" 4. Now (ſaid he) that I have told all that concerns my Publick Affair, " will ſurprize you with an account how I have liv'd theſe two Years " by paſt, having no Eſtate of my own, ſo he pull'd out of his Pocket- " Book, ſome very paſſionate and obliging Letters of my Lord *Levin*'s, " aſſuring him of the greateſt Friendſhip, and that he had always " 500 *l.* at his Command. I ask'd him how long this acquaintance and Correſpondence had been betwixt them? he anſwer'd, " That they " had been acquainted a great while, but the firſt Money he ever had " received from my Lord *Levin* was when he went laſt abroad, and that " if it had not been for 200 *l.* he got at that time from him, he ſhould " not have known how to have liv'd; for whatever Party he may be of " (ſaid he) that is nothing to me, ſuch a Friendſhip as this, is not to be " neglected; it's true (ſaid he) I have had at this time 150 *l* of my Lord " *Drummond*, but that would never have done my Buſineſs, if my Lord " *Levin* at this time had not been ſo kind to advance me 100 *l.* more: " but (ſaid I) does my Lord *Levin* know what you are about? Yes, know " (ſaid he) you ſhall ſee how I manage your great men, and ſo he pulls out the Duke of *Queensbury*'s Paſs from *Scotland*: " It was my Lord " *Levin* (ſaid he) that brought this Duke and me together, and they " both know my Buſineſs, nor can they blame me, ſince my Circum- " ſtances are ſo deſperate. The Duke indeed did all he could to reclaim " me, promiſing me my Pardon from the Queen, and a Company in the " Troops, but I anſwer'd him, that I could not at this time accept of " his kind offers, but that if my preſent attempt fail'd, I would then " willingly comply and do him what Service I could, ſince no Man " can blame me to do what I can for my ſelf, if this deſign fails for the " Service of my Prince. I was laſt night, ſaid he, with the Duke of " *Queensbury*, who tells me that Affairs don't go ſo eaſily upon him as he " could wiſh, he ſwears, that if the Queen don't continue him to have " the direction of all *Scots* Affairs, he is reſolv'd to go home and live " quietly at his own Country Seat. In the firſt caſe he has promis'd me " all Favour imaginable, whenever I pleaſe to come home and live " peaceably, but if the laſt be his Fate, he ſays, 'tis indifferent to " him what diſturbance I make; in ſhort, ſaid he, I laugh at all theſe " things, and deſign to make no other uſe of him but to get me a Paſs " for *Holland*, which he has promis'd.

5. Our

Our last Meeting was the day he went off, there was nothing material occurr'd more than what I have here related to your Lordships, in every minute Circumstance of which I have been so particular, that there was no avoiding a little confusion; which I hope your Lordships will pardon, upon the Consideration that I have taken most care in telling, not only the real Truth, but even the verbal expressions, so far as my Memory could preserve them, and I believe I may venture to say, that except such who have been present, and concern'd in this matter, there are none who can give you a clearer account of the Rise and Progress of the whole Story. Thus far, for my own part, I have all along kept my self free from meddling either by Word or Writ, in the matter, nor could any thing have made me conceal it so long, but Captain *Murray*, who is my Uncle and particular Friend, his being concern'd in it; whose Life if it can but be sav'd, I don't despair with your Lordships assistance to discover every particular Man that has been concern'd in it, for if Captain *Murray* be within the Island, as I cannot doubt but he is, so far as honour will allow, or your Lordships can desire me, I am willing to serve the Queen and Government in this matter, without the Expectation or hope of any thing, but that her Majesty the Queen, and your Lordships may be satisfied of my Duty and real Affection to the Government, as well as my being a Man of Honour and Good Principles.

Mr. Keith's *Letter to the Earl of* Nottingham, January 29 1704.

My Lord,

THO' I might reasonably expect that my late Sufferings and Cruel Treatment, should sufficiently declare and vindicate my Innocence to all the World, yet I still find that some Men are so artful and diligent in the pursuit of my injur'd Reputation and Character, that *I* cannot but shrewdly suspect their Cunning Endeavours point at something of greater Moment than my Ruine, which never can be thought worthy of much Pains and Labour; it is therefore that I presume to give your Lordship in Writing an account of all this Affair, so far as it relates to my self, or is consistant with my knowledge, all which, tho' I have already declar'd at several times before the Council, yet perhaps it may not be out of the way to resume it in my own Words, so as your Lordship at one view may be fully inform'd of the real Truth. Your Lordship must know then that Captain *Frazer* ten Weeks ago, or thereabouts, sent two or three times

times to my Lodgings, to desire that I would come and speak to a Gentleman, but being always abroad when the Messenger came, I at length found a Note to the same purpose, without any Subscription, which I obey'd, not knowing all this time who it was that sent for me: I was no sooner come into the Room, but *Frazer* discovered himself unto me, with all the pitiful Circumstances of his Affairs, in Relation to the Duke of *Athol*'s Family, begging it as an Act of Charity, that I would contrive to bring the Duke and him together, or commence some Correspondence in order to an Accommodation betwixt them, without which he must starve, and to obtain which he was ready to do any thing, that could be expected: but in my refusal of this undertaking, I shew'd so much resentment of what he had done to my Lord *Athol*'s Family, that at last his request was only that I would not discover him, which according to my Apprehension of things, is so disagreeable to the Character of a Gentleman, that yet I should be apt to do the same for any Man that would throw himself on my Mercy, and who I understood to be Condemn'd only for a private Crime, without being guilty of Treason, or any ill design against the Government: however it seems this Gentlemanlike and generous Behaviour, gave him some Encouragement to renew his Request unto me, about my Lord *Athol*, which was the occasion of my meeting several times with him, till at length I was forced to tell him, that any further trouble of that kind would oblige me to take some other Course than I at first intended, which I believe did not a little frighten him, and consequently delivered me from such Disagreeable Company. Now this being all the Truth that can be alledged or charg'd against me, I shall leave the World to Judge whether I han't met with great Hardships.

As for any Letters that have been, or may be writ about me, they are so false and Ridiculous in themselves, as well as upon the Account of the Villainous Contrivance for which they have been intended and produced, that I never thought it worth my while to regard them, nor can I think it possible they should bear weight with any reasonable Man, especially when it is considered that I have been persecuted as much by those whom I reckon'd my Friends, as my Enemies, destitute of all favour but what the Letter and strict Sense of the Law afforded me, so that I must certainly have Suffer'd, had there been any legal Proof to be adduc'd against me.

But to shun Reflections, and not to weary your Lordship with a long Narration, I shall only say, that now a very little time will demonstrate to the World, how much I have been injur'd and wronged, especially with regard to my Duty and true Affection to Her Majesty the Queen and Her Government, in whose Service I do not despair of recovering

covering that Loyal Character, vvhich I alvvays aim'd at, and vvhich is the great Ambition of

My Lord

Your Lordships most humble

and most obedient Servant,

January *the* 29th. 1704.

William Keith

Thomas Clark's *Affidavit*, December 2*d*. 1703.

A Certain Gentleman, who went by the Name of Captain, but what other Name he had I know not, came accidentally to Lodge at my House, and did continue there almost a Fortnight; and when he went away, he went to *Graves end*, and so for *Holland*, with three more that were with him on Board a *Dutch* Vessel, call'd the King *William*, which is all that I know of the matter, only that he had a Pass which contain'd these Names (*viz.*) *Campbel*, *Monro*, *Dickenson* and *Forbes*, which Pass was brought to me by a pretty tall thin black Gentleman, on the *Saturday* Night after that he went off at *Billings-Gate*, which was *October* 13 1703. the said black thin tall Gentleman having been with the Captain at my House two or three times before he brought me the Pass. The Captain himself was a pretty tall Gentleman, sanguine Complexion, fair Hair, or a Perewig; and I took them all to be *Scots* Gentlemen. The Pass was Sign'd by the Right Honourable the Earl of *Nottingham*.

Sworn before me, this 2*d. day of* December, 1703.

Nottingham.

Thomas Clark.

SIR

Sir John Maclean's *Examination about the Lord* Belhaven.

HE said he could say nothing as to the Lord *Belhaven*, but that he was at *Paris* during the Peace, and left *France* about the time the War was declar'd.

He said he knew Dr. *Gordon*, Bishop of *Galloway*, very well; he believ'd he went over into *France* about the time of the Revolution, and continued there all along till about a Year and an half ago, when he pretended to go for *Italy*, and it was said afterwards that he was in *Italy*, and he did not hear that he came back to St. *Germains*; but he could not tell of his own knowledge, whither he went, or where he is, or has been.

He said he knew two *Levingstons*, the one call'd *Cassius*, a Captain in *Dumbarton*'s Regiment, whom Sir *John Maclean* said he saw at *Paris* some short time before he came away from thence; and the other a Captain of Dragoons, who came over into *England*, but he does not certainly know when, but believes it to be before the granting of the Indemnity.

He knew Mr. *Robinson* of *Struan*, who obtain'd a License to come into *England* about a Year since; which, he has heard, was procur'd for him by the Lord *Portmore*.

Mr. Keith's *Examination.*

MR. *Keith* being examin'd about his Uncle's Letter, and desir'd to be more ingenious, he persisted in pretending that he could not tell the meaning of the dark Expressions in the Letter.

Being desir'd to make a full Discovery of his Knowledge relating to the Conspiracy, and being told that no one who had read his Narrative of the 3d of *January*, could believe he was ingenious, and the Danger he was in being also represented to him.

He made answer, That he put all into his Narrative that he knew, and frankly told, that what was against him, would amount to no more than Misprision of Treason, and even that was impossible to be prov'd against him.

He said, about five Days after he had been committed to *Newgate*, he propos'd that he might be brought before the Lords of the Committee of Council, and he was so, and he desired that he might have their Word of Honour, that nothing he should say should be made use of against him: That the Day after he was brought before them again, and was then told that the Queen had said, that what he discover'd should not turn to his Prejudice; he then told the Lords that a Friend of his, nearly related to him, had given him an Account of the Conspiracy, and that if he had a Promise that that one Person should be secure of his Life, he would make a full Discovery of all that was told him; but that he ask'd nothing for himself, for he was innocent.

He ſaid the next Day he was brought again before the Lords, and was then told they were allow'd to let him know, that the Queen promis'd that the Perſon ſhould have his Life; and after that Promiſe he gave in his Narrative.

Being ask'd what he had done towards bringing his Uncle *John Murray* to ſurrender himſelf, or procuring him to be taken; he ſaid, he wrote a Letter to his Uncle, adviſing him to come into *England*; which he ſhew'd to the Earl of *Nottingham*, who gave it him back again; and he ſaid, that afterwards he incloſed that Letter in a Letter to his Mother, and gave it into the Poſt-Houſe: Being ask'd if any Body ſaw what he wrote to his Mother; or, if he had a Witneſs that the Letter was deliver'd into the Poſt-Houſe; he ſaid, No.

Being ask'd what was the meaning of the Letter he wrote to the Earl of *Nottingham*, dated the 29th of *January*, which denied what he had before own'd in his Narrative; he ſaid he went to the Earl of *Nottingham*, and told him he heard he was to be ſent for to the Houſe of Lords, and deſir'd of him to know what he was to ſay to them; that the Earl of *Nottingham* told him he ſhould know when the Papers were to be laid before the Houſe, and accordingly he had notice of it, and that the Queen had not thought fit to lay his Narrative before the Lords at that time; and thereupon he wrote that Letter to the Earl of *Nottingham*, being what he ſaid upon his firſt Examination, as containing all that he could ſay.

He thought fit to deny, that he had receiv'd *Frazer*'s Letter directed to *Hill*, from *Clarke*'s own Hand.

Mr. *Keith* being again ſent for, to ſhew him the intercepted Letter, directed to him by the Name of *Smith*, at the *Marine* Coffee-Houſe, dated from his own Houſe, *Feb.* 22.

He ſaid the Letter was the Hand-writing of a Brother of Captain *John Murray*'s, whoſe Name is *Robert Murray*, that he liv'd in *Perthſhire*, about 12 Miles from *Perth*, at an Houſe of his Wives call'd *Auchter Ardow*, but that he had Lodgings in *Edinburgh*, and that he was bred a Lawyer. *Keith* ſays, by his Comerade in that Letter, he underſtands his Uncle *John Murray* to be meant. *Campbel* having told, that *Keith* had ſaid to *Frazer*, and alſo to himſelf, that he expected to be Secretary Depute of *Scotland*, he was ask'd about the Matter; and Mr. *Keith* ſaid, that by the Favour of the Duke of *Athol* he had, about four or five Months ſince, a Promiſe made him, that when the Affairs of *Scotland* were regulated, he ſhould be employ'd.

Thomas Clarke's *Examination.*

HE ſaid, The firſt time he ſaw *Frazer*, was in *June* laſt: He then lay at the *Ipſwich-Arms* in *Cullum-ſtreet*: He lay there about ten Days; he ſent for *Clarke* to give him Phyſick.

In *October* laſt, *Frazer* ſent for him to the *Harts-Head* in *Smithfield*, and came back with him to lodge at his Houſe, and ſtaid there about a Fortnight.

The

The Company that came to him were *Keith* and *Campbel*, and *Ferguſon* once.

Campbel gave *Clarke* a Paſs for *Frazer*, which he carried to him to *Graveſend*, and had only his Charges born.

He received only one Letter from *Frazer*, with three Letters incloſed; one for *Hill*, another for *Ferguſon*, and a third for *Campbel*.

Keith called for the Letter directed to *Hill*, which he delivered to him.

Ferguſon read *Frazer*'s Letter to *Clarke*: He ſent a Letter from himſelf, one from *Campbel*, and another from *Ferguſon* to *Frazer*.

He acknowledged, that he met *Ferguſon* and *Campbel* twice at the *Vine-Tavern* in *Holborn*, but would not own what was ſaid there.

He owned he ſaw the Picture taken out of the Box, but denied he ſaw the Commiſſion.

He was asked ſeveral Queſtions, in relation to what was charged upon him by *Campbel* and others; but he obſtinately refuſed to own any thing, nor would make any Diſcovery of his Knowledge of the Conſpiracy.

Mr. Corbuſiere's *Examination.*

MR. *Corbuſiere* owned he had ſeen *Frazer* about two or three Years ſince, upon occaſion of a Bill of Exchange.

That he ſaw him again about *May* or *June* laſt, when he lodged at the *Ipſwich-Arms* in *Cullum-ſtreet*, and was with him ſeveral times upon account of Money, and other Buſineſs.

That when *Frazer* returned out of *Scotland*, he lodged in *Smithfield*, where *Corbuſiere* ſaw him at *Clarke*'s Requeſt.

That afterwards *Frazer* came to lodge at *Clarke*'s Houſe, where *Corbuſiere* was ſeveral times with him.

He owned he ſaw *Keith* with *Frazer*, before he went to *Scotland*, in *Cullum-ſtreet*, three or four times; and ſaw them often together, after *Frazer*'s coming back from *Scotland*, and that for the moſt part they diſcourſed privately between themſelves, but they did not talk before him of any thing relating to the Plot.

Corbuſiere would not own, that when he was in their Company, he ever heard them diſcourſe of Matters relating to any Deſign in *Scotland*; but ſaid, his Buſineſs with them was only Paying or Returning of Money, and their Talk before him was only on indifferent Subjects.

Captain Meers's *Examination.*

CAptain *Meers* being Examined, owned himſelf to be a Papiſt, and confeſſed he came out of *France* in *May* laſt, where he had been for Ten Years: That he came over in the Tranſport Ship to *Harwich*: He telling Captain *Gibſon*, that he intended to take the Benefit of the Act of Imdemnity; upon which he immediately took him on Board, without ſaying any more to him, than, If you will hazard your ſelf, I will carry you over,

but

but I will tell the Earl of *Nottingham* of it. He said, He only gave Captain *Gibson* two or three Louis d' Ors for his Passage.

He said, he was not stop'd at *Harwich*, and that he surrendred himself to the Earl of *Nottingham*, the Day after he came to Town.

He said, he had no settled Pension in *France*, but the late King *James* gave him Money at several times.

He staid in *Scotland* for some time after the Revolution, but was not engaged with the Highlanders; he followed King *James* into *France*; but being look'd upon as a great Friend of the Lord *Melfort*, who soon fell into Disgrace, the Earl of *Middleton* would not suffer him to have any Employment.

He said, He had about a hundred Crowns given him for his Journey, some short time before he came away.

He saw the Lord *Perth* about a Week before he came away.

He would not own any Knowledge of the Conspiracy, nor that he ever knew of any Design against *England*, unless at the time of the *Calais* Business; and all that he knew of that, was, That one Night, after Supper, King *James* declared, He was just going to embark for *England*; and that he was confident the Government there knew nothing of the Design.

Mr. Ogilvy's *Examination.*

HE said, He knew nothing relating to the Scottish Conspiracy.

He said, That he went to the Court of St. *Germains* in *May* last, in order to get a Pass, but it was refused to him; although Passes were granted to the other Scottish Officers, at the same time, to go for *Scotland*.

He said, He had several times reflected on this Refusal; since he has heard of the Plot in *Scotland*, and he could never think of any reason for it, but only, because he was not trusted with that Plot.

He said, He could not add any thing material to what he had owned upon his former Examination.

He mentioned some things that he was capable of doing for the Queen's Service, and which he was willing to undertake.

Mr. *Ogilvy* mentioned again what he had said in his former Examination of one *Mackenzie*, a Scottish-man, who was sent for by Monsieur *de Torcy*, and forbidden to go to St. *Germains* any more; but it was discovered, that he went afterwards privately to St. *Germains*, whereupon he was committed to the *Bastile*, where he believed him to be a Prisoner still.

Mr. Oliphant's *First Examination*, January 14. 170¾.

SIR *Alexander Maclean* told me, that Captain *Simon Frazer* had, by the Interest of his Friends about St. *Germains*, prevail'd with the late Queen to write Letters to several Gentlemen in *Scotland*, particularly one to the Duke of *Hamilton*, and one to the Duke of *Athol*, as being of great Interest, not very well with the present Government, and if they did

did not comply with the Design, to inform against them as corresponding with that Court, and *Frazer* got a Gift or written Assurance for so much of the Duke of *Athol*'s Estate, as should make up all his own and Friends Losses in the Affair of the Lordship of *Lovat*.

And Captain *Frazer*'s Design, at least his Promise was, to raise all the Highland Clans, and got a Commission for the same, with a Warrant to use such as would not comply in an hostile manner; his farther Security was to be supported by Troops coming under the Command of the Duke of *Berwick*; he was to come from *France* by the way of *Flanders*, and receive his last Instructions from the Duke of *Berwick*, and upon his return to *France* again, after having been in *Scotland*; he was to receive the Money that was to be employed for the raising the Highlanders, but his not coming thro' *Flanders*, made Sir *Alexander* believe that he had only been tricking to get some Money for himself.

Sworn before me, January 14. 170¾. *Nottingham.* *Pat. Olivant.*

Mr. Patrick Oliphant's *Second Examination.*

MR. *Patrick Oliphant* being examined, said he turn'd Protestant before he went into *France*, being asked why he went into *France* after he had chang'd his Religion, he said he went thither to see the Country, and to learn his Exercises; and being ask'd, why he staid in *France* after the War was declar'd, he gave no Account of it.

He own'd that he had been with the Lord *Perth* and Lord *Middleton*, to desire their Protection, and that he saw the late Queen at St. *Germains* and the King there, and kissed both their Hands; and that he had seen Sir *John Maclean* and Sir *Alexander Maclean* at *Paris* several times, but said he could remember nothing that had pass'd between them there, or that had been said or done in *France* by any body.

But he pretended to remember a Discourse he had with Sir *Alexander Maclean*, as he came thro' the French Army, and referr'd himself to what is set down in his Deposition.

Being ask'd, What gave occasion for that Discourse between Sir *Alexander Maclean* and him, he said nothing at all, but that Sir *Alexander Maclean* began with saying that *Frazer* was a great Rascal, and so was *John Murray*, for they had promis'd to come through *Flanders* when they went to *Scotland*, and so he proceeded in the Discourse in the said Deposition.

He said he surrendred himself when he came to *London* to the Lord *Cromarty*, and that he asked him if he were concern'd in the Plot, and he answered he was not.

Mr.

Mr. Oliphant's *Affidavit.*

I Came from *France* in *May* 1703. from *Paris* to *Dine* from *Dine* to *Bruges*, and going from *Bruges* to *Sluce* in *Flanders*, was taken by a French Party, and return'd back to *Bruges*, and after having been Prisoner there sometime, the Governour ordered me to go by M. *Villeroy*'s Army, otherwise if I were again made Prisoner to be at my hazard. After coming to *Villeroy*'s Army, I obtain'd a Trumpet to go to my Lord Duke of *Marlborough*'s Army, after having left the Confederate Army, I was taken up at *Breda* for want of a Dutch Pass, and on a Letter of the Duke of *Marlborough*, was set at liberty; after being at liberty I came to *Leyden*, where I staid several Months, and then came hither.

Sworn before me, January 14. 170⅞. *Nottingham.* *Pat. Oliphant.*

Sir Tho. Stewart *and Mr.* Ferguson's *Examinations.*

SIR *Tho. Stewart* made great Difficulties of saying any thing at first; but afterwards he insisted, that what he should say, should not hurt himself, nor any body he accused, in case they ingenuously owned what he charged them with; and that he should not be made use of as a Witness, nor his Confession used as Evidence at any Tryal.

Sir *Tho. Stewart* said, He had been acquainted with Major *Boucher* about 12 Months, with *Ferguson* since the Year 1692. and with *Jackson* for some time.

He said he was very confident, that if he was confronted with *Ferguson*, *Ferguson* would own all that he should charge him with; and on the other hand, if he did not, then Sir *Thomas* said, He would make no farther difficulty of declaring his Knowledge.

Mr. *Ferguson* was thereupon sent for, and examined first alone, as to what Correspondence he had with *Frazer*, and others concerned in the Conspiracy.

Ferguson referred himself to what he had said in his Narratives, to the Cabinet Council.

He was told no Notice would be taken of those Narratives, but it was expected he should give an Account what Correspondence he kept in *France*; he denied he kept any.

Being asked, if he had not wrote to *Frazer*? he said, *Frazer* was then in *Holland*, not in *France*.

He said, *Clarke*, who brought *Frazer*'s Letter to him, would not deliver it to him, nor tell him from whom it came, nor how to direct an Answer, unless he would first promise to write to the Person, which at last he did; because, as he said, he was desirous to know the manner of the Corresponding, in order to discover it to the Duke of *Athol*; being sensible, that there was some Design against the Queen, or some other Person, on Foot.

He said, As soon as he knew how this Correspondence was, he sent one Mr. *Mason* to the Duke of *Athol*, with an Account of it.

Fer-

Ferguson said, He saw *Frazer* but once, and then *Frazer* told him, he had been introduced to St. *Germains*; but *Ferguson* said, he had forgot by whom.

He said, He saw *Campbel* twice, and advised him to tell all he knew.

Being asked (if he meant the Preservation of the Queen and Government by what he did) why he did not stop *Frazer*, while he was here?

He made Answer, It would have signified little, and he did not suspect him, till he was conveyed away by a Pass, in a Sham Name.

Being thereupon told, that he had owned before, That he knew this Pass was obtained for him by a Secretary of State for *Scotland*; and being thereupon asked, How he came to think ill of *Frazer* upon that Account, or to suspect the Pass was not given by the Privity of the *English* Secretary?

He only made answer, That about a Week after *Frazer* was gone, he knew the *English* Secretary was not acquainted with it.

Ferguson affirmed, That *Frazer* never told him of any Commissions he had from *France*, or to *Scotland*; and that they never had any discourse together, about Correspondence between *France* and *Scotland*, nor of any Designs of Insurrections in the *Highlands*, or in any other Place: But he pretended that *Frazer* said, That he was under the Protection of the Duke of *Queensberry*, but said nothing of his other Business.

He said, He never had but one Letter from *Frazer*.

Being asked, If he had not seen another Letter, that was intended for him? he said, He thought he had.

Thereupon a Copy of a Letter directed to *Ralphson* was produc'd; and being ask'd the meaning of the Expression in that Letter, *That he must begin his Journey to his Garison*? he said, He supposed he meant St. *Germains*.

Being asked what was meant by *General*? he said, He supposed the Prince of *Wales* was meant; but he never made use of that Expression to *Frazer*.

Being asked what was meant by the Expression, That *he would lay* Ferguson's *Demands before them in the most advantageous Terms he could*?

He pretended not to know, unless *Frazer* meant to involve him in a supposed Guilt; and he thought, that Mens Lives and Liberties did not depend upon Construction and Supposition.

That part of the Letter being read, wherein *Frazer* took notice of the Advice which *Ferguson* had written to him; *Not to be transported to particular Resentments in Prejudice of his General's Interest*.

He denied he had said any thing in his Letter, that might give occasion for *Frazer* to write to that purpose.

Being asked, If he knew Captain *Meers*? he said, Yes; and that he called to see him the Day after he had delivered himself to the Secretary. Being asked, If he did not see him before he surrendered himself? (which Sir *Thomas Stewart* had affirmed) he said, He could not tell: But he was sure, that if he had, he persuaded him to surrender himself. He said, *Meers* advised with him, if he could not have the Benefit of the Indemnity in *Scotland*, without going thither; and *Ferguson* told him, He could not?

Being asked, If he had not endeavoured to procure a Pardon for *Clarke*? (which was also mentioned by Sir *Thomas Stewart*) he said *Clarke* was a

poor

poor weak Creature, and, as he believed, did not know the Danger of these things; and therefore having made use of him to get Light into the Correspondence, he thought it became him to endeavour to get his Pardon. For his part he did not enquire into *Clarke*'s Principles.

He owned he knew *Jackson* and *Boucher*; *Jackson* he met at the Coffee-House, *Boucher* was his near Neighbour, but he never talked with them about Business.

Ferguson refusing to own any thing, Sir *Thomas Stewart* was sent for to Confront him, according to his own Proposal.

Sir *Thomas*, when called in, put *Ferguson* in mind, that he had said he had been a great Rebel, but never had been a Traytor; and advised him to persist in that Resolution in respect to the Queen, by telling his Knowledge.

Sir *Thomas Stewart* then said to the Effect of what is set down in his Paper, relating to Sir *John Macleane*'s Letter, to Sir *Æneas Macferson*, and what *Ferguson* had said thereupon, as to the giving notice of it at St. *Germains*.

Ferguson at first said, He remembred nothing of it; afterwards he said, He might perhaps say, That it was likely Care would be taken to give Notice of it at St. *Germains*.

Ferguson owned, He believed he might tell Sir *Thomas Stewart*, that he had procured Letters of *Frazer*'s to be taken, and that he had informed the Lord *Nottingham*, where Papers were lodged, and that by his means those Papers were seized.

He said, He believed he might tell Sir *Thomas Stewart*, that it was odd to let *Frazer* go about with a Commission from King *James* in one hand, and the first Minister's Pass in the other; so that he made use of the Pass to carry him from one Place to another, in order to make use of the Commission to inveigle People.

Upon this Sir *Thomas Stewart* fell into great Compliments to *Ferguson*, in order to prevail with him to be Ingenuous: He put *Ferguson* in mind of his having often said, That if King *James* came back, he would put a Rope about his Neck, and fall down at his Feet to ask his Pardon, and advised him now that they two should join, and both together fall down in the same manner at the Queens Feet, and beg her Pardon, and deserve it by an ingenuous Confession; but *Ferguson* being too obstinate to be prevailed upon, and Sir *Thomas Stewart* only proceeding in the same way, and declining to go on to say farther what he knew of *Ferguson*, which he had before said he would say to his Face: They were both sent away, and Sir *Thomas Stewart* was ordered to set down in Writing what he had more to say, relating to the Conspiracy; which he afterwards did, and is contained in his Paper.

RE-

REMARKS *upon the* PLOT, *from the before-mention'd Papers*, &c.

I Shall begin with the Gibberish Letters: And first with the Direction, *To Mr.* David Lindsey *at* Edinburgh, *by the Post*.

If these Letters were really sent with an Intention to promote the Interest of the Court of St. *Germains* in *Scotland*, it bespeaks those intrusted with the Secret to be under a Judicial Infatuation, to direct them in such a manner. There could be no necessity for sending them by Post, since so many People came over about that time from *France*, whose Zeal to the Cause would have made them proud to be the Bearers of any such Message; and, if the Courts of *France* and St. *Germains* had thought them worth sending, they could not have wanted Persons that would have carried them Express: Or, supposing they could not, which is perfectly ridiculous, How was it possible they should direct them to a Person of such a suspicious Name, and so well known in *Scotland* to be Secretary to the Earl of *Middleton*, considering that they must needs know he went from St. *Germains* for *Great-Britain* the very Day of their Date, as it appears by his Examination he did: And why they should not have rather sent them by himself, than have directed them to him, is hard to be imagin'd.

Or, had Mr. *Lindsey* himself known that such Packets were to be sent him by the Post, it's strange that a Man of his Experience should not have given his Friends Notice to alter their Direction, after he knew from Mr. *Stanhope*, that he was not allow'd to come into *England*: Or, if it be objected, That the unknown Language made them safe in all probability, from a Discovery: It could not, however, prevent their being intercepted, nor by Consequence hinder the Design of them from being defeated.

And now, since that Gentleman has declar'd at the Place of Execution, when he expected in a few Moments to have appear'd before the Great Judge, That he knew nothing of those Letters; it strengthens the Presumption, that they were contriv'd and sent on purpose to give Credit to the Plot, that *Frazer* and his Accomplices had forg'd against the Duke of *Hamilton*, the Duke of *Athol*, and the Country Party in *Scotland*.

But, to come to the Letters themselves.

Any Man who will be at the Pains to peruse them seriously, and compare them with the Informations which the D. of *Queensberry*, in his Letters to the Queen, acquaints her Majesty he had receiv'd from Capt. *Frazer*, may easily perceive such an Agreement in the Design and Tendency of the

 one

one and the other, that one would be tempted to think, they proceeded from the ſame Hands, and that the Letters were contriv'd and ſent on purpoſe, to give Credit to the Informations, for they anſwer one another as exactly as Tallies or Indentures. This will appear by the following Inſtances.

The Letter to Lord 3. mentions Demands made by a Perſon of Great Quality in *Scotland*. And the Duke of *Queensberry*'s Paper of *Jan.* 10. 170$\frac{3}{4}$. being the ſame mentioned to the Queen in his Letter of *Auguſt* 11th. takes notice of Demands made at the French Court by the Duke of *Hamilton*, *viz*, That he ſhould be Duke of *Chatterlerault*, have a Penſion equivalent to the Value of the Eſtate, the Command of the *Gens d'Arms Eſcoſſois*, and be made General of all the Forces in the Kingdom.

The Letter to Lord 3. ſays, The Terms were after ſome Difficulties agreed to; aud the Duke of *Queensberry*'s Paper ſays, There was ſome Debate about the Wardenſhip of the Borders, that of the Weſt Borders being readily granted to Duke *Hamilton*, but that of the Eaſt Borders was thought moſt proper for the Earl of *Hume*.

The Letter to Lord 3. mentions, That after ſome Difficulties it was agreed that Men, Arms and Money ſhould be ſent them; and the Duke of *Queensberry* in his Letter of the 11th of *Auguſt*, to the Queen, ſays, *Frazer*'s Information agrees pretty well with the Advertiſement Mr. *Stanhope* had about Money to be ſent hither.

The Letter to Lord 7. adviſes *what is to be avoided and what to be inſiſted on in the Parliament then ſitting*. And the Duke of *Queensberry* in his Letter to the Queen, of *Auguſt* 11. *Takes notice that all the Cavaleers, except* Balcarre's, Wigton *and* Dunmore, *had deſerted him at the Inſtant when theſe laſt Orders came from* France, *and their joining in all things contrary to the Prerogative of the Crown, with the Vote of this Day of Arming the Country, do mightily inſtruct* Frazer's *Declaration*, which ſays, *Duke* Hamilton *had undertaken to get the Parliament broke here ſoon after its meeting, and that the Court of St.* Germains *had given Orders to all their Friends here to obey him in every thing, and to take no Notice of the different Appearances he might make.*

I conceive theſe Inſtances make it very probable that the Gibberiſh Letters were contriv'd on purpoſe to ſupport the Credit of *Frazer*'s Information: And by the Duke of *Queensberry*'s Application of Mr. *Stanhope*'s and Captain *Hamilton*'s Letters, it would ſeem that the Informations ſent to Mr. *Stanhope* and Captain *Hamilton*, had alſo been contriv'd for that ſame End.

Mr. *Stanhope* owns the Letter ſent him to be a Myſtical one, and fairly obſerves, that tho' it was dated from *Amſterdam*, the Poſtage was charg'd only two Stivers, whereas the Letters from *Amſterdam* conſtantly pay three. If we obſerve, that a little before the Date of the Letter ſent to Mr. *Stanhope*, Captain *Frazer* had been in that Country, and if we compare the Contents of that Letter with the Captain's Character, and his Informations to the Duke of *Queensberry*; it will not appear very uncharitable if we ſuppoſe it to be a Piece of the Captain's Contrivance. For we find he has

has *Neerinx* and other Friends in *Holland*, whom he could eaſily make uſe of to convey any Letter, he thought fit to Mr. *Stanhope*.

That the Letter was a meer Contrivance, whoever was the Author of it, I think will appear thus. The Author ſays that 50000 Piſtoles to Duke *Hamilton*, 25000 to Sir *Robert Hamilton*, 25000 to *William Worth*, Eſq; had paſs'd thro' his Hands, and that to appear in this would ruin him and his Partners. Why then ſhould he have ventured to write this Letter, the French Court and their *Paris*, or *Liſle* Bankers muſt needs know whoſe Hands in *Holland* the Money came thro', and the Author of the Letter could not but ſuppoſe that Mr. *Stanhope* would tranſmit it to *England*, where the Matter would be enquired into; then how could he ſuppoſe that he and his Partners ſhould lie conceal'd, and by Conſequence avoid the Ruin he dreaded. A Perſon of the Author's Caution, had the thing been real, might have taken many ſafer Methods of Diſcovery, than by writing ſuch a Letter. He might either have come himſelf, or have ſent a Confident to acquaint Mr. *Stanhope* with ſuch Returns, without diſcovering who return'd it; or he might have directed by a Letter how the Bills ſhould be intercepted, without mentioning whoſe Hands the Money came thro'. Beſides, the returning of 50000 Piſtoles to the Duke of *Hamilton* in his own Name, is much too groſs to paſs with Men of Sence. Had the Courts of *France* and St. *Germains* been ſo ſure of the Duke as to ſend him ſuch a Summ, they would have been more prudent than either to have hazarded his Grace's Perſon, or their own Money, by returing it to him in ſuch an open manner; and had the Duke been privy to it, as certainly he muſt, had the Fact been true, a Perſon of his Grace's Rank and Conduct, could never have wanted a Hand to receive it, without expoſing his own Name. Further, if we conſider what Sir *John Maclean* ſays in his Diſcovery, that the late Queen told him with ſome Paſſion, that ſhe had ſent ſeveral Meſſages to the D. of *Hamilton*, and had never received any Anſwer, he was ſo ſhie. It muſt appear unreaſonable to think thoſe Courts would tranſmit this Sum to a Perſon who had ſo much neglected them, or ſuppoſing it to have been otherwiſe, it is abſolutely inconſiſtent with that Caution, which Sir *John*, in his Confeſſion ſays, the Court of St. *Germains* did always aſcribe to the Duke, that his Grace ſhould ſuffer his Name to be ſo imprudently and needleſly made uſe of. Beſides, this Letter to Mr. *Stanhope*, about the return of the Money, is inconſiſtent with the Diſcoveries of *Colin Campbell* and Captain *Macleod*; the firſt of whom ſays *Frazer* told him, that the Court of *France* was unwilling to venture Men or Money without a good Aſſurance from *Scotland*, and upon that Account they ſent over ſome to be Witneſſes of *Frazer*'s Tranſactions; and the latter ſays the French King made *Frazer* promiſes both of Men, Money and Arms, but that it was expected he ſhould firſt bring Aſſurance in writing from *Scotland*. Nay, the Duke of *Queensberry*'s Paper, N°. X. is not poſitive as to the return of of the Money, but ſays, *Frazer* believ'd *there was little yet tranſmitted, for they did demand it poſitively, but that the French King deſires there ſhould be*

a rising in Arms; which, I confess, is not easie to be reconcil'd with the Duke's Letters to her Majesty of the 11th of *August* and 25th of *September*, since in the first he seems to believe Mr. *Stanhope*'s Letter about the Return of the Money, and in the latter he says, from *Frazer* that Money was transmitted for the use of particular Persons to *London* in Bills, and from thence to *Edinburgh* in Specie. It is likewise to be observ'd, that Sir *John Maclean* in his Discovery speaks of the Money, as not to be return'd till after *Frazer* brought Assurances from *Scotland*; and Mr. *Keith* in his Narrative says, from Captain *John Murray* that there were only Promises of Money to support an Insurrection in *Scotland*.

The Duke of *Queensberry*, in his Letter of the 11th of *August*, endeavours to support all these Informations by Inferences of his own, and Captain *Hamilton* seems very inclinable to transform a Hunting Match into a design'd Insurrection. This might have been excusable, had the thing been extraordinary; but since it is customary with the Chiefs of the great Highland Clans to come with their Retinues to Hunting-Matches, and that the Persons nam'd are all of them known to be Men of so much sense, that had they been inclinable to any such thing, they would never have attempted it in that manner, The Story deserves only to be ridicul'd. Had the Laird of *Grant* intended a Rebellion, he could as well have brought 1000 Men as 600, and the Duke of *Athol* could have easily brought double the Number, and no Body, who knows the Duke of *Hamilton*, will believe him to be so weak; were he inclinable to a Revolt, as to appear at the Head of an inconsiderable Force; nor is his Grace's Interest in the Highlands, but much nearer the Seat of the Government; the securing of which, and preventing the rising of the West, the main strength of the Revolution Party, had been a Province much fitter for his Grace to undertake, then to venture his Honour, Life and Estate, by playing at small Game in the Highlands. But to set this Matter in a clearer light, let's take a short view of the Character of those imaginary Heads of the Rebellion. The Duke of *Hamilton*'s Education, Interest and late Conduct, are all of them inconsistent with such a Design. His Grace was bred a Protestant under the Tuition of that excellent Princess his Mother, who is known to be one of the strictest sort, and his Father the late Duke was ever firm to that Interest, and cheerfully concurr'd with the Revolution, which could not have easily been effected in *Scotland* without him. The present Duke, tho' carress'd at Court in his Youth, was never a Persecuter, nor Oppressor of his Country. His Soul was always too big for such mean Drudgery. His Speech at the meeting of the Nobility and Gentry of *Scotland* in *London*, at the time of the Revolution, when he was Earl of *Arran*, and zealous for the late unfortunate King *James*, shews that his Grace was never a Person of Arbitrary Principles. He was indeed for calling back the King, but at the same time mov'd, That those Ministers who had advis'd or put in execution any thing against our Laws or Religion, should be punish'd, and effectual Methods taken to secure us against such Attempts for the future; which must be own'd to be a very just Medium be-

betwixt the Doctrine of Passive Obedience on the one hand, and that of punishing the Persons of Princes on the other, and it had been well for the Nations, that the Duke's Advice of punishing the wicked Ministers and Councellors of that Reign, had been follow'd. It's true, his Grace continued in the Interests of the late King *James* till the time of the Assassination Plot, but that horrid Design fill'd his generous Mind with such a just abhorrence of the Party, that he immediately left them, made his Application to King *William*, and gave his Majesty such Assurances of his future Loyalty, that soon after he created him Duke with Consent of the Dutchess his Mother, without which he could not have had that Title till her Grace's Death; and since that time it has never been possible for his Grace's Enemies to fix any Correspondence with St, *Germains* upon him, tho' strenuous Endeavours were us'd in the last Reign to have reach'd him that way out of Revenge, because he stood up for his Country in the Affair of *Caledonia*, which, with his Graces firm Adherence to the Interest of our Nation ever since, has made him a Butt to the Malice of those, who think they find their Account best in subjecting their Country to the Influence of a Foreign Administration. The Conduct of his Grace and his Friends last Parliament is certainly one of the best Defences that can be made against this malicious Charge. It is well known that at the very meeting of the Parliament, he propos'd an Act for recognizing her Majesty's Title according to the Claim of Right, and that his Grace and his Adherents went into the Act for making it Treason to impugne any Article of the said Claim of Right, by which a Popish Successor is excluded for ever. They likewise join'd in the Act for settling the present Government of the Church, and the Limitations propos'd upon the next Successor, were all of them inconsistent with Jacobite Principles and a French Government, and particular Care was taken by the Act of Security, that no Person should be capable of electing or being elected to sit in Parliament, or to be arm'd for defence of the Country without a previous Renunciation of Popery; so that nothing in the World could be more directly opposite to the Interest of St. *Germains* than those very Proceedings, which by strange and unnatural Inferences, are insisted upon as Arguments to prove the Duke of *Hamilton* and his Party to be accessary to the Plot. If it be objected that his Grace and his Friends went into these Acts the better to cover their St. *Germains* Design, it may be easily replied, That if such uncharitable Suspicions be once allow'd, then all Faith and Confidence amongst Mankind must perish, and since the natural Tendency of those Acts overturns the Interest of St. *Germains*; we may as well suppose the *Cevennois* have taken Arms against the French King, meerly to give him an opportunity to ruine their Country intirely, whereas the plain and natural Reason of their taking Arms is to defend themselves against his Tyranny. Besides, it is evident that the arming of the Protestant Subjects, as was intended by the Act of Security, was the readiest way to have defeated the Duke's Purpose, had his design been such as his Enemies will have it. The *Salisbury* Campaign is a sufficient Evidence, that a Protestant Army is very unfit to support a Popish Prince

Prince on the Throne; and the Arming of a Proteſtant Country, is a much more improper Method to bring one to it. And if it be objected, as to the other good Laws above-mentioned, That they could be eaſily repealed by another Parliament: It is anſwered, That good Laws once obtain'd, becauſe of a viſible Neceſſity for them, are not ſo eaſily repeal'd: Nor could the Duke promiſe himſelf the ſame ſucceſs in repealing as in getting thoſe Laws enacted, becauſe he knows that moſt of the Party who join'd him in the one would deſert him in the other. But, to go on with the Charge, his Grace is accuſed of having undertaken to get the Parliament broke up ſoon after its meeting: It is alſo ſaid, that *Frazer* was made a Major-General for that End, and that all the other Officers came over upon the like Occaſion. And to make this the more probable, all the Cavaliers, except the Lords *Balcarres*, *Wigton* and *Dunmore*, are ſaid to have deſerted the Court Party, and to have join'd in all things contrary to the Prerogative of the Crown, being directed to follow the Duke of *Hamilton* wholly, to obey him in every thing, and to take no notice of the different Appearances he might make; as may be ſeen in the Duke of *Queensberry's* Letters to the Queen, *Page* 4, 5, and 6, and moſt of this upon no better Authority than that of Captain *Frazer*, known to be a Capital Enemy to the Dukes of *Hamilton* and *Athol*.

I ſhall take this Charge a little to pieces, that we may the better ſee the Inconſiſtency and Falſhood of it. The Limitations here charg'd to be againſt the Prerogative, were propos'd moſt of 'em by Mr. *Fletcher* of *Salton*, who is ſo far from being a Friend to St. *Germains*, that there is not a Gentleman in the World more oppoſite in Principles and Intereſt to that Court than he. Mr. *Fletcher* has from his Youth in Parliament and elſewhere, been a conſtant oppoſer of Arbitrary Meaſures, and has ſtudied the Point of Government as much, and underſtands it as well as any Gentleman in the Iſland, as appears by his Speeches lately printed, which ſhews him to be an Enemy to the Court of St. *Germains* in Principle; and that he is ſo by Intereſt needs no better Proof, than that the late King *James* gave his Eſtate to the Earl of *Dumbarton* and his Heirs, and that Earl enjoy'd it till the Revolution, that it was reſtor'd among other forfeited Eſtates; ſo that no Man can ſuppoſe Mr. *Fletcher* to be ſo void of Senſe, as to concurr in any thing that had a real tendency to bring in the Pretender, by which the Earl of *Dumbarton*'s Son might have a Title to his Eſtate.

Moſt of the ſame Limitations were alſo propoſed by the Earl of *Marchmont*, in his Draught of an Act for ſettling the Succeſſion upon the Houſe of *Hanover*; and every Body knows that his Lordſhip did oppoſe the Arbitrary Government of King *Charles* II. and *James* VII. that he was alſo forfeited by the latter, and not reſtor'd till the Revolution.

The Duke of *Queensberry* knows alſo, that before the meeting of the Parliament there was a Book publiſh'd (by one who was baniſh'd his Country for oppoſing Popery) Intituled, *An Hiſtorical Account of the Ancient Rights and Power of the Parliament of* Scotland, *humbly offered to the Conſideration of the Eſtates, when they come to ſettle Limitations for the next Succeſſor.*

Which proves from our Statute Books and Hiſtories, that the Limitations inſiſted upon were no more than what our Predeceſſors enjoy'd till the Union of the Crowns; and have been wreſted from us by Force and Fraud ſince that time: Many Copies of that Book were ſeiſed by the Duke of *Queensberry*'s Order at *Barwick*, out of his extraordinary Care for the Prerogative, as it is ſuppoſed; but it were to be wiſhed, that his Grace and others, who keep ſuch a pother about Prerogative, would ſtudy the Conſtitution of their Country, and the Nature and End of Government, to enable them to judge what that Prerogative is; for, as it's talk'd of by Courtiers, no Body knows what to make of it. In the time of the Duke's Father, it was called Prerogative, to kill Men in cold Blood in the Fields, or any where elſe, without any Form or Proceſs of Law, if they did not anſwer ſuch and ſuch Queſtions in a way that pleaſed the Court. It was alſo Prerogative in thoſe Days, to hang all thoſe that heard or preach'd at Meetings, ſeparate from the Publick Worſhip. It was Prerogative, not only to oppreſs and murder the meaneſt Subjects, but the beſt of the Nobility and Gentry, ſuch as the Earl of *Argile* and the Laird of *Jerriſwood*. It was Prerogative in thoſe Days, to gariſon Gentlemens Houſes without their Conſent, and to levy Money and Proviſions for maintaining thoſe Gariſions, without Authority of Parliament. It was likewiſe Prerogative, to diſarm the Subjects at Pleaſure, thoſe of the firſt Rank not excepted: And towards this the Duke of *Queensberry* ſeems to have no great Averſion, when he charges the Parliament as concurring with the Deſigns of *France*, by their Vote to Arm the Proteſtant Subjects. It was alſo Prerogative in the laſt Reign, to keep up a ſtanding Army in time of Peace, when our People were ſtarving for want of Bread, and when the Nation ſuſtain'd that extraordinary Loſs by the Expedition to *Caledonia*. It was alſo Prerogative then to adjourn Parliaments in the middle of a Debate, contrary to Law. It was Prerogative to iſſue Proclamations in the Dominions of one Kingdom, to treat our Subjects as Pirates in the *Weſt-Indies*, for acting in purſuance of an Act of Parliament in another. It was Prerogative to treat us as Freebooters at *Hamburgh*, by Memorials of Engliſh Miniſters, for acting according to Act of Parliament and Letters Patents under the Great Seal of *Scotland*. It was Prerogative to adjourn and diſſolve our General Aſſemblies contrary to Law, and by private Letters to ſtop the execution of the Laws againſt the Nonjurant and Jacobite Clergy. Then let the World judge whether Courtiers are to be intruſted to determine what's Prerogative, and let them judge whether our Nation had not Reaſon to provide for their Defence againſt ſuch ſtretches of Prerogative in time to come, and what Friend thoſe Perſons can be to Mankind or Civil Society, who charge a Parliament with intrenching upon the Prerogative, when they ſeek to have their Country deliver'd from ſuch intollerable Grievances as thoſe above-mentioned. We leave it then to all reaſonable Men to conſider, whether to charge the Eſtates with acting contrary to the Prerogative, becauſe of the Limitations they demanded for the next Succeſſor looks not more like the Principles of thoſe Arbitrary Reigns,

Reigns, then the Sentiments of a good Patriot, and whether the Parliament have not reason to enquire if this Charge does not come within reach of the Statute of Leasing-making, as tending to engender Discord betwixt the Queen and her Subjects. Certainly the Parliament must be allow'd to be the propereſt Judges of what is prerogative, and what not, since our Princes never had any prerogative, but what was given by the Estates, and therefore may both be enlarg'd and retrench'd by them, according as the Condition of the Nation requires it; and that our present Circumstances call for a Retrenchment, is evident from the miserable State the Kingdom is reduc'd to by the Enlargement of the Prerogative since the Union of the Crowns, but it seems our Courtiers were against such Retrenchments, they would have us still govern'd by the Influence of a Foreign Ministry, but it's hop'd our Nation is wiser than to suffer themselves to be so govern'd for ever. The Prerogative cost us as many Lives and Estates the last hundred Years by playing Episcopacy against Presbytry and the Cavalier against the Covenanter, as all our Fewds cost us above 200 Years before, besides the Dependancy upon a Foreign Court it has brought us into, which our Ancestors would never have digested. No King of *Scots* dar'd ever to offer at introducing Foreign Modes of Worship and Government among us, without Consent of Parliament; but since the Union of the Crowns, none of them could ever keep a standing Army in time of Peace till that Period; nor dar'd any of them to have treated us in the point of Liberty and Trade, as we were treated in the Affair of *Darien*. We knew not till the Union of the Crowns what it was to have our Nobility and Gentry dance Attendance at a Foreign Court, and Lackey upon a Foreign Ministry, for dispatch of Business with their own natural Sovereign. They did not then consume their Estates out of the Country to the Impoverishment of their Tenants, and ruin of our Tradesmen, who can have no Incouragement at Home, when our great Men buy all their best Apparel and Household Furniture abroad, and besides spending their Money where it never circulates again to their own Country, pay Extortion for Returns; by all which and many other Instances, it will appear that our Parliament had very good reason to insist upon such Limitations for the next Successor, as may secure us against such Grievances in future Reigns.

That part of the Charge that the Duke of *Hamilton* had undertaken to break up the Parliament, and to take the Field, is a down right force upon Common Sense. Had that been the Duke's Design, he took a very ackward way to bring it about, when the first thing he propos'd in Parliament, was an Act to recognize her Majesty's Title, as has been already said. It was a very improper Means for obtaining that End for the Duke and his Friends to join in the Acts for ratifying the Claim of Right, and settling Presbytry in the Church, had his Grace design'd to break up the Parliament, he could not have desir'd a better Opportunity then to have done it when those things were propos'd, and the Toleration thrown out, for then the Jacobites and Cavaleers would certainly have join'd him. Nor were there other Opportunities wanting to have done it, and particularly by

by adhering to the Protestation against adjourning them contrary to Law in the middle of a Debate. Nor is it less ridiculous to suppose the Duke, had he really been in the Design, would take the Field without a French Force to support him, since he could not but know, that this must have been the ready way to have ruin'd himself and those that should have appear'd in Arms with him.

Besides, as has been mention'd already, it is contrary to his Grace's Interest, no Person could suffer so much by bringing in the St. *Germains* Family as himself. Most of his Grace's Vassals and Tennants are Presbyterians, his Family since the Reformation have had their Biass for the most part that way. His Grace's Predecessor, the Duke of *Chatteleraut*, was the chief Instrument in the Hand of God, who broke the Popish and French Power in *Scotland*, and by Consequence establish'd the Reformation which was from Popery to Presbytry, that Duke and his Son, the Earl of *Arran*, were the chief Persons, who, in Concert with Queen *Elizabeth* and her wise Council, laid the Design of expelling the French out of *Scotland*; and tho' that Family was unhappily afterwards engaged in the Interests of the forfeited Queen *Mary*, it was more by force than choice, the covetous and envious Courtiers about the Earl of *Murray* and other Vice-Roys, during King *James* VIths Minority, not being able to endure their Grandeur, or to allow them that share in the Administration, which their Rank and Interest in the Country did intitle them to, for the Lord *Hamilton* was the 2d Person, and presumptive Heir to the Crown, from the death of King *James* V. till the birth of King *James* VI. and from the forfeiture of Queen *Mary* till King *James* VI. had issue of his own. *John* Marquis of *Hamilton*, who succeeded his Father the Duke of *Chatteleraulr*, was so much a Friend to the Church of *Scotland*, that he join'd with those Lords, who remov'd the Guisian Faction from about King *James*, and was afterwards in danger by the High Commission Court. His Son Marquis *James* died in the Vigour of his Days, about the 34th Year of his Age, before he had time to consider how much Injury he did himself and his Family by engaging in the Measures of the Court against our Church, but his Son Duke *James*, Father to the present Dutchess, was known to be a Person of moderate Principles, and a Friend to the Liberty of his Country both in Church and State, for which he was in danger of his Life by that same Court for whom he afterwards lost it; and what the present Dutchess is, and how much her Grace always countenanc'd the Church of *Scotland* in the worst of Times is well enough known. By her Grace's Influence, as well as by his own generous Inclination, we all know how much the late Duke her Husband did favour that Interest, and that her Son the present Duke was educated in a favourable Opinion of that Party is not to be controverted. Nor has he ever given any publick Mark of his Aversion to them since; but, on the contrary, concurr'd readily to establish that Government in our Church during the last Session of Parliament, as has been already mentioned. Then since neither Interest nor Inclination, nor the Genius of his Family could lead him into such Measures, what could induce his Grace to make any

such

ſuch attempt at preſent. No Body can ſuppoſe that a mean Conſideration could prevail with him to embrue his Hands in the Blood of thoſe, who, as they have been for the moſt part protected by his Family, have been the chief Support of it, had it not been the Presbyterians of the Weſt, the Duke of *Chatterlerault*, and his Son the Earl of *Arran*, muſt have fall'n a Sacrifice to Popery and a French Power, in the Days of Queen *Mary*. Had it not been for the ſame Intereſt, Marquis *John*, and all the Family, muſt have periſh'd and been rooted out, as they were forfeited by the Intereſt of *James Stuart*, commonly called Captain *James*, who had got their Title and Eſtate, and govern'd all, while the Guiſian or French Intereſt prevail'd with King *James* 6th. Had it not been for the Terror of that Party, and the Earl of *Lanerk*'s ſeaſonable Eſcape from *Oxford*, his Grandfather Duke *James* had loſt his Head by King *Charles* I. as he afterwards loſt it for him; and the Honour and Eſtate had been transferr'd to the Family of *Abercorn*, and the preſent Dutcheſs muſt have been left a helpleſs and injur'd Orphan. Had it not been for the ſame Party, his Father the late Duke muſt have fall'n a Sacrifice to the Duke of *Lauderdale*'s Ambition; and had it not been for the ſame Intereſt, his Grace, who is Duke now, could not have made that great Figure he does at the Head of thoſe who ſtand up for the Liberties of their Country, but muſt in all probability have fall'n a Sacrifice to the Malice of thoſe who have thought fit to accuſe him both in the laſt and preſent Reign. The Caſe being thus, and the Obligations mutual betwixt that Family and the Presbyterians in general, tho' ſome of them have been engag'd againſt him of late by ill grounded Suſpicions; It is left to any reaſonable Man to conſider whether it be probable the Duke of *Hamilton* could, in his preſent Circumſtances, be engag'd in a Rebellion, which muſt neceſſarily imbrue his Hands in the Blood of his own and his Families conſtant Friends, and lay waſte his own Lands. It appears by Sir *John Macclean*'s Depoſitions that the Court of St. *Germains* have a miſtruſt that the Duke deſigns to ſet up for himſelf, and if that were true, no Man can ſuppoſe him ſo weak as to think of effecting it, by the Arms of Jacobites, and if they have that miſtruſt of him, the two tranſmarine Courts can't be guilty of ſo much weakneſs as to truſt him with the chief Command of their Army, for that were the ready way to put it in his Power to ruin their Intereſt for ever. The Fr. Court is better vers'd in Politicks than to give the Command of their Armies to Princes of the Blood who have a Title to the Crown, and of whom at the ſame time they are jealous, and therefore it's not ſuppoſable they would adviſe the Court of St. *Germains* to ſuch a falſe Step; and ſince the Duke of *Hamilton* could not but know this Jealouſie, no Man can ſuppoſe he would intruſt himſelf at the Head of an Army commanded by French and Popiſh Officers, who might find a hundred ſecret ways to diſpatch him, and could not fail of a Reward for ſo doing at the Hands of thoſe who were jealous of him, and then the Army might be commanded by ſuch as thoſe Courts could ſafely confide in.

Then

Then for the Duke of *Athol*, the ſecond Head of this imaginary Rebellion, the Charge will appear as ridiculous againſt him as upon his Brother-in-Law the Duke of *Hamilton*. The Duke of *Athol* has, by his Match with that excellent Lady the Duke of *Hamilton*'s Siſter, by his good Underſtanding with the late Duke his Father-in-Law, and with the Dutcheſs of *Hamilton* his Mother, ſo united the Intereſt of the two Families, that they cannot well be ſeparated, beſides his Grace is known to be a Perſon of ſerious Application to Religion and Buſineſs, and has for many Years given ſuch Proofs of his Affection to the Church and State of *Scotland*, as at preſent eſtabliſh'd, that in Charity he muſt be ſuppos'd to be one of the laſt of our Nobility who will declare for a Popiſh Succeſſor. It's well known that his Grace came in to the Revolution at firſt, with his Father-in-Law the Duke of *Hamilton*, and tho' his Lordſhip, when Lord *Murray*, was miſrepreſented as to his Behaviour at the Battle of *Gillicranky*, yet the General and others who were in that Action knew very well, and ſome of them are ready upon all Occaſions to bear him witneſs, that had it not been for his Grace, the *Athol-men*, who were not then ſo abſolutely at his Command, his Father the Marquis being alive, would certainly have join'd the Rebels in a Body, which might have been of fatal Conſequence after the Ruffle given to King *William*'s Army by the Viſcount of *Dundee*. King *William* was ſo ſenſible of this, and of his Grace's good Affection, that he firſt made him a Colonel, then Secretary of State, and afterwards Lord High Commiſſioner to the Parliament of *Scotland*. Beſides every one that knows his Grace muſt own, that he is of a ſober and religious Converſation, attends the publick Worſhip duly, and keeps his Family in ſuch good order, that it were to be wiſh'd more of our Nobility would follow his Example.

Then for his Grace's Intereſt, it is hard to think how he could promote that by being for the Court of St. *Germains*, for beſides the uneaſiniſs, it muſt occaſion in his own Family, and particularly to his worthy Lady, who is a Presbyterian, and whom his Grace is known to love entirely; he muſt upon his firſt appearance in Arms for that Cauſe, expoſe himſelf and his Country to his potent Neighbour the Duke of *Argile*, and others; he muſt neceſſarily imbrue his Hands in the Blood of thoſe of his Ladies Principles, and with whom he himſelf has for many Years join'd in Communion; he muſt needs know that his Endeavours, if ſucceſsful, muſt iſſue in the Ruin of that Religion, for which he has ſo much Zeal, and muſt loſe the certain and Honourable Poſt he now enjoys as Lord Privy Seal, beſides endangering the loſs of his Life, Honour and Eſtate, upon ſuch uncertain hopes, as his Grace muſt needs know to be Chimerical.

The Duke having ſaid ſo much in his own Vindication by his Memorial, I may content my ſelf with ſaying the leſs. But this I muſt needs obſerve, that it choaks common Senſe to believe, if the Court of St. *Germains* knew themſelves to be ſure, either of the D. of *Athol*, or of his Brother-in-Law the Duke of *Hamilton*, that they would hazard the diſobliging of either of them, by making their capital Enemy Captain *Frazer* a Major-General, and

en-

entrusting him with the chief Management of this Conspiracy. Besides, had the Duke of *Athol* known himself to be guilty, it was unaccountable weakness in him to come to the Court of *England*, and ride out the Storm of his Enemies Charge alone, when had *Frazer*'s Accusations been true, the Duke of *Hamilton* and he should have broke up the Parliament, and been in the Field by that time, for the St. *Germains* Pretender.

Then for the Celebrated Letter, suppos'd to be sent by the St. *Germains* Queen to the Duke of *Athol*, under the Name of Lord *Murray*, it carries such evident Marks of Malice and Forgery, that every Man who considers it, must needs see thro' it. It has been observed already, that the Direction on the Back is in a Character and Ink different from the Letter it self; so that *Frazer* must be suppos'd to have got it thus directed, in order to fasten the Calumny upon the Duke; and so much the rather, because the Letter referrs to the Bearer, to tell the Lord *Murray* more of that Queens Friendship, and yet *Frazeer* delivered the Letter to the Duke of *Queensberry*, so that since it is evident the St. *Germains* Queen would not employ *Frazer* on that Message to the Duke of *Athol*, because of the capital Enmity betwixt them; it's but reasonable to suppose that *Frazer* directed this Letter himself for the spiteful purpose above-mentioned, and it's very probable this Letter might be a general Draught from the Court of St. *Germains* to all those of Note, their Emissaries had Orders to apply themselves to, which gave *Frazer* an opportunity to make this particular use of it. It may be added, that since it appears by Sir *John Maclean*, and others, that *Frazer* was not entirely trusted by the two Courts, who therefore sent over some to be Spies upon him. It is highly improbable that they would have let him in to their Correspondence with the Dukes of *Hamilton* and *Athol*, had there been any such thing, since they must needs know, that this would give him a handle to gratifie his Revenge, and to raise his Fortune, upon the Ruins of their Design and of their greatest Friends, by discovering it to the Court of *England*.

Another strong Presumption of this Forgery is this, that *Colin Campbel* in his further Examination, Part 1. Page 32. says, *That since* Frazer *went away he had written three Letters to him by the Privity of the Duke of* Queensberry, *and in the first he told* Frazer *that the Letter of the late Queen, which he left with the Duke of* Queensberry, *had the Superscription in a different Hand from the Letter, and therefore was of a less weight*; and by *Frazer*'s Letter to *Campbell*, from *Paris* of *December* 27. Part 1. Page 33. *He says he has what his great Friend sought secur'd, but he believed it would be of no use now*; which looks as if he had provided other Letters or Papers free from that Objection, but he fear'd the Discovery would make them of no use. This is further confirm'd by Mr. *Oliphant*'s Deposition, Part 2. Page 44. who says Sir *Alexander Maclean* told him, *That Captain* Frazer *had, by the Interest of his Friends about St.* Germains, *prevailed with the late Queen to write Letters to several Noblemen in* Scotland, *particularly one to the Duke of* Hamilton, *and one to the Duke of* Athol, *as being of great Interest, and not very well with the present Government, and if they did not comply with the design to inform against them,*

them, as corresponding with that Court. Certainly this is sufficient, not only to let us into the Contrivance of this Letter to the Duke of *Athol*, but of the Gibberrish Letters, of the Letters to Mr. *Stanhope*, and of *Frazer*'s Information to the Duke of *Queensberry*, and if we consider the Duke's Letter to the Queen, his Declaration to the Lords and Captain *Hamilton*'s Letter from *Innerlochty*; We have reason to think that the Thread of the Contrivance is all spun by one set of Men, in order to raise Jealousies and Division in the Nations. Had it been otherwise, we cannot imagine how *Frazer* should have escap'd being broke on the Wheel in *France*, and much less why he should be so much carress'd there, for pretending to discover the chief Men of the St. *Germains* Party; but Mr. *Oliphant*'s Deposition lets us into the Reason, the two transmarine Courts have gain'd a considerable point by it, they have in part satisfied their Revenge upon those Noble Lords, and others, that would not receive their Messages, or give any Answer to them: This was a proper way for the St. *Germains* Queen to vent her Passion upon the Duke of *Hamilton* for his Silence and Shieness; and supposing his Grace and his Friends not to be very well at Court, they doubted not but the Accusation would be entertained by their Enemies, and in this they have not found themselves mistaken. They knew that Captain *Frazer*'s Rancour and Malice against those two Families, made him a very fit Tool to carry his Revenge as far as he could push it, and therefore they could not imploy a better; and the Duke of *Queensberry* and his Friends had more Judgment than to think an Accusation upon *Frazer*'s Evidence could have any weight in *Scotland*, and therefore they lodg'd it at a Foreign Tribunal, where the Accusers and the Accused were neither of them so well known; and it's very observable, that instead of keeping *Frazer* in Custody till he made good his Charge, there was Care taken to transport him as suddenly to *France*, as 'twas intended Mr. *Baillie* should have been to *America*, which can scarcely be reckon'd the fairest sort of Conduct. Evidence ought to be subjected to the strictest Examination of the Parties concern'd; but to send them thus beyond Sea, looks as if some Danger were apprehended from such a Scrutiny.

However, our Nation is obliged to the Noble House of Peers, whose diligent and nice Examination has in a great Measure supplied that defect, they had not *Frazer* to examine, and therefore could not discover his Inconsistencies and Falshoods from his own Mouth, but they are pretty well discovered by the Examinations of the rest, as we shall see anon.

In the mean time, it ought to satisfie every good Subject, that her Majesty by her Conduct, has plainly enough discover'd, that she gives no Credit to *Frazer*'s Accusation, she has been graciously pleased to Honour the Marquis of *Athol* with the Title of Duke, and the Order of St. *Andrew*, tho' *Frazer* would have advanc'd him to the Scaffold as a Plotter.

Her Majesty has likewise been pleased to give such Marks of her Confidence in the Country Party, whom *Frazer* and his Accomplices would have swore into the Plot by wholesale, as shews that her Majesty is not to be whisper'd

per'd into unjust suspicions of her faithful Subjects. Her Commission to the Marquis of *Tweddale*, to represent her in Parliament, tho' one of the Principal Lords of the Country Party, is a plain Demonstration of this.

I come next to the Laird of *Grant*, the third Leader of this imaginary Rebellion. He is Chief of an Honourable and Ancient Family, and of a Gentleman has the greatest Number of Men at his Command of any in *Scotland*. Tho' he is now represented as a Champion for St. *Germains*, yet during the time of the Popish Plot he overaw'd his Popish Neighbours in the North, which was afterwards so much resented, when that Interest became rampant, that he was fin'd in 1000*l*. Sterling, for his Lady's going to Meetings. At the time of the Rexolution he discover'd his Zeal for our Religion and Liberty, raised a Regiment at his own Charge, and by his Power kept down the *Jacobite* Party in the North, and was a severe Check upon the Viscount of *Dundee*; but having join'd with the Country Party in the late Reign, among the rest of our Patriots, he must now be reproached as a *Jacobite*, and made one of the Generals of the Rebellion.

This design of charging a Plot upon the Duke of *Hamilton*, and those who have appear'd with him for the Liberties of their Country, is not of yesterday. It was mentioned already, that the Contrivance began in the last Reign, upon the Business of *Darien*, great Promises were made to bring some Evidence against him from beyond Sea, and a certain Clergyman, who was a Nonjurant at first, but comply'd in *England* at last, was made use of in this Affair, but it would not do, nothing could be fix'd upon his Grace, since the time of his Promise to King *William*, so that the Matter was dropp'd. It signified nothing to tell former Stories, such as that of his having corresponded with M. G. [illegible]*chan*, &c. and return'd him Money when he was Earl of *Arran*, as is mentioned now in Sir *John Macclean*'s Examination, he was then professedly in the Interest of King *James*, and, as has been said already, thought it very hard that the Prince alone should suffer, and none of his Ministers be called to any Account; but finding at last that the St. *Germains* Party did not only aim at the Restoration of the forfeited King, but at the subversion of our Religion and Liberty, by Assassinations and other base Methods, while they let him only into the honourable Part of acting above board by fair Hostilities: His Grace could not but resent such villainous Treatment, and therefore left them to share the Ignominy and Punishment, as well as the Prosecution of such infamous Designs, among themselves.

Yet some of those in the late Government did not think fit to act with the same Honour towards his Grace, as he acted towards them, they were afraid that a Person of his Rank and Interest would soon eclipse them, and therefore they labour'd continually to make the Government jealous of him; and all the Appearances he has since made for his Country have been reflected upon as so many Efforts of *Machivillian* Policy to restore the Court of St. *Germains*. It was valued as a happy Incident, to fasten this Calumny upon him, that the Lord *Belhaven* went over to *France* after the Peace; and

and tho' his Lordship did so, only to carry his Son to that Country, which has for so many Ages been look'd upon as the Theatre of Politeness and good Breeding, and because he would not expose the young Gentleman to the Snares of the two Courts, and to such other Temptations as Persons of that Quality are too often exposed to, when left meerly to the Conduct of Governors, many of whom are no better than they should be: His Lordship thought it most safe to take the Charge of him himself; and tho' his Lordship was so cautious as not only to avoid going near St. *Germains*, but also to converse with those of that Court, as he has frequently declar'd upon his Word of Honour, yet Duke *Hamilton*'s Enemies, because this Lord is a Cadet of his Family, have thought it proper to charge his Lordship with having gone Plenipotentiary from the Duke and his Party, with Proposals for bringing the St. *Germains* Prince to the Throne of his supposed Ancestors: This Charge has been ready formed for two Years past, and was whisper'd among the Party, but still kept in Lavender, till now that it was produc'd to support the Credit of the Plot, charg'd by *Frazer*, &c. upon the Duke and his Friends. But the House of Lords observe very fairly, *Page* 63. of their Proceedings, *That the two Papers relating to the Lord* Belhaven *are not the Originals, that it does not appear by whom they were given in to Mr. Secretary* Hedges, *nor whether they were given in upon Oath.* These Observations of the Lords are very material, and what they observe to be wanting may justly be called great Defects in Papers, containing Matters of that great Weight. But to set this Matter in a clearer Light, I am inform'd that the Originals were sent to *Scotland*, and whether they were withdrawn on purpose, or lost, the Parliament of *Scotland* may perhaps find upon Enquiry. It is very hard, however, that the Reputation of Great Men should suffer, by such clandestine Practises; no Man can be safe at this rate. Any Man who pretends to be a Spy, for such the Accuser is said to be, may stand behind the Curtain and accuse whom he pleases, either to satisfie a private Pique, or to serve the Interest of a Party, and the injur'd Person has no Remedy. Thus the Lord *Belhaven* is treated, and having made Enquiry at the proper Place after his Accuser, can have no other Satisfaction, but that he is a Spy, and his Name must not be reveal'd. It's submitted then to the Judgment of impartial Men, Whether this be a fair way of proceeding? If the Accusers Name is not to be reveal'd, his Accusation should have only been made use of for secret Service; but it would seem the Duke of *Hamilton*'s Enemies don't think themselves oblig'd to such equitable Measures; it was enough for them to say that the Lord *Belhaven*, whose Name is *Hamilton*, &c. made such and such Proposals to the Court of St. *Germains*, without leaving his Lordship in a possibility to exculpate himself, by Enquiring into his Accuser, and to know whether there be no Personal or Party Quarrel at bottom. However, we are inform'd that the Accuser is one of our Scots Nonjurant Clergy, the most active as well the most malicious Enemies of our Church and State, and therefore the propereſt Tools to execute the Revenge of the Court of St. *Germains* upon the Duke of *Hamilton* for not engaging

engaging in their Cause, as we are inform'd was their Design by Mr. *Oliphant*'s Examination, and likewise to Revenge our Episcopal Party upon the Lord *Belhaven*, for his constant appearance on the side of Presbytry; which brings me to an Account of his Lordship's Character aud Conduct, and that will help us to determine whether there be not more of Malice than Reality in the Charge against him.

We must know then, that the Lord *Belhaven* did in the Parliament of 1681, which settled the Succession upon the Duke of *York*, openly protest against it; for which he was committed to the Castle, and narrowly escaped with his Life. His Lordship was ever after look'd upon as one of the irreconcilable Enemies of Popery and Arbitrary Power, and some time before the Revolution withdrew into *Holland* to the Prince of *Orange*'s Court, where he was very acceptable. His Lordship returned into *Britain* with the Prince, made one of our Convention of Estates, who forfeited both King *James* and his Bishops, and was intrusted with the Command of the Horse against the Viscount of *Dundee*, where his Lordship gave new Proofs of his Zeal for the Cause, signaliz'd his Courage, was one of the last upon the Field and narrowly escap'd. His Lordship continued firm ever after to the Revolution Interest, but being one of those who resented the Indignity and Injury done to his Country in the Affair of *Darien*, he has shar'd with our other Patriots in the Reproaches of *Jacobitism* and *Disloyalty*, thrown upon them by those of the contrary Party, whose Accusation proceeds from the Malice of Faction, and not from the Force of Conviction, that their Charge is true. What follows is a plain Proof of this, as to my Lord *Belhaven*. In the last Session of Parliament, when the Favourers of St. *Germains* pressed a Toleration for the Nonjurant Clergy, without obliging them to take the Oaths to the Government, and ridicul'd the Representation of the Committee of the General Assembly against it. His Lordship spoke in defence of the Church, as at present establish'd, and did so much expose that disloyal Toleration, that it was knock'd on the Head. If this be reconcilable with the Interest of St. *Germains*, let any Man judge. Had my Lord *Belhaven* been for that Court, he could not have done them a greater Service than to promote the Toleration, which would have assured them of so many Chaplains, who might by Authority have advanc'd their Interest, for if the Queen and Parliament had given them a Power to preach, and enjoy Benefices without qualifying themselves by taking the Oath of Allegiance, it had been in effect a disowning, in so far, of her Majesty's Title.

To this I shall add, That the Lord *Belhaven*'s going voluntarily to *England*, and putting himself in the Power of that Court, with the Examinations of Sir *John Macclean*, Mr. *Graham* and Mr. *Bruce*, as to the Charge against him, without being able to fix any thing upon him, tend very much to vindicate his Lordship and the Duke of *Hamilton* from that unjust Accusation. And that which ought to put the falshood of this Charge out of all Controversie, is, that this supposed Commission is of above two Years standing, and imports the hight of Confidence betwixt the Duke of

of *Hamilton* and that Court, yet so far are we from hearing any thing like it since, that all the Evidence who have been examin'd about this late Plot, do unanimously agree, that the Court of *Germains* has no manner of Assurance of the Duke of *Hamilton*; but, on the contrary, complain of his Shieness, and that they never receive any Answer of the Messages they send to him.

This is enough to shew how unhappy the Faction has been in singling out the Persons upon whom they design'd to have fix'd the Plot. They ought to have laid their Scheme better, or not have meddled with it at all: But thus, in the Righteous Judgment of God, they are caught in the Snare they had laid for others.

We come next to consider the Falshoods and Inconsistencies charg'd upon *Frazer*, the principal Evidence, if not Contriver, of this Plot, as they appear from the other Examinations and Papers in the Proceedings of the House of Lords.

We shall begin with what is said of his Grace the Duke of *Hamilton*. The Duke of *Queensberry* in his Memorial, N°. X. says from *Frazer*, That Duke *Hamilton* had undertaken to draw to the Field about *August* last, and was to be the chief Man of the Party. But Sir *John Macclean* says, in the substance of his Discovery to the Earl of *Nottingham*, and in his large Paper, that he himself was ordered to sound the Duke of *Hamilton* as from himself, and not from the Queen, until he found him well disposed to enter into the Business, and then he might acquaint him that he knew of Captain *James Murray*'s Message: Sir *John* says also, that the Lord *Perth* was very sorry for the death of Captain *Bell* in *Holland*, because he hop'd he might have done good with Duke *Hamilton*. He tells us likewise, it was agreed by the French Court and that of St. *Germains*, that if Duke *Hamilton* would engage, he should have the chief Command; all which is perfectly inconsistent with what the Duke of *Queensberry* says from *Frazer*, for had the Duke of *Hamilton* undertaken to draw to the Field in *August* last, what need of sounding him, and of so many doubts about him? Or, had *Frazer* himself believ'd the Duke to be engag'd, how could he offer the Command in Chief to the Earl of *Braidalbin*, as *Colin Campbel* in his Discovery tells us he did? And if it had been true, that Duke *Hamilton* kept a Correspondence with St. *Germains*, as *Frazer* told the late Duke of *Argile*, the Duke of *Queensberry* and the Earl of *Leven*, how came it that they did not understand his Mind, and were at such Uncertainties about him? Then Mr. *Keith* again in his Narrative says, his Uncle Captain *Murray*, who, by *Frazer* himself, is said to have been trusted with the Secret of the two Courts to the Duke of *Hamilton*, wrote to him from *Scotland*, that Duke *Hamilton*, the Earls of *Errol* and *Marshall*, instead of being Friends to his Affair, prov'd its greatest Enemies; and that *Frazer* himself told him that *Murray* had by very indirect and hidden ways got some to sound the Inclinations of the Duke of *Hamilton*, the Marquis of *Athol*, Earl of *Seafield* and Lord *Tarbatt*, and found that nothing was to be expected from them, so that he did not think fit to make any farther Trial for fear of

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discovery. And the like Account he had from *Robert Murray*. Let any Man consider then, how consistent this is with what *Colin Campbell* says in his Discovery, that *Frazer* told him the Dukes of *Hamilton* and *Athol* were to send *Macdonald* of *Glengary*, and Captain *Murray*, *Stenhope*'s Brother, to treat with the Court of St. *Germains*, in order to restore the King.

It is observable, that the Cause of the Duke of *Hamilton*'s being so well in the Opinion of the Courts of *France* and St. *Germains*, was, according to Sir *John Macclean*'s Examination, ' His having been intrusted by King ' *James*, his never having meddled with any Employment under the late ' Government, that he was the most Popular Man, being at the Head of ' that great Number of Lords and Gentlemen who protested against the ' sitting of the last Parliament. How weak all this is, any Man of Thought may easily perceive. King *James*'s trust in him has been accounted for already; but their not daring to make his Grace privy to the Assassination Plot, shews that he was not capable of being trusted with any thing that was base, and therefore no longer to be intrusted by that Court. His never having taken any Employment under the last Government, is easie to be answered: His Grace is a Person of more Honour, than immediately to have taken Employment under King *William*, upon his abandoning King *James*, that would have look'd too mean and mercenary for one of his high Quality, and made the World think he had been bought off from the Interest, instead of deserting it voluntarily, because he found it inconsistent with the Interest of his Country. And we all know, that soon after this the Business of *Darien* happened, and that his Grace's just Resentment of the Injury done to his Country by that Affair, made him no ways acceptable to the late Court.

His Grace's being Popular, and at the Head of the Country Party, is so far from being a Cause why the Court of St. *Germains* should intrust him, that it is the direct contrary. Most of the Party are known to be firm Revolution Men, and the Cause of their dissenting from the Court in the late Reign, was Oppressions much of the same Nature, as occasion'd the Forfeiture of King *James*; but a drowning Court, as well as a drowning Man, catches hold of every Straw, they will build their Hopes on a false Foundation rather than upon none. We have heard already, that the Conduct of that Party in the last Parliament, and the Terms of Government they demand, are perfectly subversive of the St. *Germain*'s Interest; and tho' there's no doubt but that Court may be well enough pleased with any thing that could delay the *Hanover* Succession, yet there's no Man of common Sense will believe them capable of approving Acts for excluding a Popish Successor, for arming all the Protestant Subjects, for establishing Presbytry and for renouncing Popery, and entrenching upon what they call Prerogative: Tho' it may be true, as Sir *John Macclean* says, that they might approve such Acts in general, as tend to obstruct the *Hanover* Succession.

Of the same Nature is *Frazer*'s Story, that he found those who did not come into the last Government, were come into the Parliament, resolving to serve

serve the Queen and wait the Event; but now they were directed to follow Duke *Hamilton* wholly, to endeavour to break the Parliament, and raise the Country in Arms, as we find it express'd in the Memorial sent to her Majesty by the Duke of *Queensberry*. This sounds but odly, that those who were in a Plot to promote the St. *Germains* Interest, should come into the Parliament to serve the Queen; and it is as strange to alledge, that their deserting the Commissioner was by Virtue of Orders from *France* to follow Duke *Hamilton*, when we are told by Sir *A. B*'s. Account of the Proceedings of the Parliament, that they deserted the Duke of *Queensberry*, because he had broke his Agreement with them about forwarding the Toleration, and hindering the Claim of Right from being ratified, *&c.* and it's as strange again that those Men should follow Duke *Hamilton* when his Grace and his Party did all of them agree to ratifie the Claim of Right, from which the Cavaleer Party dissented, and it's so far from being true, that they followed his Grace in the after Proceedings of the Parliament, that it's known to the whole Estates they divided from him and his Party in many Votes, and the Duke of *Queensberry* himself owns that several of them, as *Wigton*, *Belcarres*, *Dunmore*, *Boyne*, &c. stuck close to the Court; so that this Charge is a meer piece of Falshood and Malice to misrepresent the Estates as if they had been for arming the Nation to bring in the St. *Germains* Pretender: besides the Earl of *Hume*, who, they say, is most trusted by the Court of St. *Germains*, went along with the Duke of *Queensberry* to vote a Supply the Preference to all other things.

The like Inconsistencies and Contradictions are to be found in *Frazer*'s Account of the Engagement of the Highland Clans, and others, in Designs against the present Government.

Colin Campbell in his Discovery says, He told him of a meeting of the Heads of Clans, and others at *Drummond*, and that they were all ready to serve the King if there was but a reasonable occasion; and Mr. *Keith* in his Narrative says, He told him that the Highlanders were not so frank as he expected, however he had engag'd some at my Lord *Drummond*'s House, where they held a Council, and concerted Matters as far as possible, but found there was no engaging People upon some simple Assurances and Promises, *&c.* and *Colin Campbell* says in his Examination, *That Captain* John Murray *told him that he had seen the Duke of* Gordon, *and the Earls of* Errol *and* Marshall, *but he could not tell what to make of them, People were so very cautious of saying any thing while the Parliament was sitting*; which Caution is an evident Proof, that the Parliament overaw'd instead of incouraging the Jacobites, and yet their Act of Security, and the Clause for arming the Country, are charg'd with promoting the Jacobites Designs.

It is also observable that Sir *John Macclean* in his large Discovery or Paper, delivered to the Committee *Feb.* 26. 1704. says, *Frazer* propos'd in Name of the Clans, to raise 10000 Men in the Highlands. That Sir *John* takes notice of *Frazer*'s proposing to raise Men in the Name of those whom he told him some days before, he had not seen, and that he set

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down some of the Chieftains for twice the Number they could raise, and that when Sir *John* told him of this, *Frazer* answered, That he must make the Number sufficient, otherwise the Court of *France* would never engage; and when Sir *John* continued to object against his Impositions, *Frazer* took up his Paper in Anger and carried it to the Earl of *Perth*, who translated it into French. Mr. *Lindsay* says in his Paper, that *Frazer* gave out he had Credit from very many in *Scotland*, and particularly from all the Clans, who impower'd him to offer 16000 Men, and that when this came to the Earl of *Middleton*'s Ear, his Lordship said he knew the Highlanders were not able to bring forth 8000, and that it was unreasonable to enter upon any Business with a Man so obnoxious for his Crimes to so many great Families in *Scotland* as *Frazer*; nor was the Earl of *Middleton* the only Person of that Opinion, for we find also that the Duke of *Gordon* would not see him, and the Earl of *Braidalbin* was very averse to it, and yet *Frazer* himself told the Duke of *Queensberry* that he delivered a Letter from the St. *Germains* Queen to the Duke of *Gordon*.

This makes it very unaccountable that any of those concern'd in the *Scots* Administration, should have listen'd to *Frazer*'s Evidence, and much more that they should have fed with Money, a Person of so expos'd a Character, whom those of his own Party at the Court of St. *Germains*, &c. regard as a Monster of Vice and Falshood; and by the way we may observe, for the Vindication of our Estates of Parliament so unjustly traduc'd, that the Earl of *Middleton* must have given over all hopes of bringing in the St. *Germains* Prince by their Consent, since he fell in with *Frazer*'s Method of effecting it by Arms at last, which according to all Informations he ever oppos'd till now.

It is likewise very observable, that the Duke of *Queensberry* himself in his Paper to her Majesty of *January* 14. says, *He could not answer for the Faith or Reputation of* Frazer; and, a little lower, *That the Testimony of such a single Witness could not be regarded, nor Measures taken upon it*; which shews that his Grace was very ill advis'd to alarm her Majesty by his Letters of the 11th of *August* and 25th of *September*, with such frightful Apprehensions of a Plot upon *Frazer*'s Evidence, and to corroborate the same, by Insinuations, as if the Parliament had concurr'd with the Plot by their Vote for arming the People, &c. This is so much the more unexcusable, that the Duke knew *Frazer*'s Character that he had been found guilty of a Rape upon the Duke of *Athol*'s Sister, and was prosecuted by that Family to Sentence of Death, which made him their irreconcileable Enemy. The Duke also knew that *Frazer* was intercommun'd, which, according to our Law, made it Criminal for any Man to converse with him, or entertain him; all which being considered, it argued a great deal of rashness in the Duke, who was at the Head of our Legislature as her Majesty's Representative, to break thro' those Laws for the sake of conversing with *Frazer*. Had a Discovery of the St. *Germains* Designs been all that was intended by it, there was no need of breaking thro' the Laws for that. His Grace owns that at the same time there was a Multitude of other Officers, who came over

over from *France*, and, as it was believ'd, upon ill Designs; then since it was so, they might have been taken up and examin'd, and his Grace and others in the Administration, might have dealt with them without Breach of Law in such Methods as had been proper to make them discover what they knew, and it's probable that some of them, as Captain *James Murray* and others, could have given more light into the Correspondence with *France* and St. *Germains* than *Frazer*; for we find that Captain *Murray* was more entrusted than he; and that the said Captain *Murray* and others were in the Duke of *Queensberry*'s Lodgings in the Palace; so that had due Care been taken, his Grace might have had more than one single Witness. It must be own'd to be truly unaccountable, why the Duke of *Queensberry* should not have us'd his utmost Endeavours to have seiz'd Captain *James Murray*, since by his Letter to her Majesty of *August* 11. it appears he was inform'd that he was the Person who brought the Orders from the Court of *France* to Duke *Hamilton*, and for the Cavaleers to follow him in breaking up the Parliament, and getting the People arm'd, but so far was he from doing any thing of that Nature, that this Captain *Murray* was allow'd the benefit of the Indemnity. All these things give violent Cause of Suspicion that those who advis'd the Duke to this sort of Conduct, had something else in view, besides the Discovery of the real Plot, and that they as well as Captain *Frazer* had Party or Family Quarrels to revenge upon the Duke of *Hamilton* and Duke of *Athol*, and their Friends. This is made more than probable by the Duke of *Queensberry*'s Letters, wherein he charges those who were for arming the Country, and for Limitations, with acting contrary to the Prerogative, &c. according to the Orders he supposes sent from *France*; so that the Edge of the Charge and Enquiry is turn'd upon those who stood up for the Liberties of their Country, and were for having such Terms of Government as might secure us from being govern'd by a Foreign Ministry in future Reigns.

Had not this been the design of our Courtiers, why should not the Duke of *Queensberry* and the rest of them have acquainted the Parliament of *Scotland*, which was then sitting with *Frazer*'s Discovery and Undertaking, certainly they were the most proper Persons to have assisted her Majesty to make an Enquiry into a Plot carried on in *Scotland* by *Scots-men*, who were then upon the Spot; the Accuser and the Accused were there together, where they were all of them best known, and had *Frazer*'s Information been true, to have laid it before the Parliament had been the only way to prevent Duke *Hamilton*'s breaking them up, and afterwards taking to Arms, could *Frazer* have made good this Charge, the Parliament would have found other business for the Duke of *Hamilton*, the Duke of *Athol*, and the Laird of *Grant*, than to make Hunting-Matches in the Highlands. This would have undeceiv'd the Country Party at once, the Mask would have been pull'd off from the Duke of *Hamilton*, &c. and there are so many worthy Persons among the Country Party, of known Affection to our Church and State, that no Body would have sooner turn'd upon them, and been more zealous to bring them to Justice than they.

This Method seems to have been absolutely necessary by the Duke of *Queensberry*'s own Information, for he tells us *Frazer* said the two Courts beyond Sea, expected *Scotland* should have then been in Arms, so that Duke *Hamilton* must have been just ready to take Horse according to him, and therefore 'twas high time to have prevented him by laying the Matter before the Parliament; and since they did not lay it before our Estates, it's an Argument that either the Courtiers did not believe it themselves, or if they did that they fail'd in their Duty. But in short the whole Plot, as given in by *Frazer*, would seem to be ameer sham; for if we we may believe Captain *Murray*'s Information, and *Frazer*'s own Account of the Matter, as related by Mr. *Keith*, even they upon whom Sir *John Macclean* tells us the Court of St. *Germains* do most rely, knew nothing of this intended Rebellion. The Earls of *Errol* and *Marshal* instead of being Friends to the Design, were its greatest Enemies, as Captain *Murray* tells Mr. *Keith*. The Duke of *Gordon* would not see *Frazer*, and the Earl of *Hume*, who they tell us, is more relied upon at St. *Germains* than the Duke of *Hamilton*, went along with the Court, and was for giving the Supply the Preference to all other things. Matters being thus, we are not to wonder that the Plot was not laid by our Courtiers before the *Scots* Parliament, for they knew the Persons accus'd, and what part every one of them acted, they would have enquir'd into the Character of the Accuser, and have examin'd how he could make good his Accusation, such Inconsistencies as he is guilty of would immediately have appear'd to them, and it's probable they would have examin'd upon what Account he ventur'd back to a Country where he had forfeited his Life, without a previous Assurance from the Government, and upon what Considerations, and by whose Means he procur'd the Duke of *Queensberry*'s Pass and Protection. The States would perhaps have enquir'd by what Authority a Subject took upon him to dispense with Laws; and particularly those against Correspondingwith the intercommuned Rebels, since the assuming of a dispensing Power had been so lately made an Article in the forfeiture of a Sovereign, and had it been alleg'd that *Frazer* was not to be discovered, because of his Circumstances, the Parliament could easily have answered, That he should have their Protection and safe Conduct to come and go, in order to make good his Charge; but our Courtiers did not think fit to venture it upon that Issue, *Frazer's* Testimony was such as the Duke of *Queensberry* says, *Could not be regarded, nor Measures taken upon it*; but it seems they thought it sufficient to alarm the Court and Parliament of *England*, and to subject the Affairs of our Country to a Foreign Censure and Enquiry. What the Parliament of *Scotland* may judge of such a Piece of Conduct, must be submitted to their own Consideration and Wisdom; but the natural Observation that others make upon it is this, That our Courtiers either mistrusted their own Cause, or our Parliaments Honesty, and some are apt to interpret it to be a manifest Contempt of their Authority, as well as of our Nations Sovereignty, and that it may serve for an Argument of our Homage in the Mouths of the Holinsheds, Drakes, and Atwoods, of Futurity. I would not be understood

stood to charge the English House of Lords with having done any thing in their Enquiry that they had not a Right to do; for the Matter being laid before them, their Lordships could not have answered what they owe to themselves and their Country without inquiring into it: But this may be justly said, That *Frazer*, the principal Evidence, being sent out of the way, and the Persons principally charg'd with the Plot being no Subjects of *England*, and by consequence not within their Lordships Jurisdiction, it was impossible for the House of Lords to be fully inform'd of the Matter; nor was the Practises of Persons residing in *Scotland*, so proper a Subject for their Lordships Enquiry, as for that of a Parliament of *Scotland*, and therefore our Courtiers, since the Discovery was made there, ought to have laid it before our own Parliament.

But as they seem to have been diffident of our Parliament, they seem also to have been diffident of the Court; nay, if we may be allow'd to say so, they did not think fit to trust the Queen her self with the Name of this mighty Discoverer, as appears by the Duke of *Queensberry*'s Letter to the Queen of the 11th of *August*, and by the Memorial therewith transmitted; and perhaps they had very good Reason, for we find by the Earl of *Nottingham*'s Account of the Conspiracy, that when the Person was known, *the Duke of* Queensberry *was desir'd to call him back, for he was more likely to do harm than good by any Intelligence that could be expected from so ill a Man.* And this judicious Reflection is made good by the Event, for it appears very plain, that instead of discovering a Plot, *Frazer* was carrying on one; and, instead of discovering the true Plotters, he endeavour'd to fix the Odium of a Conspiracy upon those who are known to be as good Subjects as any her Majesty has. Nor can it escape the Observation of any Man, who understands Scots Affairs, that our Courtiers have not taken half that Pains, to inquire into the Conduct of those who by Inclination and Interest are known to be *Jacobites*, as they have taken to fasten that Calumny upon those who are known to be none. It is not my business to accuse any Man, but those who peruse the Examinations of the Witnesses, and consider their Accounts of those with whom *Frazer* and Captain *Murray* did converse in *Scotland*, and how few of them have been examin'd, and some of 'em not at all, tho' the Charge upon them of being at Consults, &c. be pretty home, will find there is ground enough for this Reflection; tho' at the same time I must needs say, that where there's nothing more than Hear-say from *Frazer*, it is too weak to sustain a Charge upon any Man; for, according to the common Saying, It were pitty to hang a Dog upon his Evidence, and much more to suspect any Man upon his Information, against whom he is known to have a Pique; and therefore it was unaccountable Weakness in any Man of Business, so much as to name the Duke of *Hamilton*, the Duke of *Athol*, and the Earl of *Cromerty* upon *Frazer*'s Evidence, since it is known to all *Scotland*, that he mortally hates the two former because of their relation to one another, and their countenancing his being prosecuted for the Rape; and it's plain by his own Letters to the *Frazer*'s, that he hates the Earl of *Cromerty* and the other

other *Mackenzie's*, because the Earl's Nephew is married to the Heiress of *Lovatt*, whose Honour and Estate Captain *Frazer* took such villainous and indirect Methods to possess himself of.

The next thing to be consider'd is, the Reasons given by the Duke of *Queensberry*, in his Paper of *January* 14. for sending *Frazer* again to *France*, *viz.* his Promise of making farther Discoveries by finding out what Returns had been made from *Scotland*, by making himself Master of the Original Papers, and by returning to discover the Resolutions taken in *France*, upon the Returns from *Scotland*, &c. To this it may be answer'd, That since the Duke knew *Frazer*'s Character, and had formerly acquainted her Majesty that he would not answer for his Faith or Reputation. How came it to pass that he gives him this new Trust, and furnish'd him with new Sums? We don't find his former Discoveries so credible or so well supported, as to deserve such Encouragement to go on with new ones; the Duke owns there was no Evidence to concurr with his former Discovery, and why should he expect there would be any to concurr with the next; or, rather, that he would make any more: But *Frazer* was to get Original Papers; and, in truth, it seems there was need, for the Letter he would have fix'd upon the Duke of *Athol* was but a sorry Copy, since the Superscription was in a Hand and Ink different from the Letter it self: Of such Originals as those Capt. *Frazer* might have what Numbers he pleased, as Mr. *Oliphant* tells us in his Examination: But, it seems, *Frazer* was very sensible they could be of no use now that his Practises were discover'd, as appears by his Letter to *Colin Campbell*, of *Jan.* 8. Part 1. *p.* 33.

For other Originals, especially of Returns from *Scotland*, it's hard to imagine how he should get them. The French Court keep their Papers better than so; and since they were to venture the Men and the Money, it's to be supposed they would teach the Court of St. *Germains* to do the like, or else would keep 'em for them. Had *Frazer* been able to produce *Tarbatt*'s Letter to the Lord *Middleton*, or the Original of Duke *Hamilton*'s Commission by the Lord *Belhaven*, for calling over the St. *Germains* Prince, it had been good Incouragement to have sent him over again; but, since that is a Story of two or three Years standing, and that *Frazer* owed his Grace such a kind Piece of Service, 'twould seem he's but a Bungler at getting Originals, as well as at making them, otherwise his forging of Bonds from the late Lord *Lovatt*, and his sham Direction of a Letter to the Duke of *Athol* had not been so easily discover'd. But, allowing that Captain *Frazer* might be capable of performing such acceptable Service, what can the Duke of *Queensberry* say for his getting Major *Frazer* put into the same Pass with the Capt. to return again to *France*, since it appears the Major had serv'd several Years in the French Army, was more trusted by that Court than the Captain, and came over to bring a certain Account of the Persons that would engage to take Arms for the Court of St. *Germains*, had his Grace taken due Care in this Matter, we might in all probability have had a better Discovery of the Plot than now we are like to come at, and the Credit of the Conspiracy needed not to have lain upon

upon one single Evidence; for, it's not improbable but Captain *Frazer*'s Brother, and a 4th Person included in the same Pass, whose Name is not known, might have been prevail'd with to have confessed what they knew; and since the Duke of *Queensberry* in his Declaration tells us, that a multitude of Officers came over from *France*, on pretence of accepting the Indemnity, and that in his Letter to the Queen of the 15th of *September*, he brings *Frazer* in, making this Indemnity a part of the Plot: It may be proper to enquire, who advised that Indemnity without acquainting the Privy Council of *Scotland* with it before it was pass'd, and why his Grace countersign'd it.

It's pretty much that the Duke of *Queensberry* in the close of his Paper should lessen *Frazer* so much, and speak with so much contempt of what he had said concerning his Interest at the Court of *France*, because it was supported by nothing but his own Assertion, considering that his Grace had formerly given her Majesty such a frightful Account of the Plot, which had nothing else to support it. What the Duke alledges of Sir *John Maccleau*'s making *Frazer* far more considerable than he was beliv'd to be, seems to be ill founded, for Sir *John Maccleau* makes him so little, that if the Duke believ'd him to be less, he did ill to give him so much Money and Credit. This will appear plain to those who take Notice that Sir *John* represents him as a downright Liar and a Cheat, and that the Court of *France* would not trust him without a Spy or two upon him, and did not give him near so much Money to maintain himself and his fellow Conspirators, as it appears he has had from the Duke of *Queensberry* and his Friends.

It deserves a special Remark, That had it not been for Mr. *Ferguson*'s happy mistake, in conceiving *Frazer* to be nothing but a Spy from the Duke of *Queensberry* upon the Court of St. *Germains* and their Friends, and his taking him to be a meer Tool to carry on the Resentments of some Courtiers against those who opposed their Administration, and had it not been for the Duke of *Athol*'s Diligence upon the Discovery of *Frazer*'s Design against the Government, as well as against himself and his Friends, to find out his Accomplices and Correspondence, we had known nothing but one side of the Plot, and the Contrivance might have gone on to the disturbance of our Peace, and the ruine of many Mens Lives and Estates by Forgery, Subornation and other Methods, which *Frazer* seems very much adapted to follow, and would have made a good Proficient in time, at such kind of Work.

But, blessed be God, the Design is prevented, and we hope that People will be more careful henceforward how they give Credit to the Informations of such Men or Hear-says from them. All Parties are obliged to this Precaution, for we see that the greatest Men in *England* as well as in *Scotland*, and not only the Country Party, but the Court Party may otherwise be in danger, for if *Frazer*'s Tattle, or Hear-says from him be once allow'd to affect Mens Reputation, then the Duke of *Marlborough* and the Lord *Godolphin*, may come in for their share of corresponding with St. *Germains*, as appears by Mr. *Campbel*'s Discovery and by Mr. *Keith*'s Narrative:

 Nor

Nor shall the Duke of *Queensberry* and the Earl of *Leven*, tho' *Frazer*'s great and chief Friends, escape Scot-free, they shall both of 'em be charged with the knowledge of *Frazer*'s *Jacobite* Designs, as Mr. *Keith* tells us in his Narrative, and the Duke of *Queensberry* must be oblig'd to *Frazer* in his turn for procuring him a Pardon at the Court of St. *Germains*, in case of a Revolution, as Mr. *Ferguson* informs us in his Paper; and if the Queen don't continue the Duke of *Queensberry* in the Direction of all Scottish Affairs, he will retire to his Country Seat, and show himself to be very indifferent, whatever Disturbance *Frazer* shall make with his *Highlanders* and *French*, as we find it in Mr. *Keith*'s Narrative, so dangerous a thing it is to meddle with edge Tools or Spies, who play a double Game.

I shall conclude these Remarks with this Protestation, That I have no Design by what I have here said, to run down the belief of a Plot. I am firmly of Opinion, that a dangerous Conspiracy has been and is still carrying on in all the three Nations, for subverting the Government, which I pray God may be prevented. It appears plain enough, that her Majesty had very good Reason to mention it in her most Gracious Speech, and that the House of Lords had ground enough for their Resolves, that a most dangerous Conspiracy had been carrying on: But for the Reasons above-mention'd, I can never believe there's any Truth in the Plot, as charg'd in gross by Captain *Frazer* and others upon the Country Party in *Scotland*: That Charge I must needs think to be a Design of the Courts of *France* and St. *Germains*, in order to blast the Reputation of those who insist upon such Conditions of Government, as may for ever prevent the return of Popery and Arbitrary Sway. I am the more confirm'd in this, because *Frazer*, now that he is return'd to *France*, where he boasts of his being so well establish'd with the first Degree of People, that all his Enemies can't wrong him, and of his being greater and more caress'd than ever, and therefore by consequence must act according to the Direction of those Courts, continues his Charge upon that Party, in his Letter to the Earl of *Leven* from *Paris* of *Jan.* 3. And in his Letter to *Colin Campbel*, of *Dec.* 14. from *Rotterdam*, he is mighty solicitous to have Sir *John Macclean* fall in with the Duke of *Queensberry* and his Friends if he join any Party: And so far is he from believing his own Charge upon the Country Party, that in his Letter to *Ferguson*, *Part* 1. *Page* 48. he tells him that *those you call my Enemies*, (that is the Duke of *Hamilton*, Duke of *Athol* and Country Party) *as well as those you call my Friends*, (that is the Duke of *Queensberry* and his Party) *have equally a dislike to my General* (that is the St. *Germains* Pretender) *and that they will both serve him at the same time, that is never till they are forc'd to it.* This I think must appear to all reasonable Men to be a very great Vindication of the Country Party from *Frazer*'s own Mouth; for here we must suppose him to speak without disguise.

Yet such is the Power of Influence and Faction over the Minds of Men once engaged in a Party, that they commonly stick at nothing which they think may support those of their own side and blacken those of the other. Thus our Courtiers from time to time represented those who opposed their

their Measures in the last Reign about a standing Army, and the Affair of *Caledonia*, to be *Jacobites* and Enemies to the Government; and they have been as industrious in this Reign to fasten the same Calumny upon all those who appear for such Limitations upon the next Successor as may secure our Liberty, and our Independancy upon *England*, tho' some of them knew that many of those whom they falsly aspersed had been sufferers in the late Reigns for opposing Popery and Tyranny, when they themselves went into all the hateful Measures of the late Courts.

A pregnant Instance of this we have in one who has been the chief Manager in charging the Plot upon the Country Party, and is the known *Achitophel* of their Enemies. This is so much the more observable, that he was advanc'd by the late King *James* to carry on his Arbitrary Measures, when the late Sir *George Mackenzie*, whom he succeeded, could not bring himself to comply with those Methods, which, to be sure, were very unwarrantable, when a Person so far gone in Arbitrary Principles as Sir *George* could not go along with them. And what Measures such a Person may lead any Party into, with whom he is concern'd, is left to those to judge who have heard of the barbarous Murder of the *Glenco-men*, and of the Subornation of *Cunningham* of *Montgrenan*, against the Lord *Bargeny*, and the late Duke of *Hamilton*, which is as follows.

I *Thomas Cunningham*, of *Mountgrenan*, do hereby declare, That after I was in *Admillan*'s House, he proposed seriously to me that there was no way imaginable to preserve my Life and Fortune but one way, which, if I would, he would assist me in it, and without all doubt it would preserve me, otherwise I was an undone Man, and after he had thus fear'd me there, with offering to Pistol me in my Bed before *James Crawford* his third Son, and *Andrew Mason*, who lives at the *Gravend*, and afterwards said there was nothing so seasonable as to accuse the Lord *Bargainy* of having Accession to the late Rebellion, who seeing he was great with *Bedlame Cunningham*, who was in his House immediately before, at the time of the rising, and for whom the Lord *Bargainy* ordinarily did write Letters, nothing would be more likely to be believ'd, and that I had no more to do, but to assert and swear, that I had seen Letters from the said Lord *Bargainy* to *Bedlame*, encouraging him to rise with the Rebels, and if I would not do this for the Preservation of my Life, Fortune and Family, he thought me the madest Man living, at which I was altogether unwilling, and much surpriz'd, and told it was a thing could never do, nor be believ'd, I having neither seen the Lord *Bargainy*, nor any thing under his Hand, nor knew his Hand-write; then he threatn'd me with a Party to apprehend me, and said he would deliver me up, without I left the Management to him, and said you must follow this way, or die for it, and seeing I would not then condescend, he again threaten'd presently that I should be delivered up and hang'd for my Fault; at which time he told me that his Son *James* was ordered by him to go to the General for Forces at *Stravein*, and he and his Sons, when he came to the Chamber to me, where I was kept Prisoner; they came with drawn Swords and bended Pistols, and did

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ſay what are you now reſolv'd, by which Uſage I was in conſtant Terrour, and one day they brought me to a Window, and did ſhow me a number of Horſe-men coming ſtreight to the Houſe, telling me it was a Party coming for to carry me to *Edinburgh* to be hang'd; at which I was ſo terrified, that I promiſed to do any thing he would to ſave me; ſo *Ardmillan* ſaid, upon your doing ſo, I will venture my Life for yours to ſave you; and they put me in a Hole of the Wall of the Houſe, where there was a great Preſs before, in a Chamber, above the Eaſt-end of the Hall near the Hill, and within a little after, with a ſhew of great Kindneſs, did take me out, telling me he made the Party believe that I was eſcap'd, tho' I underſtood afterwards it was the Lord *Crieghton*, who was going to *Galloway*, and took a drink at his Houſe. After this I did relent a little, and being in a great Confuſion of mind, they brought *Fergus Mackenby* of *Knockdollan* to me, who regrated my Condition, and as a Friend, pretended he would do any thing he could to preſerve my Life, and after ſome ſuch Diſcourſe and bitter Expreſſions againſt Lord *Bargainy*, ſaid there was great ground to ſuſpect *Bargainy* to have Correſpondence with the Rebels, and if I would in any ways fix any thing upon him, it would undoubtedly ſave me, otherways there was no doubt I would be hang'd, and that he found *Ardmillan* was my Friend, and that I might thank God I came in his Hands, and that the following of his Advice would be my only ſafety, whereupon by fear, and his wicked Contrivance, I was drawn over, and followed whatever they counſelled me, when *Ardmillan* did give me a Paper, which I was to aſſert and ſwear to be a juſt Copy of the Letter, written by the Lord *Bargainy* to *Bedlam Cunningham*, wherein he deſired *Bedlam* to be ready, and move and perſwade all Gentlemen and Friends to join with the Rebels and *Bargainy* would ſhortly be with them himſelf. Alſo that there was a Letter written by *Bargainy* to Mr. *John Welſh*, within which there was a Letter from Duke *Hamilton*, and delivered by *John Mitchel* to Mr. *John Welſh*: This was a part of the Contrivance, and becauſe *William Key*, then Servant to *Ardmillan*, made ſcruple to ſwear and aſſert this, *James Crawford Ardmillan*'s third Son threaten'd to Piſtol him, but he refuſed, and then I was perſuaded to deal with *John Craig*, my Servant, to ſwear the foreſaid Paper; and I was cauſed to give him a Copy thereof, to get perquire; alſo I was to ſwear that Mr. *John Welſh* and *Robert Hamilton* told me, that they had liv'd theſe two Years on Duke *Hamilton* and his Friends Pay, which *Ardmillan* preſſed me to adhere unto, we had many Meetings and Conſultations in *Edinburgh*, and one time in one *Cumming*'s Houſe near the Weigh-Houſe, there *Ardmillan* and ſome of his Friends and I were contriving how we ſhould make out that Treaſon againſt *Bargainy*, and particularly the foreſaid Letter; the Witneſſes at the time were *Alexander Ferguſon*, of *Kalkerran*, Jun. Mr. *John Ferguſon*, Writer, at which time they ſent *William Key* to *Kilkerran*'s Lodging, who brought ſeveral Papers and Letters under *Bargainy*'s Hand, that I might notice them well, and then I was to ſwear that I might know *Bargainy*'s Hand-write, and ſhew me all his Subſcriptions that I might know what was his Hand, and what not; and there I was preſſed to hold *Craig* to it. Likeas

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Ardmillan ſaid, if *Craig* ſagged and I would not ſwear to the Papers, we were all undone; and the next day he deſired me to bring *Craig* to ſee the Letters and Papers, that he might not be ſurpriz'd when he came before the Lords of Juſticiary, I was brought to Sir *William Sharp*'s Houſe to the Signet-Chamber, where the Earl of *Murray*, Lord *Hatton*, Lord Advocate, and Sir *John Dalrimple*, were all preſent, where I declared to them according as *Ardmillan* had inſtructed me, and the Papers given me; the Earl of *Murray* took me aſide, and deſired me to ſtand to what I had ſaid and make it out, and I ſhould not only have my own Life and Eſtate, but more, beſides, they all, except the Advocate, offered to pay me what Money I would undertake, to any who would ſwear and make out the Buſineſs againſt *Bargainy*; at the ſame time I was offered Money by *Hatton*, but I refuſed it; and at another time *Hatton* did offer to *James Crawford*, *Ardmillan*'s Son, that he would get him the Gift of any of the Rebels Eſtates, not exceeding 40 *l.* Sterling a Year, if he would make or get ſome to ſwear that Duke *Hamilton*'s Letter was ſent by *Bargainy* to Mr. *John Welſh*, and at another time in *March* 1680. upon a *Fryday*, I was at *Hatton* all Night, the next Morning the Earl of *Loudoun*, and Sir *John Dalrimple* came there and dined, where Sir *John Dalrimple* in the Orchyard, and *Hatton* there, offered me, that if I would get any Hector to ſwear with me to take away *Bargainy*'s Life, they would both give me their Bonds for what Sum I would name, and advis'd me to go to *Carrick*, and adviſe with *Ardmillan*, what ſhould be done; but by that time my Spirit began to be ſorely troubled, for the King's Advocate, once when he examined me, told how my Soul was concern'd, to tell the truth, and of an Remorſe of Conſcience, which one of *Brughton*'s Witneſſes died under for Falſhood, and deſired me to notice it, which did ſink ſo deep in my Heart, that until I reſolved to confeſs my Wickedneſs, I had never Peace nor Reſt in my Mind. About the end of *February*, upon a Sunday Morning, *Ardmillan*, Jun. and I, did go out of *Edinburgh* together, and coming by the Caſtle together, he wiſhed he had a Rope about *Bargainy*'s Neck, that he might draw him over the Rock; and a little after he offered *Craig*, my Servant, 20 or 30 Dollars to do as he was deſired; but *Craig* refuſed it, being always unwilling in the Affair, altho' I often threatened him and *Charles* an *Iriſh-man*, who was preſent, when it was offered. Alſo in *March* 1680. about *Bargainy*'s ſecond Appearance at the Bar, in the foreſaid *Cuming*'s Houſe, *Ardmillan* before *Kilkarran* and Mr. *John Ferguſon*, did deſire me to wound my ſelf ſlightly, and then make a Noiſe in the Street as if ſome of *Bargainy*'s Friends had ſtabbed me, and then to be deſired to be carried to the Chancellor, or *Hatton*, and this he perſuaded me would do *Bargainy*'s turn, without any further Tryal. Sir *John Dalrimple* before Sir *John Whiiford* and *Ardmillan*, and *James Crawford*, deſired me to confirm what *George Martin* ſhould depone againſt *Bargainy*, which was that I heard *Martin*, and five or ſix more at the Moor of *Hamilton*, ſay, that if they had followed *Bargainy*'s Council, in killing the Duke of *Lauderdale*, there had been neither need of riſing, nor they in hazard of their Lives, nor a Biſhop in *Scotland* at this day; and then

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Ardmillan began to suspect the Business, would not succeed with him; and so the Justice General was like to examine stricter in the Matter, and told me that Albeit the Advocate had gotten a gift of *Carletons* Waird and Marriage for prosecuting the Business, yet the Devil take him he did nothing for it; and when *Bargainy* was last at the Bar, and I heard the Judges speak, and he did vindicate himself, my Conscience did extreamly smite me, and I was afraid they would speak to me, which made me the more desirous to speak with the Justice General, to whom I could not get access till some few Weeks after about the end of *June*, I freely told him my trouble of mind, and willingness to delare the Truth; whereupon he questioned me severely, and advised me to confess and repent seriously to Almighty God for my Wickedness, and to keep my self quiet, and if it came to Tryal, to declare the Truth. Now my Conscience will not permit me to conceal this horrid Wickedness any longer, which I do heartily repent and crave God Pardon for, and begs all Men to bear me witness of the same, and will have a Copy hereof sent to the Lords of Justiciary, before whom I did appear in so false an Accusation, and to the Kings Advocate, and to all the World; and this is the Truth, as I shall answer to God in the great Day. Written and subscribed with my Hand at Edinburgh, the 13th day of *August*, 1681.

This Declaration was sign'd by *Montgrenan* upon his Death-Bed. The Lord *Bargainy* commenced Process against the Persons concern'd in this Subornation, before the Duke of *York*'s first Parliament, but for Reasons of State the Duke of *York* put a stop to it. The Lawyers who advised the Process are still living. By this you may see that *Stairs* was an old Practitioner against the Family of *Hamilton*, and it is an uncontraverted Maxim amongst the Civilians, *Qui semel malus, semper presumitur malus in eodem genere malitiei.*

It's hop'd this will put our Parliament upon an Enquiry after the true Plotters, that such as would disturb her Majesty's Government may be prevented and punish'd, and that such as have been falsly accused may be acquitted.

I am sensible that these Reflexions will raise a Tempest of Wrath against the Book and the Author, who must resolve to bear all the Reproaches that Malice can utter; but I am so far from being concern'd at such Treatment, that I laugh at and despise it, and how much soever some may alledge me to be swayed by Party or Personal Respects, I do freely declare that if any of the Persons whom I now vindicate, shall, upon Enquiry by the Parliament of *Scotland*, or by their future Conduct, discover themselves to be guilty, I shall be as severe in my Censures upon them as any Man, and readily own my Mistake; but I must beg Pardon of those who are inclin'd to suspicion, if I don't upon every Surmise and Whisper change my Mind. I have not founded my Vindication of the Persons whom I take to be unjustly charg'd with the Plot, meerly upon what they have said them-

themselves, to wipe off that Calumny, but have likewise considered their Conduct: and therefore, till I see a change in their Measures, it is not to be expected that I should change my Opinion of the Persons, or retract what I have said in their Defence.

I foresee likewise that these Remarks must undergo the Censure of Jacobitism, as every thing does, that finds any thing blame-worthy in the Conduct of our *Scots* Ministry, or has any Tendency to recover our ancient Liberty; therefore to obviate that Imputation, I shall conclude with some brief Considerations of what I humbly conceive to be the Interest of both Nations, with respect to the Settlement of the Succession of our Crown.

The English House of Lords have observ'd very justly, that the delay of that Settlement has incouraged her Majesty's Enemies to Plot against her Person and Government, and therefore it were to be wish'd that all occasions of further delay might be remov'd. And since the Parliament of *Scotland* shew'd themselves ready to go into the Succession upon such Conditions, as may secure their Trade, Liberty and Religion; the Delay is not chargable upon them, but perhaps upon Enquiry, it may be found to lie upon those who slander'd the Limitations as entrenching upon the Prerogative, and alledg'd them to be calculated, to bring in the *St. Germains* Pretender. It would seem then to be the Interest of our Neighbours to advise her Majesty to grant us such of those Limitations as are in her Majesty's Power, as Queen of *Scots*, to allow us, until such time as the Parliament of *England* shall think fit to consent to such other things, as both Nations may find conducible to promote an inviolable Friendship and good Understanding betwixt them in Matters of Trade.

If our Neighbours will follow the Example of their wise Ancestors in the Celebrated Reign of Queen *Elizabeth*, they will readily advise and encourage her Majesty to grant us such Conditions of Government. I have seen the Copy of a Memorial writ by the great Lord Treasurer *Burleigh*, dated *August* 5. 1559. which makes good what I say, and is in substance as follows. ' His Lordship, in order to our Deliverance from the Influ-
' ence of the French Court, upon our Administration in the days of our
' Queen *Mary*, advis'd the *Scots* to join with the Duke of *Chatteleraulr*, then
' the next Heir to the Crown, and Predecessor to the present Duke
' of *Hamilton*, to seek a Reformation of their Grievances from their Queen
' and the *French* King her Husband, and to demand that they might be
' Govern'd by their own Natives, and by a Council not subject to the di-
' rection of *France*, that the three Estates should have the Administration
' of the Revenue, and the Power to appoint how much the Queen should
' have for her Portion during her absence out of the Realm, and how
' much should be expended in the Government, and defence of the King-
' dom, and how much should be Yearly laid up in the Treasury. That no
' Office of Profit should be given to any but *Scotsmen*, with the consent of
' the Estates; that no *Scotsmen* should have any Pension from *France*, but
' whilst in the *French* Service, lest the *French* should thereby corrupt them
' to

' to betray their Country; and in the last place he advised that the three ' Estates should forthwith intimate these things by their humble Request ' to the Queen and the *French* King her Husband, and if it was not effectu- ' ally granted, that they should commit their Government to the next Heir ' of the Crown, upon condition that he should observe the Laws and An- ' cient Rights of the Realm.

It is Evident that this Advice is almost the same upon the matter with what our Parliament proposed in their Act of Security and Limitations; so that if our Neighbours think fit to pursue the same moderate Councils and Measures which their Ancestors advised to, they may bring us cheerfully to continue under the same Government with themselves, as long as Sun and Moon endure.

If any Man of Judgment who values Religion and Liberty, compare the case then with what it is now, he will soon be convinc'd that it is as much the Interest of *England* to approve the Limitations we insist upon at present, as it was that we should have those which they advised us to then: Nay it's certainly a great deal more, for then they suppos'd our continuance under a separate Prince, and in that case, the greater our Liberty the more we should have flourish'd; and by Consequence have been in a better Condition to annoy *England*, in any future War, which must have been unavoidable, had our Queen had any Issue by the King of *France*, whereas we insist upon those Limitations now in order to our continuance under the same Soveraign with *England*; which if granted, must of necessity so unite us to the *English*, both in Interest and Affection, that a Separation from them afterwards, will be as ungrateful to the Thoughts of all honest *Scotsmen*, as that of a Separation betwixt Soul and Body.

To inforce this a little. It would seem to be the Interest of *England*, with respect to their *Liberty at home and their Security from abroad*. If *Scotland* be still denied its ancient Liberty, and continued for want of Trade under a ruinous Poverty; it is not to be suppos'd that they can ever be satisfied or easie. They must, as they themselves and as all other People have constantly done, take the first opportunity to knock off their Fetters. Its known what they did when over run by *Edward*, 1st and 3d, tho' defeated in many Battles they came off Conquerors in the War, and oblig'd the *English* to renounce their dear *bought Homage*, laid waste their Country as far as *York*; and struck such a Terror into their Enemies, as I confess I should blush to express it, so as I have read it ev'n in *English* Authors.

But to come lower, and to instance in such things as are still within Memory; How expensive and fatal to the Kingdom and Government of *England* did the War with *Scotland* prove, that was occasion'd by those Councils which influenc'd King *Charles* I. to invade the Liberties of his Native Country. And when we were over-run by *Cromwell* for adhering to the Royal Family, after he had subdued their Interest in *England*. The Standing Army that he left under *Monk* to keep us in subjection, being sure not only of our Connivance but Concurrence, did in a trice overturn the Common-

Common-wealth that *Oliver* had erected in *England*, tho' supported by an Army flush'd with amazing and repeated Victories.

Supposing then that *England* should subdue us by their Arms, can they, expect any better fruits from a new Conquest, then they reap'd from their pretended old ones? Can they assure themselves, that no Arbitrary and aspiring Prince shall henceforward mount their Throne, and if that should be the Case, can any Man rationally think that the *Scots*, when bereft of their Liberty, may not be provok'd as well as capable to serve him for Janisary's and *Spahis* to make himself Absolute in *England* as well as in *Scotland*. It has been frequently observed that *England* was much and justly allarm'd, at our 27th Act of the 3d Session of the first Parliament of King *Charles* II. ' for raising 20000 Foot and 2000 Horse, sufficiently arm'd, and with 40 ' Days Provisions, to march to any part of his Majesty's Dominions of ' *Scotland*, *England* and *Ireland*, for suppressing any Foreign Invasion, In- ' surrection, or for any other Service wherein his Majesty's Authority or ' Greatness may be concern'd. This was the effect of his *English* and *Scots Arbitrary Councils*, which advis'd him to *overturn our Constitution, and swallow up our Liberty*, and if the Government of *England*, should in any future Reign pursue the like measures, are they not to expect the like Consequences. Any one may foretel without a Spirit of Prophesie, that if *Scotland* should be reduc'd, and forc'd to depart from such Limitations of Government, as may secure their Liberty, they will be ready enough to furnish 100000 Men to assist any aspiring King of *England* to make himself as Absolute as the King of *France*. Whereas if their own Liberty be left entire, as they can be under no tentation to do any such thing: It will never be in the Power of any Prince to bring them to it, but on the contrary, they will always be ready to assist the *English*, in any such Case to defend their Liberties, as a necessary Barrier for their own. Of this we gave sufficient Evidence in King *Charles* I. time, when the proffer of the three *Northern* Counties, and the Plunder of the City of *London* could not tempt us to espouse the Cause of the Court, against the Parliament of *England*; and when our Conjunction with the latter had cast the Ballance, so as to bring the Court to Reason; we us'd our advantage with so much Moderation, that we press'd the Parliament to restore the King to the Exercise of his Power, upon such honourable Terms, as if *Oliver* and his Sectarian Army had not hindred the Parliaments agreeing to them, might humanely speaking have made the King and the Nations happy, and would have prevented his lamentable Fate, and that deluge of Blood and Misery; which afterwards over-run the three Kingdoms. So much for the Interest of *England*, with respect to their Liberty at home; let's now take a brief View of what may seem to be their Interest in this matter, with relation to their Peace from abroad.

Let's suppose *Scotland* to be disoblig'd and provok'd by denying them those Terms of Government, which they think necessary to secure them from Oppression; and that the Courts of *France*, and St. *Germains*, laying hold on the General discontents that this must raise in the Kingdom, make

 Proposals

Proposals to allow them what terms they can demand for securing their Religion and Liberty, and for advancing their Trade.

Is there not Reason to fear that *Scotland*, finding themselves precluded of all hopes of Redress by any other Method, may be tempted to accept the pretended King *James* upon those Terms, and join with *France*; and the *Jacobite* Party in *England*, to settle him likewise upon the Throne of that Kingdom. It's in Vain to object that this will issue in the destruction of their own Religion and Liberty, which they seem now so intent to preserve, for Oppression makes Wise Men Mad, and a drowning Man catches at every Straw. We see the *Hungarians* tho' tenacious enough of their Liberty and Religion, chose rather to join with the sworn Enemies of *Christendom*, than to continue under, the House of *Austria*'s Oppression. The Protestants of the Empire, upon the same account made no scruple formerly to bring the Armies of *France* into *Germany*; and the *Dutch* for the same Reason, brought *French* Troops into the *Neitherlands*. The *Scots* when oppressed by the Councils of *Laud* and *Strafford*, in the Reign of King *Charles* I. had it under Consideration, to desire the Assistance of *France*, which makes it the more to be dreaded now, if they have not Satisfaction in their Reasonable demands.

They apprehend their Liberty and every thing else to be very precarious on the present footing, and they may be sure to get as advantageous Terms at first as they can desire, from the Courts of *France* and St. *Germans*. For we know by the past and present Conduct of *France*; that however bigotted their Court be to the Church of *Rome*; they make no scruple of entring into Alliances with Foreign Protestants. This is evident from their former Assistance given to the Protestants of the Empire, and from their Practises at present with the *Hungarian* Malecontents, whose demands even of banishing the Jesuits, and restoring the Protestants to their Worship and ancient Priviledges, they readily comply with, in order to give the Emperor a Diversion.

What then should hinder them from giving *Scotland* a Blank to make their own Terms, if they will join them to bring over the St. *Germains* Pretender; this would be a diversion of much greater Consequence to *France*, then the Insurrection in *Hungary*; nothing would more effectually prevent the Recovery of *Spain* by the House of *Austria*. *England* would then find other Work for their Armies and Fleets, then to assist the new King of *Spain*. And a War within their own Bowels would cost them more in one Year, than a War abroad does in four.

We may perceive by the Accounts of the late Plot, that *France* will neither spare Men nor Money, and far less Promises, to Engage *Scotland* on her side. And we have no Reason to doubt, but the St. *Germains* King will be as lavish of his Declarations from thence as his supposed Uncle was from *Breda*, and he can scarce perform them worse.

Upon these Suppositions, which are no ways impossible, tho' we hope in God, they will never be brought to practise. It would plainly seem to be the Interest of *England*, rather then to run such a danger, to Gratifie the

the *Scots* in the Limitations they demand; which we have heard already are no other in the main than what Queen *Elizabeth* and her wise Council advised them to insist upon, to prevent the Influence of a Foreign Government upon their Administration, and to this may be added, that they are no more than what our Ancestors enjoyed before the Union of the Crowns, and are in substance the same with what King *Charles* I. agreed to in his *Scots* Parliament of 1641, upon full Conviction that it was our Right.

I come next to consider the Interest of *Scotland*, with relation to the Succession: The Grievances in Trade, Liberty and Religion, that we have lain under for the most part since the Union of the Crowns, are sufficient to convince us of our Interest, to have such Terms of Government as may secure us against the like for time to come. And that frequent Parliaments, which shall have the Power of Electing Judges, Privy-Councellors, Ministers of State, and all Officers of Power and Trust; according to our old Constitution, is very Conducible to that End: None but such as have given up themselves to Slavish Principles, will offer to dispute. Care would also be taken to secure the freedom of Electing Parliament Men, to secure the freedom of Debate in Parliament, to prevent Adjournments till the Business of the Nation be finished; and to limit the Power of Pardons, the usual Refuge of Betrayers of their Country, and such other things as the Estates in their Wisdom shall think meet; For a Light in this Mr. *Fletchers* and the Earl of *Marchmonts* Draughts offered to the last Session of Parliament, Mr. *Fletchers* Speeches and the Book entitled, *An Historical Account of the Ancient Rights and Power of the Parliament of* Scotland, *&c.* may be fit to be consider'd, and in short for preventing of delays. It would seem that nothing should be insisted upon as Terms of Government; but what is in her Majesty's Power to Grant, without the Consent of her *English* Parliament; for with Submission to the Wisdom of the Estates, to insist upon uniting the Nations into one Kingdom, and upon a Communication of Trade, would but protract time by tedious, and it may be as fruitless Negotiations as all have hitherto been, that were set on foot for that End. There are so many material Objections against uniting the Nations into one, and so many different Interests of the two Kingdoms in General, and of many Great Families; and whole Faculties of Men, as Divines, Lawyers and Merchants, in particular, to be accommodated before such an Union can be agreed on; that it is not to be talked of any otherwise than as a meer Speculation.

The Communication of Trade is liable to many of the same Objections, the *English* are so Nice and Jealous in that Matter on the one hand, and those concerned in our *African* Company, and in our new erected Manufactories, and our Burrows and Merchants in general, have so many Objections to be solved on the other, before that matter can be brought to any tollerable Ripeness, that it would seem to require a close Committee

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of qualified Persons, and a great deal of time, to prepare it for a publick Treaty. Besides it ought to be seriously consider'd whether the Importation of *English* Cloths and Stuffs into our Country, would not do our Trade more damage than all the advantage we can hope from a Trade with the *English West-Indies* will be able to ballance. Therefore it would seem to be our Interest to encourage a Domestick Trade, and particularly our Fishery, which would imploy our Poor, and keep our Subjects from going abroad to seek a Livelyhood. We ought likewise to examine carefully whether a Communication of Trade would not drain us too much of our People, and intice them to go in Shoals to the *West-Indies*, which would be a certain and insupportable loss to the Nation, except the product of their Labour were remitted to *Scotland*, in return for our own Manufactures; and even in that Case, except we were sure of a Trade of Export, those Returns would lie as a dead Stock upon our Hands. And considering that the *English* have been long in Possession of that Trade, have forestalled the Markets, and have larger Stocks to carry it on: It ought to be well weighed whether we have a probability of Export, and all these things considered, whether a *West-India* Trade might not do us more hurt than good in our present Circumstances. The Case being thus, and a Communication of Trade depending altogether upon the Consent of *England*, which will be difficult to obtain. It would seem to be our Interest rather to think of such Incouragements for advancing a Trade at home by a Publick Fund, a Council of Trade, or other Methods which are in her Majesty's Power to grant without depending on the Consent of an *English* Parliament, as to which we can have no certainty.

It's hoped this is sufficient to make it plain, that to insist on an Union and Communication of Trade would retard the Succession, which may be dangerous to our selves and to the whole Protestant Interest.

The danger to our selves is evident from the Conspiracy that *Frazer* and his Accomplices have been carrying on in the *Highlands*, and other Parts of this Kingdom. The general discontents which are in our Nation, on Account of the Injuries we have received in the points of Honour, Liberty and Trade; and the ill Circumstances that many particular Persons are reduced to, by the decay of Business and Commerce; makes our People so liable to be practised upon by our *Jacobites* at home and *French* Emissaries from abroad; that if timely Remedies be not applied, the Distemper must certainly grow to a dangerous hight; and the soundest part of the Nation may in time be infected. The *Jacobites* here, and their Friends beyond Sea make a great Improvement of the delay of settling the Succession; they flatter themselves, and impose upon the World, that it proceeds from the Inclinations of our People to the St. *Germains* Family; and the Malice of some of our Courtiers has influenced them to fix the same odious Imputation upon the Commendable Endeavours of our best Patriots for recovering our Liberty, and all the well-meaning and honest People of the Nation are full of just Fears, what

what the Consequences of such a Ferment may be. Indifferent Persons are apt to be ensnar'd and carried away by the Current of prejudice that runs strong against the false steps of our Administration, during the last Reign. This by degrees increases the disaffection to the present Settlement both of Church and State; and makes the Foolish People apt to Murmur, and to think of making themselves a Captain to return to *Egypt*, as the discontented *Israelites* did of old. This Incourages the *French* to sollicite a Rebellion, and to attempt an Invasion, either of which effected transforms our Country into a Field of Blood. And supposing (which God forbid) her Majesty should die, whilst the Succession is unsettled, and our Country labouring under those Intestine Divisions. The *Hanover* and St. *Germains* Parties will certainly engage us in a Civil War, *England* will assist the one, and *France* the other. This makes our Nation a Theatre of Woe and Calamity; and whoever has the advantage, we must be enslaved for ever. If the Victory should fall to the St. *Germains* side, there could be no question of it, for that Party is Slaves by Principle; Intoxicated with the Notion of Passive Obedience, and their Prince is bred up in the Maxims of *Rome* and *France*; Besides, when the *Hanover* Party is subdued in *Scotland*, We must spend our Blood to do the like in *England*; and when the Pretender is settled on that Throne by our Assistance, he will reward us as his supposed Uncle did, by making us Slaves to that Court. Or supposing the *Hanover* Party to prevail, our People would be so frighted with the Apprehensions of danger, at first, that there will be no thoughts of insisting upon Limitations.

Those who have hitherto set up as the only Party for the *Hanover* Family have to the manifest prejudice of their pretentions opposed those Terms of Government, and seem inclinable enough to make their Court to them already, at the Expence of their Countries Liberty. But then there will be a plausible pretext for it. They will urge the present Danger, as happened at the Revolution, to fright us to declare the same Successor with *England* immediately; and when an *English* Army is in our Bowels, as must certainly be the Case, if such a Civil War happen, it will be in Vain to talk of such Terms of Government, as may secure our Independency upon *England*. For our Neighbours will then have a fair opportunity to play the two Parties against one another, and to put an end to the Controversie betwixt us and them, by a compleat Conquest, under the popular Pretence of securing the Protestant Interest.

This its humbly conceived is sufficient to shew the necessity of settling the Succession, upon the Foot of our old Constitution. That would seem to be the only way to secure us against those Dangers we are threatned with, from the Madness of the Arbitrary Tory, and the Folly of the degenerate Whig.

As the following those Measures will be the best Confutation of the new Calumny thrown upon our Country Party by their Enemies, *that when their Friends are preferr'd, they will drop the Limitations.* It will also be an Evident proof of the Steadfastness of our Estates. It will convince the World, that their former Proceedings did not rise from Pique against the Court, or the Principles of the Revolution, as their Enemies charged them; but that they acted upon Principles of true Love to their Country, as became good Patriots; and if their Just demands should happen to be refus'd, they will have the Satisfaction of a good Conscience, that they have Faithfully discharged themselves towards God and their Country. This will make their Remembrance Savoury to Posterity; whilst the Charge of all the ill Consequences that may attend the not settling of the Succession, will lie heavy upon those that advise to a Refusal of our Ancient Liberty.

But we hope there's no Cause to fear such a Refusal; for since her Majesty is Graciously pleased to prefer the Advice of the Parliament of *England*, to that of any particular Person or Council, there's no ground to think that her Majesty will shew less Respect to the Advice of her Parliament of *Scotland*; and therefore it seems to be incumbent upon the Estates to press it, and not to suffer themselves who are the Great Council of the Nation to be over-ruled by the Advice of any particular Councellers whatsover, in a Matter of this Consequence, upon which the Liberty or Slavery of the Kingdom seems to depend for Ever.

We have no just Reason to fear her Majesty's Refusal, if nothing be insisted upon but what is in her Power to Grant. It's very well known, that the Courtiers brought in the Clause for Communication of Trade, on purpose to hinder our getting the other Limitations; they knew it would put a hardship upon the Queen, with respect to *England*; because her Majesty could not agree to such a Clause, without running the Risk of a severer Check from her *English* Parliament, then King William met with for granting us the Act Establishing our *African* Company, and upon that account it was foreseen by many, that that very Clause would hinder the passing of the Act of Security. The matter being so, it will be truly unaccountable, if any of those who are in Earnest for the Limitations should be still for that Clause, and it will be as unaccountable if those who are really for the *Hanover* Succession should insist upon it. The like is to be said for the Union of the Nations; and it is observable, that about 1640 and 1641, when a Communication of Trade and an Union of the Kingdoms was then proposed, in order to Accommodate the Great differences betwixt the Nations. The ablest of our States Men and Merchants; and we had then very Great Men of both sorts, did apprehend that such an Union and Communication would be ruinous to the Country, as can be demonstrably proved. Therefore to delay our Succession and endanger the Loss of the other Limitations, for the sake of both, or either of those things will look with a very strange aspect. It would seem particularly

particularly Incumbent upon those who have been charg'd with the Plot, to avoid falling in with those Clauses, for that will confirm the Suspicion that they are for delaying the Succession in favour of the St. *Germains* pretender, and its hoped the Earl of *Cromarty*, tho' he has writ for the Union, and has a commendable Zeal to Incourage our Trade, will in requital of the Confidence and Trust still reposed in him by her Majesty, notwithstanding his being charged with the Plot, suspend his own particular Sentiments, and concurr with our other Patriots in settling the Succession upon the foot of our old Constitution, which his Lordship having been Lord Clerk Register must needs know to be agreeable to the Limitations proposed.

But if upon canvassing the Matter in Parliament, an Union and Communication of Trade be still thought necessary, it is humbly propos'd, That since her Majesty cannot grant it without Consent of her English Parliament; that the 9th Article of the Earl of *Marchmont*'s Act may be taken into Consideration as a good Expedient, *viz.* That the next Successor be oblig'd to use their utmost Endeavours to set a Treaty on Foot for that End as soonas conveniently may be after their Accession to the Throne, and in that Case or sooner, if it be thought convenient; we have no reason to doubt but the English House of Lords will be as good as their Promise in their Address to her Majesty, *That after settling the Succession in* Scotland, *they will do all that is in their Power to promote an entire and compleat Union between the two Kingdoms for their mutual Security and Advantage.*

I shall conclude with this Remark, That it must appear plain to any Man who will give himself leave to think, that if an Union and Communication of Trade shall afterwards be found necessary for *Scotland*, the readiest way to obtain it, is for us to have such Conditions of Government within our selves as may make us independent upon *England*, for when the English find the Case to be so, and our Assistance necessary, there's no doubt of their coming more readily to our Terms, then when they have us under the Influence of their own Ministry.

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