NARRATIVE
OF THE
PROCEEDINGS
OF
His Majesties
PRIVY-COUNCIL
IN
SCOTLAND,
For Securing the PEACE of that KINGDOM,
In the Year 1678.

Published by Authority.

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A true Narrative of the Proceedings of His Majesties *Privy Council in* Scotland, *for Securing the Peace of that Kingdom, in* Anno 1678.

THere can nothing be so unpleasant to His *Majesties* Judicatures, as to punish; nor for honest Men than to publish the errours of their own Country-men: And though the Fatal Consequences which did lately follow upon the like Distempers, may create in all thinking Men an extraordinary abhorrence of such courses; yet since such as find no Safety but in the common Distractions, and no pleasure save in the Universal Confusions of both State and Church, have so successfully poisoned some, and endeavoured so industriously to poison many of His *Majesties* other Subjects in all His Dominions: It is hoped that a true Narrative of those Proceedings will not be unwelcome.

It is too well known how after that Episcopacy was established by Authority, in both Kingdoms, as that Government which was most agreeable to the Word of God, and the practice of the Primitive Church, and suited best with Monarchy; some factious persons here did much disturb the Reign of that wise Prince King *James*, and overthrew the Government under that pious Prince King *Charles* the First; in which Rebellion, (that grew up by plausible degrees, too like our present proceedings) under the specious disguises of Liberty and Religion, GOD punished us so appositely, that those Parliaments which lusted so after boundless Liberty, were absolutely turned out from any share in the Government, and that new-modell'd Church, which violently grasped at, even all the Civil Government was rent in pieces by its own vi-

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perous brood the Remonstrators, and fell from having any esteem with those Usurpers whom they had raised.

These Disorders did first take rise, and had their chief maintenance from some *Western* Shires in this Kingdom, who having been the chief Actors in every Scene of that Bloody and Tragical Rebellion, were so far from wearying or repenting of having opposed their Native Prince, that they persecuted both in Church and State, such of their former Associates as resolved to return to their Duty, and to hazard all in Rescuing their King from that imprisonment, which they well foresaw was the first step to the Scaffold: and those Rebels being inflamed at a Communion in *Machlan*, they most rebelliously fought against His *Majesties* best Troops; and after that worthy attempt, for rescuing His *Majesty* from His Imprisonment, 1648. was disappointed, they did again form their own Tenents in an Army, and therewith Invade and Plunder the *Louthians* and other adjacent Shires; and such as were weary of the insolence of that Party, having called home our present Monarch, these Shires, to disappoint the opposition made to *Cromwel*, drew a Remonstrance, and divided from His *Majesties* Forces, and declared by an Act at the *West-Kirk*, That if His *Majesty* would not grant the Concessions then proposed to Him, and whereby all His Prerogatives were to be scru'd from Him, they would not own His Government. And GOD having suffered His *Majesties* Armies to be beat at *Worcester*, these Remonstrators did by all possible Insinuations endeavour to gain the Usurpers favour, and did persecute such as had owned His *Majesty* whilst he was in *Scotland*.

Here followeth the said Act of the *West-Kirk*.

West-Kirk the 13 day of *August*, 1650.

THe Commission of the General Assembly, considering that there may be just ground of stumbling from the Kings Majesties refusing to subscribe and emit the Declaration offered unto Him by the Committee of Estates, and Commissioners of the General Assembly, concerning his former Carriage and Resolutions

tions for the future, in reference to the Cause of God, and the Enemies and Friends thereof; Doth therefore declare, That this Kirk and Kingdom do not own nor espouse any Malignant Party, or Quarrel, or Interest, but that they fight meerly upon their former Grounds and Principles, and in defence of the Cause of God, and of the Kingdom, as they have done these twelve years past: And therefore, as they do disclaim all the Sin and Guilt of the KING *and of his House; So they will not own Him, nor His Interest, otherwise than with a Subordination to God, and so far as he owns and prosecutes the Cause of God, and disclaims His and His Fathers Opposition to the Work of God, and to the Covenant, and likewise all the Enemies thereof: And that they will with convenient speed take in Consideration the Papers lately sent unto them from* OLIVER CROMWEL, *and vindicate themselves from all the Falshoods contained therein, especially in those things, wherein the Quarrel betwixt us and that party is mis-stated, as if we owned the late Kings Proceedings, and were resolved to prosecute and maintain His present Majesties Interest, before and without acknowledgment of the Sins of His House and former ways, and Satisfaction to Gods People in both Kingdoms.*

A. Ker.

13 of *August*, 1650.

THe Committee of Estates having seen and considered a Declaration of the Commission of the General Assembly anent the stating of the Quarrel whereon the Army is to fight, do approve the same, and heartily concur therein.

Tho. Henderson.

Printed in the Year 1650.

After

After His *Majesties* Restauration, which GOD had made so miraculous, to confute the insolent Appeals which those people had always made to his extraordinary Providence, and to disappoint the expectations of that party, who resolved to burden His return with such Concessions as they had formerly extorted in *Anno* 1650. His *Majesty* and His Parliament, as the Representatives of the Nation, did unanimously restore Episcopacy, but so moderately, that no sober man could complain; and though many of a different Perswasion, deserted their Charge in the Ministry, yet all, save some Remonstrators, frequented the Ordinances, and lived most peaceably; but the chief of those moderate men dying, some Remonstrators, who were irreclaimable, fearing the Schism might die out, admitted some young men to the Ministry, contrary to the Principle of their own Assemblies, which condemned *Ministeria vaga*, and contrary to the express Laws of this Kingdom, which make these punishable by death; and they, with the help of these hot-headed young men, having inflamed some of their old Western Friends (for it cannot be denied, but there are very honest and loyal persons in those Shires) into a Rebellion in *Anno* 1666. whilst His *Majesty* was, as they conceived, unable to oppose both them, and those foreign Enemies, with whom he was engaged then in a dangerous War, it pleased GOD to bless His *Majesty* with a total Victory over them: But yet His *Majesty*, whose Clemency is as extraordinary as His Restauration, was so far from pursuing His Victory with Revenge, that he yielded to the importunate Intercession of those who promised, That the Indulging some Parishes in the West, to have Ministers of their own Perswasion, would settle all those distempers: And though His *Majesty* was pleased to try this, and all other means of reclaiming those Shires, and to bestow upon those Ministers the Salary due only by Law to the Orthodox Clergy, yet those of that Party, finding their Rebellion so successful, concluded, That the same force, which had procured that, might procure more, and so they established new and flying Rendezvouses of Rebellion, called *Field-Conventicles*, in which, under pretext of Preaching, all lawless and disaffected persons, got constant occasions of assembling themselves, and adjusting their malicious designs, and of infusing into the people (in such remote places, far from the observation of all wise and judicious men) whatever their Malice could suggest against the King, his Laws and Goverment, and from which, as the true Nurseries of Rebellion, it was most easie for them to form and model themselves into Armies,

Armies, when those designs were fully ripened, as they had formerly done in *Anno* 1666. which Rebellion was but a running and continued Field-Conventicle, fed constantly by such as came to hear their Ministers, who then governed them, preach upon that long March. They having in a Field-Conventicle at the *Glenkens* kept their first Rendezvous, from which they sent a Party to *Dumfries*, and surprized a part of His *Majesties* Forces, and thence having gone to another Field-Conventicle in *Cumnock*, they proceeded to others at *Aire*, *Kilmarnock*, *Machlen*, *Strevin*, *Lanerk*; after which they Conventicl'd on to *Pentland*, where, by their being beat, this Kingdom was restored to its former Peace and Quiet: And in which Field-Conventicles, the Covenant, which is condemned as treasonable by the Law, was constantly preached up, and people taken upon Oath, bound by it to reform *England* and *Ireland*, as well as *Scotland*, and to bring all Delinquents to condign punishment: nor was the Church and all Christian Discipline, in less danger from them, for the people were led out to hear such as for fear of revealing, they were obliged not to know; and so *Jesuites*, *Anabaptists*, and any Sectary might have securely possest those ignorant Creatures with what they pleased, and frequently did so; and these poor people being once alienated from the Church and its Discipline, found therein a sweet Liberty of staying from all Churches, and of being subject to no Discipline.

Upon which Considerations, the King, by Act of Parliament, did wisely declare, these Field-Conventicles to be Rendezvouses of Rebellion, the Minister to be punishable by Death, and the Hearers by proportionable Fines: notwithstanding of all which, and that such Meetings are destructive to all Government, unknown to, and unallowed by any Christian Society, and preached against by the sober part of their own Principles; yet those wild Hill-Preachers, did still continue and heighten their fury to that degree, that such of their own party as took Indulgences from the Council, were railed at, and in disdain, called *Council-Curates*; and such as Officiated under Bishops, were frequently robb'd and assaulted in their own Houses, and threatned with such probable cruelties, that they were forced to relinquish their Charge. And to possess the People with a belief of their Establishment, they, contrary to express Laws, kept Presbyteries, Synods, and other Assemblies, entertained correspondence with the disaffected Subjects of His *Majesties* other Kingdoms, and kept armed Men as Guards for their Ringleaders, Preaching in all places the Lawfulness of Resisting the Civil Magistrate;

Magiſtrate; the Unlawfulneſs of taking the Oath of Allegiance; that Epiſcopacy was Anti-Chriſtian, all who owned them were Perjured, and Enemies to CHRIST; and the Parliaments and Laws by which they were Eſtabliſhed were Impious and Sacrilegious. And to convince the World, what might have been expected from theſe, if they had prevailed, let any man read thoſe Books Printed by them, wherein at their loweſt Ebb, they invite all men to oppoſe Authority, as to a Duty to which they were in the Covenant obliged upon Oath, and to kill all ſuch as ſerved His *Majeſty*, by the example of *Phineas*; which Books poiſoned ſo far thoſe whom their former Principles had prepared, that ſome of them adventured even to aſſault His *Majeſties* Counſellors upon the chief Streets of His chief City here, and in the face of the Sun; and having in cold Blood maintained it, and died juſtifying it, are to this day numbred amongſt their beſt Martyrs.

Theſe Enemies of all Order waiting all Opportunities that might diſtract, or add to the other Diſtractions of their Native Country, finding in *Anno* 1674, that ſome Members of Parliament had in ſeveral things controverted His *Majeſties* Authority, and differed from His Miniſters, they immediately flew out in *Fyffe* and other Shires, to ſuch heights, that they dar'd to Uſurp ſome Pulpits even in *Edinburgh*, and to Convocate in great numbers about the doors of His *Majeſties* Privy Council, with moſt inſolent Petitions, tracing carefully the execrable ſteps of our former Rebellion. But His *Majeſties* Prudence and the care of His Privy Council, having Quaſhed thoſe appearances, His *Majeſties* Authority did for ſome time over-awe, though not reclaim them: But hearing that His *Majeſty* was like to be involved in a new Foreign War, they again aſſembled in mighty numbers in *October* and *November* 1677, and did violently invade the Pulpits, and Perſons of the Orthodox Clergy, and ſo threaten all with ſudden and great Revolutions, and reſiſted ſo frequently and inſolently ſuch as came to them in His *Majeſties* Name, killing ſome, and wounding many, that the Privy Council thought it neceſſary to write to the Sheriffs of thoſe Shires, to require an account of their diligence in repreſſing ſuch Diſorders, who informed them, that they could not get either Officers to cite the Offenders, nor Men to buy their Goods that were Diſtrained, and that their numbers and contumacy were ſuch that they deſpaired of all Succeſs: and even the Council found that ſuch as were Cited before them, contemned ſtill their Citations, and by conſtant abſences added to the former number of Rebels. Nor was it poſſible to repreſs thoſe Field-Conventicles, by

by Legal Proceſſes, both becauſe the far greateſt part had nothing to pay, and ſo feared not the payment of thoſe Fines impoſed by Law, and it was impoſſible to diſcover who were preſent at them, becauſe they ſtopt by armed men any from coming near them, who were not of their own Principles. Whereupon the Council finding all the ordinary legal courſes fail, they wrote to the Commiſſioners of Exciſe, and Juſtices of Peace, of the Shires of *Air*, and *Renfrew*, which did comprehend moſt of the Nobility and Gentry of thoſe Shires, and Invited and Impowered them to take ſuch courſes as might ſecure the Peace of the Kingdom, and His *Majeſties* other good Subjects, againſt the Jealouſies and Fears ariſing from ſuch Tumultuary and Illegal Convocations: To which, they, in a full Meeting, and after much deliberation, returned as an anſwer, That thoſe Diſorders had ſpread ſo far, and were ſo deeply rooted, that they thought it impoſſible either to ſettle the Country, or anſwer for their Tenants, except the King would allow them a new Indulgence. Which anſwer, coming after the Councils Letters to other Shires of the like Tenor, were ready to be diſpatched, they ſtopp'd the ſame, fearing that the example of thoſe Shires might draw in their Neighbours into the like Combination. And it being propoſed in Council, Whether it was fit to ſend unto thoſe Shires the few ſtanding Forces of this Kingdom; It was urged by many, and very ſtrongly, That the Commons there had ſo ſhaken off all Reſpect to Authority, that they might probably diſarm thoſe few Forces, and thereby both diſable the King to make any defence, and force themſelves for maintaining that Guilt, to join all of their Party in an open Rebellion. Whereupon it was thought fitter to arm ſome of His *Majeſties* Militia-Regiments; and the Marqueſs of *Athol* firſt, and then others having offered their *High-land-men*, this was thought leſs Expenſive, and might prove more Formidable: and therefore was choſen by the Council, who had reſolved with as little Expence as could be to the Innocent Shires, (for the Militia of theſe only could be armed) to fright thoſe Irregular Shires into an intire Submiſſion to His *Majeſties* Laws, conceiving that it was much more kind and prudent to prevent early, and by one ſingle Expence, the Increaſe of thoſe Rebellious Principles and Practiſes which were daily ripening towards an open Rebellion, in which the whole Nation might have wiſhed, but in vain, that it had Redeemed it ſelf by ſo ſhort and ſmall an Expence, from the payment of ſuch vaſt Sums, and the ruine of ſo many thouſands as

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fell in the late unhappy Wars, and to which they found those Disorders leading by the same fatal steps.

A Proclamation was also issued out in His *Majesties* Name, Discharging all Noblemen, and Gentlemen, not to remove without Orders from the Council during this Service; which as it has been constantly practised in *Scotland*, so it was necessary at this time both to restrain such as might absent themselves from His *Majesties* Service at that exigent, and to retain such within the Kingdom, as should be found obliged to secure the peace, it being most ordinary for such as judged themselves obnoxious, to retire whilst His *Majesties* Forces were upon the place, and then return when they were gone; whereas upon the other hand, it was easie to seek a Warrand, and none was ever refused to such as offered probable Reasons, which might take off the suspition of their going away to elude to the Proclamation: His *Majesties* Forces being assembled, it was resolved, That they should disarm those Shires, a course formerly taken by the Council in the like case, in *March* 1667. by the same persons who now complain, whilst they themselves were Counsellors, and leading men, and which is, by our express Laws, a part of our Kings Prerogative. And in the next place, a Bond was offered, wherein every Heretor was obliged to answer for himself, his Wife, and his Children, under the penalties exprest in the Acts of Parliament, made by the universal consent of the whole Nation, which obliges a man to answer for the Delinquencies of his Wife and Children. So that such as object, That no man can be answerable for his Wife or Children, or for any except himself, do either not understand our Law, or do maliciously endeavour to perswade the people, that our Laws are unjust: and it is observable in all those Fifth-Monarchy-Presbyterians, that where Law can be any way wrested, they make much noise of Laws and Customs; but where that cannot be so debaucht, they cry out against them as impious, and not binding. The Bond did likewise oblige the Masters, either to pay the Fines of their Tenants, or to remove them after they were found guilty of contraveening His *Majesties* Laws, or else to present them when called for by His *Majesties* Judicatures, which was also most easie: For since these Alternatives were in every mans power, and since the Council judged this the only expedient for securing the publick Peace, and that it had been formerly practised in *October* 1666. even by Such as now shun to subscribe this Bond, though in that Proclamation issued out by them, al

all were commanded and charged under the pain of Rebellion, whereas this Bond was only offered, and which Proclamation was much more ample and severe, as the Proclamation hereto annexed can clear. It is strange that any man should refuse to contribute all that is in his power, to establish peace where there is such hazard of troubles; and the reason why this Expedient was thought on, was because the Council was not able to know, nor pursue every private Tenant or Servant: but these knowing that their Masters were bound, and the Masters knowing that they might be overtaken, this would make both very circumspect; and yet the penalties were only these to which the Tenents were liable, by express Acts of Parliament: and in the last Bond, all was sweetned by the former easie Alternatives; and by the first Act of the third Session of His *Majesties* first Parliament, the Parliament foreseeing, that new methods would certainly be invented of disappointing the Remedies proposed in that Statute; and that it was not necessary, and would be expensive to convene Parliaments upon all such occasions. They therefore Impowered the Council to inflict, not only the penalties therein mentioned, but such other corporal punishments as they should think fit, and to do every thing that they should find necessary for procuring Obedience to that Act made by them against Separation and Disobedience to the Ecclesiastical Government, and which Power was indeed very proper to the Council, to whom by our Law the administration of the Government is intrusted under His *Majesty*, and which Act they thought a sufficient Warrant of the Proclamation 1666. for obliging the Subjects to give Bonds, and for denounceing of such as refused, and declaring their Leases null: Whereas the Bond now is but only offered, and by the Paper subjoined to this Narrative, it will clearly appear, that this Council was obliged by the practises of such as now complain, to do all that they have done, and was more necessary now than then, since these *Western-Shires* had not then risen in Rebellion, before *October* 1666. and Field-Conventicles were not then so numerous, whereas now they are declared, The Rendezvouses of Rebellion: and how could this Council be answerable to suffer ten times more than His *Majesties* standing Forces to be assembled in arms weekly, and in despite of Law? Or what Nation under the Heaven does suffer the like?

Yet this Bond was not press'd, but such as refused it when offered, were therby thought to have given just reason of suspition: and therefore

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as any private man may upon presumptions crave Surety from another, that they shall not trouble them; so the Council did justly crave this Legal surety, called *Lawborrows*, from those who refused this Bond, which security is consonant to all Law; and that the State have formerly sought the same as well as private men upon presumptions, and are still warranted to do so, is clear by 3. *Act.* 2. *P. Ja.* 2. Nor are two years rent too great a penalty, for though in private cases the pain or sum be small, because there every Justice of Peace may exact the same, yet in extraordinary cases the pains have still been commensurate to the occasion, by the Privy Council and Justice-Court, as is undeniable; nor can there be any Security, where there is not a commensuration betwixt the Surety and the Hazard: and who can deny that two years valued Rent, (which amounts to little more than one years true Rent) is too great Security for the Peace of King and Kingdom: for if the Giver of that Security does his diligence, and lives peaceably, he pays nothing; and if he will not, he can never pay too much where the hazard is so great.

These Forces having marched, the Council by Warrant from the King, ordered them to take free Quarter, not absolutely, but according as the Council or Committee should allow: nor gave they ever absolute Order for free Quarter, but on the contrary they ordained all such as should secure the Peace, to be freed from Quartering, and that the Fines of the Delinquents should be employed for paying the Forces, who voluntarily contributed their assistance; but it was fit to insert free Quarter in the Commissions, because many emergent accidents might have made the same necessary. And the King having been put to raise Forces upon the foresaid tract of disobedience, and after all ordinary courses and remedies had failed; could there be any thing more just, than that those who justified the foresaid presumptions against themselves, in not finding Surety for the Peace, should have been the first advancers, and Quartered those Forces, than that those Quarters should have been payed by the innocent Shires, who sent out the Militia, or by those who voluntarily assisted and rais'd, and brought their Forces upon their own Expences? And to shew that the King resolved to take no advantage in this Quartering, but to ease the Innocent, His *Majesties* own standing Forces payed daily every farthing; It is likewise offered to the Consideration of all who understand our Government, Whether it can be denied, but that the Kings of *Scotland* had

had ever the Power to raise Forces for Quashing, even the appearance of Insurrections, for it were too late to prevent them when they are raised, and they never having a constant Cash, nor any suitable allowance for this effect, they constantly Quartered freely such as were raised upon that account; nor was this ever Quarrelled till now. And as the Council of *Scotland* never asserted, That free Quarter was lawful in time of Peace; so no reasonable man can deny, but that it is fit and necessary in time of trouble, or presumption of spilling the Country by unreasonable and unruleful men, to raise the Country, as the Act of Parliament aforesaid expressly bears; and when raised, was it ever controverted, that those Countries which gave occasion for that raising of Forces should entertain them, there being no Fond or ready Cash destinated by our Parliaments for that effect? And since by the 25th *Act* of the third Session of the first Parliament of King *CHARLES* the II. the Parliament does besides the Militia, give a power to the Council to Dispose and Manage that whole Affair, so as may best make the offer there made of their Lives and Fortunes most effectual, and declare that they will hazard their Lives and Fortunes, as they shall be called for by His *Majesty*, for the Safety and Preservation of His Sacred Person, Authority and Government, how can any good Subject deny so small an assistance to His *Majesty*, when His Authority was so baffled and indangered, and where nothing was called for to His *Majesties* private use and advantage, but meerly for their own safety and preservation? And albeit it may be too well argued, that those Shires were in a state of Rebellion, Field-Conventicles being declared by our Law Rendezvouses of Rebellion, but there were not only such Field-Conventicles as were punishable by pecunial sums, but Convocations of the people in arms, not accidentally or infrequently, but frequently and avowedly, and under the conduct of many Ministers, who were either declared Traitors for being in that Rebellion in arms, *Anno* 1666. or being declared Rebels by legal Sentences, since were Intercommuned by open Proclamations, and who in all Countries kept correspondency, and renewed the treasonable Oath of the Covenant, railing against the King, His Laws and Servants, and after express Commands and Proclamations discharging such Meetings, as tending to overthrow the Government of Church and State: And is not this such a degree of Rebellion, at least as when all Remedies failed, might have allowed quartering in such Shires, as entertained these Rendezvouses of Rebellion without any opposition?

opposition? Yet such was the Clemency of our Gracious Prince, and such the Moderation of His Council, as that they ordained the Quarters to be payed out of the Fines of the Delinquents, and that all such as offered to secure the Peace, should have none quartered in their Land: and albeit it is impossible to convocate so many men without some irregularities, yet so strict Instructions were given by the Council, and so great care was taken by the Committee and Officers, that fewer were committed from so great Numbers than could have been expected, and none were ever complained of to the Council or their Committee, which were not redressed, and the Clamours are raised by such only as resolve to cast an *Odium* upon all that serve His *Majesty*; and yet the Clamours against what is done in the West, are much greater in *Edinburgh* than in the Shires, who are said to have suffered, and greater at *London* than in *Edinburgh*, it might well be expected, that these Shires which had taken free Quarter themselves, without any just Quarrel or Order, would not quarrel that Quarter which had the King and Councils Order for its Warrant, and their own guilt for its occasion. But such Murmurers ought to consider, that by so doing, they discourage others for the future to assist the King freely, which is great unkindness to the King, and obliges the King to require a suitable standing Force, which deserves little kindness from the Country, and that all this noise tends to lessen our security, and to heighten the expectations of such as resolve to rebel, and by such lyes, the last Rebellion was from a Spark blown to a Flame.

Whereas some assert, That the Council could not legally garrison the houses of private persons; The answer is easie, for it were strange, that our King should have the ordering of Peace and War, and yet might not garrison houses, when he sees great presumptions of Rebellion and Trouble, having no Forts nor Garrisons in those Shires, maintained upon the charge of our Nation, nor were any houses garrisoned here, save where the Proprietors refused to secure the Peace, or were found guilty of breaking it, or had other houses wherein they dwelt conveniently: and albeit the Commissioners of Excise were desired to furnish them with necessaries, yet these were to be repaired by the King, who could not make present preparations of such necessaries, without the assistance of such as lived in those Shires, and Bond was given for the re-payment: Our Gracious King and His Council here, have never persecuted tender Consciences, punishing only such as not content

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to serve God in a sober way, inflamed their Native Country with their irregular Zeal; and it is expected, that such as reflect upon what has been lately done by the King and His Council, should first remember the lamentable Miseries, into which this Nation was thrown by such and even milder beginnings and actors; our Property disposed of arbitrarily by Committees, our Persons dragg'd to Prisons and Scaffolds for obeying those whom it had been Treason to disobey; our Nobility and Gentry, insulted over by every little Minister, and his own Tenents in Kirk Sessions; our Parliament made ridiculous and ineffectual by their general Assemblies; and if the Council had suffered such Practices to grow up unto open Rebellion, had not our Neighbour Nation, as well as our own, just reason to have condemned our clemency to these, as cruelty to them, and to demonstrate that Persons, not Things, are aimed at in these Mis-informations? It is most observable, that His *Majesties* own Officers, as Sheriffs, and others who ought to have opposed, are those who complain most of the Opposition made to those Disorders, that have been fostered up by their negligence or connivance; and that when the King or Council do any thing to soften or reclaim these imbittered and humorous Creatures, it is cryed out against as Indulgence; and when they do the least thing to restrain them, it is railed at by the same Authors as Tyranny: But since some in our Nation could not, nor yet cannot, be quiet under the kind and gentle Government of King *JAMES*, King *CHARLES* the First, and our present *Monarch*; and whilst the remembrance of our late Distractions are yet fresh with us, what can be expected from such persons and principles in after Ages?

Some

Some, of very many Papers extracted out of the Registers of Privy Council, to shew what was the Practice of the then Council in such Cases, and what was their Opinion of those Western-Shires, and of the Acts of Parliament now founded on; all which Papers are subscribed by the greatest Lawyers who then were, and by the most eminent of those who now complain, when they are no more Counsellors themselves; and which may clear to all the World, that those who are now Counsellors, were by their determination and practice, obliged as well as warranted, to do what they have now done.

THere being a Committee of Council named, upon the ninth of *October* 1666. consisting of the Archbishop of *Glasgow*, the Duke of *Hamilton*, the Earl of *Linlithgow*, Sir *John Gilmore*, Lord President of the Session, Sir *Archibald Primrose*, Lord Register, and Sir *John Nisbet* Lord Advocate; they brought in the ensuing Proclamation, which was emitted the eleventh of *October* 1666. and which became the Foundation thereafter of all Obligations, laid by the Council upon Heretors and Masters, to answer for their Tenents and Servants, and the Act of Parliament there cited, is deduced in the Preface of the Proclamation as a sufficient Warrant for the Council to fine, confine, and punish corporally all who separate from, or disobey Ecclesiastical Authority, and in which the Council then Ordains, such as refuse the Bond to be charged, and denounced, Tenents to be removed, and their Tacks to be declared null without Process at Law, and many other things very observable; which the Lords abovenamed, and many others do subscribe the Warrant.

A Proclamation for Obedience to Ecclesiastical Authority.

Edinburgh, *the* 11 *day of* October, 1666.

CHARLES, By the Grace of GOD, King of *Great Britain, France* and *Ireland*, Defender of the Faith, To Macers of Our Privy Council, and Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting. Forasmuch as by the first Act of the third Session of Our late Parliament, Entituled, *An Act against Separation and Disobedience to*

to Ecclesiastical Authority, it is recommended to the Lords of Our Privy Council, to take speedy and effectual course that the said Act, injoyning Obedience to the Government of the Church, as it is now settled by Law, receive due and ready Obedience from all Subjects; with Power to them to discern and inflict such censures, penalties, and corporal punishments, as they shall think fit, upon the Controveners, and direct all execution necessary, for making the same effectual, and to do every other thing needful for procuring Obedience to the said Act, and putting the same to punctual execution, conform to the tenor and intent thereof. And by divers other Acts of Parliament and Council, made against Papists, Quakers, and other disaffected persons, they are commanded, under great pains and penalties, to frequent the Ordinances, in hearing Sermon, and partaking of the Sacraments, and all other acts of publick Worship at their own Parish Churches, and not to keep any private Meetings or Conventicles: Nevertheless, the said Acts have not received that vigorous execution and obedience in some parts of the Kingdom, which might have been given, if Masters of Families, Heretors, and Landlords in the Country, and Magistrates within Burghs-Royal, had been careful and zealous in their stations in procuring obedience from their Servants, Tenents and Inhabitants over whom they have power and jurisdiction: So that it is more than high time to prevent the increase and spreading of these disorders, which by evil example, might poison and infect these that are yet sound in their Principles, and well-affected to Our Government. Our Will is therefore, and We charge you straitly and command, that incontinent, these Our Letters seen, ye pass to the Mercat-cross of *Edinburgh*, remanent head Burghs of the several Shires and other places needful, and there, by open Proclamation, in Our Name and Authority, command and charge all Masters of Families, that they cause their Domestick Servants, Grieves, Chamberlains, and others entertained by them, to give Obedience to Our Laws aforesaid, and Acts of Council; and particularly that they frequent the publick Worship and Ordinances at their own Parish-Churches, and participate of the Sacraments, and abstain from all Conventicles and private Meetings, and that they retain none in their service but such as they will be answerable for; and in case of their disobedience, that they remove them out of ther service immediately after intimation thereof by the Minister of the Parish: As also, that all Heretors, Landlords, and Life-renters, who have granted any Tacks or Rentals to their Tenents, which are yet standing unexpired, cause their Tenents and Rentallers give sufficient Bond and Surety for obeying the said Acts of Parliament and Council, and specially for frequenting publick Worship and Ordinances, as said is, and abstaining from private Meetings; and if need be, that they raise Letters under the Signet of Our Privy Council, and charge them, for that effect, upon six days, and in case of disobedience, to denounce them to Our Horn, and registrate the same; for which end, warrant is given to direct Letters in their name against all and sundry their Tenents and Rentallers: And We do declare, that We will give and bestow the Escheats falling to Us by the said Hornings, upon the Landlords and Setters of these Tacks and Rentals, in so far as may be extended thereto; recommending hereby to Our Treasurer-principal and Treasurer-deputy, and others of Our Exchequer, to grant the same accordingly: And in case the Tenents be removeable, and refuse to give Obedience, that they warn and pursue them to remove, and obtain Decreets of Ejection against them; and that no Heretor, Landlord, or Life-renter, set their Lands hereafter to any person, by Word or Writ, but to such as they will be answerable for, as said is; and that they take surety from them by provisions and obligements to be insert in their Tacks, or otherways by Bond apart, in case there be no Writ, that the said Tacksmen, Rentallers, and all others their Hinds, Cottars and Servants, who shall live under them upon the said Lands, shall give Obedience in manner aforesaid; otherways, that their Tacks, Rentals, and whole Interest, Right and Possession shall be void and expire, *ipso facto*, as if they had never been granted, and that without any Declarator or farther Progress, and then as now, and now as then, that they shall renounce all Right that they shall have thereto, and shall remove themselves without any warning; and in case of failzie, the Landlords and others are to charge and denounce them in manner foresaid: As likewise, that all Magistrates of Royal Burroughs take special care and notice, and be answerable, that their Burgesses and Inhabitants be obedient to the aforesaid Acts of Parliament and Council, and that they cause charge such of them as they shall think fit and are suspected, to give Bond and Surety, as said is; and for the Magistrates own relief, in case they controvene; and if they failzie, to denounce them in manner

ner aforesaid: with certification, that all Masters of Families, Landlords and Magistrates of Burghs, who shall not give punctual Obedience in manner above-written, that they shall be liable to the same pains and penalties due to the Controveners, but prejudice always of proceeding against the Controveners themselves, and inflicting the said pains, and all other pains contained in any Act of Parliament or Council heretofore made against Papists, Quakers, and persons disobedient: Certifying also all concerned, that the Lords of Our Privy Council will not only take special care to secure the Publick Peace, but also to discover all secret attempts and designs to disturb the same, and to punish all persons that shall be found guilty, according to the quality of their offence. And ordains these Presents to be printed and published, that none pretend ignorance.

A Proclamation for bringing in Arms out of some Western Shires.

Edinburgh, the 25th of *March*, 1667.

CHARLES, By the Grace of GOD, King of *Great Britain*, *France* and *Ireland*, Defender of the Faith. To Our Lovits, Messengers, Our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting. Forasmuch as the late Rebellion, and rising in Arms in the Western Shires, is too great an evidence that there are many disaffected persons in these Places, who are ready to involve the Kingdom again in a bloody and unnatural War: And that We have just reason to suspect that these Rebels will be ready to lay hold on this opportunity, to rise in Arms, when We are necessitate to continue the War with Our Foreign Enemies. And not only to make use of such Arms, Powder and Ammunition, as they have concealed, or may be transported to them from Our Enemies; but will seize upon the Arms of Our well-affected Subjects, who reside amongst them, and are not able to make resistance: Which may endanger the Peace of the Kingdom, and weaken Our Forces, necessitating them at one time to oppose Foreign Invasions, and Intestine Commotions. As likewise, that according to their former wicked practices, they may invade the Ministers of the Gospel, who are lawfully admitted Preachers amongst them, and do violence or injury to their persons, to the great contempt of Our Authority, and scandal of the Reformed Religion, as it is now profest. Therefore, We, with Advice of the Lords of Our Privy Council, Command and Charge all Persons residing within the Shires of *Lanerk*, *Air*, *Renfrew*, *Wigton*, and the Stewartry of *Kirkcudbright*, betwixt and the first day of *May* next, to bring in all their Arms and Ammunition which they have in their possession, of whatsoever sort (allowing Gentlemen only to carry Swords, and none other) to the Head Burgh of the respective Shires and Stewartry; and deliver the same to the Sheriff, his Deputy, or any having his Order. With Certification to them, if they fail, they shall be Fin'd by Our Secret Council in the Sums of Money underwritten; *viz.* Ilk Gentleman, in the Sum of two thousand Merks; and every other person, in the Sum of five hundred Merks; to be divided, the one half to be paid to Our Exchequer, and the other half to any person who shall first discover the Concealers: And further, shall be proceeded against as seditious persons, and disaffected to Our Government. Likewise, We ordain the said Sheriff, his Deputy, or any other appointed by him, immediately upon the delivery of their said Arms or Ammunition, to carry the same to *Striviling*, or *Dumbarton* Castles, which shall be next adjacent, there to be kept by the Governour thereof. As likewise, We Command and Charge, That all Heretors and Parishioners, residing in any of the Parishes within the said bounds, Protect and Defend the Persons, Families and Goods of their respective Ministers, within their several Parishes, from all Affronts and Injuries to be committed by insolent and disaffected Persons to the present Government; as well when they are in the Exercise of the Ministerial Function, as residing at their own Houses aud Dwellings: With Certification, that if any Injury or Affront shall be done to them, in their Persons or Goods, that the Parishioners who

who shall suffer the same to be done, and not oppose the doing thereof, shall be repute and holden as airt and part of the said Crimes and Violence, and be proceeded against by Law, as guilty thereof, and punished according to the quality of their offence, with all rigour. And in case the said Injury shall be done by surprizal, that they follow and pursue the committers thereof, until they apprehend their Persons, and present them to Our Secret Council, to be judged by them, as they shall order: otherwise We declare, That they themselves shall be liable for such Reparation, Damage and Interest, as the said Lords of Council shall think fit to determine. And ordains the said Sheriffs to cause intimate these Presents, by Publick Proclamation, at the Mercat-Crosses of the Head Burghs of the said respective Shires and Stewartry; and cause read the same at all the Parish-Churches within the said Shires and Stewartry, upon a *Sunday* before noon, after Divine Service, with all diligence: And that these Presents be printed, that none pretend ignorance.

Hamilton,	*Annandale*,	*Dalyell*,	*Wauchope*,
Linlithgow,	*Drumlanerk*,	*W. Drummond*,	*Ch. Maitland.*
Dumfries,	*Bellenden*,	*Jo. Gilmour*,	

Upon the third of *September*, 1667. the Earl of *Rothes*, His *Majesties* Commissioner, being present, a very frequent Council consisting of the Archbishops of St. *Andrews* and *Glasgow*, the Duke of *Hamilton*, the Marquiss of *Montrose*, the Earls of *Kelly*, *Weems*, *Airly*, *Callender*, *Anandale*, *Tweddail*, *Kincardin*, and *Dundee*, the Lord *Drumlanerk*, now Earl of *Queensberry*, the Lords *Sinclair*, *Cochran*, *Bellenden*, General *Dalyell*, Lieutenat General *Drummond*, Sir *John Gilmor*, Lord President of the Session, Sir *Archibald Primrose* Lord Register, Sir *John Nisbet* Lord Advocate, the Lord Justice-Clerk, Sir *Robert Murray*, Sir *James Lockart* of *Lie*, the Lairds of *Haltoun* and *Nidderie*, and Sir *Robert Murray* of *Priestfield*, did among many other Proposals, offer to His *Majesty* this following Article:

THat such Noblemen and Gentlemen, Heretors and Fewars, who shall subscribe Bonds for Blank Sums of Money for themselves, and their respective Tenents and Servants, to keep the Peace, the said Noblemen, Gentlemen, Heretors and Fewars, for their Relief and Security shall have Power and Warrant to take Bonds from their Tenants and Servants, for Blank Sums of Money, not to rise in Arms against, or without the Kings Authority, and not to buy any Arms, or keep Horses above the value of threescore pounds Scots, with power to disarm their Tenants: And if they refuse to give Bands as said is, In that case, if they have no Tacks or Rentals, that they remove them from their Possessions; and if they have standing Tacks or Rentals for years yet to run, that they raise Letters, and charge them for that effect, under the Signet of the Privy Council, for which these shall be a sufficient Warrant to the Clerk thereof, to grant the same, and shall cause to denounce them Rebels, and put them to the Horn; whereupon it is declared, That their Masters shall have the Gift of their single or Life-rent Escheat, gratis, *in so far as may be extended to the Rooms and Possessions belonging to their Masters.*

The preceeding Proclamations and Proposals, are Extracted out of the Records of the Privy Council, by me

Al. Gibson, Cl. Sti. Concilii.