



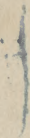
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THE  
L I F E  
Of the Most Illustrious PRINCE,  
J O H N,  
Duke of *ARGYLE* and  
*GREENWICH*.

CONTAINING,  
AN HISTORICAL and GENEALOGICAL ACCOUNT of  
his GRACE's FAMILY and ANCESTORS.  
I. An Impartial VIEW of his CONDUCT both in the Senate  
and Field; with the noble Stand he made for Liberty on all  
Occasions, exemplified in his SPEECHES before the House  
of Lords, &c. &c.  
II. A succinct ACCOUNT of the most remarkable  
Events that have happened in *Europe* during his Time; in most  
of which his Grace was in some Measure concerned.  
The Whole making a compendious ABSTRACT of the  
BRITISH HISTORY from the Death of King *William*  
III. to the present Time.

---

By *ROBERT CAMPBELL*, Esq;

---

Imperial Jove,  
He reigns unquestion'd in his Realms above;  
No Title from Descent he need infer,  
His red right Arm proclaims the Thunderer,  
This, Campbell, be thy Pride, Illustrious Peer,  
Alike to shine distinguish'd in your Sphere,  
All Merit but your own you may disdain,  
And Kings have been your Ancestors in vain.

Mr. Pope on reading the Preamble to the Pa-  
tent creating his Grace Duke of *Greenwich*.

---

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TO THE

MOST ILLUSTRIOUS PRINCE,

ARCHIBALD,

DUKE OF

ARGYLE, &c.

SIR,

CUSTOM makes it necessary to prefix to Works of this kind the Name of some Illustrious Personage; therefore I have taken the Li-

## DEDICATION.

berty to place the following Sheets under your Grace's Protection.

To whom, Sir, can the Author of the Life of the late Duke of ARGYLE apply with greater Propriety than to your Grace, who now bears his hereditary Honours, Honours purchased by the Merits of a long Train of Ancestors, who seem rather to have given a Lustre to the Titles they bore, than to have received any from them.

Your Grace must be allowed the properest Judge how far I have done Justice to the Character of your great Brother, A Genius such as yours cannot

## DEDICATION.

cannot miss to find Errors; but if you find the Intention good, I hope the Censure will not be severe, since your Grace will allow it to be impossible for any Man, not endued with the Spirit of the late Duke, to describe that Illustrious Patriot as he ought to be.

I might here take the Liberty, which Addresses of this Kind tolerate, to expatiate upon those great Qualifications your Grace is possessed of; your almost unlimited natural Genius, improved by all the Helps human Literature and the most abstracted Science can afford; your justly admired Talents as a Philosopher and a Statesman would furnish Matter sufficient for a Panegyrick. But I a-

# DEDICATION.

void it, lest it should be construed  
Flattery, which is as much beneath  
me, as I know it would be disagree-  
able to your Grace. I am, with pro-  
found Respect,

*May it please your Grace,*

*Your Grace's*

*Most Obedient,*

*And most humble Servant,*

**Rob<sup>t</sup>. Campbell.**

---

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THE

THE

L I F E

Of His GRACE

J O H N,

Duke of *ARGYLE*, &c.

**A**S to do Justice to the Memory of the real Patriot, and recommend those amiable Virtues that adorn his Character to the Practice of Posterity, ought to be the chief Design of a Work of this Kind; so we hope the Publick will at least approve of the Subject of the following Sheets, as suitable to that great End of History: For it will occur to every one, at first Sight, that the Life of JOHN Duke of ARGYLE cannot fail to furnish Matter sufficient to describe the truly disinterested Patriot, with all the shining Qualifications that enter into the Composition of that comprehensive Character.

W E R R

WERE it possible for us to represent that great Man really as he was, in this venal Age, the Relation would appear a Romance; that steady Attachment to the Interest of his Country, in the worst of Times; the uniform Zeal he express'd for the Honour and Liberty of these Nations, both in the Smiles and Frowns of a Court; and his unwearied Endeavours to promote the Good of the People, directed by the most consummate Wisdom, and temper'd by the most unshaken Loyalty to his Sovereign, are Virtues so uncommon, they rather seem what we would wish, than what existed in real Life: especially at a Time when Bribery and Corruption seem to be adopted by some, as essential Maxims of Government; and publicly avow'd by others, in our most August Assemblies, as a necessary State Policy: at a Time when we see whole Counties barter their most valuable Privileges for some precarious Title, and the most flourishing Corporations sold, as it were, at publick Auction: at a Time when the Word Patriot signifies only a Party Distinction, or a Stickler for some paucity Place; and every the least Appearance of those Virtues that enabled our Ancestors to establish our Liberty with their Blood, laugh'd at by every Court Wittling. When we see a considerable Number of the great Men of our Time, prostitute their Parts and paternal Honours for a Pension, and traffick away the Honour and Interest of a free People for some dignified Monosyllable: At such a Period of Time, amidst such a Torrent of Corruption and bare-faced Venality, such a Character as that of the late Duke of ARGYLE must appear fictitious.

BUT tho' 'tis Singular, yet 'tis no less Genuine; and 'tis to be hoped this Age is not so far depraved, but they can bear to look upon such a Picture; and perhaps from so noble an Example, may be excited to rouse up the ancient *British* Spirit, and vie with one another, in supporting the tottering Liberties of these once flourishing Kingdoms; and may warm them to the Love of real Fame and more substantial Honours than that of transmitting their Names to an enslaved Posterity, blazon'd only with some empty Titles, purchased, perhaps, with the Curses of an injured People.

BUT

BUT as we own ourselves incapable to draw an exact Likeness of the Duke of ARGYLE, we shall be contented to give the Publick a rough Sketch of that great Man's Life and Actions; which may furnish some abler Pen a Hint to improve and finish the Drawing, and transmit that illustrious Nobleman to future Ages in a Dress suitable to the Part he acted when alive.

IN prosecuting of this Design, as we have no other View but to do Justice to the Memory of the deceas'd Duke, out of regard to his Virtues, and for the Information of the Publick, so we shall recite all those Events, in which his Grace was in any measure concern'd, with the greatest regard to Truth, and with that Freedom becoming a *British* Subject; but at the same time without any Intention to reflect personally upon any Party or set of Men, whether dead or living: It being our Design to explain such Occurrences, and the Causes impartially, and to the best of our Judgment; leaving it to the Publick to judge which Party acted upon Principles most conducive to the publick Good, without intending to Inlist our selves of any Side but that of Truth.

THE Family of ARGYLE, has been for many Ages esteem'd one of the most considerable Families in *North Britain*, as well for the Extent of their Estate and Power, as for their Antiquity. They are possessed of the Shire of *Argyle*, which is one of the largest Counties in *Scotland*; it consists of five Divisions, viz *Argyle proper*, *Lorn*, *Cowal*, *Mull*, and *Kintyre*; which last was once a distinct Shire by it self. The whole Shire is about ninety Miles in length, and fifty in some Places in breadth; the greatest part of which is either the Duke of ARGYLE's Property, or possessed by his Vassals; who pay him a considerable Fewduty or annual Quit-Rent. The Country is fertile in Grass and Corn, and produces a considerable Number of black Cattle, mostly for the *English* Market. The Mountains, which are always cover'd with Verdure, are lined with Lead and Copper Mines, of which some have been lately wrought to Advantage.

advantage. The Coast of this Shire, and a number of Arms of the Sea with which it is indented, are stored with all manner of Fish, in great Plenty; but especially Herrings, which are the best that are fish'd upon the *Scotch* Coast. This Branch of it self, were it properly encouraged by the Government, would not only be a means to enrich this County, but would greatly encrease the Riches and Strength of the Nation in general.

THIS Shire and the Western Isles, which are likewise under the Jurisdiction of the Family, are esteem'd the most populous part of the Highlands of *Scotland*, and the Men the most industrious, and as well fitted for the Exercise of Arms, as any; which they used very much till they were disarmed after the Year fifteen, in the same manner as the Rebel Highlanders. But this Shire and most of its Dependants remain'd steadfast in the Interest of the present Royal Family, tho' many Artifices were used to seduce them from their Allegiance, whilst General Gordon and the Clans lay before *Inverary*.

THE Gentry are very numerous in this Shire, live mostly in old Castles that were built when times were more unsettled than at present. Tho' their Estates are small, yet by the great Plenty which the Country produces of all manner of Necessaries, they live very comfortably, and keep up in a great Measure, that Hospitality for which the ancient *Britains* were remarkable; they are more polite than most Gentry of their Rank, and have most of them had a genteel and some a very liberal Education.

THE common People are sagacious, honest and hospitable, and better instructed in the Principles of Christianity, than any common People I have convers'd with, this Country having been early converted to Christianity by St. *Columbus*, who settled the first Christian Seminary that was in *Britain*, at *J. Colum Kill*, formerly the Seat of the ancient Druids, which produced a great many learned Men, and flourish'd till shortly before the Reformation. This place and *Dunstaffnage*, some time a Royal Castle, likewise in this

this Shire contain the Remains of a great number of *Scotch, Irish, and Danish* Kings.

THIS Country had not only the Benefit of Christianity early, but embraced the reform'd Doctrines sooner than any other Country in *Scotland*, encouraged to it by the Example of their Superior the then Earl of *Argyle*, who was the first of his Quality, who publickly own'd the Protestant Interest, and rejected the Errors of the Church of *Rome*.

THE common People, like the rest of the Highlanders, have a prodigious Affection for their several Chiefs, whom they implicitly obey, and altogether join in supporting the Interest of the Duke of *Argyle*, of whom they all hold their Property. This Attachment is further strengthen'd by the great Jurisdiction which the Family had once, part of which they still enjoy, for they were formerly Hereditary high Justiciars of all *Scotland*; a Power equal if not superior to that exercised by the Lord Chief Justice and Court of King's Bench in *England*; this high Office they possess'd till the late Marquiss resign'd it by a Contract with King *Charles I.* in Virtue of which Resignation the Court of Justiciary in *Scotland* now sit; but he reserved to himself and his Heirs, the same Jurisdiction over the Shire of *Argyle* and the Western Isles, and where else he possess'd Estates within the Kingdom.

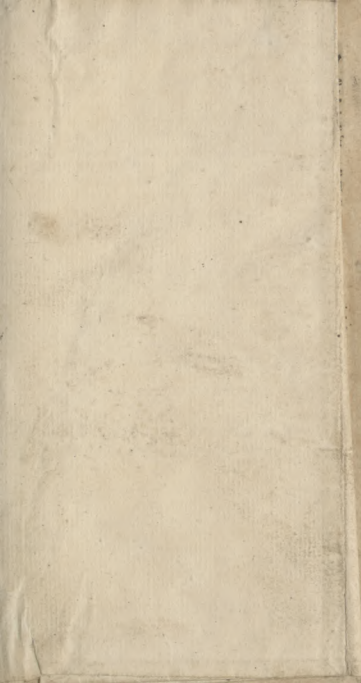
WITH so great an Extent of Country, such a number of Followers united to the Family, not only by Ties of Blood and the Tenures of their Estates, but bound by so sovereign a Jurisdiction, 'tis no wonder they should be able to make such a Figure. Accordingly, we find they were the only Family in *Scotland* able to make Head against the *Douglasses, M'Donalds*, and others who were frequently too powerful for the Crown.

THUS much for the Extent of their Estate and Power; as for their Antiquity, few can boast of a more Ancient or Honourable Descent. The Bards, who were a sort of People kept on purpose about the Houses of great Men, to record their Actions: and commemorate in their Songs, the great Deeds of their Ancestors, derive the Original of this

this Family from one *Diarmid Odwin*, who came over with *Fergus* the Second from *Ireland*, to assist the *Scotch* against the *Picts* in 404. From this *Diarmid Odwin*, from whom the Family of *Argyle*, in the Highland Language are term'd *Glan Odwin*, or the Children of *Odwin*, the Bards have deduced a large Succession of great Men, whose Actions they very minutely relate: yet as I do not find any better Authority than Collections made from them, which may contain a great deal of Fiction, as well as Truth, we shall not trouble our Readers with so early an Account, only refer them to the Genealogical Table for their Names. But in general we must observe that this *Diarmid Odwin*, settled in the Shire of *Argyle*; and he and his Successors were stiled Knights of *Lochow* for many Ages. One of his Descendants went over to *Normandy*, and there settled on a small Estate, which his Heirs enjoy to this Day; this Gentleman changed his Name to *Le'Camile*, which his Progeny in that Country still retain. Two Brothers, the Offspring of this Gentleman, came over with *William* the Conqueror; the one of them settled in *England*, and founded the Family of *Beauchamp* Earl of *Warwick*, since united to and extinct in that of *Nevil* Earl of *Warwick*; the other Brother went to *Scotland* and married *Eva* the Heiress of *Lochow*, who it seems was his Relation. This Gentleman, contrary to the Custom of *Scotland* in like Cases, did not assume the Name of the Heiress *Odwin*, but retained his own *Le'Camile*, which his Successors used till within these Three Hundred Years, when it came by chance to be changed to the present Orthography; tho' *Buchanan* and some late Authors, have given the Name *Campbell* to Men of the Family who used *Le'Camile*, the Particle *Le* not being left out till some considerable time after they were created Lords of Parliament, by the Title of Lord *'e Campbell*.

THE first remarkable Man of this Family, we find mention'd in History is *Colin* surnamed *More*, or *Great*; from whom the Heads of this Family are term'd in the Highland Tongue *M'calen More*, or the Sons of *Colin More*. He was one of the *Magnates Scotiae*, that were summon'd







# A Genealogical TABLE of the Family of ARGYLE.

Years of their Deaths.	Names and Titles of the Heads of the Family.	Their several Marriages.	Names of the younger Issue, with their Cadents, distinguish'd by their Estates.
Anno 420	DIARMID ODWIN, Lord of Lochoy. COLIN, &c. &c. &c. &c. &c. PAUL, surnamed N <sup>o</sup> Sporan, or the Treasurer. EVA, who married Gilespick le Camile, her Kinsman, who came over with William the Conqueror from Normandy. DUNCAN, Colin, Gilespick, Duncan, Gilespick, Duncan, Gilespick, Lord and Knight of Lochoy. Sir COLIN, surnamed More, or The Great, -		
1305		A Lady of the House of Sinclair,	Sir Donald of Redhouse, Ancestor of the Earls of Loudon; Of whom Killoch, Cessnock; the Heiress of which married Mr. Hume Campbell, a Son of the late Earl of Marchmont, who now assumes the Name of Campbell; Shabbastoun is another Branch of this Family.
1315	Sir NEIL, so much noted in King Robert de Bruce's Time, -	Lady MARY Sister to King Robert de Bruce,	John, created Earl of Athole, but died without Issue.
1340	Sir COLIN, -	A Lady of the Family of Lenox, -	Duncan, Ancestor of Strathur.
1360	ARCHIBALD, -	MARY Daughter of Sir John Lamont of that Ilk, A Daughter of the Thane of Knapdale, whom he afterwards repudiated, -	John, Ancestor of Barbreck; of whom Succoth and Inverliver. Sir Dougald, Ancestor of the old Branch of Craignish. Neil, a Natural Son, Ancestor of Kenmore or Melfort. Had no Children, but his Successor.
1390	COLIN, -	MARY, a Lady of his own Family, -	Iver, Ancestor of Kirman; Of whom Penymore, Askniff, Glasvar, Arlarluch, Leckuary, Stronesker, Barmolloch, Leckmelin, Balochyle, Lime-kilns, Duchuman, Stronshira; All which Branches took, till of late, the Name of M'Iver, from their Ancestor Iver.
1453	DUNCAN, Lord Le Campbell, and Lord of Lochoy, -	Lady MARJORY STEWART, Daughter of Robert Duke of Albany, -	Tavis, Ancestor of Dunardrie, who signs himself M <sup>o</sup> Tavish. Colin, Ancestor of Sir James Campbell of Ardkinglass; Of whom Carrick, Skipniff, Shawfield, Ardenteny, Leeks, Denoon, Deregachy, Rachane, Acawillin, and Orchard, a Son of Sir James Livingston succeeds his Grandfather Sir James Campbell in the Estate, and therefore assumes the Name and Arms of Campbell, in Right of his Mother.
1492	COLIN, the Grandson of Lord Duncan, created First Earl of Argyle, Anno 1457, -	JANET, Daughter of Sir John Stewart of Blackhall, Natural Son of King Robert III, -	Christian, married to M <sup>o</sup> Farland, of Arochar. Duncan, a Natural Son, Ancestor of Duntroon; Of whom Oib, Rudile, Raschulic, and Knap. Another Dougald, Ancestor of Dunstaffnage; Of whom Ederline, Bavié, Clanemac-krie, &c. Celestine, died without Issue.
1513	ARCHIBALD, II <sup>d</sup> Earl of Argyle, -	ISABELL STEWART, Daughter and Heiress of John Lord Lorn, -	Archibald, whose Son succeeded him.
1542	COLIN, III <sup>d</sup> Earl of Argyle, -	ELIZABETH, Daughter of John first Earl of Lenox	Sir Colin, Ancestor of the Earls of Brodalbin; Of whom Lairs, Glenlyon, Keithick, Monzie, Glenfalloch, Kilpant, Sir James Campbell of Ardrachit, Glendardie, Carquethin, the present Family of Ottar, Achloyn Lochdochart, Kintra, Barcalten, Lerags, Lochbuskie, Mochalter, Achriny, Vine-Gardens, &c.
1553	ARCHIBALD, IV <sup>th</sup> Earl of Argyle, -	Lady HELEN HAMILTON, Daughter of James Earl of Arran, - Lady MARY GRAHAM, Daughter of the Earl of Monteth, -	Duncan, Ancestor of Sir James Campbell of Auchanbreck; Of whom Glen-caradel, Glen-fadel, Kilmorie, Kildusclan, Kilberry, Ormsary, Danaa, Knockbuy, Ormaig, Carraig, Kildallig, Colin Campbell of Jamaica, Esq; and the rest of that Name in Jamaica.
1575	ARCHIBALD, V <sup>th</sup> Earl of Argyle, -	Lady JEAN STEWART, Natural Daughter of King James V, - Lady JEAN, Daughter of Alexander Earl of Glencairn, - JANET, Daughter of Henry Lord Methun, - AGNES, Daughter of William Earl Marshall, and Countess Dowager of Murray, - Lady ANN, Daughter of William Earl of Morton, -	Nell, Ancestor of Ellangreg. And a Third, Ancestor of the old Family of Ottar.
1584	COLIN, VI <sup>th</sup> Earl of Argyle, -	ANN, Daughter of Sir William Cornwallis, Ancestor of Lord Cornwallis, - MARGARET, Daughter of William Earl of Morton, -	Thomas, Ancestor of the Family of Lundie, in the Shire of Angus. Duncan, Ancestor of M <sup>o</sup> Chonochy of Glenfuchan. Margaret, married to Lord Seton. Isabella, to the Master of Drummond. Helen, to the first Earl of Eglington. Elizabeth, to the second Lord Oliphant. Mary, to Aeneas, Heir of Intail of M <sup>o</sup> Donald Earl of Ross.
1638	ARCHIBALD, VII <sup>th</sup> Earl of Argyle, -	Lady MARY STEWART, Daughter of the III <sup>d</sup> of Murray, -	Archibald, of Skipniff, extinct. Sir John, Ancestor of John Campbell, of Calder, Esq; Member for Pembroke-shire in this present Parliament; Of whom Sir Archibald Campbell of Cluni, Sunderland, Balenabie, Inverfragan, Ardchatan, Airds, Oetomore and Beleclaven.
May 27, 1661	ARCHIBALD, VIII <sup>th</sup> Earl of Argyle, and afterwards Marquis, -	ELIZABETH, Daughter of Sir Lionel Talmash, of Hellingham, by Elizabeth, Dutchess Dowager of Lauderdale, - MARY, Daughter of John Brown, Esq; and Neice to Sir Charles Duncomb, Lord Mayor of London in 1708, - JANE, Daughter of Thomas Warburton, of Winnington in Cheshire, Esq; -	Margaret, married to Lord Erskine. Isabel, to the Earl of Cassels. Mary, to Stuart, Earl of Athole. Jean, to Sir John Lamont. John, Ancestor of Sir Duncan Campbell, of Lochnell; Of whom Balerno, Stonfield present Sheriff depute of Argyle, Auchandoun, Lochhead, Achandaruch, Styag, and Fantelands, whose Son is likely to succeed to the Estate of Lochnell. Margaret, married to the Earl of Murray, natural Son of King James IV, and afterwards to the Earl of Sutherland.
June 30, 1685	ARCHIBALD, IX <sup>th</sup> Earl of Argyle -		Archibald, his Successor.
1703	ARCHIBALD, X <sup>th</sup> Earl of Argyle, and First Duke, -		Sir Colin Campbell of Buchan, who succeeded his elder Brother. Margaret, married to Lord Down. Janet, to Hector M <sup>o</sup> Lean of Dowart.
Octob. 3, 1743	JOHN, II <sup>d</sup> Duke of Argyle, and First of Greenwich, -		By neither left any Issue, but was succeeded by his Brother, Sir Colin Campbell of Buchan. Died without Issue.
			Sir Colin Campbell of Lundie, Bart. Ann, married to the Second Marquis of Huntley. Annabella, to the Earl of Lothian. Jean, to the Viscount Kenmore. Mary, to Sir Robert Montgomery of Skelmorly. James, created Earl of Irwin, and died without Issue. Mary, married to John Lord Rollo. Lord Neil Campbell of Ardmadie, Father of the Honourable Archibald Campbell, Esq; lately deceased, by a Daughter of the Earl of Lothian. Ann, died without Issue. Jean, married to the First Marquis of Lothian. Mary, first married to George Earl of Caithness, and afterwards to John Earl of Brodalbin, to whom she had Issue, but none to the Earl of Caithness. John Campbell of Mamore, Father of Major General John Campbell, Heir of Intail to the Estate and Honours of Argyle, failing legitimate Issue of the present Duke. Colonel Charles and James Campbell. Ann, married to Richard Earl of Lauderdale, and last to the Earl of Murray. Jean, to William Marquis of Lothian. Archibald, Earl of Ilay, now Duke of Argyle. Ann, married first to the Earl of Bute, and last to Mr. Frazer of Streichen, one of the Senators of the College of Justice in Scotland.
			By Whom he had no Issue.
			Lady Caroline, married to the Lord Dalkeith, Son and Heir to the Duke of Buchleugh. Lady Ann, to the Earl of Strathford. Lady Elizabeth, } Both unmarried. Lady Mary, }







1998

to *Berwick* upon the Part of *Robert de Bruce*, when he and all the other Competitors for the Crown of *Scotland*, on the Demise of Queen *Margaret*, had referred the Decision of their Claims to *Edward I.* of *England*. He had been engaged in many Conflicts, with *M'Donald* of *Lorn*, his Neighbour, in one of which he was slain.

SIR *Neil*, his Son and Successor, was knighted in the latter End of the Reign of *K. Alexander III.* and was in the same Commission with his Father in the foremention'd Arbitration, and so far acquiesced in the Decision of *Edward*, in favour of *John de Baliol*, that he remain'd faithful to that weak and unhappy Prince, until by an inglorious Surrender of the Independency of *Scotland*, and acknowledging to hold the Sovereignty in Vassalage of *Edward* of *England*, he had forfeited that Title his Blood gave him, and declared himself unworthy of that Crown he was born to.

UPON this Emergency, and so soon as *Robert de Bruce* had formed a rational Scheme to make good his Pretensions to the Throne, this Sir *Neil*, whom *Buchanan* calls Sir *Neil Campbell*, join'd heartily with those few Patriots who had Courage and Honesty to assert the Liberty and Independency of that ancient Kingdom, against the Usurpation of the *English Edward*; own'd King *Robert's* Title, and raised a considerable Number of his Vassals to make Head against *M'Donald* of *Lorn*, who had a personal Pique at and was the declared Enemy of *Robert*. He soon reduced *M'Donald* and all his Adherents, and brought his Country, and all the Shire of *Argyle* to submit to the new King. From this Action he went to *Seaton*, and assisted at the Solemnity of King *Robert's* Coronation, in *Augo* 1306; after which he continued steadfast in his Loyalty, and gave many signal Marks of his Attachment to that Monarch, even in the lowest Ebb of his Fortune, and when he was but yet tottering on his Throne, he entered into that famous Association with Sir *Gilbert Hay* and Sir *Alexander Seton*; where, in a most solemn manner, they bound themselves to defend, with their Lives and

Fortunes, the Liberty of their Country, and the Right of *Robert Bruce* their King, against all Mortals, *French, English* or *Scotch*. To this Association they appended their Seals at the Abby of *Cambuskeneth*, Sept. 9, 1308. So early we find this Family appearing in the Interest of their Country, against the Usurpation of Foreigners, and the weak Concessions of an hereditary Prince. A Spirit which seems hitherto intail'd upon the Successors of this Great Man, which we hope will continue without a Breach 'till latest Ages. This Sir *Neil* was one of the Commissioners sent from *Scotland* to *England* to treat of a Peace, Anno 1314, which did not then take effect. The ensuing Year he was one of the Barons of the Parliament held at *Stirling*, which intail'd the Crown upon King *Robert*, and his Heirs; and in the Close of that Year he died.

HIS Son Sir *Colin*, was a wise and warlike Man; made one in the Expedition into *Ireland*, in Anno 1316, in behalf of *Edward Bruce* then Sovereign of that Kingdom; where he perform'd many gallant Actions, which are made the Onorous Cause of several Grants of Lands from the Crown, yet in Possession of the Family. As Sir *Neil* had assisted King *Robert* in his Extremity, so Sir *Colin* assisted his Son King *David*, even when his Affairs appear'd desperate. He rais'd for his Service a considerable Body of Men, and took, Sword in hand, the Castle of *Dunoon*, then in Possession of the *English*; for which Piece of Service he was by King *David* made Hereditary Governour of that Fort; an Office which all his Successors has enjoy'd.

To this Sir *Colin*, who died in 1340, succeeded in a direct Line *Archibald*, *Colin* and *Duncan*, who all three made great Alliances with the prime Nobility of *Scotland*, and were employ'd to suppress the Incursions of the *Highlanders*, who at that Time very much infested the Western Parts of the Kingdom; by which they acquired not only great Reputation, but enlarged the Estate of *Lochow*, by many Grants from the Crown; as a Reward of their faithful Services. They all three had a numerous Issue, being Founders of several considerable Branches of this Family.

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The last of the three, viz. Sir *Duncan*, marry'd the Daughter of *Robert Duke of Albany*, Governour of Scotland, by which Alliance he had so much Interest with *Murdoch Duke of Albany*, Regent of Scotland, during the Captivity of *James I.* in *England*, that he prevail'd with him to ransom and restore the King to the Throne of his Ancestors, to which the Regent before his friendly Interposition, did not seem very much inclinable. Upon King *James's* Return to his Dominions, in confidence of his great Abilities, and in Reward of his great Loyalty, his Majesty made him one of his Privy Counsellors, and appointed him his high Justiciar and Lieutenant in the Shire of *Argyle*; which Office was afterwards extended all over Scotland, and became Hereditary in the Family. He was created a Lord of Parliament by the Title of Lord *Le Campbell*, by King *James II.* Anno 1445. This is the first Time they were called to Parliament as Peers; tho' for many Ages they were styl'd in all Writs, *Dominus & Miles de Lochow*. This Lord to all his other Qualifications, added that of a religious Disposition, which he express'd, not only in the common Offices of Life, but publickly by his Donatives to the Church and Monasteries, to which he was very liberal; particularly to the Monks of the Abbey of *Sandel* in *Kentyre*, on whom he bestowed large Estates, and founded the Collegiate Church of *Killmyne*, which he likewise richly endowed. This being the religious Foible of the Times, this great Man, with many of his Successors, went into it; but later Ages are become wiser, than to fancy there is any Religion in giving away, especially for pampering such Nests of spiritual Drones.

He died in 1453, having Issue four Sons, the Eldest of whom died before himself, but left a Son named *Colin*, who succeeded to the Estate and Honour of his Grandfather. From the other three are descended these considerable Houses, viz. that of the Earls of *Bradalbin*, Sir *James Campbell* of *Auchanbreck*, and Sir *Neill Campbell* of *Ellangreig*. He was buried in his own Church of *Killmyne*, under a stately Monument of Marble, carrying his own Effigies, as large as

the Life, and round the Verge is this Inscription, *Hic Jacet Dominus Duncanus, Dominus le Campbell Miles de Lochow.* To him succeeded *Colin* his Grandson, who not only inherited his Grandfather's Estate and Honours, but possess'd in an eminent Degree, all his Virtues; with all those shining Qualifications that can give Lustre to a Nobleman. He was distinguish'd, when but a Youth, by King *James II.* and by him created Earl of *Argyle*, Anno. 1457; by which means his Successors were the first upon the Roll of Earls in Scotland. He was employ'd by King *James III.* in the highest Offices of State, which he discharged with Honour and Integrity; being Privy Seal, Lord High Chancellor and Master of the Household; which last Office became Hereditary in the Family, and continues so at this Time. He was in no less favour with King *James IV.* after his Accession to the Throne; tho' he never was in the least suspected of having any Hand in the barbarous Measures that were used to bring it about. He was declared by him Lord High Chancellor in Anno 1488, which high Trust he discharged with Honour to himself, and to the universal Satisfaction of the Subjects, 'till his Death, in Anno. 1492.

HIS Son and Successor *Archibald* Earl of *Argyle*, was no less remarkable for his great Parts, both as a Statesman and a Soldier. He was Master of the Household, and made Chancellor in Anno 1494, and the ensuing Year Lord Chamberlain. He commanded the Van of the *Scotch* Army at the unhappy Battle of *Flowden*, fought the 9th of *September*, 1513, where he gave Proof of all those Qualifications, that constitute the great and experienced Commander; and was killed with his Royal Master on that fatal Field, which became the Burial-place of the Flower of the Nobility of *Scotland*. From him descended *John Campbell* of *Calder*, Esq; Member in this present Parliament for *Pembrokeshire*, and Sir *Archibald Campbell* of *Clunie*.

To him succeeded *Colin*, Earl of *Argyle*, who was a Man of so great Authority, and so much esteemed for his



his Abilities by the whole Nation, that he was named one of the four Councillors to King *James V.* Anno 1525. In 1528, he was appointed Lieutenant of the Borders, and Warden of the Marches; which Office he discharged with so much Approbation, that he obtained from his Majesty, beside a grant of some Lands, an ample Confirmation of the hereditary Office of Lieutenant and Sheriff of *Argyle*, High Justiciar of *Scotland*, and Master of the King's Household.

HE died in the Year 1542, and was succeeded by *Archibald*, Earl of *Argyle*; a Nobleman of consummate Prudence and great Abilities. He was of the Number of Patriots, who, upon the Death of *James V.* entered into an Association to oppose the intended Match between Queen *Mary* and *Edward VI.* of *England*, wisely fore-seeing, that by such an Union of the Crowns, *Scotland* would be no better than a Province; which their Successors found to be but a just Observation, when that Union happened in the Reign of King *James VI.*; for 'till the Union of the Kingdoms made some Alteration in their Circumstances, that Kingdom was entirely directed by *English* Council, and their Interests obliged to give place to those of that Nation, TO THE GREAT DISHONOUR, DAMAGE, AND RUIN OF THE LIBERTY AND NOBLENESSE OF THAT REALM, as they term it in that Association, dated 4th July, 1543.

UPON the breaking out of the War with *England*, commenced to force the *Scotch* unto that Match, our Historians make particular mention of his gallant Behaviour, both at the Battle of *Pinkie* in 1547, and the Siege of *Haddington* in the following Year; where he exposed his Life to the greatest Dangers in defence of his Queen and the Liberties of his Country. He was the first of his Quality who rejected the Errors of the Church of *Rome*, and embraced the Protestant Religion, in the beginning of the Reformation; and by his Countenance and Authority, very much promoted that great Work, by encouraging and assisting with his Council, such as were concerned in freeing the Nation from the Tyranny and Superstition of

Popery; and at his Death earnestly recommended it to his Son to propagate and countenance the Reformed Doctrines to the utmost of his Power.

HE died and was succeeded by his Son *Archibald* Earl of *Argyle*, who was possessed of his Father's great Wisdom and Piety. He faithfully followed his Advice, and heartily espoused the Interest of the Reformation; and in order to promote it, went on an Embassy from the States of *Scotland* to the Queen then in *France*, to obtain her Protection to the Professors of these Principles; which had not the desired effect: therefore, finding that nothing was to be expected from that Quarter, he entered into an Association with the Earls of *Glencarn*, *Morton*, and others; by which they bound themselves to assist one another in advancing the Cause of Religion, which at last they happily got established by Act of Parliament, *Anno* 1560. Thus to this Man and his Father, that Nation owes, in a great measure, their enjoyment of the Protestant Doctrines, and Freedom from the Idolatry and Slavery under which their Forefathers lived; and to their Successors they may ascribe, in some Degree, the Preservation of those valuable Privileges, which some of them has confirmed with their Blood.

UPON the breaking out of the Civil War, in the Reign of that unhappy Princess Queen *Mary*, he espoused her Interest against the unreasonable Demands of the Earl of *Murray*, and the rest of her rebel Subjects. He was General, and commanded her Forces at the Battle of *Langsyde*, against the Earl of *Murray*, then Regent. He afterwards, when that infatuated Queen had rendered her Affairs desperate, and made a Resignation of the Sovereignty to her Son *James VI.* submitted to the Government established, during his Minority; and was so much respected by the People, that upon the Death of *Matthew* Earl of *Lenox*, Regent, he was put in Nomination for that Of-

But tho' that did not succeed, and a Man no better qualified was preferred, yet he had Interest to be made Lord High Chancellor; which Office he discharged

to the Satisfaction of his Majesty, and with universal Applause of the People till his Death, which happened in 1575.

THIS Lord leaving no Issue, was succeeded in his Honour and Estate by *Colin*, his Brother, who was sworn of the Privy Council to King *James VI.* Anno 1577, and Lord High Chancellor in 1579; which Employments he enjoyed 'till the time of his Death, in the Year 1584.

HE was succeeded by *Archibald*, Earl of *Argyle*, who was General, and commanded the Forces raised against the Earls of *Huntley* and *Errol*, at the Battle of *Glenliver*, in 1594; and suppressed the Insurrection of the *McGregors*, in 1603; and another more formidable by *McDonald*, Earl of *Ross*, who some time stiled himself King of the Isles, in 1614. In all these Actions he displayed the greatest Courage, and the most consummate Skill in military Affairs. And as he had suppressed these Insurrections, that disturbed the Peace of the Kingdom, with no other Assistance but those of his own Followers and Relations, he had a Grant of the Country of *Kintyre* from the Crown, being a Part of the forfeited Estate of the rebellious Earl of *Ross*; which Grant was confirmed by the States of Parliament, Anno 1617. He was so great a Lover of Arms that he could not remain out of Action any considerable Time; for his Country being at Peace, the ensuing Year he went over to the Service of *Spain*, then at War with the *United Provinces*; where he signaliz'd himself, and gained great Reputation. But returning to *England* in the Year 1638, he there died.

To him succeeded *Archibald*, Earl of *Argyle*; a Nobleman who possess'd in an eminent Degree, all the Virtues of his illustrious Ancestors, and acquired a larger Estate than any of them ever attained to. He was at the same time possessed of the antient Patrimony of the Family, and most part of the Estate of *Huntley*, now in Possession of the Duke of *Gordon*, together with the hereditary Office of High Justiciar or Justice General of all *Scotland*; which he resigned to King *Charles* the First,

First, reserving only to himself and his Heirs, the Office of Justiciar of *Argyleshire* and the Western Isles, and where else he possessed Estates in *Scotland*.

HIS great Power and Interest in the Kingdom, join'd to his personal Abilities, gained him the Esteem and Confidence of his Majesty for some time; by whom he was admitted of, his Privy Council, and created Marquis of *Argyle* by Letters Patent, dated *November 15, 1641*.

BUT when King *Charles* invaded the ancient Constitution of the Kingdom, and attempted to extend his *English* Prerogative of Supremacy over the Establish'd Church and Consciences of his *Scotch* Subjects, by forcing upon them, in an arbitrary manner, a new Liturgy, and Book of Canons, without consulting either the General Assembly of the Church, the Council, or the Estates of the Kingdom; this Earl join'd with the Parliament, in opposing these Encroachments upon their religious and civil Liberties; and zealously asserted the Presbyterian Church Government, of which his Predecessors had been the earliest and greatest Patrons. But after the barbarous Murder of that unhappy Monarch, to which at his Death he declared he had no Accession, he exerted all his Power and Interest in favour of the Royal Family, and contributed much to the loyal Reception King *Charles* the Second met with in *Scotland*; upon whose Head at the Solemnity of his Coronation, *Anno 1650*, he put the Crown. After the Loss of that Army rais'd by the *Scotch* to assist King *Charles* in Recovery of his Birth-right in *England*, and that *Cromwel* had suppress'd the Royal Party in *Scotland*, this noble Peer was oblig'd, with many others, to submit to the Times; for which Compliance, tho' necessary, and no more than most Men in his Circumstances would do, he was, upon the Restoration, in 1660, attainted of High Treason, and found guilty by that too complaisant Parliament, and beheaded in *May 1661*, rather to gratify the Spleen and Revenge of a Faction, than to satisfy publick Justice: for considering that Compliance with which he was charged, as the common

Error of the Times ; and that his Son might plead some Merit by the zealous Attachment he express'd for the Royal Family, when in the greatest Distress ; it would not have been an ill-placed Mercy to have pardon'd the Marquis. But he had Parts and Qualifications which the governing Faction at that time did not relish, or were consistent with their Mad Loyalty ; which they could not express better, than by complimenting the Sovereign with so much Prerogative, as left the People but the Name of their antient Liberty ; and gratifying a prodigal Court till the Subject had no more left worth their asking. Therefore as they did not think the Marquis would chuse to express his Loyalty to the Prince, at the Expence of the Liberties of the People, he was made a Sacrifice, whilst others not less guilty were pass'd over in Silence.

HIS Son *Archibald Lord Lorn*, had been always a zealous Loyalist : to which Principles he adhered so steadily, that no Persuasions could take him off from that Party, which he followed through all their changes of Fortune. This rendered him so obnoxious to *Oliver Cromwel*, that tho' he granted a general Pardon to the People of *Scotland*, by his Proclamation of the 24th of *April* 1654, yet this young Lord was amongst the Number of those excepted from the Benefit of that Indemnity ; which is a pretty strong Argument to convince the World that his Father the Marquis was neither much in the Council or Favour of the Usurper, when he had not Interest to include his Son and Heir in a common Act of Indemnity ; unless indeed we suppose that all supreme Governors, whether legally called to that Office, or Usurpers, are equally ungrateful to their Friends, and implacable to their Enemies. However this Severity of the Tyrant had no Effect upon the Lord *Lorn*, who remained a constant Friend to the Royal Family ; and never would capitulate till he had General *Middleton's* Order from the King to that Effect. Then he made his Composition without any other Engagement than that of laying down his Arms ; after which he remained at his own House, and

and lived quietly, till he saw the Restoration of the Royal Family; who to express the grateful Sense they had of his past Services and Sufferings, and to reward his uncommon Loyalty, sacrificed his Father's Life and the Honours of his Family, to humour a Blood-thirsty Faction. However, after three Years, and not sooner, he was restored to his Father's Estate, and Title of Earl of *Argyle*, with the Precedency of the antient Patent; it not being thought proper to renew the Title of Marquis. Not long after he was sworn of the Privy-Council, appointed one of the Commissioners of the Treasury; which he enjoy'd for many Years, and discharged it with great Fidelity.

HE was a Nobleman of strict Piety; and like the rest of his Ancestors, a zealous Supporter of the Protestant Religion against the Encroachments of Popish Councils, which then seemed to threaten it. He proposed in Council to add to the Test some Acts against Popery, which was so much resented by the Party that managed Affairs in the latter Part of that Reign, that all Artifices were tryed to destroy him, as a chief Obstacle to their Schemes. They at last pitch'd upon a very low piece of Craft to take away his Life, for which the Declaration he made when he took the Test furnished them a Handle. For when that Oath was tendered to him in Council, he took it, but subjoin'd a Declaration in these Words:

" I have considered the Test, and am disposed to give  
 " Obedience as far as I can. I am confident the Parlia-  
 " ment never intended to impose contradictory Oaths, and  
 " therefore I think no Man can explain it but for him-  
 " self, and reconcile it as it is genuine, and agrees to its own  
 " Sense, and I take it so far as it is consistent with it-  
 " self, and the Protestant Religion. And I declare I mean  
 " not to bind my self in my Station, but in a lawful  
 " Way to endeavour any thing I think the Advantage  
 " of the Church and State, not repugnant to the Protec-  
 " tant Religion, and my Loyalty, and this I understand  
 " as part of my Oath."

THIS Declaration the Party laid hold of, and construed

ed it not only as an Explanation of his own, but as representing the Test inconsistent with itself, or the Protestant Religion, which they construed a Breach of an old obsolete Statute against *Leasing-making*; upon which he was committed to the Castle of *Edinburgh*, and afterwards try'd and condemn'd by that obsequious Parliament.

WHEN the Earl found that neither his own Innocence, nor the Remembrance of those signal Services he and his Predecessors had done the Crown, would have any weight with his Majesty, to divert the Blow that threatened him; he found means to make his Escape from the Castle of *Edinburgh* in the Dress of a Lady's Page: and convey'd himself over to *Holland*, where he lay conceal'd for some time; until the Oppressions of *James VII.* had made many of the *British* Subjects resort thither; with the chief of whom he entered into measures, to force that bigotted and arbitrary Prince into a Redress of the national Grievances. And he, on his Part, out of a just regard to the Protestant Religion, then in the utmost Danger, and upon the same Principles that directed those concern'd in the after glorious Revolution, came over to his own Country, with an Intent to Arm his Friends, and Vassals in Defence of our Religion and Liberty. But not having got together above Two Thousand Men, and his Friends in *England* failing to make that seasonable Diversion in that Quarter which had been concerted, he was attacked by the Regal Troops, commanded by my Lord *Dumbarton*, near a Village call'd *Killpatrick*, and totally routed, and afterwards taken Prisoner as he was privately passing the River *Inchinnan*, carried Prisoner to *Edinburgh*, where he was beheaded without any further Tryal, upon the former infamous Sentence, on the 20th of *June*, 1685, giving by his Death and Defeat an Opportunity to King *James* to compleat the Measure of his Oppression, and to another more successful, the Honour of restoring our expiring Liberty; for which he was more amply rewarded. Such is the Difference between Actions tho' guided by the same Principles, when Success crowns the one, and Disappointment

ment the other; the same Attempt involv'd the Earl in Ruin, which crown'd the Prince of *Orange* with Laurels, and bestow'd upon him a Kingdom for his Reward, to which he had no Pretension before this happy Event.

THUS fell this great Man, a Martyr to the Religion and Liberty of his native Country, whose Merit and faithful Services both to his Country and *the ungrateful House of Stuart*, deserved a better Fate. His greatest Enemies after the Malice and Rancour of those Times subsided, allowed him the Character of an able and honest Statesman, and truly disinterested Patriot; and the Nation in general express'd their Abhorrence of his Murder, when they term it, in the Claim of Right presented to the Prince and Princess of *Orange*, a Reproach to the Nation. 'Tis said he compos'd this Epitaph a few Hours before his Death, as Mr. *Crawford*, the Author of the *Peerage of Scotland*, mentions, which I insert to show the Sense that Nobleman had of his own Innocence, and that prophetic Spirit which comforted him with Hopes that That great Work which he had been unsuccessful in, would be finished by another Hand.

" Know, Passenger, that shall have so much Time  
 " To view my Grave, and ask what was my Crime?  
 " No Stain of Error, no black Vices brand,  
 " No secret Guilt, e'er made me fly the Land;  
 " Love to my Country, Truth, condemn'd to die,  
 " Forc'd my old Hands forgotten Arms to try:  
 " On my Design, tho' Providence has frown'd,  
 " Yet God, at last, will surely raise his own:  
 " Another Hand with more successful Speed,  
 " Shall raise the Remnant, bruise the Serpent's Head.

THIS Earl married Lady *Mary Stuart*, Daughter of *James Earl of Murray*, by whom he had four Sons;  
*Archibald*, first Duke of *Argyle*.

*John Campbell* of *Manore*, Ancestor of General *John Campbell*, Heir of Intail of the Estate and Honours of *Argyle*, failing Issue of the present Duke.

Col. *Charles* and *James Campbell*, who all had Issue with two Daughters. The eldest Lady *Anne* first married to  
*Richard*



*Richard* Earl of *Lauderdale*, and afterwards to *Charles*, late Earl of *Murray*; and Lady *Jean* to *William* Marquis of *Lottian*.

HIS eldest Son, then called Lord *Lorn*, upon his Father's unhappy Catastrophe, went over to *Holland*, where he remained till the Prince of *Orange* came over, on the Invitation of the Nobility of the Kingdom, in the memorable Year 1688. When the Lord *Lorn* arrived in *Scotland* he was owned by the Convention of the Estates that met on the Prince of *Orange's* Letter, as 'Earl of *Argyle*, tho' at that Time the Forfeiture and Attainder of his Father was not rescinded. When the Succession to the Crown of *Scotland* came to be debated in that Assembly, he was remarkably active in excluding King *James*, and in procuring the Sovereignty to be settled upon the Prince and Princess of *Orange*, in the same Manner, and on the same Terms as had been done in *England*; which being carried by a considerable Majority, his Lordship was deputed from the Nobility, with two others from the Estates of Barons and Boroughs, to make a Tender of the Throne to their Highnesses in the Name of that Convention, and to administer to their Majesties the Coronation-Oath.

UPON their Accession to the Crown, his Lordship was sworn of their Privy Council; and two Years after made one of the Lords of the Treasury, and shortly after Colonel of the *Scotch* Guards; and an extraordinary Lord of Session: He carried over to *Flanders* a Regiment for the Service of King *William*, consisting chiefly Officers and Soldiers of his own Name and Family, who particularly distinguished themselves during all that Prince's Wars; for which, and his many other great Services, his Majesty was pleased, by his Letters Patent, dated at *Kensington*, the 23d of *June*, 1701, to create him Duke of *Argyle*, Marquis of *Kintyre* and *Lorn*, Earl of *Campbell* and *Cowal*, Viscount of *Lichow* and *Glenyla*, Lord *Inverary*, *Mull*, *Morven* and *Tyrie*.

THIS Duke was esteemed one of the politest Men of his Time, a Man of great Capacity: but some alledged he

wanted that Application to Business, which distinguished his Ancestors. The greatest Crime his most avowed Enemies charged him with, was a more than ordinary Fondness for the fair Sex; a Foible that is frequently met with in the greatest Men, and from which few of his Family were free. The Troubles of his two last Predecessors, and his own Expence, obliged him to leave the Estate of *Argyle* pretty much involved, which he intailed upon his Heir Male; however, the prudent Oeconomy of his Son, the late Duke, has restored the Estate to it's former Lustre.

HIS Grace married *Elizabeth*, Daughter of Sir *Lyonel Tallmash* of *Helingham*, by *Elizabeth* Duchess Dowager of *Lauderdale*, his Wife, Daughter of *William Murray*, Earl of *Dysart*, by whom he had two Sons, and a Daughter, *viz.* *John*, late Duke of *Argyle* and *Greenwich*, the Subject of the present History; and *Archibald*, some time Earl of *Islay*, now Duke of *Argyle*; and Lady *Anne*, Mother of the present Earl of *Bute*. He died the 28th of *September*, 1703.

THUS I have taken a short View of the most remarkable Men amongst his Grace's Predecessors, and given the Reader a brief Account of the most memorable Transactions, in which they were concerned: By which it will appear that few Families in *Britain* can boast a more ancient or more illustrious Descent, there having been for many hundred Years an almost uninterrupted Succession of great and eminent Men to represent that Family; Men remarkable for their Loyalty to their Sovereign, yet always ready to sacrifice their Lives and Fortunes in Defence of the Religion and Liberty of their Country, against the wild Encroachments of weak or arbitrary Princes; never allowing their Loyalty to the King to compliment him, on any Pretext whatsoever, with a Power destructive of the Liberty of the Subject; never permitting their Zeal for the Ancient Constitution to lessen any of these Royal Prerogatives, that are necessary to support the Lustre of the Crown; but always endeavouring to keep up that just Balance of Power, betwixt the King and the People, which the Founders of our Policy projected, and the Experience of many Ages, has

has been found to be the Basis and Happiness of our well temper'd Constitution.

BUT however great and illustrious the Deeds of the Duke's noble Ancestors were, the late Duke disdained Merit from them until he had purchased himself a Rank amongst the Patriots of his Race, by following the Example of his Progenitors, being of Opinion with the Grecian Hero, *Qua non fecimus ipsi, Vix ea Nostra Voco*; which last part of the Sentence he chose as his Motto.

BUT before we enter directly upon the Life of this great Man, it may not be improper for the Benefit of such of our Readers, as are not well acquainted with the History of *Europe*; to look back to the Rise of that War, in which all Christendom was engaged, during the Reign of Queen *Ann*; wherein his Grace made a very considerable Figure; and for Connexion-sake, we shall begin as early as the first Partition Treaty in the Reign of King *William*.

AFTER the Treaty of *Reswick*, the bad State of Health in which *Charles II.* of *Spain* was, without Issue of his own Body, and *Lewis XIV.* still keeping up a great Army, whilst his Neighbours were disbanding theirs, obliged King *William* and the *Dutch*, to enter into such Measures as would effectually secure the Balance of Power in *Europe*; and prevent the *Spanish* Monarchy from falling into the Hands, either of the House of *Austria* or that of *Bourbon*, that being such an Addition of Power, that to which of the two Houses it should fall, would be equally destructive of the Liberties of the rest of Christendom, but more especially to Great *Britain*, and the United Provinces.

WHETHER *Lewis XIV.* seriously intended at this time the Peace of *Europe* or not, is Problematical, or whether he only intended to amuse the other Powers, by entering publicly into Negotiations for that End, whilst he secretly by Intrigues at the Court of *Spain*, endeavour'd to settle one of his own Issue on that Throne, Politicians are not agreed: but considering the little Sincerity that Monarch shew'd in all his Treaties, 'tis not very uncharitable to be of the last Opinion. However as it was his Interest to

prevent the Succession of *Spain*, falling entire into the Hands of the House of *Austria*, as well as that of the Rest of his Neighbours, Count *Tallard* his Ambassador at the Court of *England*, was order'd to attend King *William* to *Holland*, where was concluded the first Treaty of Partition, by which the *Spanish* Monarchy was divided in this manner. The Dauphin in Right of his Mother *Maria Teresa* of *Austria*, Queen of *France*, and eldest Daughter of *Philip IV.* of *Spain*; who had formerly renounced her Claim to the *Spanish* Monarchy, was to have for his Share of the Succession, the Kingdom of *Naples* and *Sicily*, with all the Places dependant on *Spain*, that were situate on the Coast of *Tuscany*, or in the adjacent Isles, and are comprehended under the Name of *San Stephano*, *Port Hercole*, *Orbitello*, *Telamone*, *Porto Longone*, *Piombino*, the City and Marquisate of *Final*, and the Province of *Guipuscoa*, the Cities of *Fonterabia*, *St. Sebastian*, and *Port Passage*, situate in that Province; and the Remainder of the *Spanish* Monarchy, except the Dutchy of *Milan*, was to be the Share of the Prince, eldest Son to the Elector of *Bavaria*, who was Grandson to *Margaret Teresa*, second Infanta of *Spain*, and younger Sister of *Mary Teresa*, Queen of *France*, and founded his Claim upon the foremention'd Renunciation. The Dutchy of *Milan* was to be the Property of Archduke *Charles*, the Emperor's second Son: who likewise claimed the Succession, in Right of that Renunciation. This was the manner the Powers chiefly interested in the Balance of Power, intended to secure themselves from the Danger which then threatned them.

THIS Treaty being Ratified 11th October 1698, by the Ambassadors of *France*, *England* and *Holland*, was accepted of by the Elector of *Bavaria*, in Name of the Prince his Son. But when it came to be communicated to the Court of *Vienna*, it met there with very bad Reception; that Court highly disapproved of it, and made loud Complaints of it at the Court of *Madrid*.

THE Death of the Prince, the Elector of *Bavaria's* Son, upon the 28th February 1699, soon rendered it of no Effect,

fect, and put our Negotiators to the Necessity of finding out some other Expedient, to prevent the so much dreaded Coalition. This occasioned King *William* another Journey to *Holland*; where was concluded the second Treaty of Partition, by which it was settled between *England*, *France* and *Holland*, that the Archduke *Charles*, the Emperor's second Son, should have for his Share all *Spain*, with the *Indies* and *Low Countries*, and that the Dauphin was to have *Naples* and *Sicily*, with the Dutchy of *Milan*; which last he was to exchange with the Duke of *Lorrain* for the Dutchy of *Lorrain* and *Barr*. This Treaty of which 'tis needless to trouble the Reader with the other Articles, which only relate to the Execution of these already mentioned, was signed at *London* the 13th of *March*, N. S. Anno Dom. 1700, and at the *Hague* the 25th of the same Month, by the Ambassadors of *England*, *France* and *Holland*.

THIS Treaty had been carried on very privately, the Ambassadors of the three Powers at the Court of *Madrid* were not informed of it, or knew so much that there was such a Scheme in Agitation; as it was very well known that the *Spaniards* would be very much alarmed if they knew there was any Project on Foot, to dismember their Monarchy.

As to the Emperor it was kept as private from him; The Intention was never communicated to him, till the Treaty was sign'd, and then it was only presented to him, as a rough Sketch of a Design that was but just thought of: and it was even pretended that the Ministers residing at his Court, were kept as ignorant as those at *Madrid*, as to the real Situation of that Affair. This Policy was thought necessary, that by breaking it to the Emperor in this manner, he might be the easier induced to comply with it.

THE King of *France* seemed for some time earnest in obtaining the Execution of this Treaty, by soliciting the several Princes in *Europe* to accede to it; but some pretend that neither King *William* nor the *Dutch* were so solicitous in pressing the Emperor and the King of *Spain* to agree to it, as might be expected of them, considering this was a

Project of their own conceiving. However the Emperor would not accede, and *France* soon began to practise upon the religious Disposition of the King of *Spain*; and to raise in his too tender Conscience, several Scruples inconsistent with the Design of the late concluded Treaty.

THE Partisans of that Court were constantly buzzing in his Ears, the great Advantages that would accrue to *Spain*, but especially to the Catholick Religion, from the Protection of the Crown of *France*: and suggested to him at the same time that the Renunciations of his Aunt and Sister, the one Mother and the other Wife of *Lewis XIV.* were null according to the Laws of *Spain*; and the Ministers of *Lewis* took care to mix with their Reasoning, Threatnings, that made that Monarch afraid to come to any rash Resolution, concerning the Disposal of his Dominions; lest he should be chargeable with all the Bloodshed, that such a Proceeding might occasion in *Europe*: and for the Partition Treaty, his natural Pride made him resent, that others should arbitrarily pretend to dispose of his Succession, without so much as consulting him about it, until they had dictated these Rules, into which they had engaged themselves to force him; therefore he resolved not to satisfy the Scruples of his Conscience by the Decrees of these kind of Casuists, but to apply to the Pope for his Advice in this critical Conjunction.

IT was *Innocent* the XII. that fill'd the Papal Chair, to whom his Catholick Majesty apply'd with the greatest Secrecy. The Holy Father delayed as long as possible, to give his Opinion in so ticklish an Affair; but at last overcome by the repeated Sollicitations of *Charles II.* and by the Situation of Affairs, that required the King of *Spain* to come to a speedy Resolution, he remitted the Consideration of this grand Question to a select Congregation of Cardinals; whom he ordered forthwith to give their Opinion according to Conscience, without respect of Persons.

AFTER several Conferences their Eminences deliver'd their Opinion to the Pope, in Substance as follows.  
 " That the Renunciations of the two Infantas of *Spain*,  
 " succes-

“ successively Queens of *France*, were null as well as their  
 “ Oaths, as they were made to put an End to a long  
 “ and bloody War, between the two Crowns, and to farther the Conclusion of a happy Marriage, that had no  
 “ other View than to perpetuate the general Peace of Christendom, and for preventing these two powerful Monarchies, to be joined in the Possession of any one Person.  
 “ These were the Consequences expected from these Renunciations, which Experience convinces, is not to be  
 “ reap’d from them; on the contrary, that the observing  
 “ of them would likely produce the very Event they were  
 “ design’d to prevent, that is, a bloody and unnatural War  
 “ in *Europe*.

“ THAT as the essential Design of these Renunciations  
 “ was to prevent the Union of these two Crowns, so if  
 “ any of the Princes of the House *Bourbon*, who shall be  
 “ declared Successor, shall effectually renounce all Pretensions to the Succession of the Crown of *France*, then that  
 “ main Design of these Deeds is fulfilled.

“ THAT the Princesses when they agreed for themselves  
 “ and their Posterity, to quit Pretensions to the Monarchy  
 “ of *Spain*, were only induced to it for the sake of Religion,  
 “ the general Peace of *Europe*, and the publick Good of  
 “ both Crowns, as appears from the several Instruments  
 “ at the signing of these Renunciations; from whence the  
 “ Cardinals conclude that these ceasing to be any longer  
 “ Motives, they could be of no Force upon the Issue of  
 “ these Princesses.

“ THAT besides all these Considerations, founded on the  
 “ Reasons which induced the Princesses to comply with  
 “ the Measures dictated to them by their Fathers, there  
 “ was another that ought to have great weight in determining this Affair; to wit, that Law made in *Spain*,  
 “ to authorise these Renunciations, which proceeds upon  
 “ this Preamble, that *the Law was made in favour of the Kingdoms, and the Publick Cause thereof*. That for this  
 “ reason they differ from all the other Statutes, both of  
 “ the Common Law and the Particular Laws of *Spain*,  
 “ which

“ which regulate the Succession by the Right of Primogeniture, and that therefore whenever those same Kingdoms would agree to submit to the Grandson of the most Christian King, they needed no other Law but their own Consent to establish them in their natural Rights.

“ THAT tho’ the Princes had bound themselves by Oath, not to ask any dispensation from these Engagements, yet his Holiness might grant such Dispensation of his own accord, to prevent the dismembering of the *Spanish* Monarchy; and that they thought his Holiness in some measure bound to use his good Offices with the Catholick King, to prevail on him to declare one of the Grandsons of the most Christian King, his Successor; which would be agreeable to the Intention of the Infanta, *Mary Teresa* his Sister, who had no other View than to secure the Peace and Tranquility of the two Kingdoms of *Spain* and *France*, the Advancement of the Catholick Religion, and the Universal Welfare of all *Europe*.”

WITH this Piece of Religious Sophistry, the infallible Father dispatched two extraordinary Briefs, the one for the Catholick King, and the other for Cardinal *Portocarero*; wherein he extoll’d him for the Zeal he show’d for the Welfare of the Church and State, and encouraged his Eminence to use his utmost endeavours to make the Succession of the *Spanish* Monarchy, devolve on one of the most Christian King’s Grandsons; encouraging by this kind of Political Casuistry, the King and Queen of *France*, to make slight of the most solemn Oaths and their Publick Engagements by Treaty with the Maritime Powers.

WHEN Cardinal *Portocarero* received these Briefs, with the Opinion of the Congregation, he found himself under the greatest Perplexity, divided between the Difference he owed his Holiness, and his own natural Inclination to favour the Succession of the House of *Austria*; but as he had resolved within himself, to make all other Considerations yield to Justice, to satisfy himself of the Validity of  
the



the Claim of the House of *Bourbon*, at the Suggestion of the Canon *Urraca*, he resolved on consulting the most eminent Civilians on that Point, and for that end commision'd that Canon to consult the President of *Castile* on that Subject, with some other eminent Civilians.

THE Canon of *Urraca*, who was in his Heart a sincere Friend to the *French* Succession, immediately address'd the President of *Castile*, whom he found intirely of the same mind with himself, in respect to the Invalidity of the Renunciations of the two Infantas; which he looked upon to be directly contrary to the establish'd Laws of *Spain*; which settles the Succession on the eldest of the Male Line of the Blood Royal, and in default of that, upon the eldest Female of the same Family, and nothing could authorise them in any shape, but the good of the People; an effect which they could not produce, but on the contrary nothing but confusion and Bloodshed would follow, in case they were observed, and that the contracting Powers in the Partition Treaty, should find themselves obliged to execute by force that Treaty, which dismembers the *Spanish* Monarchy.

THAT the Spirit and Intention of that Law of Exclusion, was to prevent the *Spanish* Monarchy, becoming a Province of *France*, by descending to the Reigning-Branch of that House; that this might be prevented by setting aside the *Dauphin* and his three Sons, and giving the Succession to another Prince of the House of *Bourbon*, whose prospect of succeeding to the Crown of *France*, was more remote, such as the Duke de *Chartres*, who might be obliged to make Renunciations of all Pretensions to the Crown of *France*, in default of the *Dauphin's* Issue.

THE Canon agreed with the President in every thing, except settling the Succession on the Duke de *Chartres*, as he was fully bent to prefer one of the Grandsons of the the most Christian King: however, the President persisted in his Opinion, and very nigh persuaded the Cardinal to go into it, till the Canon *Urraca* brought some other Civilians, who were exactly of his way of thinking, to assist him in bringing over the Cardinal to the Interest of the Grandsons,

fons, in which they succeeded. His Eminence, thus convinced that the Succession of Right belong'd to the House of *Bourbon*, became a zealous Partisan from hence forward of that Family; and join'd with the Duke de *Medina Sidonia*, the Count de *San Estevan*, and the Marquis de *Villa Franca*, and brought over to their Party the Secretary di *Dispatch*, Don *Antonis D'Ubilla*, and Don *Francisco Ronquillo*, Corrigidor of *Madrid*, all equally incens'd against the Partition-Treaty.

WHILST these Measures are concerting in private Cabals, the Catholick King had quite other Designs than any of them thought of. He was equally an Enemy to the aggrandizing the House of *Bourbon*, to which he had no Tie but that of Marriage, and to dismembering the Dominions of *Spain*, according to the Plan of the Partition-Treaty; He had therefore resolv'd to have appointed the Arch-Duke *Charles* his Universal Heir. It was in this Disposition the Cardinal *Portocarero* found him, when he press'd him to regulate the Succession in the Manner he had himself concerted; but his Eminency knew very well how to make the dying Monarch change his Mind, by having Recourse to every Artifice capable of alarming his Majesty's scrupulous Conscience: and to that End, the Decision of the Pope, the Consultation of the *Spanish* Divines, and the Opinion of the Civilians were strongly inculcated; and at the same Time, all the dreadful Consequences of dismembering the *Spanish* Monarchy were exaggerated in the strongest Manner. The Slowness of the Court of *Vienna*; and their delaying to send Arch-Duke *Charles* to *Madrid* for the Supplies, which had been demanded for the *Milanese*, were represented to his Majesty, as Proofs that the House of *Austria* were either unable or unwilling to make good their Pretensions to the Succession. In short, his Catholick Majesty was beset in such a Manner by the Cardinal and the Creatures of the House of *Bourbon*, that he yielded to their Arguments; and laying upon the Cardinal's Conscience all the Wrong he should do to the House of *Austria*, by depriving them of his vast Dominions, that Prince gave Orders

ders to the Secretary of State to draw up his Will by the Direction of Cardinal *Portocarero*.

THE Cardinal had taken care of this before-hand : a rough Draught was already prepared, which the Secretary copied out fair, the fourteenth Article of which appoints the Duke of *Anjou*, Grandson to *Lewis XIV.* universal Heir to all the Dominions of the Crown of *Spain*, proceeding upon a Narrative in the thirteenth of the Invalidity of the Renunciations of the two Infantas.

HIS Catholick Majesty dying Nov. 1, 1700, the Council of the Regency, at the Head of which was the Cardinal, immediately dispatch'd a Courier to the Ambassador of *Spain* at *Paris*, with a Letter to the *French King*, acquainting him of the Contents of the Will, and begging his Majesty to send them their Sovereign, as soon as possible. His most Christian Majesty expressed himself to the Ambassador on this Occasion with Abundance of Moderation ; and in Consideration of the ticklish Situation of the Affairs of *Europe*, acquainted his Excellency, that tho' he was, on his Part, ready to contribute to the Accomplishment of the Desires of the *Spanish* Nation ; yet it was not possible in such a Crisis to comply with their Wishes immediately.

To keep this important Affair from becoming too soon known to the Court of *Vienna*, by any Intelligence their Envoy Count *Zinzendorff* could give them, Orders were given to all the Post-Masters in the Kingdom, not to supply any Persons with Horses without a special Order from Court ; and his Majesty immediately summoned all his Ministers to consult with them what was proper to be done at such an extraordinary Conjunction.

WHEN this Assembly met they were divided in their Opinion, not a few were for maintaining the Partition-Treaty ; at the Head of this Party was the Duke de *Bouvillers*, and the Duke of *Burgundy* : the rest, supported by the Chancellor, were for accepting the Will. To the last Opinion the *Dauphin* joined, and said, ' That his Majesty was too just to deprive him and his Children of an Inheritance which lawfully belonged to them both by Right of Blood,

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‘ and the Laws of those Kingdoms that so earnestly sent  
 ‘ for the Duke of *Anjou* to give him the Crown ; that he  
 ‘ did not doubt but the Duke of *Burgundy* would be con-  
 ‘ tented with his Lot ; and that, for his own Part, he re-  
 ‘ nounced it with Pleasure, and should be glad to say as  
 ‘ long as he liv’d, *the King my Father, and the King my*  
 ‘ *Son.*’

It was resolv’d then that the most Christian King should accept of the Catholick King’s Will, and acknowledge his Grandson, the Duke of *Anjou*, as universal Monarch of all the *Spanish* Dominions ; as also, to use all imaginable Precautions to oblige as many of the Powers of *Europe* to do the same as possible : accordingly *Lewis* acknowledged his Grandson as King of *Spain*, under the Name of *Philip V.* and gave Notice of this Resolution to the Regency of *Spain*, and communicated the same to all the Courts of *Europe*.

No Measures were left untry’d to make Friends in the Empire and *Italy* ; the Electors of *Bavaria* and *Cologne*, and the Duke of *Savoy*, were prevail’d on to declare for the new King ; and *Clement XL.* recognized his Title without Hesitation : and Care was taken to raise up new Enemies to the Emperor to embarrass his Affairs ; for this End, the most Christian King tamper’d with the *Hungarian* Malecontents. But the chief of their Policy was employ’d in finding out Arguments to convince the Maritime Powers, that his Majesty of *France* had accepted of the Catholick King’s Will, rather than the Partition-Treaty, only to secure the Peace and common Tranquility of *Europe* : And in this Affair was employ’d the same Ministers who had so lately finish’d that Treaty. The Maritime Powers were very much surpriz’d to see all their Schemes thus disconcerted by the treacherous Behaviour of the most Christian King, and the weak Conduct of the Court of *Vienna*, that had delay’d so long taking any Measures to countermine the secret Practices of the *French* Court, or the Weakness of his late Catholick Majesty ; King *William* shew’d, both by his Answer to the Ambassadors of *Lewis XIV.* and the whole Tenour of his Behaviour, that he was highly dis-

obliged

bliged at the unsincere Dealings of that Monarch : However, both he and the *Dutch* were obliged for some time to temporize ; the States General acknowledged *Philip V.* and King *William* in Effect did the same, by writing to that Prince as King of *Spain*.

THE Emperor, who now too late repented his refusing the Succours which his late Catholick Majesty had so earnestly solicited, and his not sending *Archduke Charles* to *Spain* before that Monarch's Decease, would hearken to no Proposals ; but immediately prepared for War, which he resolved to carry on first in *Italy*, having some Hopes that the *Germanick* Body would be induced to take Part in the Quarrel for the Security of the Dutchy of *Milan*, a Fief of the Empire.

THE Ambassadors of *France* were amused by those of the Maritime Powers, from the first Publication of the *Will*, by Conferences and Proposals, which they knew the *French* King would not accept of, till *September*, when the Treaty of Grand Alliance was signed.

THE Purport of which was, That the Allies should use their utmost Efforts to subdue the *Spanish* Low Countries, to preserve the Barrier of the United Provinces ; and to conquer the Dutchy of *Milan*, with its Dependencies, as a Fief of the Empire, with the Kingdoms of *Naples* and *Sicily*, the Islands of the *Mediterranean*, and the Territories dependent on the Crown of *Spain* along the *Tuscan* Coast, for the Security of the Hereditary Provinces of his Imperial Majesty, and the Advantage of the Commerce of the Subjects of the two Maritime Powers.

THAT his *Britannick* Majesty and the States General should be at Liberty to subdue with Force of Arms such Possessions as the *Spaniards* held in the *Indies*, which should remain to them for ever.

THAT when the War should be begun, neither of the contracting Powers might lawfully treat of a Peace with the Enemy without the Consent of the rest of the Allies, and that no Peace should be concluded, until Satisfaction was obtained for his Imperial Majesty, and proper Provi-

sion for the Security of the Dominions of the other Allies, and the Trade, Navigation and Commerce of their Subjects; nor without proper Measures being taken to prevent the Union of the Crowns of *Spain* and *France* under the Government of one Monarch, and *France* from having any Liberty of Commerce to the *Spanish Indies*.

THIS is the Purport of the Grand Alliance, which King *William* had just the Satisfaction to see concluded some Days before that unhappy Accident that put an untimely End to that Monarch's Life.

THIS was the Rise of that War that gained so much Glory to the *British* Arms in the Reign of Queen *Anne*, who immediately entered into the same Views and Measures that had been projected by her Predecessors; and this the Situation of the Affairs of *Europe*, when the Duke of *Argyle* appeared upon the Stage of Life.

HIS Grace was born upon the tenth of *October*, 1678, his Grandfather being still alive. It is remarkable that the very Day, and, as it's said, the very Minute that great Peer suffer'd at *Edinburgh*, his Grandchild, the Subject of the present History, fell out of a Window of the House of *Dunbrissel*, (the Seat of his Aunt the Countess of *Murray*) three Pair of Stairs high, without receiving any manner of Hurt, which gave the Superstitious, who are apt to make Prognosticks on such Occurrences, occasion to flatter themselves, that this Noble Infant thus miraculously preserved, would one Day recover the Lustre of the Family of *Argyle*, then in a Manner extinct by the barbarous Murder, and Forfeiture of the Earl; not to mention any of these Signs of a promising Genius, which were found in his Grace, while in the Nursery under the Tuition of the Women, he very early display'd many signal Proofs of a Spirit and Capacity suitable to that high Station he was to act in; he soon discover'd a solid penetrating Judgment, not to be expected from his Years, and a ready Wit that charm'd all that had the Pleasure of conversing with him: His Tutors found him susceptible of every thing they could communicate, but he seem'd to have no great Inclination



clination for close Study ; tho' before he was fifteen he had made a very great Progress in Classical Learning, and some Branches of Philosophy, under the Tuition of Mr. *Walter Campbell*, afterwards Minister at *Dunoon* in *Argyleshire*. His Capacity was equal to the most abstracted Science ; but, having a high Spirit, and soon taking a Liking to the Army, he could not be prevailed on to give much Application to Books, but bent his whole Attention to that Science, wherein he afterwards made so great a Figure ; yet this Want of Application in his Youth, when he came to riper Years, his Grace soon retrieved by diligently reading the best Authors ; with which, and the Knowledge of Mankind, he had acquired by being early engaged in Affairs of the greatest Importance, he was enabled to give that Lustre to his natural Parts, which others could not acquire by Ages of the most severe Study. We shall find in the Course of his Life, that tho' his Grace had not all the Advantages of a liberal Education, common to Men of his Rank, yet in all his publick Transactions, whether he acted as a Soldier or a Statesman, that Want never appeared ; his own natural Genius improved, by reading Men more than Books, supplying that Defect.

HIS Father, then Earl, afterwards Duke of *Argyle*, perceiving that his Son's Genius was intirely turned to the Military, encouraged it as the most likely Course to recover the sinking State of the Family, and introduced the young Lord *Lorn* to the Court of King *William*, by whom he was preferr'd to the Command of a Regiment in the Year 1694, when not full seventeen Years of Age ; and in that Station gave signal Proofs of great Courage, and a Military Capacity.

IN this Station he remained during the residue of King *William's* Reign, and during his Father's Life-time. His Father, the first Duke of *Argyle*, dying the 28th of *September*, One Thousand seven Hundred and Three, his Grace was soon after sworn of her Majesty's Privy-Council, appointed Captain of the *Scotch* Horse-Guards, and one of the Extraordinary Lords of Session.

HAVING thus conducted his Grace to this Period of Life, for the Sake of Connection, we shall briefly run over the Operations of the several Campaigns in *Flanders*, from the Commencement of this War, in most of the Actions of which the Duke was personally engaged : But, as he had not the Command in Chief, we shall not trouble the Reader with every minute Circumstance of the several Battles, but shall endeavour to abridge the Narration as much as possible, in Regard the History of these Actions are to be met with at large in several Authors, who write on that particular Purpose.

UPON Queen *Anne's* Accession to the Throne of her Ancestors, her Majesty took care to dissipate the Fears of her Allies, by dispatching a Letter to the States General, intimating to them, that she had not only succeeded to King *William* in his Dominions, but likewise in his Inclinations to preserve a constant Union and Amity with the Republick, and maintain all those Alliances he had entered into with that State for the Preservation of the Liberties of *Europe*, and reducing the Power of *France* within due Bounds : This she desired they would be fully assured of ; and that she allways looked upon the Interests of *England* and those of the United Provinces as inseparable, being united by such Ties as could not be broke, without Prejudice to both Nations.

SOON after the Earl of *Marlborough* was declared Captain General of her Majesty's Forces in *England*, and Ambassador Extraordinary and Plenipotentiary to the States ; to which Character he had been nominated by King *William* a little before his Decease, and arrived at the *Hague* in that Quality, *March* 28, 1702.

AT his Publick Audience he renew'd the former Assurances contained in her Majesty's Letter, and acquainted the States, That his Mistress was not only fully resolved to maintain those Treaties entered into by the late King *William*, but to enter into stricter Alliances for the Preservation of the Liberties of *Europe*, and reducing the exorbitant Power of the most Christian King.

THE *French* Resident then at the *Hague*, justly alarmed at these Proceedings, resolved to leave no Measures unattempted to hinder the *Dutch* and the *English* from uniting against his Master : To this Purpose, he spared neither Threats nor Promises either to intimidate or puzzle their High Mightinesses. But that wise State was too well acquainted with *French* Policy to give any Ear to any such Suggestions ; and relying upon her Majesty's Declaration, entered into such Alliances with the *English* Minister, as determined her Majesty to declare War against *France*, on the 4th of *May* following, with the Advice of the House of Commons.

WAR thus declared, it was debated in Council in what Manner it should be conducted. The chief Point on which any Difference arose, was whether the main Effort should be made in *Flanders*, and our General have the Command of the Confederate Army there ; or we should only furnish our Quota of Troops to the *Dutch*, and leave them to defend their Country, who were more immediately concern'd in it, whilst we distress'd the Enemy by Sea ; and by making Descents on the *Spanish* Settlements in the *West-Indies*, as was done in Queen *Elizabeth's* Time, where the Captures and Plunder taken from the Enemies Towns in *Europe* and *America*, almost defray'd the Charges of the War.

THE Earl of *Rocheſter*, the Queen's Brother, who had some Views of being made Prime Minister, was at the Head of the Party in Council, who supported the last Scheme of managing the War. The Earl observed in the course of that Argument, that in the late War the *Emperor* and several other Powers concern'd in the *Confederacy*, had been very remiss in furnishing their several Quotas, whereby many Advantages had been lost, and the Deficiency at last thrown upon the *English*, who in a manner supported the Charge of the whole War : they like Men of Honour, but very weak Politicians, says he, anticipated their Revenues, and mortgaged their Country for Ages, to support a Quarrel, in which they were more remotely concerned than any

of their Neighbours; only the Confederate Army being commanded by the *King of England*, his *Majesty* must be supported in fighting the Battles of others, (cost what it will) least his *Majesty's* Honour and that of the *Nation*, should suffer any Deminution.

THIS the *Earl* said was the only plausible Reason that was assign'd in those Days for this Nation taking upon them the whole expence of a *Foreign War*; and if we should at this time send an *English General* to command the *Confederate Army*, the Argument would recur, and consequently the same Expence, and we should, by taking the whole Burthen of a Low Country War, be obliged to throw away our Men against Stone Walls, and levisb away our Treasure to enlarge the Territories of our *Allies*, without the Expectation of one single Town for ourselves; since by the *Grand Alliance*, all Conquests in the *Netherlands* were stipulated for the other *Confederates*. Besides it was urged that this Conduct was not only diametrically opposite to the Interest of *England*, but inconsistent with the real Design of the Alliance, and the most unlikely Course to reduce the Power of *France*; because attacking him in *Flanders*, was like storming the strongest Part of a City, whilst the weakest was neglected; since no sooner one strong Town was taken, but another rose up equally formidable within two Leagues of the other: that *France* might be attacked much easier on the other sides, but especially to greater Advantage to the common Cause in the *West-Indies*: from whence most of the Supplies came that enabled the *two Crowns* to carry on the *War* against the United Powers of *Europe*.

BUT however specious these Arguments might seem, they were over-ruled in Council, and a Land War resolved on by the Power of a few that then engross'd the *Queen's* *Eer*. The *Earl of Marlborough*, who saw how much to his Interest the Command of the Confederate Troops would turn, by the Means of his *Wife*, who then was the *Queen's* sole Favourite, carried all his Measures; and procured the *Lord Godolphin*, whose Son had married his eldest Daughter,

to be made *Lord Treasurer*; by which means he secured a firm Friend to support, in Conjunction with his *Wife*, his Interest with her Majesty; and was sure to command the *Treasury of England*, for the regular Payment of his Troops, and to promote his other Designs; and at the same time got rid of the *Earl of Rochester*, the *Queen's Brother*, who was disgusted at the *Treasurer's Staff* being given to another, who he thought had no more Merit, nor so good a Claim to her Majesty's Favour, as Nearness of Blood gave himself. But he, with the Publick Good of the Nation, was obliged to submit to that powerful Triumvirate, so strongly united to one another, by the Tyes of Blood and Interest, and *England* during the whole Course of the War, entirely neglected a War by Sea, excepting the unsuccessful Expedition to *Cadiz*, under the Command of the Duke of *Ormond*; the Plundering of *Vigo* and *Port St. Mary's*; and sinking the *Spanish Galeons* by Admiral *Rook*; all in the Year 1702; and the surprizing of *Gibraltar*, by the same Admiral, in the Year 1704; with that ill concerted Expedition to *Canada* in 1711. We shall now proceed to take a View of the several Campaigns.

THE Allies on the 16th April, N. S. 1702, invested the Town of *Keyserwaert* situated on the *Wal*, a Branch of the *Rhine*, near the Frontiers of the States, which surrendered the 17th of June, N. S. Here the Duke of *Argyle*, then Lord *Lorn*, acted as Colonel of a Regiment and behaved with so much Gallantry, as confirmed People in the Hopes they had conceived, that he would one Day make a shining Figure in the Army. During this Siege the *Marshal Bufflers*, who commanded the *French Army* under the Duke of *Burgundy*, eldest Grandson of *France*, had near surpris'd the important City of *Nimoguen*. The *Earl of Athlone*, who then commanded the *Dutch Troops*, arrived but an Hour before the *Franch*, and posted his Army under the Walls, by which means he saved the Place. This struck the States with a terrible Pannick, out of which they did not recover till the Arrival of the *Earl of Marlborough*, on whom that wise State, knowing the great Interest that Nobleman

bleman had at the Court of *England*, bestow'd the Compliment of the Nominal Command of their Army; for it amounted to little else, for besides that the *Earl of Athlone* almost shar'd the Command with him, the States had their *Field-Deputies* always in the Army, without whose Advice nothing was transacted; by which means many great Opportunities were lost; since the *Dutch Deputies* never would consent to any thing, however advantageous to the common Cause, if their particular State ran any Risk in the Event.

THE *Earl of Marlborough* upon his taking the Command of the Confederate Army, was desirous to bring the *French Marshal* to an Engagement, which he as industriously avoided; and the States Field Deputies seem'd not to encourage the *Earl* to run the Risk of a Battle, but propos'd that the Enemy should be dispossest'd of what strong Towns they held in *Spanish Guelderland*, which would no doubt enlarge their Frontiers and remove the Danger further from that *Selfish State*. However averse his Excellency might be yet he was oblig'd to submit, and accordingly invest'd *Venlo* the 29<sup>th</sup> of *August*, the Trenches were open'd the 7<sup>th</sup> of *September*, and the Town surrendered the 25<sup>th</sup> of the same Month. This Success was followed by the Reduction of *Ruremond*, which capitulated the 6<sup>th</sup> of *October*, and the Surrender of *Stevenswaert*, both Towns situate on the *Meuse*.

THE Confederate Army sat down next before *Liege*; the City itself was deliver'd to the *Allies*, by Capitulation between the *General*, the *Deputies of the States*, and Commissioners from the *Majestray* and *Chapter of Liege* on the 14<sup>th</sup> of *November*; the *Citadel* was taken by Storm on the 23<sup>d</sup>, where besides Warlick Stores, there was a considerable Treasure in Cash found; *Three Hundred Thousand Florins* in Gold and Silver Specie, and *Twelve Hundred Thousand Florins* more in Cash Notes drawn upon substantial Merchants in *Liege*, which were all regularly accepted and converted into Cash. Another strong Fort, call'd the *Charteruse*, capitulated on the 31<sup>st</sup>. and the Garrison were allow'd

allow'd to march out with the ordinary Honours of War, and were conducted to the next *French* Garrison.

Thus ended the first Campaign of 1702, very much to the Advantage of the Allies, but especially to the *Dutch*, who were deliver'd from the dreadful Apprehensions they were under at the beginning of it: yet their Gratitude to their Deliverers, did not hinder them from Trading with the *French*, to the great loss of the *English*, from whom the *Dutch* drew a considerable Sum of Money, for *French* Commodities, whilst they enabled the common Enemy to carry on the War, with these very Warlike Stores which they sold them.

THE Campaign of 1703 was more chequer'd. The Duke of Marlborough opened the Campaign with the Siege of Bonn, a strong Town situated fourteen Miles South of Cologne, the usual place of Residence of the *Elect*or of that Name, and the only place of Strength he had left in his Electorate. The Place was invested the 14th of October, and surrender'd after three weeks open Trenches. In the mean time the *Marshals Villeroy* and *Boufflers*, surprized Tongeren, a Town in Possession of the Allies, situated in the *Bishoprick* of Liege, about eight Miles West of *Maastricht*, making the Garrison, which consisted of two *British* Battallions, Prisoners of War.

AFTER the Surrender of Bonn, the Confederate General offer'd the Enemy Battle, who then lay in the Neighbourhood of Liege; but the *French Marshals* thought proper to decline it, and march'd within their Lines, having first Blown up the Walls of Tongeren; whereupon the Generals *Coborn* and *Spar*, were ordered to attack the *French* Lines, which they did with some Success in the Country of *Wues*.

ON the the other Hand, a Detachment of the *French* Army, commanded by Marshal *Boufflers*, came out of their Lines near *Antwerp*, and surrounded a separate Body of the Confederate Army, encamped at *Esteren*, under the Command of General *Opdam*. This General had been cut off from his Men at the beginning of the Engagement, and fled to *Breda*, with only thirty Horse, supposing his Army to

to be entirely cut off: But the other Generals he had left behind, gave the Enemy such a warm Reception, that the Multitudes were kill'd on both Sides, yet the main Body of the Confederates made an honourable Retreat.

THE *French* not being to be brought to a general Engagement, the Allies laid Siege to *Huy*, which surrendered in ten Days, and the Garrison exchanged for the *English* Battalions taken at *Tongeren*. The Campaign concluded in this Part with the taking of *Limburgh*, the Capital of the Province of that Name, situated about twenty Miles to the East-ward of *Liege*, and the surrender of the Town of *Gelder* to the *Prussians*; by which means the Allies found themselves much superior to the *French*, and entirely possess'd of the Provinces of *Gelderland* and *Limburgh*. The *Dutch* Frontiers were sufficiently enlarged, and the Enemy removed to a convenient Distance.

IN the beginning of the Year 1704, the Emperor's Minister represented to her Majesty, the deplorable State of the Empire, and beg'd her Assistance. The Queen promised all the Aid in her Power, and recommended that Affair to the Duke of Marlborough, who arrived in *Holland* the 4<sup>th</sup> of May, when his Grace concerted with the States, that famous March of the Confederate Army into the Empire.

WITH this March few or none were acquainted. The *French* could not penetrate his Design at first; they were apprehensive that he design'd to invade *France* by the way of the *Mosfell*, which was indeed given out to amuse them; then they were afraid the Blow was design'd against *Landau*, and drew their Troops that way; but the Duke continued his March thro' the *Electorate of Cologne* to *Mentz*; and passing the *Main* there, hasten'd towards the *Danube*; and having join'd *Prince Lewis* of *Baden* the 22<sup>d</sup> of June, the 24<sup>th</sup> encamp'd on the Banks of that River.

BEING thus far advanc'd, it was resolv'd to attack *Downwart*, and the Fortifications of *Shillembergh*, which defended the Enterance into *Bavaria*, into which last Place the *Elector* of that Name had detach'd the best part of his Foot to defend so important a Pass. However he was

attack'd



attack'd by six Thousand Foot, thirty Squadrons of Horse and three Battalions of *Imperial Grenadiers*, about six in the Evening of the 2d of *July*, tho' the Enemy defended themselves gallantly, yet in about an Hour's time the *Confederates* gain'd a compleat *Victory*. The *Bavarian* lost fifteen Pieces of *Cannon* with all his *Tents* and *Baggage*, a great number of Prisoners were taken, and the Generals who commanded were oblig'd to save themselves by swimming over the *Danube*.

THE *Confederates* as well as the Enemy lost in this Action 5000 Men, yet the Consequences of the *Victory* were very considerable; for by it *Downawart* fell immediately into the Hands of the *Confederates*, and upon their Army passing the *Lech*, *Newburgh* was abandon'd, and the Town of *Rain* surrendered upon Articles. Upon which the Confederate Forces encamped with their Right at *Wolfsart/hausen*, and their Left at *Ostmaring*, within a League of *Ausburgh*, under the Cannon of which Place the *Electör* had retired with his Army, and was, by this Disposition of the *Confederates*, cut off from any Communication with his *Electorate*.

At this Juncture some Motions were made by the *Duke of Bavaria* towards an Accommodation, which he refused from so soon as he heard that *Marshall Tallard* had pass'd the *Black-forrest* to join him; which so incens'd the *Confederates*, that Orders were given to ravage and destroy all the Country of *Bavaria*, as far as the Walls of *Münich*.

COUNT *Tallard* having join'd the *Electör of Bavaria*, with a Reinforcement of 22000 Horse and Foot, the *Electör* left a *French* Garrison at *Ausburgh*; and prepar'd to attack the *Confederates* before *Prince Eugene*, and the *Duke of Marlborough* could join: however these two Generals having happily join'd on the Eleventh of *August*, the *Confederates* resolv'd to attack the Enemy, tho' superior in Number to the *Allies*, before they could have time to fortify themselves; upon which follow'd that glorious *Victory*, obtain'd by the *Confederates* at *Blenhiem* on the 13th of *August*, which was followed by the Surrender of all *Bavaria* by the *Electress*,

*Electress*, with the *Cities* of *Ulm*, *Meiniger*, *Triers* and *Landau*; which ended this glorious Campaign, and freed the Empire from an Enemy in it's Bosom, and enabled the *Emperor* to be more attentive of his Interest else where.

THIS Year her Majesty having thought proper to revive the Order of the *Thistle* in *Scotland*, his Grace the *Duke of Argyle* was Install'd one of the *Knights* of that Noble Order, which he afterwards, in *Anno one Thousand Seven Hundred and Ten*, exchanged for the Order of the *Garter*.

THE 3d of *April*, N. S. the *Duke of Marlborough* arriv'd at the *Hague*, where he concert'd Measures with the *States* for attacking *France* on the *Mozel*; but by the Indolence of some of the *Allies*, all these fine Schemes prov'd abortive, and the Enemy gain'd several Advantages this Summer, which they had no Pretensions to expect, if all the Members of the Confederacy had acted with that Vigour and Unanimity, which might be expected from the Concern they all had in the Event of the War.

THE *Duke of Marlborough* assembled his Army, and march'd to *Triers*, from whence he made a Journey to *Rastadt*, the Residence of *Prince Lewis of Baden*, to confer with that General on the Operations of the Campaign. The Prince promised, so soon as the *German Princes* had furnish'd their several Quotas, to join his Grace on the *Mozel*, with all his Army, excepting as many as would be sufficient to leave for the Security of the Lines of *Lauterberg* and *Stollhoffen*.

AFTER this Conference, his Grace return'd to *Triers*, and advanced from thence, with the Forces under his Command, thro' the difficult Defiles of *Tavern*; where it was expected that *Marshal Villars*, who lay with his Army near *Sirk*, would have oppos'd his March; which he might have done with great Advantage, but the Marshal did not think proper to attempt it; so that the Army of the Allies encamp'd within a Mile of *Sirk*, and the next Morning made a Motion, and took the Camp at *Elst*, the Enemy still retreating before them, till they possess'd themselves of the strong Camp of *Conings Macheren*; which Post they forti-

fortified by throwing up strong Entrenchments, fearing the Confederates should attack them, which they had not the least Intention of, but only by this March intended to cover the Siege of *Saar Lewis*; which was concerted to have been carried on by a Detachment from *Prince Lewis of Baden's* Army, join'd by some *English* and *Dutch*.

BUT that General declining apace in his Health, and the *Circles* and *Princes* of the *Empire*, still delaying to send up their Contingents, all the hopeful Projects of the *Allies* on that side were defeated, and the *Duke of Marlborough* obliged to make a very swift March back to the *Netherlands*, where the Affairs of the Confederacy were but in a bad Posture.

For,

THE *French* took Advantage of their Indolence, and attack'd, with a numerous Army, the *Dutch* Frontiers, the Army in those Parts having been weaken'd by the Detachments made to the *Mozel*. They besieged *Huy*, and oblig'd the Town to surrender in one Day; three Days after they possess'd themselves of *Port Picard*, and another call'd *Red-Port*, having made three large Breaches in the Castle, the Garrison desired to capitulate, but was allowed no other Terms than to march out of the Breach with their Arms, and then lay them down and surrender themselves Prisoners of War.

THE *French* then sat down before *Liege*; the Town soon surrendered, and they were making Preparations to attack the Citadel; which struck the *Dutch* with such Consternation, that they sent Express upon Express to the *Duke of Marlborough* to come back to their Relief. So soon as the News of the surrender of *Huy*, and the danger of *Liege* arrived with the *Duke*, he return'd to *Triers*, where it was resolved in a Grand Council of War, to march the whole Army to the *Netherlands*, except *Seven Thousand Palatines*, to be left at *Triers* for the Security of the Magazines, there under the Command of *Lieutenant General Auback*, who basely abandon'd the Place, and set Fire to the Magazines, before an Enemy appear'd.

THE Duke having dispatch'd all the Grenadiers of the Army, with a Detachment of one hundred Men out of every Battalion, under the Command of the *Earl of Orkney*, with Orders to march with all possible speed towards the Relief of *Liege*; he himself following with the Cavalry. This March was executed with so much Expedition that the *French* being inform'd of it, quitted the Town of *Liege*, and sent back their Artillery to *Namure*. In three or four Days after the Confederates retook *Huy*, making the Garrison Prisoners of War: which Success reviv'd the drooping Spirits of the *Dutch*; and the Duke of *Marlborough* attack'd the *French* Lines and entered them with little or no Opposition, and reduced *Tirlemont*. However much this seem'd to add Glory to the General, it brought very little advantage to the Confederates: for the *French* having possess'd themselves of the strong Camp of *Parck*, and stretch'd their Right to *Over Ysche* and their Left to *Neither Ysche*, cover'd both *Louvain* and *Brussels*, which hindered, in a great measure, the further Progress of the Campaign. This gave reason to some, who had not an implicit Faith in his Grace's Judgment, to blame him for allowing the Enemy to possess themselves of that advantageous Post of *Parck*, which they say he might have prevented.

THE Confederate General, after an unsuccessful Enterprize on the *Dyle*, sent to propose a new Project to the States, which they so far approved of, as to order their Field Deputies to consent to two or three Marches to favour the Scheme, without calling a Council of War, whilst Baron *Spar* for the same Purpose made a Diversion, by attacking the Enemy's Lines in *Flanders*. The General having put in Execution both these Feints, found himself disappointed of all the Advantage of them, by the Obstinacy of the Field-Deputies of the States, and some other *Dutch* Generals. For after these several Marches, which had kept the Enemy in continual Alarm, not knowing where the Storm would fall, the Confederates on the 18th of *August* filed off with the Right Wing, in two Columns, and passed the narrow Defile of *Hulzen*, where they were surpris'd to find

find no Enemy to oppose them in that difficult Pass. About Noon the whole Army was drawn up in Sight of the Enemy, whom the Duke of *Marlbrough* and Monsieur *D'Overquerque* having viewed, they were both of Opinion to attack them; but General *Slangenburg*, who had neglected to forward the Artillery, prevail'd on several of the *Dutch* Commanders to report to the Deputies that the Enterprize was impracticable, the Deputies absolutely refused to consent to a Battle; which very much shagreen'd his Grace, and extorted from him an expostulatory Letter to their High Mightinesses on that Occasion; where in the Postscript he has these remarkable Expressions: "My Heart  
" is so full, that I cannot forbear representing to your High  
" Mightinesses, that I find my Authority here to be much  
" less than when I had the Honour to command your Troops  
" last Year in *Germany*."

THE *Dutch* found the General so much disgusted, and that Remonstrances were preparing to be made on that Subject from the Court of *England*, where they knew they might some time or other stand in need of his Interest to support theirs, that they found it expedient to send a Person one Purpose to confer with and mollify him, and to remove some Generals who seemed to give him most Uneasiness in his Commands. Thus the Affair was made up; but the Opportunity which was lost by the unaccountable Conduct of the States, could never be recovered. And thus ended this mighty Campaign in these Parts.

THIS Year the Duke of *Argyle* was appointed Her Majesty's High Commissioner to the *Scotch* Parliament; where by his Interest in that Country, he did considerable Service in that then divided Kingdom; especially with relation to the Treaty with *England* for a nearer Union of the two Kingdoms. But as these Transactions are purely civil, I shall delay taking any more Notice of them here, 'till I have finished his Transactions abroad. I shall only here observe that his Services were highly acknowledged by her Majesty, who created him, upon his Return from *Scotland*, a Peer of *England*, by the Titles of *Baron of Chatham*, and *Earl of Greenwich*.

THE Campaign 1706, was more glorious than the former, for the *French* took the Field very early, and depending on the Superiority of their Numbers, resolv'd to attack the Confederates before the *Danes* and *Hessians* join'd them; but the Duke of *Marlborough* having early Intelligence of their Design, hasten'd the March of the *Danes* who join'd the *Allies* on the 11th of *May*, old Style. The whole Army decamp'd from *Brocholen*, and march'd to *Groswarem*. Here they had advice that the Enemy join'd by the *Horse* of the *Marshal de Marfin's* Army, had quitted their Lines and made a Motion, extending their Right towards *Judoigne*. The Confederate Generals depending on the goodness of their Troops, resolv'd to advance towards the Enemy, and accordingly on Sunday the 12th O. S. about three in the Morning, the Army march'd in eight Columns towards *Ramilies*, a Village where the *Gheete* takes its Source, that they might avoid the Inconvenience of passing that River; being advanc'd near that River, they found the Enemy getting into the Camp of *Mount St. Andre*, and placing their Right to the *Mehaign*.

THIS River flows about half a League from *Ramilies*, the Ground between them being open and level; the *Gheete* runs from *Ramilies* to *Auterglise*, thro' a marshy Ground, and beyond *Auterglise*, the River grows wide, and the Ground is unpassable.

THE Enemy's Army consisted of Seventy six Battallions, and one Hundred and Thirty two Squadrons. And the Confederate Army of Seventy four Battallions, and one Hundred and Twenty three Squadrons.

THE Enemy had posted a Brigade of Foot next to the *Mehaign*, and fill'd the Space between that and *Ramilies*, with upwards of one Hundred Squadrons, amongst which were the Troops of the *French* King's Household; at *Ramilies* they had ten or twelve Pieces of treble Cannon; from thence to *Auterglise* they had form'd a Line of *Horse*, at some distance behind them, the whole Army when in Battalia extending from the *Mehaign* on the Right, to *Judoigne* on the Left; and the Army of the *Allies* extended their Right near

Holtz

*Holtz* on the *Taufe*; with a little *Morals* on the Front, and their Left near *Branchu* on the *Mehaign*.

THE Confederate General judging by the Situation of the Ground, that the Stress of the Action would lie on the Left, ordered that, besides the number of Horse on that Wing, the *Danish* Squadrons in number twenty, should take Post there. The Confederates began the Attack about two o'Clock in the Afternoon; the Engagement began on the Left, four Battallions of which push'd the Brigade of the Enemy before mention'd; from their Post on the *Mehaign*, whilst *Monsieur de Auterquerque* charged with the Horse of that Wing; the Success remain'd doubtful, till all the Horse of the Right Wing, (except the *English* who were kept as a Body of reserve) join'd the Left.

THE Village of *Ramilies* was attack'd by a Detachment of twelve Battalions, commanded by Lieutenant General *Schultz*, which entered at once with great Vigour and Resolution; they were seconded by the Line of Foot, and beat the Enemy quite out of the Village, and being supported by the *English* Horse, charged the Foot that were posted behind the *Gheete*.

By this time the Enemy's Right Wing of Horse being entirely defeated, the Horse of the left Wing of the *Allies*, fell upon the Foot of their Right, of whom they slew great Numbers, cutting to Pieces about Twenty of their Battalions, whose Colours they took, and likewise their Cannon; the rest of the Enemy's Foot were entirely broken, the Horse of their left seem'd to make a Stand to gain time for their Foot to retire, but were charg'd so quick, and with so much Bravery by the *English* Horse, that they entirely abandon'd their Foot, and our *Dragoons* pushing into the Village of *Auterglise*, made a terrible Slaughter of them, the *French King's* own Regiment call'd the *Regiment du Roy* begg'd for Quarter, and deliver'd up their Arms and Colours to the Lord *John Hay* Dragoons.

THUS Victory declar'd for the Confederates, who continued to pursue the flying Enemy all Night by the way of *Judoigne*, as far as *Mildre*, being five Leagues from the Field

of Battle and two from *Louvain*. The Number of Prisoners taken were 5000, and 8000 kill'd on the Spot; amongst the Number of the first were many Officers of the first Rank. The Enemy lost all their *Artillery*, except two Pieces of Cannon, all their *Baggage*, with a great Number of *Colours* and *Standards*, with other Military Spoils.

THE Confederates did not buy this Victory, tho' great in its Events, so cheap; for besides a great many Officers of Note that were killed and wounded, the Number of the Slain amounted to two Thousand and Sixty six, and that of the wounded, to three Thousand five Hundred and Sixty four.

THE *Elector of Bavaria* and the *Marshall Villeroy*, with the shattered remains of their Army, retired to *Louvain*, where holding a Council of War by Torch-light in the Market Place, they resolved to abandon the Place and retire to *Brussels*, of which the Confederates having Intelligence next Day, took Possession of that City, and placed in it a Garrison of 500 Men. This was the first fruit of the Battle of *Ranilies*, where the *Duke of Argyle* assisted as a Brigadier General, and tho' but a young Man, gave signal Proofs of his Valour and Conduct, as was acknowledged by all the General Officers.

THE next Effect of that Victory was the submission of the *States of Brabant* to King *Charles*, and the Confederates taking Possession of *Brussels* and *Mecklin*, afterwards *Ghent*, *Oudenaede*, *Bruges*, and *Antwerp* surrendered to the Allies, and the whole *States of Flanders* being assembled at *Ghent* on the 7th of June, N. S. solemnly recogniz'd King *Charles* III. On the 28th of June, N. S. the Allies invested the City of *Ostend* by Land, whilst Sir *Stafford Fairborne* block'd up the Harbour by Sea, with nine large English Ships, attended by Bombketches and Fire Ships.

THE Trenches were open'd by Lieutenant General *Fagell*, having under him Major General *Lauder*, and Brigadier General *Anana*, and 2000 Pioniers, supported by four Battallions. Thirtynine the Trenches were relieved by Lieutenant General *Oxenstern*, and Major General *Murnay*,  
and



and the Duke of Argyll as Brigadier General, with a Colonel, four Battallions and eighteen Hundred Pioniers. The 30th Lieutenant General Spar, Major General Colliers, and Brigadier General Zitten, a Colonel, four Battallions, and fifteen Hundred Pioniers relieved the Trenches, and these three Lieutenant Generals and the other Generals under them, each of them in their turns, commanded in the Trenches, till the Place was Surrendered. On the Sixteenth of July, all things being ready for a Storm, the Garrison beat a Parley, and were allowed to march out with their Swords and Baggage, on condition of not serving against King Charles for the Space of six Months. The Allies having left a sufficient Garrison in Ostend, the Prince of Halshenbeck was commanded, with eight Battalions, to take Possession of Courtmay, which the Enemy had abandon'd.

THE next Place they carried their Victorious Arms before was the Town of Menin, of which Letters publish'd at that time from the Confederate Camp, gives the following Account.

THE Trenches before Menin were open'd in the Night between the 3d. and 4th. of August, N. S. by two Attacks. Lieutenant General Schultze commanded on the Right, having under him Major General Palant and Brigadier General Swartzal; and the Left was commanded by the Earl of Orkney, having under him Major General de Villates, and the Duke of Argyle as Brigadier General; there were three Hundred Grenadiers, and as many Fusiliers at each Attack, supported by five Battalions on the Right, and four on the Left, and four Battalions more were ready to support the former in case of need.

The Attack was begun by firing of two Mines, under the two Salient Angles of the Cover'd Way, which had a good effect; then the Grenadiers advancing with uncommon Intrepidity to the Pallisades, threw their Granadoes into the cover'd Way, into which they leap'd, killing all they found therein.

The Enemy made a Vigorous Resistance, and the first Battalions of the Besiegers suffer'd very much, on account

of the great Fire the Enemy made upon them; but at last a Lodgment was made on the 18th, on the four *Angles* of the *Counterfearp*, and Batteries were immediately raised thereon.

THE Duke of Vendosme, a General whom the French King had pitch'd upon, to recover the Credit of his Arms, threatening to raise the Siege of *Menin*, the *Allies* made a Motion with their main Army, extending their Left towards *Laves* near *Menin*; that they might be in a condition to give the Enemy Battle, in case they made any attempt to relieve that Place. However the French Generals did not give them that trouble, for on the 20th two Batteries on the *Counterfearp* being finish'd, one of six Pieces of Cannon and the other of five, began to play on the *Bastion* and *Ravelin*, and two others being ready by the 22d, the Governor beat a Parley, and *Hostages* were exchanged that Day, and on the 25th the Garrison according to Capitulation, consisting of four Thousand Men, march'd out with the usual Marks of Honour, and were conducted to *Douay*: they were allowed to carry away four Pieces of Cannon, two *Mortars*, eight cover'd Waggons, and were provided with Waggons and Boats. On which the Duke of Argyle with a Detachment, took Possession of the Place, who, says my Author, distinguished himself in a particular manner at this Siege, as well as at the Siege of *Ostend*.

ON the 29th *Dendermond*, was invested by General Churchill, and in seven Days open Trenches; the Belieged beat a Parley, but were allowed no better Terms, than to be allow'd to keep their Baggage and remain Prisoners of War.

DENDERMOND being reduced, Monsieur de Auverquerque sat down before *Aith*, the 26th September, N. S. and that Town surrendered on the 3d of October, the Garrison being allowed the same Terms with the last reduced place. After which the Season being too far advanced to undertake any new Enterprize, the Army broke up, and went into Winter Quarters. Thus ended this Campaign to the immortal Honour of the Arms of the *Allies*, and that of their Generals.

THE

THE Campaign 1707 that succeeded the last proved ingloriously unactive, for tho' both Generals had under their Command an Army of one Hundred Thousand Men each, they spent their time with looking upon one another, without forming the Siege of one Place, or making the least Motion towards a Battle.

THE French General in remaining upon the Defensive, acted according to his Circumstances, his Army being compos'd mostly of raw undisciplin'd Troops, dispirited by their late ill Success; whereas the other commanded one hundred Thousand Veterans flush'd with Victory, had not the same Reason to remain unactive, especially when a seasonable Diversion on that Side, would have facilitated the grand Enterprize upon *Toulon*, and by that means have entirely put an End to the War. Whether that was an Event which the General dreaded, and determin'd him to remain a Spectator as it were of that Disappointment of the *Allies*, and to allow the Enemy to draw all their Forces from that Side to the Supply of that Place, is at least problematical. But from this time many Persons of Note and Weight, both without and within Doors, begun to exclaim loudly against the Dilatoriness of the War, that had cost the Nation such immense Sums of Money; without any Prospect of seeing an End to that or their Expence.

THE Duke of Marlborough having had a meeting with Prince Eugene of Savoy at the Hague, in April 1708. And afterwards waited upon the Elector of Hanover, who had taken upon him the Command of the Army upon the Rhine; it was resolv'd amongst them to remain upon the Defensive in *Germany*, and that what Forces could be spared from thence, should act in *Flanders*, under the Command of Prince Eugene: in conjunction with the Forces under the Command of the Duke of Marlborough, where the *Allies* design'd to make the greatest Effort this Campaign.

ACCORDINGLY the Duke of Marlborough took the Field about the middle of May, and posted himself along the Enemies Frontiers; and imagining that the Towns in *Flanders* would be sufficiently cover'd from any Attacks from the

the Enemy by his Army, drew out the Garrisons of most of the Towns. But the *Flemings*, who were generally better affected to the *French* than the *Dutch*, as well on the Account of Religion, as other Considerations, readily listen'd to the Invitation of the *Duke of Bavaria*, who was much in their Esteem, to submit to *King Philip*; and promised to open their Gates if a Detachment of the *French* Troops should appear before them, in the Absence of the Confederates.

ACCORDINGLY a Body of *French* Troops found means to pass the Army of the Allies undiscover'd, and took Possession in the Night-time of the two great Cities of *Ghent* and *Bruges*: *Antwerp* was in the same Conspiracy, but their Treachery was timeously discover'd. The *French* being possess'd of these two great Cities, march'd with their whole Army into *Dutch Flanders*, which they laid under Contribution. About which time the *Dukes of Burgundy* and *Berry*, taking the Field, and joining the *Duke de Vendosme*, had so great a Superiority of Troops, before the *Germans* join'd the other *Allies*, that they ventured to lay siege to *Oudenard*, in order to secure their treacherous Conquest.

BUT *Prince Eugene* having join'd the Confederates with some *Germans*, the Confederates made a very long and swift march to the Relief of that Place, and upon the Approach of the Army, the *French* thought fit to raise the Siege; upon which the Battle of *Oudenard* followed, of which the *Dutch Deputies* gave the following Account to the *States*.

### *High and Mighty Lords,*

‘ OUR Army having march’d on Sunday Night  
 ‘ from *Asbe*, took the Road of *Lessines*, in order to pass  
 ‘ the *Dender* at that Place, which was done without op-  
 ‘ position from the Enemy, whom we had prevented by  
 ‘ a speedy March; and arriving there on Tuesday Even-  
 ‘ ing, we understood that the Enemy were march’d from  
 ‘ *Alost* to *Gavre*, where they caused Bridges to be made,

‘ in

in order to pass the *Scheld*; which made us believe they intended to post themselves on the Heights of *Oudenard*; and hinder us from passing the *Scheld*. And tho' our Army was very much fatigued by the foregoing March, yet we resolved to proceed on our march Yesterday, and if possible to prevent the Enemy. We detach'd therefore Sixteen Battalions in the Night, to take Post on the other side the *Scheld* near *Oudenard*, and to lay the Bridges necessary for our Passage. Yesterday Morning about nine, we received Advice that the Enemy had pass'd the *Scheld*, and were marching towards *Oudenard*, which made us hasten our March as much as possible: for fear our Detachments which were sent over should be defeated, and our selves disappointed of our Design of Passing that River. But by that time the Enemy was come near *Oudenard*, they saw we had already taken Post over the *Scheld*, which made them resolve to strike off towards the Right: but to cover their march against ours, they thought fit to throw their Troops into the Hedges, and into a Village upon the *Scheld* below *Oudenard*.

ABOUT Three in the Afternoon, as soon as our Foot began to come up, it was judg'd advisable to attack the Village, and thereby oblige the Enemy to go no further, but stop their March; this Attack was made with so much Vigour and Success, that the Enemy was immediately driven out of the Village: our Men falling upon them with their *Bayonets* on the *Muzzels* of their *Muskets*, without firing a Piece, so that they presently threw down their Arms, and a whole Brigade, together with the Brigadier, surrendered Prisoners; the few Horse that had pass'd with the Detachment, attack'd likewise the *French Squadrons*, posted behind the Village, with so much Success that they were put into Disorder, our Men taking from them *Ten Standards*, and some *Horses*. Hereupon the Enemy were forc'd to face about to us, and form themselves; about Four o'Clock most of our Foot being ove and form'd, the General Engagement began first on the Right, and afterwards on the left Wing. The Fight

was

• was properly between the Foot, and was obstinate ; but  
 • our Men got Ground, and drove the Enemy from one  
 • Hedge to another, till Night put an End to the Com-  
 • bat ; the Horse who by reason of the broken Ground  
 • could not Act, were detach'd to the right and left Wing ;  
 • and advanc'd so far, that they attack'd the Enemy in  
 • Flank and Rear ; which when they perceiv'd they fell  
 • in the Night into the utmost Confusion, and part of  
 • them retir'd with the *Baggage* and *Artillery*, towards  
 • *Ghent* and *Deynse*, another part towards the Road of  
 • *Courtney*, and according to Computation, six or seven  
 • Thousand surrendered themselves Prisoners, with three or  
 • four Hundred Officers at their Head, among whom are  
 • several *Dukes* and *General Officers*. Had not the Night  
 • come to their Assistance, we believe they would have saved  
 • very little of their Army. We therefore congratulate  
 • your High Mightinesses upon this compleat Victory, which  
 • *God Almighty* has so graciously vouchsafed ; and which gives  
 • us an Opportunity with this victorious Army, and that  
 • of *Prince Eugene*, who was present at this Action, to  
 • extend the Frontiers farther, and bring the Enemy to  
 • reason. Each General made so good a Disposition, and  
 • every Regiment attack'd the Enemy so well and with so  
 • much Intrepidity, that it was impossible for any one to  
 • signalise himself in a particular manner. Our loss, *God*  
 • be thank'd, is so small that there is not, as we know of,  
 • one Regiment out of Condition, to make the Rest of the  
 • Campaign ; among the Horse, our loss is nothing at all,  
 • nor do we yet know that we have lost any one Head  
 • Officer of the State, with which,

*Oudenard,*

*July 12, 1708.*

*High and Mighty Lords, &c.*

'Tis necessary only for our purpose to add to this Ac-  
 count of the States Deputies, that his Grace the Duke of  
*Argyle* was present in this Action, and commanded in the  
 Quality

Quality of ——— General, where he behaved according to all Accounts publish'd at that Time, with that Bravery and Conduct, which might be expected from a Commander that had grown old in the Trade of War.

THE Confederates after this Victory, levell'd the *French* Lines between *Ypres* and the *Lys*, and rais'd Contributions in *Artois* and *Piccardy*, which put the City of *Paris* it self into the greatest Consternation; but they had no occasion to be so much alarm'd, the Confederate Generals knew better how to gain a Victory, than how to reap the Advantage of it; for instead of pushing forwards, while the Enemy was under this dreadful Pannick, they gave them Time to recover from their Fright, by sitting down before *Lisle*, which the Enemy knew would stop their Progress for some Months.

THE City of *Lisle* is the Capital of *French Flanders*, the Staple of Trade, between *France* and the *Low Countries*, and esteem'd one of the Keys of the *French King's* Dominions. There was in the Town, which is one of the completest Fortifications in *Europe*, a numerous Garrison, at least one and Twenty Battalions, commanded by the *Marshall Boufflers*, which, however, did not deter *Prince Eugene*, who was to command the Siege, from investing the Place on the 13th of *August*, *N. S.* while the *Duke of Marlborough* cover'd the Siege with the rest of the Army, and accordingly the Trenches were open'd on the Twenty Second.

THE *Dukes* of *Burgundy* and *Vendosme*, having join'd the *Duke of Berwick*, who led the Army from the *Rhine*, cannonaded the *Duke of Marlborough* for several Days; whereupon *Prince Eugene*, with a Detachment from the Siege, join'd his Grace; but both these Generals finding that the *French* only meant to keep them in continual Alarms, and retard the Siege, the one entrench'd himself, and the other return'd to the Siege, which went on but slowly and with considerable Loss on the Part of the Besiegers; in so much that the States Deputies finding the Season so far advanced, and the Approaches carried on so very slowly, propos'd to raise the Siege, which *Prince Eugene* absolutely refused, as

his Glory depended on the Success of that Undertaking; that the *Dutch* were obliged to acquiesce.

BOTH the Besieged and the Besiegers began soon to be in want of Ammunition, the Communication of the *Liege* being cut off in a manner from *Brussels*. This put the Confederate General upon a necessity of supplying himself by the Way of *Ostend*; for which purpose several Hundred Waggon's under a strong Guard were sent to that Place. But upon the Generals having Intelligence that twenty thousand Men, under the Command of the *Count de la Motte* had been detach'd by the *French*, to intercept the Return of these Supplies, he detach'd twelve Battalions more, under the Command of *Major General Webb*, to protect the Convoy. Whereupon ensued a Battle between the Troops under the Command of *General Webb*, and those under the *Count de la Motte*, wherein the former obtain'd a complete Victory to his own immortal Honour, and brought the Convoy safe to the Camp of the *Allies*; for which *General Webb* received the Thanks of the *King of Prussia*, and the House of Commons, and was prefer'd by her Majesty.

THUS this Difficulty being got over by the *Allies*, the Siege went on with more Vigour, and the Town of *Brussels* was obliged to surrender upon Articles, on the Twentieth of *October*, *N. S.* and on the Twenty fifth, the *Garrison* march'd into the Castle.

THE Castle continued to make a vigorous Defence, till the Eighth of *December*, *N. S.* when they beat a Parley, and the *Marshal Boufflers*, with his *Garrison*, was allow'd to march out with the usual Honours of War, and conducted to *Doway*.

ON the Eighteenth of *December*, the *Duke of Marlborough* invested *Ghent*; where the *Count de la Motte*, formerly mentioned, commanded a *Garrison* of no less than thirty Battalions, and was expected, in order to retrieve his Honour at *Ostend*, and the Battle lately mention'd, would have made a vigorous Defence. However the Trenches being open'd on the Twenty fourth, the very next Day the General desired to capitulate upon Terms which the



*siegers* would not consent to, but on the Thirtieth, to the great Surprise of the *Allies*, surrendered the Place. At this short Siege, the Duke of *Argyle* commanded as Major General, and took Possession of the Town.

ON the second of *January*, 1709, the Magistrates of *Bruges* came and made their Submission; and acquainted the *Confederate General*, that the *French* had abandon'd that Place the Day before, about the same time they had abandon'd Fort *Plassandel* and *Leffighin*, and retreated to their own Country.

THESE Places being reduced, the Campaign which had continued longer than ever was known, was at an End. The *Allies* had indeed been fortunate this Campaign in *Flanders*, but run some Risks of being totally ruined: the one at *Wyndendal*, where Providence gave a handful of their Men a Victory over a pretty considerable Army of the Enemy; and at *Ghent* the same Providence interposed very remarkably in their behalf. For if the *Count de la Motte*, who had an Army within in the Town, and a Covered Way as good as that of *Lisle*, had held that Place but a few Days longer, which he certainly might, the Frost, which then followed, would have destroyed the whole Army then in the Field, a loss which the *Allies* could scarce ever have recovered. However, whether it was the Justice of the Cause, or the prevailing Star of the General, the *Confederates* escaped these Misfortunes.

BUT neither Fortune, nor the General's Stars could hinder many from complaining, that to humour the Heroe of these Days, the War in *Spain* and *Portugal* was neglected, and Troops ordain'd by Parliament, and actually embark'd for that Service, diverted from that Purpose and sent to *Ossend* to protect the Supplies of Ammunition, that were constantly sent from that Place to the Siege of *Lisle*; to which the most judicious Part of Mankind, that were not implicit Believers in the General, attributed all the Misfortunes that followed in *Spain*.

THE Campaign being at an End, part of the Winter, and more than half the following Summer, was employ'd in Negotiations for a Peace, which *France* seemed very earnest

to obtain. Monsieur *Petticum*, the Minister of *Holstein*, a neutral Power, had leave from the States that Monsieur *Rouille* should come from *France* to the *Hague*, to settle Preliminaries with the Allies.

THE States and this Minister understood one another so well, that they were in a manner agreed; which being reported to the Emperor and her *Britannick* Majesty, Prince *Eugene* was sent by the former, and the Duke of *Marlborough* from the latter, as their Plenipotentiaries. The *British* Minister finding the *French* made very specious Offers, and agreed almost to every thing that was asked, thought proper to return to *England* for fresh Instructions, and a Coadjutor to bear a Part of the Burthen of this weighty Affair: And return'd in a short time thereafter to the *Hague* with the Lord *Townshend*, as joint Plenipotentiary with him: After several Conferences amongst the Ministers of the principal Powers concern'd, preliminary Articles of Peace were agreed upon, and reduced into Writing, sign'd by the Ministers of the Allies, but not by the *French* Ministers. The Substance of these Articles consisted chiefly in the Cession of the *Spanish* Monarchy, and the King of *France* acknowledging *Charles III.* securing a Barrier to the *Dutch*, demolishing of *Dunkirk*, and recognising her Majesty's Title to these Kingdoms, &c. However, the *French* King afterwards refused to ratify these Articles, and its to be supposed the Allies did not expect seriously that he would; because granting the Possession of the *Spanish* Monarchy, entire to the House of *Austria*, was diametrically opposite to the Design of the Grand Alliance, nor would the States have demanded it, if they had not been perswaded to it by the Duke of *Marlborough*; as *Bishop Burnet* asserts.

HOWEVER, the *French* King gained some advantage by these Conferences, by hindering the Allies from taking the Field, till the better Part of the Summer was spent; by which means he had time to recruit his shatter'd Troops, which could not have look'd an Enemy in the Face, in the early Season of the Year.

THE *French* Ministers having left the *Hague*, both  
Armies

Armies took the Field. The *French* possess'd themselves of a Camp naturally strong, and fortified it by Entrenchments, that the Confederate General did not think it fit to attack them, but resolved to Besiege *Tournay*.

THIS Resolution was kept secret, and the whole Confederate Army decamp'd the 26th of *June* at Night, without Beat of Drum, or Sound of Trumpet; the Baggage being sent away to *Lisle*, the Soldiers believed they were marching to attack the Enemy, but were suddenly commanded to turn on the Left towards *Tournay*, which was soon after invested with so much dispatch, that the *French* had no time to reinforce the Garrison, out of which they had been so improvident as to draw some Battalions, on a Belief, that the Allies intended to attack their Army.

THE Garrison consisted of twelve Battalions, and five Regiments of Dragoons, commanded by the *Marquis de Sourmel*; *Monsieur Megirgni* was Governour of the Citadel, and as *Chief Engineer* had the Direction of the Fortifications. The chief Strength of the Works consisted in the Mines that were made under them, so that the Confederate General knowing that there would be great Occasion for sapping, sent for several Miners to *Lisle* and *Mastricht* for that Service.

ON the 7th of *July*, the Trenches were open'd, and carried on by three Attacks, in one of which the *Duke of Argyle*, who had been made Lieutenant General the *April* before, commanded in that Quality in his turn. The Town held out but three Days open Trenches, tho' a place *Lewis le Grand* or his Flatterers, thought never could be taken, as appears by that vain Inscription, on one of the half Moons of the Citadel.

Ludovicus Decimus Quartus

Incertum Bello; an pace Major:

Quibus Copiis, Consiliis, Animo, Celeritate, Fortuna

Anno M.DC.LXVII. Nerviorum Urbem,

Quatriduo Ceperat;

*The L I F E of*

Iisdem, ne Unquam postea Caperetur,  
 Inter cætera Munimenta, hoc quoque  
 Diebus vix Octo,  
 Ab area & Fundamentis  
 Ipse instans Operi,  
 Victoricibus Militum Manibus,  
 Extruxit,  
 Anno Domini, M.DC.LXXI.

*In English thus,*

*Lewis* the Fourteenth,

Whether he was greater in Peace or War, is uncertain.  
 With those Forces, Council, Presence of Mind,  
 And happy Success,  
 Which he had taken the City of *Tournay*, in the Year  
 M.DC.LXVII.

After a Siege of four Days,  
 He amongst other Fortifications, that it might be  
 no more taken,

Built this *Citadel*,  
 From the Ground and its very first Foundations,  
 Whilst he in Person, carried on the Work  
 By the Victorious Hands of his Soldiers,  
 In the Year of our Lord, M.DC.LXXI.

UPON the Surrender of the Town, the Garrison return'd  
 unto the Citadel, and the Besiegers set themselves vigo-  
 rously at Work, to carry on their Approaches against that  
 Place. The Governour amused them for some time by  
 agreeing to Articles, the Execution of which depended on  
 the Ratification of the *French King*, which he refused. Af-  
 ter which the Allies renewed their Attack with so much  
 Success, that the Garrison, after a very resolute Defence,  
 were obliged to surrender upon Articles, by which they  
 were allow'd to march out with their Swords and Baggage,  
 leaving their Arms and Colours behind them, and to re-  
 turn to *France*, upon Condition that they were not to serve  
 against

against the *Confederates* 'till an equal Number of *Britons* were exchanged for them.

THIS important Place being reduced, the Allies in the next place proposed to besiege *Mons*: But Marshal *Villars* having possessed himself of the strong Camp of *Blaregnies* or *Malplaquet*, in the Woods of *Sart* and *Sanfart*, it was found impracticable to form the Siege 'till they were drawn from that Post; upon which followed the famous Battle of *Malplaquet*, or *the Woods*; a Battle fought between two compleat Armies of each Side. The Duke of *Marlborough* commanded one, of which the *English* formed the Right Wing, and the *Dutch* the Left; and Prince *Eugene* commanded another, consisting of fifty thousand Men, with Wings of Horse upon Right and Left: Marshal *Villars* commanded a separate Army of the *French*, drawn upon the Left, fronting Prince *Eugene*, and Marshal *Boufflers* another on the Right, which engaged that commanded by the Duke of *Marlborough*.

THESE two great Armies lay near each other for several Days, and on the ninth of *September* the *French* began to entrench themselves in the Woods of *Sart* and *Sanfart*, where they cut down Trees, and erected Batteries to make their Camp, naturally strong, still more impregnable.

THE same Day, and the next, both Armies were drawn up in Order of Battle, and the tenth on the Evening the General of the Allies resolved to attack the Enemy: accordingly on the Eleventh of *September*, at break of Day, the *Infantry* in three lines and the *Cavalry* in two Columns, mov'd towards the Enemy who were situated in this manner, their Left Wing was cover'd by the Wood of *Sart*, in which they had cast up many Intrenchments, and posted their *Infantry*; and their Right was cover'd by another Wood and a thick Hedge, which run along the same like a Chain; besides these, they had cast up three Intrenchments and a marshy Ground before them, which rendered the Access to their Intrenchments still more difficult: their Centre was in a little Plain, where they had cast several Intrenchments one behind another, all defended at convenient

nient Distances, with a good Train of Artillery. They had besides these precautions cut down the Hedges behind their Lines, for the more easy marching of their Cavalry to support their Foot, whenever occasion required.

IN this Situation was the Enemy posted, when the Duke of *Argyle* was ordered to dislodge the Enemy from the Wood of *Sart*, which he executed with incredible Bravery and Resolution, pierced thro' it, and gain'd a considerable Post. *Prince Eugene* attack'd the other Wood, and drove the Enemy from all their Intrenchments. The Infantry of the Enemy being by this time broken, after an obstinate Fight of five Hours, their Cavalry drawn up in several Lines, advanc'd in very good Order, to dislodge the *Allies* from the Posts they had gain'd, and thus began a new Fight. But the *French* Cavalry was so warmly press'd, that they were soon put into Disorder, and never could rally, but yielded a compleat Victory to the *Allies*, about four o'Clock in the Afternoon.

THIS Victory, tho' glorious, yet cost the *Allies* so very dear, that it was said, without Reserve, two such Victories would have ruin'd them. For, according to their own Account, the Numbers of the kill'd and wounded, amounted to eighteen Thousand three Hundred and Fifty three; and upon the *French* side, by the same Authority, only fifteen Thousand. And 'tis very natural to suppose that the *Allies* had more kill'd and wounded than the *French*; considering the Confederate Army was obliged to force a Camp, that look'd more like a Citadel than a Camp; and were obliged to dispute every Inch of Ground, with an Army equal in Number, intrench'd to the Teeth. There were several General Officers wounded in this Engagement; *Prince Eugene* was slightly wounded in the Head, and the *Duke of Argyle* narrowly escaped, having had several Musket Balls thro' his Cloaths, Hat and Perriwig.

Two Days were allow'd the Enemy to carry off their Sick and Wounded, and to bury their Dead; and the Fifteenth was observed as a Day of Thanksgiving in the Confe-

Confederate Army, which the *French* imitated them in, and on their Part made Rejoicings for a Victory.

THE Confederate Generals having resolved to lay siege to the important Town of *Mons*; Preparations were made for it with all Expedition. A great Number of Horses were sent from the Army to *Brussels*, to bring the Artillery, Ammunition, &c. to the Camp, and the Duke removed his Quarters to the Castle of *Havre*, to be nearer *Mons*.

ALL things being ready for the Siege, thirty Battalions and thirty Squadrons, under the Command of his Highness the Stadholder of *East Freisland*, were appointed to carry it on. His Highness began his Operations, by draining the Inundation between *Conde* and *Mons*; which was so happily effected, that the Waters fell six Foot on one side, by the Twenty-seventh, when the Trenches were open'd before the Place, without any Lines of Circumvallation: there were two Attacks only; yet, tho' the Place is naturally strong, and had stood out much longer against a Royal Army, commanded by the *French* King in Person, the Governour beat a Parley on the 20th of *October* following, and surrendered the Place upon Articles.

AFTER the Conclusion of this Campaign, Conferences of Peace were open'd at *Gestroydenburgh*, betwixt the *French* and *Dutch* Ministers, the rest of the Allies contenting themselves with the Report *Messieurs* the Deputies were pleas'd to make of these Conferences. The *French* King was so low in his Demands, that he was willing to accept of *Cicily* and *Sardinia*, for his Grandson's Share of the *Spanish* Dominions, and engaged to furnish a Sum of Money towards the Charge of the War; to drive *Philip* out of *Spain*, in case that Prince would not quit it, at his request, and as to all the other Articles, relating to acknowledging the Queen's Title, the *Dutch* Barrier, &c. he was willing to grant them all, and to put four Cautionary Towns into the Hands of the Allies, as Security for the Performance of all Articles. But the *Dutch*, over whom the Duke of *Marlborough* had an entire ascendant, would accept of no less than an entire Evacuation of the *Spanish* Monarchy, and that the *French* King should

should join his Forces to those of the Allies, to drive his Grandson out of *Spain*, in case he prov'd refractory.

It was currently reported at that time, that both the Emperor and the King of *Prussia* were satisfied to accept of the the Terms offered, but were obliged to submit to the Measures of *England* and *Holland*; which last had, of late Years, managed the War in such a manner that they were such Gainers by the War, that any Peace must have been to their Disadvantage.

Tho' these Conferences were carrying on, the Generals took the Field early, and made some Progress before they were broken off. Prince *Eugene* and the Duke of *Marlborough* having drawn their Army out of Winter Quarters, and provided them with Bread and Forage for a secret Expedition, which proved to be the attacking of the *French* Lines. On the 20th of *April*, the whole Confederate Army marched in two Columns towards the Enemies Lines, which they entered with little or no opposition, and struck the *French* with such a Panick, that they made a speedy Retreat from *Sens*, where they were assembled, towards *Arras* and *Doway*. They afterwards made a shew of disputing the Passage of the *Scrape* with the Allies, but on the advance of the Army, retired still with more Precipitation, leaving some of their Tents behind them. The Duke of *Marlborough* having pass'd the *Scrape*, Prince *Eugene* advanced with his Army to the other side of the River, in order to invest *Doway*, which place the Generals had resolved to besiege.

The Garrison of *Doway* consisted of sixteen Battallions, six companies of Invalids, and three Squadrons of Dragoons in Fort *Scrape*, which stands on the opposite side of the River, the whole commanded by General *Aibergottis*, a brave and experienc'd Officer. The Place was invested the 23d of *April*, and the Trenches open'd between the fourth and fifth of *May*, the Rector of the *English* College having had leave to retire to *Lisle* with his Students, to the Number of Sixty, the Siege was carried on by Attacks on the North side of the *Scrape*, the rest of the Town being cover'd by Inundations. Marshal *Villars* made several motions during the Siege, as if he



he design'd to engage the Allies, but finding the Confederate Generals in a Disposition to receive him, he thought proper at last to retire, and allow'd them to pursue the Siege. The Town held out till the Twenty fifth of *June, N. S.* when the Garrison beat a Parley, and agreed to surrender the Place upon honourable Terms; which they very well merited, having held out the Place for two Months against an Army of one Hundred Thousand Men; of whom they had killed and wounded, full eight Thousand, besides what the Allies lost by Sicknefs and other Accidents. But this was one of the Generals important Places, and could not be too dear bought.

The next important Place was *Bethune*, which the Allies set down before on the 15<sup>th</sup> of *July N. S.* with twenty five Battallions and eighteen Squadrons; and the Trenches were opened on the twenty third, and carried on by two Attacks. *Marshal Villars* did not pretend to relieve this Place, but having possessed himself of a very strong Camp, he entrench'd himself, and frequently sent out Parties to disturb the Convoys that were coming to the Confederate Army. *Bethune* having no hopes of Relief, beat a Parley on the 28<sup>th</sup> of *August*, and the next Day surrendered upon Honourable Terms.

ON the sixth of *September*, *Aire* and *St. Venant* were invested; both which Towns made a very gallant Defence: the latter surrendered upon Honourable Terms on the 30<sup>th</sup> of *September, N. S.* but the former held out till the eighth of *November*; and its computed that this inconsiderable Town cost the Confederates as many Men as *Doway*. This put an end to a Campaign, wherein the Confederates had conquered for the *Dutch* and Imperialist four Towns at the Expence of Twenty five Thousand Men, and near ten Millions of Money, of which *Great Britain* paid the greatest Share. This was the last Campaign the Duke of Argyle served in *Flanders*, having been sent next Year to *Spain* in Quality of Generalissimo, Ambassador Extraordinary, and Plenipotentiary to the Court of *Spain*; where we shall follow him, having first taken notice of the Reason that induced the then Ministry to pitch upon his Grace for that Employment;

ployment; where it will not be improper to enquire into the Causes of this great Change, at so critical a Juncture.

AT the time of her Majesty's Accession to the Throne, her Ministry were, the major part of them at least, of that Party that then affected to be distinguished by the Name of *Tories*. In a few Years the *Junto*, who privately directed the whole *Machine of Government*, thought proper to turn out most of the *Tories*, and supply'd their Places by those who were called *Whigs*.

THESE two words, *Whig* and *Tory*, seem'd to divide the Nation amongst them; and served as Watchwords to the Mob, for bringing them into such Schemes as the Leaders of these Parties intended. Each pretended to, and courted Popularity, and seem'd to agree in their avow'd Principles, viz. in espousing the *Hanover Succession*, the *Monarchy* and the *Church*; but differed in their Method of promoting the same Design, and hated one another with the deepest Rancour.

THE *Whigs* branded their Enemies with the Names of *Jacobite*, *Papist*, *Nonjurors*, &c. And the *Tories* on their Part, retaliated, with the Names of *Republican*, *Schizmatick*, *Deist*, *Atheist*, &c. So that if we were to take the Definition of these two Parties of one another, we must conceive a dismal Opinion of both; and if we believe the Publick Professions of Each, we shall be at a loss to find out any other reason for the Distinction, but that the one was out of Court, and the other in Court. But however insignificant these two Monosyllables are in their meaning, yet they were of considerable use in these Days, to lead the gaping Mob, and served their several Proprietors very signally on several Occasions.

THE *Tories* observed with great regret, that the *Whigs* enjoyed the Countenance of her Majesty for so long a Time, and by the Favour of the *Junto*, who solely ingross'd the Queen's Ear, had bestowed on them all the Places, could be spared from their own Family; nor Artifice was left untried to supplant them, or make them odious to the Nation and her Majesty.

Majesty. For this Purpose, the Doctrine of Hereditary Right, and Non-Resistance was espoused by the Party, and Emissaries employed to inculcate it into the People ; meaning by this to flatter her Majesty, by giving her a Title which the Whigs did not care to own, as contrary to their favourite Principles of the Revolution ; this dispute was handled for some time, without any notice being taken of Positions so dangerous to the present Establishment, till the *Faction* had found out a Tool fit for their Purpose, that is Dr. *Henry Sacheverel*, Preacher at *St Mary Overy in Southwark* ; him they prevail'd on to preach up their Doctrines, in such manner as was like to awaken the Attention of the Whigs, and bring them to declare against them, which was the only Point they had in View.

THE Doctor preach'd two Sermons, the one at the *Affizes* at *Derby* the fifteenth of *August* before, and another at *St. Paul's* on the 5th of *November*. These being printed, and carefully dispersed about the Kingdom, the Commons unhappily took notice of them, and voted them scandalous, malicious and seditious Libels, highly reflecting on her Majesty and her Government, the late happy *Revolution*, and the *Protestant Succession* ; and the Doctor, on being called before them, owning them to be his, the House order'd him into the Custody of their Serjeant at Arms. The Commons refused to admit him to Bail ; but the Lords received Bail so soon as he was delivered into the Custody of the Gentleman Usher of the Black Rod.

ON the thirteenth of *January* the Commons carried up to the Lords, Articles of Impeachment against the Doctor, to which the Doctor having made his Answer, denying the Charge, a Day was appointed for his Tryal in *Westminster Hall* ; and accordingly on the 27th of *February* the Tryal came on. The whole House of Commons attended, and their Managers carried on the Prosecution with a great deal of Spirit ; and were obliged in their Defence of the Revolution and the present Administration, to advance many Truths that could not be altogether agreeable to her Majesty, who was present *incognito* to hear the Debates. The Doctrine of Re-

sistance and Dethroning of Sovereigns, are Subjects ungrateful to a crown'd Head, however necessary for the Support of the Liberties of a free People.

THE Faction during the Preparations for, and Continuance of the Tryal, used all possible means to persuade the Mob into a Belief that the whole Church was struck at thro' the Doctor; which the Multitude, always fond of Novelty, swallowed as Gospel; and accordingly the Doctor, in his going and coming to the House, was constantly attended by a vast Concourse of People of all Ranks, crying out, *The Church and Sacheverel*, and committing numberless Insults; which the Whigs were obliged to put up patiently. At last the Tryal ended, and the Doctor was suspended from Preaching for three Years, and his Sermons ordered to be burnt by the Hands of the common Hangman.

THIS mild Sentence, after so solemn a Tryal, was interpreted by the Party, as an Acquittal, and very much confirm'd the Mob in the Interest of the *Tories*, and supported them in the Opinion that the Church was in danger under the present Administration.

THUS the *Tories* gained their Ends, by inflaming the Minds of the People against the Whig Ministry, and rendering them suspected to her Majesty of entertaining Principles inconsistent with her Prerogative.

BUT to try the Pulses of the People still more, the Faction concerted that their Tool *Sacheverel* should make a kind of Progress thro' the Kingdom; and accordingly he rode triumphant from the one end of *England* almost to the other, receiving all the way the Compliments or rather the Adoration of all Ranks of People as he went.

THIS Reception the Doctor met with, together with the many flattering Tory Addresses that were sent up, encouraged the Agents of the Faction about the Queen to press her to a total Change of the Ministry.

BESIDES this there were several other Circumstances concurred to bring about this Change. The Prince of *Denmark* was dead. A Prince that would have hinder'd her Majesty from being so grossly imposed on. The Junto it seems had not

not of late treated her Majesty, with so much Respect as became those she had raised by her Bounty to such a Pitch of Power and Wealth. There had been some falling out between her Majesty and the prime female Favourite ; of which Mr. *Harley*, since Lord *Oxford*, taking Advantage, found out another Female to supplant her entirely, Mrs *Masham*, one who was formerly the Dutches's, and now become his Creature. Thus fell the Junto and the Whig Ministry by the artful insinuations of one *Worpan*, as they had been supported by that of another. The Queen having determined to make a Change in her Ministry, on the 19th of *April* her Majesty appointed the Duke of *Shrewsbury* Lord Chamberlain of the Household ; which shewed that Party what they were to expect ; but proceeded no farther till the 14th of *June*, when the Earl of *Sunderland* was displac'd, and the Lord *Dartmouth* made Secretary in his Place. This bold Stroke alarm'd the Whigs, who began to set all their Agents at work to save their sinking Interest. The Bank was prevailed on to interpose in behalf of the Publick Credit, which the Party wanted to persuade her Majesty depended on the present Ministry, being continued in their Place ; the *Dutch* likewise interposed in their behalf, which had no other Effect than irritating her Majesty, and hastening their fall : For in a short time the whole set was turn'd out. My Lord *Godolphin* lost the Treasurer's Staff, which was put in Commission, and *Robert Harley*, Esq; made one of the Commissioners, Chancellor of the *Exchequer*, and under Treasurer, and the Earl of *Rocheſter* was made President of the Council.

THIS total Change in the Queen's Ministry very much surprized the Publick : not that they were surprized at her Majesty's dismissing the old Set of Courtiers, but at the unhapy Choice she was imposed upon to make of those that succeeded them. The Whig Ministry (a favourite distinction of theirs) had rendered themselves obnoxious to all the moderate Part of the Subject, on account of the haughty or rather insolent Usage they treated the Queen with. The Junto, says a certain writer of these Times, ' attempted to take those Privileges from her Majesty which the meanest of her Subjects enjoy'd, and Slavery

pursued her even to her Bed-Chamber; the meanest Submission was paid to her Ministers, while common Decency was hardly used towards the Throne. Those who pretended themselves Friends to the Government, by avowing Principles inconsistent with any, presumed daily to try the Title of the Queen, and to limit the Allegiance of the Subject. By long insipid Harangues, and fulsome Panegyrics, the Merits of the Ministers were exalted; the whole Success of the Administration both at Home and Abroad, was attributed wholly to them: And lest the Queen should declare them dangerous, she was, by the Positions they laid down, declared *useless*.

THE Insolence of the Junto to her Majesty was not the only Subject of Hatred which the Nation had conceived against them. They had spun out the War, either by Design or Mismanagement, to a prodigious Length, slipt many Opportunities of putting an end to it; and when the Enemy was reduced to ask for Peace, they and the other Allies the *Dutch*, by the General's Persuasion, insisted upon Terms unreasonable in themselves, and inconsistent with the Design of the Grand Alliance. They had in the Prosecution of it, neglected all Opportunities of giving *Great Britain* any manner of Chance of reaping any thing, either from the Continuance of the War, or the Conclusion of a Peace, by utterly neglecting to push the Enemy on the Side of the *Indies*, where by the Grand Alliance we were to retain some Share of Conquest. On the Contrary, the Sums levied by Parliament for the Support of the Navy, were arbitrarily dispos'd of by the Ministry to transport Troops and Provisions to be wantonly thrown away against Stone Walls, of no Service to *Great Britain*, but to be Subject of Triumph and Profit to the General.

THEY had indeed raised the Reputation of our Arms, and enlarged the Territories of the other Allies; but these Conquests, tho' glorious, were always purchased at so excessive a Rate, that if we had continued to conquer but a few Years longer, this Nation would have had nothing remain-

remaining but Glory for their Reward, and Beggary for their Portion; for there was not an Inch of Ground in *Flanders* taken from the Enemy, but cost *Great Britain* more than it was worth if they had bought it with ready Money.

THEY had been profuse of the publick Money, and left her Majesty's *Finances* in such Disorder when they were turn'd out, that our History cannot give Instances of such gross Mismanagement. They allow'd the publick Money to lie for Years in the Receivers Hands, tho' the Public was burthened with an exorbitant Interest, and there remained no less a Sum than thirty five Millions of Money, for which there was not the least Vestige of an Account in the *Exchequer*. These, with many more gross Imbezellments, which both the Houses address'd her Majesty upon, the following Session, were Reasons sufficient to have mov'd her Majesty to make the Change, and for her Subjects to approve of it. But it was the Misfortune of the Nation, that we were deliver'd from one bad Set, and put into the Hands of such as were no better, if not worse. The one had already beggar'd us with glorious Conquests, and the other had projected Schemes to ruin us with an inglorious Peace; and shake the Pillars of our Constitution, by introducing a Popish Prince to the Imperial Crown of these Kingdoms.

ALL this while People were much puzzled to know what the Queen intended to resolve on with regard to the General. His Grace had arriv'd at London on the 23<sup>d</sup> of *December* 1709, and the next Day waited on her Majesty, by whom he was seemingly well received, and several of the Ministry waited upon him. His Friends in the House of Lords, by the Earl of *Scarborough*, had mov'd for the Thanks of that House, but were disappointed on account of some Objections His Grace the Duke of Argyle had started; and his Friends in the House of Commons found their Party so weak, that they did not care to hazard the Question.

IN This Situation were things when his Grace arrived in *England*; which made many conjecture that the Duke would not agree with the new Ministry, who he believed would not support him with the same Alacrity the former had done; but that he would gratify his private Disgust, and resign his Places, since he had acquired such a Proportion of Wealth and Reputation as might gratify the Ambition or Avarice of any Man. But in this the Public was disappointed: For the Duke finding that he was not required to surrender his Places, thought them too beneficial to throw them up in a Pique; but gave up the Places his Dutcheſs enjoy'd, chuſing rather to loſe two or three thouſand a Year, than two hundred thouſand, which he at leaſt reap'd by his Poſt of Generaliſſimo:

WHAT Views the Faction had in employing him is uncertain; but they thought it neceſſary to employ the Duke of *Argyle* ſomewhere elſe, and reſolved to give him the Command in *Spain*. Moſt People were of Opinion, that, conſidering the deſperate Situation of Affairs in *Spain*, the Miniſtry only propoſed it to ruin his Grace, or at leaſt to remove him to a greater Diſtance; ſince he was a Perſon, tho' no Friend to all the Meaſures of the old Adminiſtration, yet too clear-ſighted to be entruſted with Tranſactions of the new Courtiers. However, a large Allowance being voted this Year for the Service of *Spain*, his Grace accepted of the Command, and was accordingly appointed Ambaſſador Extraordinary and Plenipotentiary to King *Charles* III, and Generaliſſimo of the *Britiſh* Forces in that Kingdom.

HIS Grace ſet out for the *Hague* in his Way to *Barcelona*, where he arriv'd the 4th of *April*, N S. Upon his Arrival at the *Hague* he made a Viſit to the Grand Penſionary, and another to the Lord *Townſhend*, the *Britiſh* Plenipotentiary at that Court; but did not think proper to viſit either the Duke of *Marlbrough* or the Preſident of the States, on account of the Haſte he was in to proſecute his Journey; but their High Mightineſſes ſent their Agent to wait



wait on his Grace, and compliment him, and wish him a good Journey, and Success in his Commands.

WHEN his Grace arrived at *Barcelona*, he found the Troops in such a wretched Condition, and the Affairs of the Allies so low, by the Losses sustain'd the preceding Year at the Battles of *Saragoza*, *Almanza*, and *Villa Viccoza*, that he was not able to undertake any thing of Moment. Besides the Disposition the then Ministry was in to patch up a Peace with *France* at any rate, hinder'd them from sending the necessary Supplies to enable his Grace to begin the Operations of the Campaign, or even the Supplies necessary for supporting the Troops in a State of Inactivity; of which he made several loud Complaints to the Ministry, but without much Success; being obliged to raise Money on his Plate, and personal Credit, to defray part of the Charges of the Army, of which he was not re-imburs'd till he return'd to *England*; so little was the Care taken for supplying that Part of the War, tho' the Parliament had granted fifteen hundred thousand Pound for that Service.

HOWEVER, tho' the Campaign here was not so active as former Campaigns, and began late, yet the Allies maintain'd their Ground, and any Advantage that was to be spoke of; for tho' the Duke *de Vendosme* boasted that he would dislodge the Allies out of all their Posts in *Catalonia* before *Christmas*, yet he could not drive them from *Pratz Del Rey*, where they had posted themselves the beginning of the Campaign. And when he sat down before the Castle of *Cordona*, that Place made so stout a Resistance, that Count *Staremburg* had time to come to it's Relief, and obliged the Duke to raise the Siege, and retire after the loss of two thousand Men, and forty battering Cannon and four Mortars, with all his Ammunition and Provision; which he was obliged to leave behind him in this scandalous Flight. The Allies in this Action did not lose above two hundred Men, and by it raised the Reputation of the Arms of King *Charles*, and might have improved it to the great Advantage of the common Cause, had the Allies been supported by the Ministry of *England* in the Manner the

Parliament intended, when they granted those very large Supplies for this Service.

KING *Charles* having some hopes of being elected Emperor, resolv'd to set out for *Germany*, and to leave his Queen in *Spain*, for the Encouragement of the *Catalans*; and accordingly embark'd on board the Confederate Fleet for *Italy*, and arriv'd at *Vado* the Seventh of *October*; from whence he proceeded to *Milan*, where he received Advice of his being elected to the Imperial Dignity; upon which he received the Compliments and Congratulations of the *Italian* Princes, thro' whose States he pass'd; and being arriv'd at *Frankfort*, was crown'd with the usual Solemnity, and received the Compliments of the Electors and other Princes of the Empire.

THE next Year was as unactive in *Spain*, as the former; the Cessation of Arms, and the near Prospect of a Peace, upon a Plan quite different to what had been the Language of the Allies till of late, ty'd up the Hands of the Generals. On the 8th of *September* 1712, the Cessation of Arms between Great Britain and France, was notified to the Imperial General; and on the Nineteenth of *November*, the Duke of *Argyle* order'd the *English* Troops in that Province to Imbark at *Barcelona*, and sail'd with them to *Port Mahone*, where, when arriv'd, he caus'd the Emperor's Colours to be taken down, and *British* Colours to be hoisted on the several Castles of that Island; and the Governor for the Emperor was given to understand, that he must take the Oaths to her Majesty, if he thought fit to remain in the Island, which he refusing to do, had leave to retire to *Barcelona*: but the rest of the Magistrates took an Oath of Fidelity to the Queen of Great Britain; after which his Grace return'd to *England*.

THERE was a Report, that while his Grace remain'd in *Spain*, a Scheme was laid for poisoning him by some Persons in *England*, who knew he would be a very great Obstacle to the Mad and Traiterous Designs they then had in View: But that his present Dutcheß, then one of the Maids of Honour, having by some means got Intelligence of the Design

high, had the good Nature to communicate it to his Grace, by an Express sent to *Spain* one purpose. Whether there was any grounds for this Report, or if his Grace received any such Intelligence as is just now mention'd, I shall not pretend to be positive; but this I have heard often confirm'd that his Grace used more than ordinary Caution in the Method of buying Provisions to his Family, and in admitting Strangers to his Table for some considerable time before he left that Country.

AFTER his Grace's Return to *England*, he did not remain long in the Favour of the Ministry, whom he always despis'd, and join'd heartily in opposing their Secret Intrigues against the Protestant Succession; which all honest Men thought so much in Danger, that it was solemnly debated in the House of Peers, and the Question put *if* or *not* the Protestant Succession was in Danger under the present Administration. In this Debate his Grace the Duke of *Argyle* said, ' That he had lately cross'd the Kingdom of *France*, both in going to, and returning from *Minorca*: That it was indeed one of the finest Countries in the Universe, but that there were marks of a general Desolation in all the Places through which he pass'd: That he had rode forty Miles together without meeting a Man fit to carry Arms: That the rest of the People were in the utmost Misery and Want, and therefore he did not apprehend what necessity there was to conclude a Peace, so precipitately with a Prince, whose Dominions was so exhausted of Men, Money, and Provisions. As to the Question now under Debate, he said that he firmly believ'd the Succession in the Electoral House of *Hanover* to be in Danger from the present Ministers; whom he durst charge with Male-Administration, both within these Walls and without. That he knew and offer'd to prove, that the Treasurer had Yearly remitted four Thousand Pounds to the Highland Chiefs of *Scotland*; who are known to be entirely devoted to the Pretender, in order to keep them under Discipline and ready for any Attempt. That on the other Hand, the new modelling of the Army, by disbanding some Regiments

‘ out of their Turn, and by removing from their Employ-  
 ‘ ments a vast Number of Officers, meerly on Account of  
 ‘ their known Affection to the House of *Hanover*, were clear  
 ‘ Indications of the Designs in Hand ; adding, that it was a  
 ‘ Disgrace to the Nation, to see Men, who had never look’d  
 ‘ an Enemy in the Face, advanced to the Places of several  
 ‘ brave Officers ; who, after they had often expos’d their  
 ‘ Lives for their Country, were now starving in Prison for  
 ‘ Debt, contracted for want of Pay.”

THESE Reflections were but too just, and the Ministry could not miss being sensible, that the Nation in general perceived the Tendency of these Measures ; yet they were so sure of Success, and so little regarded the Representations of honest Men, that they went on barefacedly to Discountenar all the Friends of the *Hanover* Succession ; and disband all such Officers of the Army, who on being closetted, had refused to promise an implicit Obedience to the Commands of the Queen, or rather of the Ministers ; and to fill up the Places of all such as made the Liberty of their Country, and the Preservation of the Constitution, the only Standard of their Obedience, with such Tools as would blindly follow the Dictates of the Lord *Bolinbroke*, the Author of this unmodelling Scheme.

THE Duke of *Argyle*’s steady and known Attachment to the Protestant Succession, rendered his Grace the first Butt of their Malice ; they therefore resolv’d in a Council held on *Sunday* the fourth of *March* 1713-14, to deprive the Duke of all the Employments he held under the Crown ; and accordingly, a few Days after, the Command of the fourth Troop of Guards, which his Grace then enjoy’d, was bestow’d on the young Lord *Dundonald* ; his Government of the Island of *Minorca* was given to the Earl of *Peterborough* ; and that of the Castle of *Edinburgh*, to the Earl of *Orkney*.

ABOUT the same Time the Earl of *Stair* was likewise depriv’d of his Places. Thus these two great Men had the Honour to be discarded by a Ministry they despis’d ; and to suffer, for the first time, in their Interest, for the sake of that Attachment to the present Illustrious House of *Hanover*, which

which has been a distinguishing Part of their Character ever since that Period : This Affection they have both been so happy as to have many Opportunities of manifesting to flow from Principles so pure, that as Interest never moved them to it, so no Interest, or the worst of Usage, could ever byass either of them to relinquish.

HAVING thus briefly parated the Principle of the Transactions his Grace the Duke of *Argyle* was concern'd in, in *Flanders* and *Spain*, during the last War ; we shall next take a View of his Grace's Conduct at home. And first with regard to the Union of the two Kingdoms, in perfecting of which he had a considerable Hand.

IN treating of this Subject, we shall be obliged to make some Observations on the State of *Scotland*, at the time of the Union, with the several Circumstances that concur'd at that Time, either to retard or facilitate that great Event.

THAT Kingdom, a little before the Commencement of the Treaty of Union, was in the greatest Ferment, torn and divided by Parties, that differ'd widely in their Principles, and hated one another mortally, and the whole Nation in general highly disgusted at the Court of *England*.

To find out the Cause of this Confusion and universal Discontent, we must look back as far as the Union of the Crowns ; for so early was the Date of the *Scotch* Grievances, which from that Time had been daily accumulating till this Period, that they were ready to end in the entire Ruin of the Constitution.

BEFORE the Union of the Crowns, in the Person of *James VI*, there was not a State in *Europe* who enjoy'd a greater share of Liberty, under *Monarchical Government*, than the *Scotch* Nation ; their Parliaments and Conventions had antiently a Power of calling themselves, and of adjourning their Meetings from Time to Time without the Consent of the Sovereign ; Committees always sat during the Intervals of Parliament to superintend the Affairs of the Nation. They had a Power of Nominating all the civil Judges in the Kingdom ; the Lords of Session being a Committee of the three Estates, by which means the Juridicial Power went in a manner

manner by Rotation amongst the Noblemen and Gentry the Parliament. They had by the fundamental Laws of the Kingdom, a Power to call their Kings to account for Male-Administration, as they did in the Case of *Culenus* the 79th Scotch King, and that of *James III.* whom they deposed for Tyranny, and the Case of Queen *Mary*, Mother of *James VI.* The Parliament of *Scotland* had also the Power of naming many of the great Officers of State, and even Privy Counsellors, who were sworn in Parliament and made responsible to them and the King; which Powers they exerted in the Reign of Queen *Mary* and *James VI.* and insisted upon it as their Privilege in *Charles I.*'s time, and obtain'd the same establish'd by several Acts pass'd in that Prince's Reign. They had likewise Power of levying War against the Prince when he acted contrary to the Liberty and Constitution of the Kingdom; as is plainly imply'd in an Act of *James II.*; wherein levying War against the King with the Consent of the *Estates*, is expressly excepted from the *Statute of Treason*. They claim'd a Right of making Laws even without the King's Consent; a pregnant Instance of which was the Case of the Act for Establishing the Reformation in the Year 1660, which never received the Royal Assent. The Cavaliers in *Charles II.*'s Time, thought they had gained a considerable Point when they obtained a Negative to the Crown to be established by Parliament, which happens to be but very lamely expressed, and scarce capable of bearing the Construction that Party put upon it.

BESIDES these valuable Constitutional Privileges, which the Nation enjoy'd before the Union of the Crowns, which had enabled that Kingdom to preserve themselves Independent against their restless and powerful Neighbours for many Centuries, they enjoy'd others by their League with *France*, for which they never had any Equivalent.

THAT League, upon the Accession of King *James* to the Throne of *England*, dissolved of Course, by which they lost a very beneficial Trade with that Kingdom, where they enjoy'd the same Privilege as the Natural-born Subjects; The Nobility and Gentry lost many advantageous and honourable

Posts which they enjoy'd till that Period, which had proved a handsome Provision for many of their younger Sons. They lost the Esteem which their League with that Crown procur'd them from all *Europe*; and at that Court itself they were so much respected, that their Ambassador took Place of that of *England*. In the Reign of Queen *Mary*, and Beginning of *James VII.* they lost the Money that was expended amongst them by the Ambassadors of all other States in *Europe*, who after that Event held no manner of Correspondence with them as an Independant State, but look'd upon them as a Province of *England*; And last of all they lost their Pretensions to the Sovereignty of the North of *Ireland*, to which they had a very good Title.

THESE were the Privileges the *Scotch* enjoy'd, and this the ancient Constitution of that Kingdom, in which they found considerable Alterations after the uniting their *Crown* with that of *England*; for, from that Period they became a Province to that Nation, their Affairs being wholly managed by the Influence of *English* Counsellors, who endeavoured to extend, by degrees, the Prerogative of the Crown over the *Scotish* Nation, till the whole ancient Constitution became nothing else but Prerogative, and the People were left no more of their old Laws than what they could retain in their Memory; for these very Acts that were made to guard the Establishment, and declaratory of the Privilege of their Senate and People, were industriously left out of the later Editions of their Law Books.

KING *James* the First, tho' bred up among themselves, and no ways ignorant of the Constitution of his native Country, yet soon listened to *English* Council, and grasped at an arbitrary Power unknown to his People, by the many Baits his Southern Kingdom supply'd him with. He bribed his hungry Northern Subjects to extend his Prerogative beyond what any of his Predecessors enjoy'd, and to compliment him, on Account of his presumed Capacity above these, with a Power, which Men of his Family, honest and wiser than he, would have taken the Forfeit of their Heads for proposing. That *Monarch*, when a Union of the King-

doms could not be effected, vainly undertook to bring about a Union in Religion, idly supposing that it was possible to govern the Minds of Men, in relation to Divinity, who could not agree in the less controverted Doctrines of *Politicks*; yet he had taken such an Aversion to the Church in which he had been educated, that he took a Journey to *Scotland* to establish *Episcopacy* in the same Manner as in *England*; where, with much Struggle in the Assembly at *Perth*, he got establish'd these Articles, known by the five Articles of *Perth*, by which he gained no other Advantage than to alienate the Affections of the People, and lay the Foundation of the Ruins of his illustrious Family.

KING *Charles I.* by the Advice of that haughty Prelate Archbishop *Laud*, undertook to bring about his Father's projected Union of Religion, without waiting the tedious Forms of Parliament; but depending on the Authority of his Prerogative, attempted to impose a new Liturgy, Book of Canons, and Ecclesiastical Habit on that Nation. How soon that pious Prince was imposed upon, by the Advice of that Bishop, the Event shew'd; since instead of teaching the *Rude Scotch*, as that Prelate terms them, to worship God more uniformly and pompously, they were tempted to take up Arms in Defence of the little Liberty they had left, which proved a Prelude to the fatal Catastrophe that soon after followed.

AFTER the barbarous Murder of that good Prince, the *Scotch* recognised his Son *Charles II.* and raised an Army to restore him to the Throne of his Ancestors, and were aiding and assisting to General *Monk*, when the Restoration of that Monarch was actually effected; from whence that Nation had some Reason to hope for the Favour of that Prince, for whom, and his Father, they had suffered so much during the Usurpation: But they were fatally disappointed; they saw *Episcopacy*, and their old Enemies the Bishops restored, and their Liberties wantonly given away by a bribed Cavalier Parliament, to fill up the bottomless Pit of the King's *Prerogative*. The barbarous Tyranny exercised over these People the latter End of this

Reign,



Reign, and during the continuance of *James* the Second on the Throne of these Kingdoms, are so well known, that they need no mention. The *Scotch* had likewise merited from that insatuated Prince better Usage, since they recognised his Title, notwithstanding the Exception of his Religion, at a Time when his *English* Subjects were strongly bent upon a Bill of Exclusion. But Gratitude for Favours received is a Virtue seldom to be met with among Crowned Heads.

WHEN the *Scotch* had deposed King *James*, and made a present of their Crown to the Prince and Princess of *Orange*, they had some glimmering Hopes of better Days, under a Prince who had no other Title to rule over them but what flowed from the free Will of the People; yet in this too they were mistaken, they found their Affairs growing daily worse; for after the Establishment of *Presbytery*, they found a strong Inclination in the Court to favour *Episcopacy*; and a Formula sent down to the General Assembly, by which they are directed to admit the Episcopal Clergy into the Exercise of Church Government; and their Visitations stopped by the King's Sole Authority; which the Kirk looked upon as an Encroachment they had no Reason to expect from a Presbyterian King.

THE barbarous and inhuman Massacre of *Glencoe* irritated the whole Nation, especially when followed by the entire Ruin of the *Darien* Colony by the selfish Contrivance of the *English*. The Treatment the *Scotch* Subjects met with there, and in the other Colonies, convinced the Nation, that while the King of *Scotland* remained in *England*, he neither would, nor could give the Protection to his *Scotch* Subjects, which his Relation to them, as their King, oblig'd him to; but must be govern'd by his *English* Counsellors, with whom it was at that Time a Maxim to keep that Nation poor and dependant. Another Grievance that People complained of during the Monarch's Reign, was, that he had, when only Prince of *Orange*, called a Convention of the Estates, which he afterwards converted to a Parliament, and continued that Parliament during his whole Reign, which was contrary to

the Claim of Right, where frequent Parliaments is asserted to be the Privilege of the People.

THESE were some of the Grievances that People groaned under at Queen *Anne's* Accession to the Throne, at which Time the Minds of the People were so inflamed, their Misfortunes gathering in Bulk like a Snow-ball, that they all seemed ready for Rebellion, or some other desperate Course, to remedy these Evils.

HER Majesty's Ministers, whether they were ignorant of the Disposition of the Kingdom, or wanted wilfully to betray her Majesty into Measures that would exasperate the Nation beyond bearing, began their Administration in *Scotland* with a Piece of Arbitrary Power, which the greatest Tyrants that filled that Throne durst not have ventured on; they persuaded her Majesty, instead of calling a new Parliament, to continue King *William's* Convention Parliament, which still more inflamed the People, and almost persuaded them that their Case was desperate, since they had tried, since the Union of the Crowns, Kings of all Sorts, lawful Sovereigns and Usurpers, Natives and Foreigners, and found them almost all alike, Weak, Wicked, or Ill-advised; and all of them, without Exception, making Encroachments upon their Constitution, and treating them rather like a conquer'd Province, than a free People.

WHEN this righteous Assembly met, a great Number of their Members protested against the Legality of their Meeting, and made a Cession, the honest Part of them refusing to give a Sanction, by their Presence, to the Proceedings of an Assembly that had no other Title to the Name of Parliament than what flowed from Arbitrary Power; However, this did not discourage the remaining Set from asserting their Authority as a lawful Senate, and voting Subsidies to the Crown, which I think was the chief Transaction of that Session. But their Authority was so small, that the Taxes imposed could only be levied by Military Execution; and even in that Manner the Ministry could not make effectual the one half of what their *Tools* had Voted.

IN the Year 1703 the Ministry thought proper to allow her Majesty to call a new Parliament, but first procured a general Pardon to be granted by her Majesty's Proclamation, dated the 6th of *March* 1702-3, by which Means a considerable Number of Persons no ways affected to the Protestant Succession, had Liberty to appear publickly, and return from Abroad, whence their Practices against the Revolution had driven them, and gave them a fresh Opportunity to debauch the Minds of their well-meaning Countrymen.

THE Parliament met the 6th of *May* 1703, my Lord Duke of *Queensbury* being High Commissioner. This Parliament the Court soon found not to be entirely modell'd according to their Mind, nor so obsequious to their Measures as the Remains of the Convention Parliament had proved the Year before.

THE Court Party fell immediately upon a Supply to her Majesty, but the Managers of the opposite Party resolv'd to begin with a Redress of Grievances, and to provide for the Succession of the Crown after the Decease of her Majesty without Heirs, under such Limitations as might secure the Independency of the Nation, and retrieve their ancient Constitution, which had been so miserably subverted since the Union of the Crowns, by the undue meddling of the *English* in *Scotch* Affairs.

OVERTURES of this last kind was brought into the House, and back'd by several Members, who pathetically represented the Miseries of the People since the Residence of their Kings in *England*. The Facts were so apparent, that the Courtiers had no pretence to deny them, or the Necessity the Nation was under, in order to preserve their Constitution, to make some wholesome Laws to restrain her Majesty's Successors (not of her own Body) from betraying, to their more powerful Neighbours, the Honour and Independency of that antient Kingdom; but were oblig'd to use all Artifices to divert the Intentions of the Members, or if they could not disappoint them wholly, at least to moderate their Zeal,

SOME Members of that Parliament, Men of Note and eminent for their Parts and Learning, were so touch'd with the Misfortunes of their Country, that they could not find any other Remedy to prevent the Influence of *English* Councils, the Source from whence they imagin'd all their Mischiefs flow'd, but by depriving the future Successor of all Prerogative, leaving him no more Power than that of a Doge of *Venice*: they thought no other Remedy sufficient to secure their Independancy, and thought themselves justified to enact such Limitations, since they were making a new Intail of the Government, which they had a right to grant under such conditions, as suited with the Good of the People; but in this they were divided among themselves, all those who either favour'd the Succession of the *House of Hanover* or that of *Stewart*, knew it would be disagreeable to both these Houses, to be complimented with a Stadtholdership, instead of a Monarchy. And those who were indifferent to either, that is, had no particular Design to make their Court to any of them, had not Interest enough to carry the Limitations propos'd. But at last all concurr'd in promoting the famous Act of Security, which they carried by a Majority of Fifty nine Votes, in spite of all the Opposition the Court could make; as that Act had a considerable Influence in bringing about the Union, this has made me dwell the longer on the Motives that induced that Parliament to pass it, I shall here add a Copy of it, for the Benefit of such of my Readers as may not have seen it.

*Copy of the Act of Security.*

“OUR Sovereign Lady the *Queen's Majesty*, with the Advice and Consent of the *Estates of Parliament*; doth hereby statute and ordain, That on the Event of her Majesty's Death, or the Death of any of her Majesty's Heirs and Successors, Kings or Queens of this Realm; this Parliament, or any other Parliament that shall be then in being, shall not be dissolved by the said Death, but shall, and is hereby requir'd and ordain'd, if assembled, to sit and act in manner after mentioned, notwithstanding of

the said Death. And if the said Parliament shall be under Adjournment at the Time of the said Death, it shall notwithstanding meet precisely at *Edinburgh*, the twentieth Day after the Death aforesaid, excluding the Day thereof, whether the Day of the said Adjournment be sooner or later. And it is further statuted and ordain'd, That in case there be no Parliament in being at the Time of the said Death, then the Estates or Members of the last preceeding Parliament, without Regard to any other Parliament that may possibly be indicted, but never met, nor constituted, shall meet at *Edinburgh* the twentieth Day after the said Death, the Day thereof excluded; and further providing, That in all or any of the said Cases, if there shall happen to be any Vacancy of a Member, by reason of Death, or Promotion, the Barons or Burrows concern'd shall have Power to chuse and supply the said Vacancy in the accustom'd manner; as likewise that in all, or any of the said Cases, no Person who hath been, or shall be then Papist, and hath not purged himself from Popery, by taking the Formula set down in the third Act of the Parliament 1700, before the said Death, shall be capable to be a Member of, or to elect, or be elected to the said Meeting of the Estates in Parliament. And such like that no *English* Man or Foreigner having a *Scotch* Title, and not having an Estate of 12000 *l.* yearly Rent within this Kingdom, shall in the Event aforesaid, have Place or Vote in the said Meeting of the Estates; and the said Estates of Parliament, appointed in case of the Death aforesaid, to continue or meet as above, are hereby authoris'd and empower'd to act and administrate the Government in manner after mentioned. That is, That upon the Death of her Majesty, leaving Heirs of her own Body, or failing thereof, lawful Successors, design'd or appointed by her Majesty and the Estates of Parliament, upon the Death of any succeeding King or Queen, leaving Heirs and Successors as said is, the said Estates of Parliament are authoris'd and empower'd, after having read to the Heir or Successor the Claim of Right, and desired them to accept of the Government in the Terms thereof, to require of and administer to the said Heir or lawfu.

lawful Successor, by themselves, or such as they shall  
 commissionate, the Coronation Oath, and that with all  
 convenient Speed, not exceeding thirty Days after the  
 meeting of the said Estates, if the said Heir or Successor be  
 within the Isle of *Britain*, or if without the same, not  
 exceeding three Months after the said Meeting; in order  
 to the exercising of the Royal Power, conform to the  
 Declaration of the said Estates, contain'd in the Claim  
 of Right. As also in the Case of the said Successor be-  
 ing under Age, which, as to the exercise of the Go-  
 vernment, is hereby declar'd to be until their attaining to  
 the Age of Seventeen compleat, to provide, order and set-  
 tle within the Space of sixty Days after the said Meet-  
 ing, a Regency for the Kingdom, until the said Heir or  
 Successor take the Coronation Oath, and do actually en-  
 ter into the Exercise of the Government; the Regent or  
 Regents to be appointed, always having the Claim of  
 Right read to him, or them as above, and he or  
 they taking at his or their entry the Coronation Oath;  
 and to continue for such space as the said Estates shall  
 appoint. After the Entry of which Heir or Successor to  
 the Exercise of the Government, in manner aforesaid, or  
 in settling the Regency in case of under Age, the said E-  
 states of Parliament shall only continue to sit and act  
 for the Space of three Months, unless they be sooner  
 lawfully adjourn'd or dissolved by the said Heir or Suc-  
 cessor's being enter'd, or by the Regent, or Regents  
 lawfully settled as said is. And further, upon the Death  
 of her Majesty without Heirs of her Body, or a Successor  
 lawfully design'd or appointed as above, or in the Case  
 of any other King or Queen, thereafter succeeding and de-  
 ceasing without lawful Heir or Successor, the foresaid Estates  
 of Parliament, conven'd or meeting, are hereby autho-  
 rised and impower'd to nominate and declare the Succes-  
 sor to the Imperial Crown of this Realm, and to settle  
 the Succession thereof upon the Heirs of the said Suc-  
 cessor's Body, being always of the *Royal Line of Scotland*,  
 and of the true Protestant Religion; providing always,

that

that the same be not the Successor to the Crown of *England*, unless in this present Session of Parliament, or any other Session of this or any ensuing Parliament during her Majesty's *Reign*, there be such Conditions of Government settled and enacted, as may secure the Honour and Sovereignty of this Crown and Kingdom, the Freedom, Frequency and Power of Parliament, the Religion, Liberty and Trade of the Nation, from *English* or any Foreign Influence; with Power to the said Meeting of Estates, to add such further Conditions of Government as they shall think necessary, the same being consistent with, and no ways derogatory from, those which shall be enacted in this, or any other Session of Parliament during her Majesty's *Reign*. And further, but prejudice of the Generality aforesaid, it is hereby specially statuted, enacted and declar'd, That it shall not be in the Power of the said Meeting of *Estates*, to name the Successor of the Crown of *England*, to be Successor to the Imperial Crown of this Realm; nor shall the same Person be capable in any event, to be *King* or *Queen* of both *Realms*, unless a free Communication of Trade, the Freedom of Navigation and Liberty of the Plantations, be fully agreed to and establish'd by the *Parliament* and Kingdom of *England*, to the Kingdom and Subjects of *Scotland*, at the Sight and Satisfaction of this or any ensuing Parliament of *Scotland*, or the said meeting of the *Estates*. And it is hereby declar'd, That the said Meeting of *Estates*, shall not have Power to nominate the said Successor to the Crown of this Kingdom, in the Event above express'd, during the first twenty Days after their Meeting; which twenty Days being elaps'd, they shall proceed to the said Nomination with all convenient Diligence. And it is hereby expressly provided and declar'd, That it shall be high Treason for any Person, or Persons, to administrate the Coronation Oath, or be witnesses to the administrating thereof, but by the Appointment of the Estates of Parliament in manner above mentioned; or to own or acknowledge any Person as *King* or *Queen* of this Realm, in the Event of her Majesty's De-

cease,

' cease, leaving Heirs of her Body, until they have sworn  
 ' the Coronation Oath, and accepted the Crown in Terms  
 ' of the Claim of Right, and in the Event of her *Majesty's*  
 ' Decease, without Heirs of her Body, till they swear the  
 ' Coronation Oath, and accept on the Terms of the Claim  
 ' of Right, and of such other Conditions of Government,  
 ' as shall be settled in this or any ensuing Parliament, or  
 ' added in the said Meeting of Estates, and be thereupon  
 ' declar'd and admitted as above, which Crime shall be ir-  
 ' remisable, but by Consent of Parliament. And because  
 ' of the foresaid Interval of twenty Days, betwixt the said  
 ' Death and Meeting of the Estates of Parliament, in case  
 ' there be no Parliament assembled for the Time, it is ne-  
 ' cessary, that the Administration of Government be pro-  
 ' vided for, in that Interim, therefore it is hereby declar'd,  
 ' That in case of the Death of her Majesty, or of any suc-  
 ' ceeding *King* or *Queen* of this *Realm*, in all or any of the  
 ' Events above mentioned, the foresaid Administration shall  
 ' be in the Hands of such of the Members of the said Es-  
 ' tates of Parliament, and such Members of the Privy Coun-  
 ' cil last in being, as shall be at *Edinburgh* the time of  
 ' the said Death, or shall come to *Edinburgh* before the  
 ' aforesaid twentieth Day, and shall meet in the Parliament  
 ' House there; which Members of the Estates, and the said  
 ' Members of the Privy Council, are hereby empower'd  
 ' to sit and act in the said Interim, for preserving the Peace  
 ' and Quiet of the Kingdom alternately, and till the said  
 ' Meeting of the Estates, and no longer, thirty of the said  
 ' Members of the Estates, and Members of the former Coun-  
 ' cil, being a Quorum, the Plurality being always of the  
 ' Estates, who were not of the former Council. And it is  
 ' hereby further statuted and ordain'd, That all Commissions  
 ' granted to the Officers of Estate, Lords of Treasury and Ex-  
 ' chequer, Resident of the Privy Council, and all other civil  
 ' Commissioners, that are now granted during Pleasure, shall  
 ' by the decease of the *King* or *Queen* Reigning, become null  
 ' and void, except Sheriffs, Stewards and Justices of the  
 ' Peace, in their respective Bounds. And for a further  
 ' Security



Security to this Kingdom, her Majesty, with the Advice and Consent aforesaid, statutes and enacts, That the whole Protestant Heretors and all the Burroughs within the same, shall forthwith provide themselves with fire Arms for all the fencible Men, who are Protestants within their respective Bounds, and those of the Bore proportion'd to a Bullet of fourteen Drop Weight running And the said Heretors and Burroughs are hereby impower'd and ordain'd to discipline and exercise their said fencible Men once in a Month, at least, the said Heretors always taking the Oath of *Allegiance and Assurance*; as also such Heretors and fencible Men, who are suspected of Popery, are hereby appointed when requir'd, to take the Formula mentioned in the Act of Parliament 1700; and that before the Sheriff of the Shire, or any other Judge within whose Jurisdiction they reside. And it is hereby likewise statuted and ordain'd, That upon the Decease of her Majesty or any of her Heirs or Successors, the Commissions of all Officers of the standing Forces above a Captain, shall immediately become void and null, and that the Captain of the several Troops and Companies, and the Lieutenants of those Troops and Companies, who shall have belong'd to the *Colonel, Lieutenant Colonel and Majors*, do continue to command their respective Troops and Companies, without extending their Command any further, under Pain of High Treason, till further Order from the said *Estates* or Committee in the Interval. And further, her Majesty, with Consent and Advice aforesaid, requires and ordains all Officers and Soldiers, which shall happen to be in daily Pay at the Time of the Decease aforesaid, to continue in, or immediately repair to their respective Garrisons and Quarters, and not to remove from thence, but by Order of the said *Estates* or Committee abovementioned, upon Pain of Treason. And lastly, her Majesty, with Consent and Advice aforesaid, casses and annuls the seventeenth Act of the Session of the Parliament 1696, and all other Laws and Acts

This Act here rescinded, was the Act settling the Crown on the Duke of York, notwithstanding of his Religion.

‘ Acts of Parliament, in so far as they are inconsistent with this Act.’

THERE was likewise another Act pass’d this Session, that was introduced to strengthen the Former, viz. An Act anent Peace and War: the Country Party suggested that the Court of *England* might grant the Conditions of *Government*, and the Communication of Trade stipulated in the *Act of Security*, in order to induce the Nation to name the same Successor to their Crown which they had done, and so soon as that Turn was serv’d, might again deprive the Nation of these Trading-Privileges: to be a *Check* upon such unfair Proceedings, they brought in this Act *Anent Peace and War*; by which the same Person being King or Queen of both Realms, could not make Peace with, or declare War against any Power without the Consent of the *Estates of Scotland*. By this they propos’d, that if *England* was so unfair, as not to allow them the Terms stipulated, they should not be able to avail themselves of the Strength of *Scotland* in any of their Quarrels, without the Consent of the People.

THESE were the first Struggles the *Scotch* Nation made to regain their ancient Liberties, and to prevent their falling for the future under the miserable Yoke they had groan’d under ever since the Union of the two *Crowns*. But the Courtiers who were mostly themselves under that Influence, which was the Source of or rather all the National Grievances, when they found they could not by all their Art, divert the House from passing these Acts, were obliged to have recourse to a very unpopular Remedy, the Negative of the *Crown*; which was warmly resented by many of the Members, as a Prerogative that never was exercis’d but in times of *Tyranny*; for which there was not the least Shadow of Pretence, till that Act pass’d in King *Charles* the II<sup>d</sup>’s pack’d Parliament: and even then, some of the Members with a good deal of Probability, alledged, That that Act did not vest a Power in the Crown to deny their Assent to Acts pass’d by the *Estates*, in the Presence of their Commissioners: but was made one purpose to hinder any acts of Assemblies, assuming to themselves the Authority of Parliament, from passing into Laws without

without the Royal Assent, signified by touching the Instrument with the *Scepter* in a full Meeting of the Estates. However the Commissioner was not to be prevail'd on, to give the Royal Assent to the Act of Security; and in return he could not prevail with the Parliament to grant any Subsidies, but was obliged to put an End to the Session without receiving any, after having given the *Royal Assent* to the Act Ancient Peace and War, and some other Acts, not material to our present Purpose.

Thus both Court and Country parted heartily dissatisfied with each other, and the Country in general expressed a great deal of Discontent, that the Act of Security, that had cost them so much Time and Money, had not received the Royal Assent.

IN the Year 1704 the *English* Ministry thought proper to make a considerable Change in the *Scotch* Ministry; the Duke of *Queensberry* and his Party was turn'd out, and the *Scotch* Affairs put into the Hands of the Marquess of *Tweeddale* and his Party, who were stiled in *Scotland*, *Squadron Volante*, for Reasons which I shall have Occasion to mention afterwards. These new Ministers hoped to bring the People of *Scotland* into better Temper, but they found it impossible without gratifying them by giving the Royal Assent to their favourite *Act of Security*, which some say, particularly Bishop *Burnet*, was the special Advice of the Lord *Godolphin*; how far the Bishop is in the right I shall not pretend to determine, but it appears such a Blunder in *English Politics*, that the World must be surpris'd how so wise a Minister as that Lord is represented to be, could fall into it, since this is certain, that the passing of that Act brought the Ministry unto such a Dilemma, that if they had not had Address enough to purchase the Union, that Act would have involved them in such Difficulties as might have ended in the Ruin of the Protestant Succession; though that was no Part of the Design of the major Part of those who promoted that Law. However, by giving the Royal Assent to this Act the Queen obtained some Subsidies, which was the chief Transactions of that Session.

THIS Act was not long passed into a Law, till the Court of *England* saw the manifest Advantage they had allowed the *Scotch* over them; for it was plain, that according to the Spirit of that Law, the *English* must not only quit all Pretensions to meddling in *Scotch* Affairs, (a Privilege they did not care to part with) but must take them in Partners with them in all their Trade and Plantations, before they could pretend to prevail on them to settle their Crown in the Manner they had already done; which if they refused, it was possible the *Scotch* might be so mad as to chuse the *Prince of Wales* (as the Pretender was then call'd) for their King, which would involve *England* and the whole Island in Blood and Confusion. The Parliament thought to fright the *Scotch* out of their Notions of Liberty, and passed some Acts declaring the Subjects of *Scotland* *Alliens* in *England*, and address'd the *Queen* to put the Northern Provinces of *England* in a Posture of Defence. But the *Ministry* went a wiser Way to work, and resolv'd, if that Nation was not to be *Bully'd* out of their Freedom, to try if they could not be *Negotiated* out of it. To this Purpose a new Reform was made in the *Scotch* Ministry. The *Marquiss of Tweedale* and his Squadron was turned out, and the *Duke of Argyle*, and the *Duke of Queensberry*, were taken into play.

BOTH these Noblemen had great Interest and numerous Friends. The *Duke of Argyle*, like his Father and Predecessors, was the Head and Darling of the *Presbyterians*; a Party who was likeliest to oppose any Measures favouring the Court of *St. Germains*, and to promote the Interest of that of *Hanover*.

THE *English* Ministry finding that the *Hanover Succession* must be disappointed, and perhaps the Island divided, if they did not comply with the Design of the *Scotch*, with relation to Trade and Government, thought the best Expedient would be to endeavour to bring about a Union of the two Kingdoms, by which they could still preserve such an Influence over the *Scotch* as to make them subservient to their Ends.

THERE had been many Treaties of this Nature enter'd into since the Accession of *James VI.* to the Crown of *England*,

*land*, but they had all ended in nothing ; as the *English* Ministry were never sincere in the Matter, or at least stood upon such Terms as it was impossible for the *Scotch* to agree to. At this Period of Time there never was less Likelihood of a Union succeeding, if we are to judge by the general Inclination of the People of both Kingdoms. The *Scotch* look'd upon the *English* as their ancient Enemies, and upon their meddling in their Affairs as the Spring of all their Misfortunes ; and the *English* could not bear that a Nation they look'd upon as a Province of their Empire, should pretend to such high Notions of Liberty, and could not, with any Patience, hear of admitting them into a free Communication of Trade in general, when they had so lately resented their attempting to settle a Colony in *Darien*.

THESE were the Sentiments of the Generality of both Kingdoms, but the Ministry saw themselves in such a Dilemma, that they must now bring a Union about at any rate, and for that Purpose such Persons were employ'd in *Scotland* as were likeliest to promote this Design. Their chief Dependance was on the Duke of *Argyle* and the Duke of *Queensberry* ; the Former of whom they appointed her Majesty's High Commissioner to the next Session of the *Scotch* Parliament.

HIS Grace set out for *Scotland* in the Month of *April* 1705, and was met on the Borders near *Berwick* by a Squadron of Horse on the 23d of that Month. That Night his Grace lay at *Dumbar*, about eighteen Miles from *Edinburgh* ; next Day he was met some Miles from the City by above six hundred Horse, and about forty Coaches belonging to the Nobility and Gentry of *Scotland*, and the Lord Provost and Magistrates of *Edinburgh*, who all attended his Grace to his Apartments in the Royal Palace of *Holy-Rood-House*, where he was received by a double Salvo of all the Cannon in the Castle, the great Guns in the Park, and all the Men of War, both *Dutch* and *Scotch*, then lying in the Road of *Leith* ; The Citizens of *Edinburgh* expressing their Satisfaction in the Choice her Majesty had made of a Person to represent

her Sacred Person, by Bonfires, Illuminations, and all other Marks of Joy.

ON the twenty eight of *June* following the the Parliament met, when his Grace's Commission was read and recorded ; after which a Commission appointing *James* Earl of *Seafield*, Chancellor ; Commissions to *William* Marquess of *Anandale*, and *Heugh* Earl of *Louden*, to be Secretaries of State ; *David* Earl of *Glasgow*, to be Lord Treasurer Deput ; Sir *James Murray* of *Philiphhaugh*, to be Clerk Register ; and *Adam Cockburn* of *Ormistoun*, to be Lord Justice Clerk ; were severally read and recorded as usual. Then the House adjourn'd till the third of *July*.

AT which Time, when the House met, her Majesty's Letter to the Estates of Parliament, was read, of which the following is a Copy.

ANNA REGINA,

*My Lords and Gentlemen,*

' IT hath been our great Care, ever since our Accession to the Crown, to preserve the Peace, and promote the true Interest and Advantage of that our antient Kingdom : and above all, to have your present Establishment so secured ; that both you and after Ages, may reap the Benefit thereof.

' You are now again met in Parliament, and no doubt, with a full view of all your present Circumstances ; which we heartily wish may be seconded, with such Endeavours on your Part, as may best accomplish what we really design.

' IN your last Meeting, we recommended to you, with the greatest Earnestness, the settling the Succession of that our antient Kingdom in the Protestant Line ; and several things having since happen'd, which shew the great Inconvenience of this Matter continuing in suspense, we cannot but at present, most seriously renew the Recommendation of this Settlement : as being convinc'd of the growing Necessity thereof, both for the Preservation of the Protestant Religion,

Religion, and the Peace and Safety of all our Dominions ; and for defeating the Designs and Attempts of all our Enemies. And to prevent any Objection to the said Settlement, that can be suggested from the Views or Fears of any future Inconvenience, that may happen to that our Kingdom from thence, we shall be ready to give the Royal assent to such Provisions and Restrictions as shall be found necessary and reasonable in such a Case ; and therefore we must still leave it upon you, as most necessary for all the Ends already mention'd, that you go to the Settlement of the Succession, before any other Business.

We are fully satisfied, and doubt not but you are, that great Benefits will arise to all our Subjects by an Union of *Scotland* and *England* ; and that nothing will contribute more to the composing of Differences, and extinguishing the Heats that are unhappily fomented by the Enemies of both Nations, than the promoting of every Thing that tends to the procuring the same : therefore we earnestly recommend to you, to pass an Act for a Commission to set a Treaty on Foot between the Kingdoms, as our Parliament of *England* has done, for effectuating what is so desirable, and for such other Matters and Things as may be judged proper for our Honour, and the Good and Advantage of both Kingdoms for ever ; in which we shall most heartily give our best Assistance.

The Supplies granted by the Parliament, for maintaining the Forces, with the Forts, Garrisons and Frigates, are now at an End ; and the same being still necessary to be maintain'd, as likewise that the Magazines of Arms and Ammunition be duly furnish'd for the Peace and Security of the Kingdom, especially now in Time of War, We doubt not but you will provide the Supplies needful, in such a manner as may be easy and effectual.

We have named the Duke of *Argyle* to be our Commissioner, to represent our Person in this Session of Parliament, as one of whose Capacity and Zeal for our Service, and the Kingdoms good and Advantage, we are sufficiently assur'd, and no less hopeful that he will be acceptable to

‘ you. We have fully impower’d him to declare our firm  
 ‘ Resolution, to maintain the Government, both in Church  
 ‘ and State, as by Law established, and likewise to consent  
 ‘ to such further Laws as shall be thought needful to that  
 ‘ End.

‘ WE have also impower’d him, to give the Royal  
 ‘ Assent to such good Laws, as shall be concluded for the Ad-  
 ‘ vancement of Piety and Discouragement of Immorality, for  
 ‘ the better encouraging and improving of Trade and Manu-  
 ‘ facture, the further securing of private Rights and Convey-  
 ‘ ances, and for promoting the more easy and speedy Admi-  
 ‘ nistration of Justice ; and generally for what may be found  
 ‘ for the Good and Advantage of the Kingdom : In all such,  
 ‘ and whatever else may contribute for the Happiness and Sa-  
 ‘ tisfaction of our People, You shall have our ready and  
 ‘ chearful Concurrence, and so we bid you heartily farewell.  
 ‘ *Given at our Court at Windsor Castle, the 18th of June 1705,*  
 ‘ *and of our Reign the fourth Year.*

Sign’d by her Majesty’s Command,

DAVID NAIRNE.

This Letter being read, his Grace made the following  
 Speech.

*My Lords and Gentlemen,*

‘ HER Majesty has in her Letter express’d so much  
 ‘ Tendernefs and Affection towards this Nation, in assuring  
 ‘ you, that she will maintain the Government as establish’d  
 ‘ by Law, both in Church and State ; and acquainting you,  
 ‘ that she has been pleas’d to give me full Power to pass such  
 ‘ Acts as may be for the Good of the Nation ; that were it  
 ‘ not purely to comply with Custom, I might be silent.

‘ HER Majesty has had under her Consideration, the present  
 ‘ Circumstances of this Kingdom ; and out of her extream  
 ‘ Concern for its Welfare, has been graciously pleas’d to  
 ‘ recommend to you two Expedients to prevent the Ruin,

‘ which



‘ which does but too plainly threaten us. In the first Place,  
 ‘ your settling the Succession in the Protestant Line ; as what  
 ‘ is absolutely, and immediately necessary to secure our  
 ‘ Peace, to cool those Heats which have with great Industry  
 ‘ and too much Success, been fomented among us, and ef-  
 ‘ fectually disappoint the Designs of all our Enemies. In the  
 ‘ second place, a Treaty with *England*, which you, your-  
 ‘ selves have shown so great Inclination for, that ’tis not to  
 ‘ be suppos’d it can meet with any Opposition.

‘ THE small Part of the Funds, which were appropriated  
 ‘ at your last meeting, for the Army, are now at an End ;  
 ‘ and I believe every body is satisfied, of how great Use our  
 ‘ Frigots have been to our Trade ; and ’tis fit to acquaint  
 ‘ you, that our Forts are ruinous and our Magazines empty,  
 ‘ therefore I do not doubt, but your Wisdom will direct you  
 ‘ to provide suitable Supplies.

*My Lords and Gentlemen,*

‘ I am most sensible of the Difficulties that attend this Post,  
 ‘ and the Loss I am at, by the want of Experience in Af-  
 ‘ fairs ; but I shall endeavour to make it up by my Zeal and  
 ‘ Firmness in serving her Majesty, and the great Regard I  
 ‘ shall have to whatever may be for the good of my Coun-  
 ‘ try.”

HAVING already given the Reader a short View of the  
 Grievances the Nation in general groaned under ; before we  
 enter further into the Proceedings of this Session, it may not  
 be improper to take a short view of the several Parties that  
 divided that Kingdom at that Period, with the Character of  
 the leading Men that compos’d them.

THERE was at that Time a Party distinguish’d by the  
 others, by the Name of the Court Party ; these consisted of  
 Revolutioners, but the Majority of them would be any thing  
 to serve their own Ends, which were chiefly directed to keep-  
 ing themselves in Places of Honour and Profit.

THE Country Party ; who first assumed that Distinction  
 in King *William’s* Reign by appearing for the *Darien* Adven-  
 turers against the Encroachments of the *English* upon the  
 Company concern’d in that undertaking ; these were most-  
 ly

ly Presbyterians, and a great Number of them Men of undoubted Probity, directed in their Actions by what they esteemed the Publick Good, tho' sometimes mistaken in their Measures to accomplish it. Among these, the Duke of *Hamilton*, and Mr. *Fletcher* of *Salton*, made the most conspicuous Figure; and in their Speeches express'd a noble Zeal for the Interest of their Country and the Preservation of the Antient Constitution, Liberty and Independency of that Antient Kingdom.

THE next Party that appear'd considerable, were those who affected to be distinguished by the Name of *Cavaliers*. These were mostly Episcopal in Religion, and Jacobites in Politicks, Enemies to the Revolution, the present Establishment of the Church of *Scotland*, and the Protestant Succession. These were Principles they took no Care to disguise, or dissembled so wretchedly, that he must be wilfully blind who could not discern it. These joined the Country Party in all the Out-cry they made of Grievances, and opposed the Court whenever they came to put on a Whigish Aspect which it had assumed at this Time. Tho' these Gentlemen appear'd as zealous for the Liberties of the Nation as the staunchest Patriots, yet they look'd one Way, and row'd another; meant only to disturb or delay the Settlement of the Succession in the Protestant Line, and make their court to the pretended Heir of the Illustrious House of *Stuart*, on whom they would have been willing to bestow the Crown, without troubling themselves with any Limitations or Conditions either for their Liberties or Religion. This Party was headed by the Duke of *Athole*, and the Earl of *Hume*.

BESIDES, there was another Party call'd the *Squadrons Volante*, headed by the Marquess of *Tweeddale*. This Party was composed of the Marquess's Friends and others who were turn'd out of the Ministry upon the late Reform, for which they appeared much disgusted; they affected to join no Party, but pretended to cast the Ballance, intending to make themselves considerable to the Court, and so gain the

the better Terms ; but their Mercenary Views were so well known, that they were despised by all.

THESE were the several Parties that composed the Parliament ; it remains now that we take a short View of the Characters of the Leading Men among these several Sets.

JAMES Duke of *Queensberry*, next the Duke of *Argyle*, was the Person the Court depended on, and a Man very fit for their Purpose : His Grace was reputed a Man of very great Parts, though he wanted that Application necessary in publick Business : He was a Man of a noble Address, and so engaging and courteous a Behaviour, that he gained the Esteem and Friendship of very many of all Ranks of People, whom he persuaded to follow him into Measures even contrary to their own Principles. He was at the same time extremely covetous and profuse of his Money ; for though he got vast Sums of Money by his publick Employment, which he coveted for the Sake of Money, yet he saved nothing during all his Administration. His Grace was early in the Revolution Interest, and directed that Party ; yet he comply'd with the Tory Ministry in the Beginning of Queen *Anne's* Reign, and made large Promises to the *Cavaliers* in Behalf of themselves and the Court of *St. Germain's*, then call'd the *Distress'd Royal Family*. To outward Appearance, (says the Author of the *Scotch Memoirs*) and in his ordinary Conversation he was of a gentle and good Disposition, but inwardly a very Devil, standing at nothing to advance his own Interest and Designs ; though his Hypocrisy and Dissimulation serv'd him very much, yet he became so very well known, that no Man, except such as were his nearest Friends and *Socii Criminis*, gave him any Trust ; and so little Regard had he to his Promises and Vows, that it was observ'd and noted, that if he was at any Pains to convince you of his Friendship, and by Swearing and imprecating Curses on himself and Family to assure you in his Sincerity, then to be sure he was doing you under hand all the Mischief in his Power.

JAMES Earl of *Seafield* was made at this time a Lord, of whom the above cited Author gives the following Character. In his younger Years (says that Memorialist) his Father's Family being very low, and his Elder Brother then alive, he was bred a Lawyer, entered and continued an Advocate, with a good Reputation. In the Convention 1689, he was much taken Notice of by reason of a Speech he made against forfeiting King *James*; but he did not long continue in these measures, for by *William Duke of Hamilton's* Means he was made Solicitor to King *William*, and enjoy'd that Office several Years; during which Time he prosecuted his Employment to some purpose, and made a fair Estate. In the Year 1696 he was call'd to Court to be one of King *William's* Secretaries of State; and indeed it must be own'd he serv'd him very faithfully, consenting to, and going along with any Thing demanded of him, though visibly against the Interest of his Country; and trim'd and trick'd so shamefully in the Affair of *Darien*, that he thereby, from being generally well belov'd, drew upon him the Hatred of all who wish'd well to that glorious Undertaking. He was believed to be of Loyal enough Principles, but had so mean and selfish a Soul, that he wanted both Resolution and Honesty enough to adhere to them, which evidently appear'd from his changing Sides so often, and cleaving to that Party he found rising: People were willing to excuse, at least extenuate his first Faults; because of the Lowness of his worldly Circumstances; but after he had raised them to a considerable Height, and had a fair Occasion of retrieving his Reputation, when he join'd with the *Cavaliers* in the Parliament 1703, to leave them so basely and meanly as he did, is altogether inexcusable. He was finely accomplish'd, a learned Lawyer, a just Judge, courteous and good-natur'd, but withal so entirely abandon'd to serve the Court Measures, be what they will, that he seldom or never consulted his own Inclination, but was a blank Sheet of Paper the Court might fill up with what they pleased. As he thus devoted his Honour and Principles, so he likewise easily deserted his Friend when his Interest led him

him to it, which was the only thing on Earth he was ever firm and stedfast to. A noted Instance of which was his Ingratitude to Sir *James Ogilvie* of *Boin*, and his Family, who had been at the Charge of educating him at the Schools and Colleges at Home, and of sending and maintaining him abroad studying the Law; and being a Lord of Session in King *James's* Time patronized and protected him when he entered Lawyer.

THE Author of the *Scotch Memoirs* proceeds in this Manner to characterize pretty impartially the Set of Men that composed the Ministry of *Scotland*, where tho' he is severe sometimes upon their Failings, yet honestly allows them all the Qualifications their greatest Admirers could flatter them with; and if we give some Grains of Allowance to that splenetick Spirit in which this Author writes, as being of a Party different from the Ministry, and a Party that had been disappointed in all their Inventions to introduce a Popish Prince to the Throne of *Scotland*: It will be admitted, I say, with these Allowances, that his Character of the Ministry is more impartial than could well be expected from a Party Writer. But as these Two were the Leading Men in the Court Interest, and that the rest are represented to be pretty near of a Kidney, we shall not trouble the Reader any further with that Subject; only we must observe, that though the Duke of *Argyle* distinguished himself by his Zeal for, and promoting, the Protestant Succession, and the Union of the Kingdoms, yet here his Enemies allowed him a Character different from most of those employ'd in the Ministry; acknowledging, in the Height of their Malice, that he acted from no other Motives but from Principles he believ'd to be for the good of his Country. For this Memoir Writer, tho' he descends so low as to mix the Foibles of Youth with his publick Character, yet owns his Grace ' might well enough pass for an accomplish'd Gentleman. He was extremely forward in effecting what he aim'd at and design'd, which he own'd and promoted above-board, being altogether free of the least share of Dissimulation, and his Word so sacred, that one might assuredly depend upon it. His Head ran more upon the Camp than the Court, and it appears Nature had dressed him up accordingly, being altogether incapable of the servile

\* Depen-



‘ Dependency and flattering Insinuations requisite in the last, and endued with that cheerful lively Temper and personal Valour esteem’d and necessary in the other. In *Scotland* he affected and gain’d the Leading of the Presbyterians, as his Father had done before him, and was, upon that and other Accounts, a very significant Member.’ This is the Character this Writer gives of his Grace, which nothing but the Force of Truth could extort from a Party so much exasperated.

THE most Leading Man in the Country Party was *James Duke of Hamilton*. He was Son of *William Earl of Salkirk*, second Son to the Marquis of *Douglas*, who after his Marriage with *Anne* Daughter to *James* first Duke of *Hamilton*, and Heiress of both the Estate and Honours of *Hamilton*, was likewise created Duke of *Hamilton*. During his Father’s Life, and even sometime after his Decease he was design’d Earl of *Arran*; but in the Year——his Mother made a Resignation of the Honours to King *William* in favour of her Son, which were accordingly bestow’d on him.

AFTER his Return from his Travels he remain’d for most part at Court, where he was a Gentleman of the Bed-Chamber, and in great Favour both with King *Charles* and King *James*. At the Time of the late Revolution he had a Command of a Regiment of Horse, was Brigadier General, and among the small Number of those that continued faithful to their unfortunate Sovereign, never leaving him till he went to *France*, and then returning to *London*, he gave a Proof at a Meeting of the *Scotch* Nobility and Gentry, that he was a faithful and loyal Subject. But after King *William* was establish’d in the Throne, he retired; was ready to have commanded to the North of *England*, had not my Lord *Dundee*’s Death, and some other Accidents, prevented that Design; was several Times imprison’d, and much harass’d on Account of his Loyalty.

THE Oppressions which his native Country received from *England*, particularly in the Affair of the Colony of *Darien*, call’d him to attend the Parliament; in which, ith great Dexterity, he framed a Party, very considerable for Num-

bers and Power, (tho' it was King *William's* own pack'd-up Parliament) that stood firm to the Interest of the Country, and asserted the Independency of the Nation. Had not his Loyalty been so unalterable, and that he never would engage in King *William* and his Government's Service, and his Love to his Country induced him to oppose that King, and *England's* Injustice and Encroachments upon it, no Doubt he had made as great a Figure in the World as any other whatsoever, and that either in a Civil or Military Capacity; for he was Master of an heroick and undaunted Courage, a ready and penetrating Conception, and knew not what it was to be surpris'd, having at all Times and on all Occasions his Wits about him; and tho' in a Parliament he did not express his Thoughts in a Style altogether so Eloquent, yet he had so Nervous, Majestick, and Pathetick a Way of Speaking, and applying what he spoke, that it was always valued and regarded. Never was Man so well qualified to be the Head of Party as himself; for he could, with the greatest Dexterity, apply himself to, and sift through, the Inclinations of different Parties, and so cunningly manage them, that he gain'd some of all to his; and if once he had enter'd into a new Measure, and form'd a Project, (tho' in doing thereof he was too cautious) did then prosecute his Designs with such Courage, that nothing could either daunt or divert his Zeal and Forwardness.

THE *Cavaliers*, and those of the *Country Party*, had a great Opinion and Honour for him, and that deservedly; for 'tis well known he often refused great Offers, if he'd leave them, and was, by his excellent Qualifications, and eminent Station and Character, absolutely necessary both to advise and support them. He wanted not a Share of that Haughtiness, which is, in some measure, inherent to his Family, tho' he was most affable and courteous to those he knew were honest Men, and in whom he confided: He was extremely cautious and wary in engaging in any Project that was dangerous; and it was thought, and perhaps not without too much grounds, that his too great Concern for his Estate in *England*, occasion'd a great deal of Luke-

warmness in his Opposition to the Union, and Unwillingness to enter into several Measures that were proposed to prevent the same. But his great Failing lay in his being too selfish and revengeful, which he carried along with him in all his Designs, and did thereby, several times, prejudice the Cause for which he contended; and to these two Failings any wrong Steps he shall be found to make, are solely to be attributed. Thus far the Author of the *Memoirs of Scotland* has painted the Duke, with all the Qualifications he thinks amiable; and extols, for Virtues, what, at least, appears to be Weakness in this great Peer's Character, particularly his mistaken Zeal for the late King *James*: Whether it was the Remains of this which render'd him suspected a Party in the Invasion 1708, or that Folly is to be attributed, with the rest of his Faults, to that Spirit of Revenge our Author bestows on him, we shall not determine; but 'tis certain that this noble Peer exerted himself at the Head of the Country Party in opposition to the Union, which most of them look'd upon as destructive to the Nation.

NEXT the Duke of *Hamilton*, Mr. *Fletcher* of *Salton*, made the greatest Figure in that Party, both by his Activity within and without Doors. *Andrew Fletcher* of *Salton* was of an Honourable Family, and a very handsome Estate in *Scotland*; was Commissioner for the Shire of *Lothian*, in that famous Parliament that settled the Succession on the Duke of *York*; was the only Gentleman in that House, that had Courage or Honesty to oppose the Duk of *York*'s Measures, and the Settlement of the Succession; for which the Duke ow'd him such a spite, that Mr. *Fletcher* was obliged to abscond, and went to serve in *Hungary* under the Duke of *Lorrain*. Upon that Prince's Accession, Mr. *Fletcher* was summoned to appear before the Parliament, and as he did not care to trust Himself in their Hands, his Estate was confiscated, and himself declared a Traitor. He came over to *England* with the Duke of *Monmouth*, in his unhappy Expedition: But happening to shoot the Mayor of *Lime*, he return'd again to *Holland*; and did not return till he came over with the Prince of *Orange*, in his more successful Enterprize. He



was blest'd with a Soul that hated and despised every thing that was mean and unbecoming a Gentleman ; and was so steadfast to what he thought right, that no Hazard or Advantage, no not the universal Empire, nor the Gold of *America*, could tempt him to yield, or desert it : and I may Affirm that in all his Life he never pursued a Measure with a prospect of any By-end to himself, no further than he judged it for the common Benefit and Advantage of his Country. He was Master of most Languages, and particularly well vers'd in History and in most Branches of polite Literature. He had been in his younger Years a Volontier, both in the Land and Sea Service ; where he gave Proofs of his Valour, and acquir'd a sufficient Knowledge of these Branches : He had travell'd thro' most of the Courts of *Europe*, where he made it his Study, to acquire a sufficient Knowledge of the respective Interests of the several Potentates and States, especially with regard to the Island of *Britain*. In short, he was a most accomplish'd Gentleman, and by his natural and acquir'd Parts, duly qualified for conducting Affairs of the greatest Consequence : He was in his Principles of Politicks rather inclin'd to a Republican Form of Government than a Monarchical : Yet a Friend to the Protestant Succession in these Kingdoms ; tho' he would, if he had his Will, have laid the Successor under such Limitations, that, as he expresses it himself, it would be of no Signification to the Kingdom, whether *Hanover*, *St. Germain's*, or any Body else, should be declared King. However this great Man it seems had his Failings ; he was reserv'd in his Temper, conceited in his Opinion, and obstinate in his Resolves : that rather than give up one Jot of his Scheme, he would break with his Party. This Author of the *Scotch Memoirs*, who cannot allow a great Man to want Loyalty, according to his notion of it, would insinuate, that from some Inuendoes that drop'd from this Gentleman, he could gather as much as that he was no Enemy to the House of *Stuart* ; but in this he does not seem positive : and indeed, considering the whole Bent of his Behaviour in Parliament, there seems no room for this Aspersion.

THE Duke of *Athole* affected to be Leader of the *Cavaliers*, tho' he appear'd early in the Interest of the Revolution, having rais'd some Forces to oppose the Lord *Dundee*: but taking Pique at King *William*, because he did not prefer a Friend of his Recommendation, he turn'd his Enemy, and patroniz'd the Country Party in that Reign. At Queen *Ann's* Accession, he was made Privy Seal, and seem'd wavering betwixt Court and Country Party, till the Duke of *Queensberry* disobligh'd him: then he associated with the *Cavaliers*, and from a strong Whig Revolutioner, became a violent and profess'd *Jacobite*, among whom he obtain'd some share of Confidence. He affected much to be the Head of a Party, and to out-rival the Duke of *Hamilton*. He profess'd still to be a Presbyterian and to patronize their Clergy; which made many suspect his Sincerity to the Party he was now engaged with. But the so often mention'd Author of the *Scotch Memoirs*, asserts, on his own proper Knowledge, that he was 'very frank in the Year 1706 and 1707, to go into any the most desperate Measures to obstruct the *Hanoverian* Succession, and especially the Union.' He had good natural Parts, but these were darken'd by a proud, haughty, and imperious Temper; when he affected Popularity most, or meant to express the greatest Condescension, his Address was still attended with such a forbidding Austerity, that he always lost his Aim. His Selfishness, Vanity, and Ambition exceeded all Bounds, since he could in no shape bare an equal; for which reason he thwarted the Duke of *Hamilton* in many of those Measures, wherein he wanted the Assistance of the *Cavaliers*.

THIS is a Picture of the great Leader of the *Cavaliers*, abstracted from the foremention'd Author; from whence we may both judge of the Truth of it, and form an Opinion of the Party and their Designs.

THE Marquis of *Tweedale*, says the same Author, 'never obtain'd any other Character, than that he was a well-meaning but simple Man; and I have the Charity to believe he was forc'd against his Will by his Friends and those

‘ those he trusted (who made a meer Tool of him) to enter into many Measures he pursued. So I may safely say, he was the least ill-meaning Man of his Party, either thro’ Inclination or Capacity :’ tho’ my Author gives this mean Character of the Marquess, yet the Party whom he headed pretended to cast the Ballance between Court and Country : but as they had appear’d zealous Patriots in the Parliament 1703, and Courtiers in 1704, neither Party would trust them.

BUT to return from this Digression, which I hope the Reader will not think improper, as from these Characters may be gather’d the Designs of the several Parties and Motives of that Opposition which each of them made to the Treaty of *Union*. We shall now proceed to give a brief Description of the Transactions of this Session of Parliament, and then conclude the History of the *Union*.

AT the opening of the Sessions, the Parliament seem’d to retain a great deal of that Spirit that had appear’d in the preceeding Sessions, and the *Country Party* and *Cavaliers* seem’d to have much the Majority; which was owing chiefly to some of the Friends of the Duke of *Queensberry*; who, by his Absence, were left to the Freedom of their own Wills, voting and joining with the opposite Party against the Court. And many were of Opinion, that if the *Cavaliers* had enter’d upon that Part of the Queen’s Letter, that related to the Treaty of *Union*, they had it in their Power to have disappointed the Success of that Undertaking, by naming Commissioners of their own Stamp : but happily they took other Measures, and miss’d that Opportunity, till the Court had gain’d time to convince many of their Errors, and form a Majority to defeat their Schemes.

THE first thing the Parliament went upon, was the State of the Nation with Relation to Trade ; for which a Council of Trade was appointed, and Directions given them to bring the Imports and Exports to a Balance, and lay the same before the next Sessions ; several Overtures were brought in with relation to that Subject, some of which were enacted into Laws and others rejected. A Project was presented,

by the famous Mr. *Lowe*, for establishing a Paper Credit; but as it seem'd calculated to bring all the Estates of the Nation into a Dependance on the Government, the House thought proper to reject it.

THESE Proceedings being over, the *Cavaliers*, who had always their Eyes intent upon the Succession, as the Thing they dreaded most, resolv'd very early to throw some Rubs in the Way of it, that would at least, retard the Conclusion of that Affair in favour of the House of *Hanover*, if not intirely disappoint it. For this Purpose, twenty Days after the Parliament had met, they brought in this Resolve:

\* Resolved, that the Parliament will not proceed to the Nomination of a Successor, till we have had a previous Treaty with *England*, in relation to our Commerce and other Concerns with that Nation; and further resolv'd, that this Parliament will proceed to make such Limitations and Conditions of Government for the Rectification of our Constitution, as may secure the Liberty, Religion, and Independency of the Kingdom, before they proceed to the said Nomination.' Against this Resolve, the *Squadrone Volante* join'd the Court, but the *Cavaliers* and Country Party, by the Assistance of the Duke of *Queensberry's* Friends, carried it by a great Majority: thus the Succession was lost, and all the Dependence of those who wanted to free the Nation from it's present Broils, was center'd in the Success of the Treaty of Union.

IN the Sederunt of the 20th of July, the Marquess of *Tweedale*, the Head of the *Squadrone Volante*, presented to the House, a Draught of a Letter in answer to the *Queen's*: insisting chiefly on the Readiness of the House to nominate the same Successor with *England*, providing her Majesty would pass such Limitations as were necessary, in the present Circumstances of the Nation; but this Overture coming from that Party, was oppos'd both by Court and Country Party, and the Consideration of some other Affairs, by a Vote of the House, prefer'd to it.

NEXT a Motion was made for a first reading of an Act Commission for a Treaty with *England*; in Opposition

on to which the Duke of *Hamilton* mov'd, that the House would proceed to the enacting of Limitations. This last carried it.

IN Consequence of this Resolve, several Acts were brought in, and passed the House; particularly an Act vesting the Power of appointing the Officers of State, Privy Counsellors and Lords of Session, after the Queen's Decease, in the Estates of Parliament. An Act appointing Triennial Parliaments, which was to commence in 1708. An Act appointing *Scotch* Ambassadors to be present when the Sovereign was in Treaty with Foreign Princes. These were the chief, but none received the Royal Assent; though, says my Memorialist, it was often promised, by which Means many were wheedled over to follow the Court in their Measures in relation to the projected Treaty; not dreaming that it would end in any thing else than a federal Union, under which they thought themselves pretty safe by these Limitations, if once passed into Laws.

BUT the indefatigable Mr. *Fletcher*, of *Salton*, was not satisfied with these Limitations, but brought into the House a new Set of his own, which he usher'd in with a pathetick Recapitulation of all the national Grievances since the Union of the Crowns; and in arguing upon the several Heads of which his Limitations consisted, he demonstrated the Necessity of each in a masculine Style, and with great Strength of Reason. But as they never proceeded further than an Overture, 'tis needless to trouble the Reader with a Repetition of them; only to observe, in general, that they were like *Plato's* Commonwealth, more beautiful than practicable, yet founded on the same Principles with the Union, that is, Necessity and publick Utility, and on that Score, had they taken Place, equally justifiable: for if that Necessity dictates the Alteration of the Constitution, 'tis no Matter whether that Alteration is made in the *Prerogatives* of the Crown, or the *Privileges* of the People.

THE next Thing that came under the Consideration of Parliament, was an Enquiry into a sham Plot, that had made a great Noise in *England*, and was under the Consideration of  
the

the *English* House of Lords, and had like to involve them in a Dispute with the House of Commons.

THIS Plot was alledged to be a ministerial Plot, conducted by the Duke of *Queensberry*, in order to ruin some of the *Cuntry* and *Cavalier* Party, but especially the Dukes of *Hamilton* and *Athole*. The Person who was alledged to be employ'd by the Duke of *Queensberry* in this Plot, was one *Simon Frazer*, of *Beaufort*, a Man at that Time an Out-law in *France* for some very flagitious Crimes, and every way of the most abandon'd Character, but possess'd of a Head to contrive, and Heart and Hands to execute any Scheme conducive to his Interest. This Man, 'tis said, the Duke of *Queensberry* sent for over from *France*, and gave him Instructions how to lay his Plot so as that the two Dukes, and others he design'd to asperse, should appear guilty. He went back again to *France*, and apply'd to the *French* King, representing himself a Man of Importance, and oppress'd on Account of his Adherence to the forfeited Royal Family, and desir'd Arms and a Supply of Money to raise a Diversion in *Scotland*, to the *English* Arms; he procured some Money, and came back through *England* by Passes procured him by the Duke of *Queensberry*, who gave him a Pass in *Scotland* to secure him from the Outlawry. He then repairs to the *Highlands*, and produced a Major General's Commission from the Court of *St. Germain*s; with which Credentials he drew in many unwary People, to signify, under their Hands, their Willingness to serve that Interest; with these he return'd to *England*, and by the same Interest procured new Passes under a borrow'd Name, and with new Instructions from his Constituents, to procure Letters address'd to the two Dukes from the Court of *France*, he sets out for *Paris*; but before he was long there, the whole Contrivance came to be unravell'd, and *Frazer* clapp'd up in the *Bastile*.

THE *English* Ministry had got Scent of a Plot, and took up several Persons as concern'd in it; and the House of Lords, tho' a Matter that entirely concern'd *Scotland*, enter'd into an Enquiry about it, and voted there had been a dangerous Conspiracy carrying on in *Scotland*.

THE *Scotch* Parliament resented the House of Lords meddling so openly in their Affairs, and address'd the Queen the Session preceeding this, that the Persons and Papers relating to that Plot might be sent them.

THIS Session, the House call'd for these Papers, and were acquainted by my Lord Commissioner, that part of them were in the Lord Secretary *Loudon's* Hands : and the Rest would be laid before them, so soon as they came to Hand. But when these Papers came to be examined, they prov'd nothing but Copies ; and the Evidences that were examined before the House of Lords in *England*, were not sent down, and some concern'd in *Scotland*, were alledged to be sent out of the Way, so that the Parliament could not proceed ; which indeed the Ministry did not want, for fear the Truth should be expiscated, so that those who suffered in their Reputation by this Scheme, were obliged to satisfy themselves by exposing the whole Contrivance, and charging the Duke of *Queensberry* in Terms very gross, as the Author of the whole. And thus ended that famous Plot, which was a Plunge the Ministry was glad to get out of, at so cheap a Rate.

THE Court having now got a new Accession of Power, by the Junction of the Duke of *Queensberry's* Friends, who was some time before this arrived in *Scotland*, found themselves strong enough to bring in the Treaty of Union. The Earl of *Mar* had, the beginning of this Session, presented a Draught of an Act, which was then postpon'd, but now resum'd. The Tenour of it was much the same with that pass'd by the Parliament of *England*, empowering their Commissioners to meet and treat with each other, of an Union of the two Kingdoms, and restricting them from treating of any Alterations in the Church Government and Discipline in the respective Realms ; only the *English* Act left the Nomination of the Commissioners to the Queen, and prohibited theirs from treating with those of *Scotland*, unless the Parliament allow'd the Nomination of theirs to her Majesty also.

THIS last Clause was heinously resented by the *Scotch* Patriots, as a kind of Insult upon the Estates of the Kingdom,

dom, by pretending to dictate to them in the Management of their own Affairs.

THE *Cavaliers*, tho' in their Hearts averse to a Treaty yet finding the Country Party and the House in general inclinable to set such a Treaty on foot, did not oppose it in general, but resolved to endeavour to clog it in such manner, as it should not have the desired Effect.

THE Duke of *Hamilton*, after the *English* Act for a Treaty was read, and the before mention'd Copy of a *Scotch* Act, proposed, that a Clause should be added to the Act in these Terms.  
 ' That the Union to be treated on, should noways derogate  
 ' from any fundamental Laws, antient Privileges, Offices,  
 ' Rights, Liberties and Dignities of this Nation.

THIS the Court oppos'd, as inconsistent with the design'd Scheme of an incorporating Union, the only Means left in the Opinion of many, who moderately consider'd the Circumstances of the nation, for preventing their falling either into Anarchy or Absolute Slavery.

IT was alledged against this Clause, that inserting it would be betraying a distrust of her Majesty, which the *English* Parliament had not, and that it might disoblige the *English* Parliament, and occasion a stop to the Treaty, since it was reasonable for them to expect, that the *Scotch* Commissioners should meet theirs with as ample Powers as they had given; that no Prejudice could happen by granting such a full Power, since it was expressly provided, that nothing treated of, or agreed on between the Commissioners should take Place, till it was ratified by the Parliaments of both Kingdoms. In which case this Parliament had it in their Power, to take such care of the Liberties of this Nation, as they in their Wisdom should find cause for. To these Reasons it was answered on the other Hand, that her Majesty, tho' Sovereign of both Kingdoms, yet by her Residence in *England*, could not be supposed to be so well acquainted with the Interest of *Scotland*, as that of *England*; and it was but too well known, was too much under the Influence of an *English* Ministry; who always would make the Interest of this Nation truckle to their own: That the Clause now added was no other than what



was Part of every Treaty since the Union of the Crowns, for which *England* could have no ground of Quarrel ; especially as we are a free and independant People, who may give such Instructions and Powers to our Commissioners as we please : That there were some Matters of so sacred and tender a Nature, as that the least Innovation, much less abrogating of them, ought never to be tamper'd with, or made the Subject of any *Treaty* ; and the Particulars of this Clause, such as the Sovereignty, Independency and Freedom of the Nation being of this Nature, the Clause could not be opposed by any, but such as had no Value for these antient Privileges, and were willing to make Sale of them at any Price. However, notwithstanding of all those Arguments, the Vote being stated at a Time when some of the Country Party were absent, the Clause was rejected by a Plurality of two Voices only. So near was this Affair to a Disappointment, that if the Earl of *Aberdeen* had not been gain'd over to the Court, and the Vote stated in that critical Juncture, the Treaty had been lost perhaps for ever.

THE Court having gain'd this material Point, another Clause was offer'd in these Terms. ' Providing always that the said Commissioners shall not go forth of this Kingdom, to enter into any Treaty with those to be appointed for *England* : until there be an Act pass'd by the Parliament of *England*, rescinding that Clause in the *English* Act, by which it is enacted that the Subjects of *Scotland* shall be adjudged Aliens after the 25th of *December*, 1705.'

THIS Clause the Country Party thought necessary, to vindicate the Honour of the Nation from the Injustice of the *English* Parliament in that Act : and the Motion took with the House in general. But the Court proposed, instead of ingrossing it into the Body of the Act, to turn it into a Resolve of the House, which being reduced to a Vote, the Court carried it in their way ; which left them an open Door, as some suspected, to go on with the Treaty, whether the *English* Parliament would comply or not ; since by a Dissolution of that Parliament, the Orders of the House were

were of no Force. Against this The Duke of *Athole* entered his Protest, and was seconded by twenty four Peers, thirty seven Barons, and eighteen Burrows.

WHEN this last Vote was stated, it happen'd to be very late, and a great Number of the Country Members, imagining the House would proceed to no more Business that Night, went out, when the Duke of *Hamilton* mov'd, that the naming of the Commissioners should be left to the Queen.

THIS Motion from the Duke of *Hamilton*, who had appear'd till this Day, a strenuous Opposer of any Thing that tended towards making this Concession to her Majesty, quite confounded all his Party, and twelve or fifteen of them were so infatuated, as to leave the House in Rage and Despair; such of that Party as remain'd, oppos'd the Motion with abundance of Warmth, alledging that giving the Nomination to the Queen was in express Terms, giving the *English* and *English* Ministry the Power of naming both their own and ours, since it was impossible to suppose that her Majesty, who scarce knew a *Scotch* Subject but as introduced or recommended by her *English* Ministry, would nominate any but such as were agreeable to, and whom that Ministry knew would be entirely directed by them in the Discharge of that important Trust, without any regard to the Advantage or Honour of that Nation, they were nominally to represent. To these Arguments little was answered by the Duke of *Hamilton* or the Ministry, but a Call for a Vote, which was stated thus: 'Leave the Nomination of the Commissioners to the Queen or the Parliament,' and the Former carried it by a Majority of eight Voices only, of whom the Duke of *Hamilton* was one: thus the Treaty narrowly escap'd another rub, that would have ruin'd the Intention of it; for if these Members had had Temper to have staid in the House, the Court must have lost the Nomination, and such Men would have been chosen by the Parliament, as would not have gone the Lengths were necessary on this Occasion. After this the whole Act was approved of by a Vote, and the Duke of *Athole* enter'd his Protest as formerly, to whom adhered much about the same Number.

BUT it may not be unpleasing to the Reader, to enquire a little into the Particulars of this Change of the Duke of *Hamilton*, whom we have found all along opposing the Court, and we shall find afterwards a most violent Champion against the Union.

HIS Grace had been from the beginning of the Session suspected by his Friends, on Account of his Familiarity with the Earl of *Marr*, a Man the Party hated, and believed had Address enough to seduce the Duke; but whatever Grounds there was for that Surmise, 'tis certain the Duke's Conduct in this Affair will admit of very little Excuse, since that very Day, when entering the Parliament House, he desired Mr. *George Lockhart* of *Carnwath* to acquaint the whole Party, that the Affair of the Nomination would not be brought before the House that Day: the reason his Grace alledged publicly was, that he saw the Court had carried the Rejecting of all the Clauses proposed to be added; from whence he judged they would be able to carry this also, for which reason he thought he might as well make her Majesty the Compliment as another. However, the true Reason was, the Duke had an Inclination to be of the Number of Treaters himself, and he had got the Duke of *Argyle's* Word of Honour, that he should be one of the Queen's Nomination; on which he depended, and had no reason tho' he was disappointed, to be disobliged at the Duke of *Argyle*, who so much resented the Queen's Refusal to name the Duke of *Hamilton*, that he would not be prevail'd on to be one of the Number himself.

ON the 21st of *September*, the Parliament was adjourn'd, when an Act for a Supply; an Act establishing a Council of Trade; and the Act for the Treaty of Union, received the Royal Assent. But all the rest pass'd this Session was neglected, and immediately after the Earl of *Marr* was appointed Secretary of State, in the Place of the Marquess of *Annandale*, which last had not been found so pliable to the Court Measures, as was expected from one employ'd in the Ministry.

IN order to remove all Difficulties to the Commencement of a Treaty of Union, the *English* Ministry, who had the Year before been assiduous in procuring that Act, declaring the

Subjects of *Scotland* Aliens, were now as industrious to have them repealed; they indeed met with little or no opposition, only most People observ'd, that they prostituted the Honour of the Nation, by first proposing these Acts in their own Nature, unjust to the *Scotch*, and now repealing them without any other reason but to humour that People.

BUT all Difficulties now being remov'd, her Majesty, in order to the Commencement of the Treaty, in the Month of *March* 1706, issued out two Commissions, one for *Scotland* and another for *England*, appointing the following Persons Commissioners for treating of an Union betwixt the two Kingdoms of *Scotland* and *England*, viz. for *Scotland*;

The Earl of *Seafield*, Lord Chancellor.

The Duke of *Queensberry*, Lord Privy Seal.

Earl of *Marr*,

Earl of *Loudon*.

Earl of *Sutherland*.

Earl of *Morton*.

Earl of *Weems*.

Earl of *Leven*.

Earl of *Stairs*.

Earl of *Roseberry*.

Earl of *Glasgow*.

Viscount *Duplin*, Lord *Ross*.

Lord *Archibald Campbell*, since Earl of *Isle*, now Duke of *Argyle*.

Sir *Hugh Dalrymple*, President of the Session.

*Adam Cockburn* of *Ormistoun*, Lord Justice Clerk.

*Robert Dundas* of *Arnistoun*, one of the Lords of Session.

*Robert Stewart* of *Tilley Coutry*,

Sir *Alexander Ogilvie* of *Forglan*,

Mr *Francis Montgomery* of *Giffen*.

Sir *David Dalrymple*,

Sir *Patrick Johnston*, Lord Provost of *Edinburgh*.

Sir *James Smallet*.

*George Lockhart* of *Carmvath*.

*William Morison* of *Preston Grange*.

*Alexander Grant, Younger, of Grant.*

*William Setan, Younger, of Pillmaden.*

*John Clerk, Younger, of Pennycook*

*Hugh Montgomery, Provost of Glasgow.*

*Daniel Campbell,*

*Daniel Stewart,*

} Taxmen of the Customs.

*The Commissioners for England, were*

His Grace the Archbishop of *Canterbury.*

His Grace the Archbishop of *York.*

*William Cowper, Keeper of the Great Seal.*

The Lord *Godolphin, Lord Treasurer.*

The Earl of *Pembroke* President of the Council.

The Duke of *Newcastle, Privy Seal.*

Duke of *Devon.*

Duke of *Somerset.*

Duke of *Boulton.*

Earl of *Sunderland.*

*Kingston,*

Earl of *Carlisle.*

Earl of *Orford.*

Viscount *Townsend.*

Lord *Wharton,*

Lord *Gray.*

Lord *Pawlet.*

Lord *Summers,*

Lord *Hallifax.*

*John Smith, Speaker of the House of Commons.*

*William Cavendish, Marquess of Hartington.*

*J. M.—— Marquess of Granby.*

*Sir Charles Hedges,*

*Robert Harley,*

} Secretaries of State.

*Henry Boyle, Chancellor of the Exchequer.*

Lord Chief Justice *Holt,*

Lord Chief Justice *Trevor.*

*Edward Northey, Attorney General.*

*Simon Harcourt, Solicitor General.*

*Sir John Cooke, Advocate General.*

*Stephen Waller, Doctor of Law.*

ALL these, both *Scotch* and *English*, were happy in being of one Way of Thinking, as there was not a *Tory* among them except *George Lockhart* of *Carnwath*, the supposed Author of the *Memoirs of Scotland*: who by Direction from the Party, as he pretends, gave the Treaty no Disturbance, but sat silent as a Spy upon them, and left them when the Treaty came to be sign'd. The Archbishop of *York* was suppos'd to be of the same Interest, and only named out of respect to his Office; but whatever Grounds there was for suspecting his Grace, he gave them no Opportunity of censuring his Conduct in this Affair, as he never once met with the Commissioners.

THE Commissions thus settled, the first Sederunt of the Treaty was held at *London* on the Sixteenth of *April*. It will be needless to trouble the Reader with the particular Conferences on that important Affair, only to observe that the whole was conducted with the greatest Unanimity on all Hands: the *Scotch* Commissioners having only once proposed a *Federal Union*, dropt it so soon as they found it disagreeable to their Brethren the *English*, and went roundly to Work to establish an entire and incorporating Union, and concluded the same in a very short time.

BUT care was taken to keep the Articles very secret, no Copies being allow'd of them, and a Proclamation issued in *England*, prohibiting all Books and Wagers on that Subject; and during the Interval of Parliament all Pains was taken to impress the People, especially those of *Scotland*, with the great Blessing that was ready to fall upon them by establishing these Articles.

HOWEVER, the *Tory* Party, who foresaw that the Ratification of this Treaty, whatever was the Nature of it, must prove the Ruin of their Schemes from *Scotland*, where they had built their chief Hope of disappointing the Protestant Succession, set all Engines at Work to endeavour to divert the Blow; and if legal Means should fail, they had resolv'd on some desperate Measures to embroil the Nation or bring about their favourite *Restoration*. For this Purpose, one *Captain Straton* was sent from the Faction in *Scotland* to  
France,

*France*, with Letters to the *French King* and King *James* (as they call'd him) desiring Assistance and Council, how to prevent the threaten'd Ruin. *Straton* was kindly enough received by the *French King*, but his own Affairs were so disordered by the Battle of *Ramilies* and *Turin*, that this Emisary was obliged to return loaded only with fair Promises and Packets for several of the Nobility of *Scotland*, then suppos'd to be in that Interest.

THIS desperate Scheme failing, they set heartily to Work to raise a Party against the Union, both within and without Doors; in which they were pretty successful, at least, as far as to raise a prodigious Dust and Clamour, but without any other Effect.

THE Court was not less assiduous to form a Party to support it, and the Vacancies in the Ministry were fill'd up, by such as either were already, or would by that means be, prevail'd on to go thro' *Stitch* with the Work as projected.

MATTERS thus prepar'd on all sides, the Parliament of *Scotland* met the Third of *October*, 1706, to which the Duke of *Queensberry* was Commissioner. He and the Chancellor in their Speeches, and the *Queen's* Letter insisted chiefly on the great Advantages accruing to that Kingdom, by the projected Treaty of Union: and recommended the Ratification of the Treaty and craved Subsidies.

THE first Sederunt the Articles were read, and in a few Days there after it was propos'd to proceed to the Consideration of the Articles of Union: Against which the *Country Party* objected as too precipitant, in an Affair of that Consequence, as the entire subversion of the present Constitution; alledging that it was reasonable the Members should have time to take the Opinion of their Constituents, in a Case where they were to destroy the Representation of the Nation; and judged they had not Power, without particular Instructions on that Head, to deliberate, much less determine in an Affair of such Importance. Those who favour'd the Articles as they stood, alledg'd that there was no Occasion for new Instructions, since the Members had ample Power to do all things they judged

for the Good of the Nation ; that if upon Consideration of the Articles concluded by the Commissioners, they did not find them for the Publick Utility, then they might reject them ; but if they were found to answer the End proposed by the Treaty, then they were sufficiently warranted to pass them into a Law ; especially as one of the Reasons assign'd in her Majesty's Proclamation for summoning this Parliament was to consider of Ways and Means for Uniting these two Kingdoms. To which it was reply'd, that tho' the Members had ample Powers, yet it was only as Representatives to preserve those very Privileges they were now to give away ; They were entrusted by the Shires and Boroughs only to enact Laws, and give such Advice to the Sovereign as was necessary to preserve the Constitution with the antient Rights and Privileges of the People : this is a Restriction which must be supposed ; wherever the Power of another is delegated to a Third, it must always be presumed that the Delegation can never extend to the Destruction of the Subject it was granted to preserve. That the Proclamation for calling this Parliament, mentioning the finding out Means to unite these Kingdoms, as a Reason for convocating this Assembly, can never alter the Case, or lessen the Necessity the Members are now under to consult their Constituents ; because that is so long ago, and some Sessions pass'd, without that Affair being brought to any Conclusion ; on the contrary the very first Session understood so little of the Design of an Union, that they discharged the Commissioners, at that Time negotiating a Treaty, from proceeding any further in that Affair. That as this Parliament, tho' of much shorter Duration than some preceeding, had sat much longer than was warranted by our antient Constitution, the People had a Right to expect to be advis'd with on this Occasion by their Representatives, since they were not allow'd to give their Sense by a new Representation, which was the honest way of Proceeding, if the Court and some others had not a mind to avail themselves of the Votes of such Members, as had been bought off from their Attachment to the Interest of the People, by the Force and Influence of Bribes, Posts, and Pensions.



AFTER a great deal of Argument to this Pourpose, a Vote was stated; *Proceed to consider the Articles of the Treaty, or Delay*; but it was carried by a Plurality of sixty four Voices; so great a Majority had been made by the Court since last Sessions. All that the Country could prevail in was, that the House should not approve of the Articles in a Lump till they were once read, and each Article argued on by the Members.

ACCORDINGLY they were debated seperately, and the Country Party opposed each with a deal of Eloquence, as the Topick was popular and afforded large matter of Argument. But the Court Party, who had now possess'd themselves of a considerable Majority, allow'd them to spend their Lungs and exert their Talents to no Purpose; carrying all before them by the Force of Numbers, without troubling themselves with answering the Reasonings of the opposite Party.

THE whole Articles being printed and made publick, the Nation in general declar'd their Aversion to the Union, as projected by these Articles; and express'd their Discontent by numerous Addresses from all Corners, wherein they assign their Reasons for dissenting from an incorporating Union. And the Mob of *Edinburgh* grew outrageous, insulted their Provost for being one of the Treaters, whom they would have torn to Pieces if he had not timely got out of the Way. The Commissioner in passing to and from the Parliament House, was constantly saluted with Volleys of Stones attended with hearty Curses and Imprecations, and the Parliament was obliged to be protected by Detachments of the Guards from the Insolence of an enraged Populace.

THE Clergy of *Scotland* for sometime, exclaim'd against the Union and it's Projectors, from their Pulpits, with a true Religious Zeal, as they thought their Copyhold was in danger; but so soon as an Act pass'd securing *their Spiritual Republick with their darling Parity*, these Reverend Gentlemen changed their Notes, and extoll'd to the Skies, that which they had but a little before loaded with Curses and Anathemas; but it was too late, they had rais'd a Devil in their Audience, that all *their new enlighten'd Rhetorick* could not

not lay ; and the People went on murmuring and addressing against the Union, and seem'd ready to have recourse to Arms, if a Diversion among the leading Men of the Parliament had not hindered them from concerting proper Measures.

MY Lord *Bellhaven* introduced what he had to say upon the Union by a set Speech : the Preamble of which is extraordinary, that it may be worth the preserving, and may gratify the Curiosity of our Readers, as well as furnish some with Reflections on that Subject they have not met with elsewhere..

*My Lord Chancellor,*

WHEN I consider the Affair of an Union betwixt the two Nations, as it is express'd in the several Articles thereof and now the Subject of our Deliberations at this time, I find my Mind crowded with Variety of melancholy Thoughts, and I think it my Duty to disburthen myself of some of them by laying them before, and exposing them to, the serious Consideration of this House.

I THINK I see a free and independent Kingdom, delivering up that which all the World hath been fighting for since the Days of *Nimrod*. Yea, that for which most of all the Empires, Kingdoms, States, Principalities and Dukedoms in *Europe* are at this very time engaged in the most bloody and cruel Wars, to wit, a Power to manage their own Affairs by themselves, without the Assistance and Council of any other.

I THINK I see a national Church, founded upon a Rock secured by a claim of Right, hedged and fenced about by the strictest and most pointed legal Sanctions that Sovereignty could contrive, voluntarily descending into a Plain upon an equal level with *Jews, Papists, Socinians, Arminians, Anabaptists*, and many other Sectaries..

I THINK I see the Noble and Honourable Peerage of *Scotland*, whose valiant Predecessors led Armies against their Enemies, upon their own proper Charges and Expences, now divested of their Followers and Vassalages, and put upon such an equal Foot with thir Vassals, that I think I see a petty

*English*

*English Excise-Man receive more Homage and Respect, than what was formerly paid to our Quandam Macalanmores.*

I THINK I see the *present Peers of Scotland*, whose noble Ancestors conquer'd Provinces, over-run Countries, reduced and subjected Towns and fortified Places, and enacted tribute through the greatest Part of *England*, now walking in the Court of Requests, like so many *English Attorneys*, laying aside their walking Swords, when in Company with the *English Peers*, lest their Self-defence should be found Murder.

I THINK I see the Honourable Estate of Barons, the bold Assertors of the Nation's Rights and Liberties in the worst of Times, setting a Watch upon their Lips and a Guard upon their Tongues, lest they be found guilty of *Scandalum Magnatum*.

I THINK I see the Royal Estate of *Burroughs*, walking their desolate Streets, hanging down their Heads under Disappointments, worm'd out of all the Branches of their old Trade, uncertain what Hand to turn to, necessitate to become Prentices to their unkind Neighbours; and yet after all, finding their Trade so fortified by Companies, and secured by Prescriptions, that they despair of any Success therein.

I THINK I see our learned Judges laying aside their Practiques and Decisions, studying the Common Law of *England*, gravell'd with Certioraries, *Nise Prius*, Writs of Error, Verdicts Indover, Ejectione firmæ, Injunctions, Demurs, &c. and frighted with Appeals and Avocations, because of the new Regulations they may meet with.

I THINK I see the honest Soldiery either sent to learn the Plantation Trade abroad, or at home petitioning for a small Substantance, as the Reward of their Honourable Exploits; while their old Corps are broken, the common Soldiers left to beg, and the youngest *English Corps* kept standing.

I THINK I see the honest industrious Tradesman loaded with new Taxes and Impositions, disappointed of the Equivalent, drinking Water in Place of Ale, petitioning for Encouragement to his Manufactures, and answer'd by counter Petitions.

IN short I think I see the laborious Ploughman, with Corn spoiling on his Hands for want of Sale, cursing Day of his Birth, dreading the Expence of his Burial, uncertain whether to marry or to worse.

I THINK I see the incurable Difficulties of the lame Men, fetter'd under the golden Chain of Equivalents, the pretty Daughters petitioning for want of Husbands, and the Sons for want of Employments.

I THINK I see our Mariners, delivering up their Ships to their *Dutch* Partners: and what through Presses and Necessity earning their Bread, as Underlings in the *Royal English* Navy.

BUT above all, my Lord, I think I see our ancient Mother *Caledonia* like *Cæsar*, sitting in the Midst of our Senate, fully looking round about her, covering herself with her royal Garment, attending the fatal Blow, and breathing out her last with an *Et tu Quoque mi fili*.

ARE not these, my Lord, very afflicting Thoughts, and yet they are but the least part suggested to me by the dishonourable Articles: Should not the Consideration of these Things vivify these *dry Bones* of ours? Should not the Memory of our noble Predecessors Valour and Constancy rouse up our drooping Spirits? Are our noble Ancestors got so far into the *English* Cabbage-stock and Coliflower, that we should shew the least Inclination that way? Are our Eyes so blinded, are our Ears so deaffened, are our Hearts hardened, are our Tongues so faulter'd, are our Hands fettered, that in this our Day, I say, my Lord, that in this our Day, we should not mind the things that concern the very Being and Well-being of our ancient Kingdom, before the Day be hid from our Eyes?

AFTER this Pathetick and Prophetick Introduction, his Majesty and the Party goes on to expose the Articles of the Union in Arguments which may be reduced to the following Heads as the Substance of the Speeches and Addresses deliver'd and Tracts publish'd on that Subject.

THAT the present Parliament taking upon them to subvert the Constitution, and destroy the Representation of the King.

Kingdom, was usurping a Power inconsistent with the Nature of Parliaments, and a Precedent that might destroy the Privileges of every free People; for if a presumed necessity can justify this present Parliament to give away so large a Share of the Liberties of the People, the same Argument may be used by an aspiring arbitrary Prince to prevail on the projected *British* Parliament, to give up into his Hands not only the few remaining Privileges the Treasurers has been pleas'd to leave this Nation, but may stifle the whole *British* Representation.

THAT there seem'd to be no manner of Equality establish'd between the two Kingdoms in the Articles concluded, since the Privileges of every the meanest Burroughs in *England* are sacredly preserved without any Diminution, while the Rights and Immunities, both of the *Peerage*, *Barons* and *Burrows* in *Scotland* are considerably lessened; and the Proportion of the Representation of this Nation so small, in comparison to that of *England*, that there is not the least security for these Privileges reserv'd, but the Courtesy and Generosity of the *English* Nation; which is a Condition that no People, free and independant in themselves, would submit to, unless insatuated or compell'd by the Force of Arms.

THAT the subjecting our Laws and Policy, both religious and civil, differing so much from those of *England*, to the Determination of a Parliament so compos'd, must produce numberless Inconveniencies, more easily foreseen than prevented.

THAT the Destruction of our Trading Companies, out of Complaisance to those establish'd in *England*, and submitting our Trade, &c. to the same Taxes with that in *England*, and that for the Payment of Debts contracted in *England*, is a Concession that no *Scotchman*, who had any Knowledge of the Interest of his Country, or would allow himself to be determin'd in his Acting, by that Interest, would consent to, upon any Equivalent; since these Taxes must be levied upon the Nation in general, while the *Equivalent* is stipulated to be paid to private Persons, for Losses already sustain'd or intended to be sustain'd; so that in effect, this Money which perhaps too much a Bait to many People to make Sale

of

of their Birth-right, is no more than a Sum sent us by *England*, to be distributed, among some private Persons in the present Generation, which their Posterity to all future Ages, must pay with a very large Interest; and every Land-holder in *Scotland* by accepting of this Money (of which every thousand Man does not see a Penny) grants a Rent-charge upon his Estate, that latest Generations will never see discharged.

THESE were some of the Topicks chiefly insisted on by the Country Party, particularly the Dukes of *Hamilton* and *Athole*, Marquess of *Anandale*, the Lords *Bellhaven*, and *Balmerino*, and Mr. *Fletcher* of *Salton*; and several Protests were enter'd by the opposing Members, some of which were printed and others denied that Favour by the Authority of the House. However the Court carried every Article by a large Majority, till the whole was approv'd on the 16th of *January*, 1706-7, the Union commencing the First of *May*, 1707.

THE Union thus approved of in the Parliament of *Scotland*, the Ministry had still another Jobb for this Parliament before their final Dissolution: they were perfectly sensible the Business they had been so solemnly taken up about, was become the Aversion of the Nation in general; therefore they did not care to trust them with the Choice of their first Representatives to the projected *British* Parliament, being perfectly sensible that the Disposition of the Body of the People was then such, they would have sent up a Representation, that would not have been very solicitous about confirming the late contracted Union, and might have carried such a Spirit to the *British* Parliament, as might have been dangerous to the new cook'd-up Constitution.

To give the *Scotch* then an Instance of what they were to expect, with regard to reserved Privileges, they within a Fortnight after the Union was ratified, pass'd another Act in the same solemn Manner, not only in Opposition to the express Articles, but really inconsistent with the Nature of Parliaments; they chose by their own Authority the entire *Scotch* Representation, without consulting their Constituents, who

who were now look'd upon as useless. This uncommon Encroachment upon the People, and the new concerted Articles, were warmly oppos'd by the Country Party ; but Arguments against Numbers were in vain, the Courtiers had thrown the Dye, there was no room for retreating, but they must compleat the good Work in the Way they had begun.

THE next Business they went upon, was to divide the expected Spoil among themselves, and those who had drudg'd for them in the same dirty Mine, where the Partiality was so gross, that their Friends began to blush for them. But they were not to be trifled out of the main End of all their Labours for their dear Country ; they allot large Appointments for the worthy Commissioners of this and the last Treaty, and make some partial Allotments of publick Debts, at least of Sums that they would perswade the Nation were publick Debts. This last matter of Moment being ended to the Satisfaction of the Ministry, as well as to their great Scandal, and to the Grief of all Well-wishers both of the Nation and Union ; this famous Parliament became *Felo de se*, and yielded up it's last, with an Act *salvo jure cujus libet*.

THUS Scotland was annihilated by a Vote, and that Kingdom, which all the Power of England could not conquer by the Force of Arms, is made the Gift of a few plodding Statesmen, and they made one People with their old Enemies by the Dash of a Pen.

THO' Experience has since taught that Nation, that they have lost nothing by the Union ; yet there is no reason to be surpriz'd, that the generality of that brave People should be alarm'd at, and express their Aversion to, the total Subversion of so antient a Constitution, which their Ancestors had so strenuously protected with their best Blood.

'Tis impossible to suppose, that the Generality of any Nation can see into the many Intricacies of State Affairs. And sometimes the Body-Politick may labour under such Diseases as are not to be remov'd by common Remedies, as was the present Case. An Alteration in the Constitution must have happen'd, or the Nation been involved in Ruin and

Confusion ; the People wanted to be free of *English* Influence, and yet wanted to enjoy the Benefit of an *English* Trade ; they were both necessary and yet incompatible, the one without the other ; for it would be unnatural to suppose the *English* would compliment the *Scotch* with their Trade, without an Equivalent, and it was impossible for the wisest Heads to adjust this Difference, any other way, than by making them one People and of one Interest.

THIS was a Remedy the Generality of the *Scotch* could not understand, must less relish : therefore it was no wonder to find a People, remarkably tenacious of their Liberty, express their Resentments when they thought these Liberties were given away ; and we must look upon the Opposition they made, as the last convulsive Pangs of an expiring State.

BUT Experience has since taught them that, tho' the Physick administer'd to them was harsh : yet it has procur'd them the Blessings of Peace and Plenty in a greater degree than they ever enjoy'd before ; the greatest Complaint and Clamour was made against the Smallness of the Representation. Yet I believe now there is no Proposition, in which the whole Kingdom is more unanimously agreed, *than that the Number of their Representatives in both Houses are not too few* ; and if the *Scotch* have Honesty enough themselves to chuse an Honest and Independent Representation (a Supposition on which their Happiness depended before the Union) they, in Conjunction with the Country Party in *England*, will always be able, not only to preserve what they now enjoy but to preserve the Freedom and Independency of the whole Island, against the Encroachments of arbitrary Power and designing Ministry.

I AM certain that the part his Grace the Duke of *Argyll* acted in this important Affair, by voting for and influencing his Friends to favour it, is one of the most unpopular Parts of his Grace's Character : but as his Enemies allow'd that he acted above Board, and from Conviction of the Utility of the Union, free from any Mixture of By-ends, Malice it self cannot load him with any part of that Reflection

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others merited, who were perhaps too much byass'd by private Interest, in their Determination of that Affair.

THE Union thus settled in the Parliament of *Scotland*, let us now take a View of the Reception it met with in an *English* Parliament, where we shall find *English* Peers and *English* Commoners shewing equal Zeal for the Constitution and Independency of *Scotland*, with the most flaming Patriots of that Country; which is a noble Instance of the Generosity of that People, and a severe Reflection upon those Wretches, who, without consulting whether what they were acting was for the publick Good or not, were byass'd in their Votes by the sole Force of Bribes. Tho' what these People acted proved for the Interest of these Kingdoms, yet as their Motives were mercenary, the Shame they ought to take to themselves is the same as if they had voted for the Destruction of their Country. These Examples of *English* Generosity affords likewise Satisfaction to the Subjects of *Scotland*, who by that may be assured that if they are honest themselves, they will always find Patriots in *England* to support their reserved Privileges, and the Freedom of the *British* Constitution.

THE beginning of *February* her Majesty ordered the Articles of Union, with the Ratification of the *Scotch* Parliament, to be laid before the Commons. They resolved themselves into a Committee of the whole House upon the fourth to consider of that important Affair.

THE Debate was opened by Mr. *Charles Caesar*, who modestly offered some Objections to the Union. He was seconded by Sir *John Packington*, who said, ' That the Business of the Union that was now before them being of the highest Importance, required therefore the most deliberate Consideration. That with Relation thereto People without Doors had been for a long time Tongue-tied by a special Order of Council, which not reaching them within these Walls, he would very freely impart his Thoughts about it. That for his Part he was absolutely against this incorporating Union, which he said was like marrying a Woman without her Consent. An Union that was carried on

' by Corruption and Bribery within Doors, and by Force and Violence without.'

MANY of the Members took Offence at these Expressions, as highly reflecting both on her Majesty's Ministers and the Scotch Commissioners and Parliament. However Sir John only soften'd the Expression, by making it less positive, and said, ' that he was inform'd that in Scotland they said the Union was carried on by Bribery and Force; adding that the Promoters thereof, in thus basely giving up their independant Constitution, had actually betray'd the Trust repos'd in them; and therefore he would leave it to the Judgment of the House, to consider whether or not Men of such Principles were fit to be admitted to sit among them. That among the many Inconveniencies and Irreconcilable Contradictions this Union was liable to, he would only take notice of this Material one, viz. That her Majesty by the Coronation Oath, was obliged to maintain the Church of England as by Law establish'd, and bound likewise by the same Oath, to defend the Presbyterian Kirk of Scotland in one and the same Kingdom. Now said he, after this Union is in Force who shall administer this Oath to her Majesty? 'Tis not the Business of the Scotch who are incapable of it, and no Well-wishers to the Church of England; 'tis then only the Part of the Bishops to do it: and can it be suppos'd those Reverend Prelates will, or can act a Thing so contrary to their own Order and Institution, as thus to promote the Presbyterian Church Government in this united Kingdom? He urged, that the Church of England being establish'd *Jure Divino*, and the Scotch pretending that their Kirk was also *Jure Divino*, he could not tell how two Nations, who clash'd in so essential a Point, could unite; and therefore he thought it proper to consult the Convocation about this critical Point.'

A Major General \* in the Army, as the best Divine, undertook to answer the last Part of Sir John's Speech: and said, ' that he knew of no other *Jure Divino* than God Almighty's Permission; in which Sense he said the Church of England

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and the Kirk of *Scotland* might be both said to be *Jure Divino*; because *God Almighty* had permitted, that the first should prevail in *England*, and the other in *Scotland*.'

THE General does not here advert that he puts both Churches, by his Hypothesis, upon the same Footing with Papists, Turks, and all Manner of Infidels in any Part of the Earth. God Almighty has been pleased to permit that Mahometanism should prevail in *Turkey*, &c. therefore, according to our Casuist, the Reveries of the Imposture *Mahomet* are as much *Jure Divino* as the Reformed Church of *England*; the Idolatry of the *Hotentots* at the Cape of *Good-Hope*, or the more polite Idolatry of *Spain* and *Italy*, are all *Jure Divino* as well as both our national Churches, notwithstanding all the sanctified Epithets we the Members fondly bestow on them. It was a pity the Bench of Bishops did not bring the General out of these Absurdities, and reconcile in some more reasonable manner their Conduct on this Occasion, and their Pretensions to an Establishment *Jure Divino*.

IT was then moved, as it had been before in the Parliament of *Scotland*, that the first Article which implies a peremptory Agreement to an entire incorporating *Union*, might be postponed, till the other Articles which related to the Conditions of this Union, might be consider'd.

BUT the House was resolved to follow the Example of the *Scotch*, to agree first to the Thing; that is, subscribe a Chart-Blanche, and then debate the Conditions; to proceed in that Manner was carried by a great Majority: Then they read and approved the first four Articles, and the next Sedes-runt, on the eighth, read and approved of all the rest. This Hurry in which the whole Affair was conducted, was call'd riding Post-haste in an Affair that required the greatest Deliberation. This Objection Sir *Thomas Littleton* put off with a Banter, saying, 'they did not ride Post-haste, but a good easy Trot, and for his Part as long as the Weather was fair, the Roads good, and their Horses in Heart, he was of Opinion they ought to jog on, and not take up till it was Night.'

ON the Fifteenth the Debate was open'd in the House of Lords, by the Earl of *Rockester*; the Queen being present, who acquainted the House that he had many Objections to these Articles, which he was indifferent when he deliver'd. The Earl of *Anglesea* moved that the first Article might be postpon'd, it being impossible for him to give his Vote to it, before he knew in what this Union was to consist. Several Lords and Bishops spoke to the same Purpose: But as it would swell out this Work to too great a length, to insert all the Speeches for and against this Union, I shall only insert the Lord *Haversham's* on the Side of the Opposition; as containing almost the Substance of what was advanced by the others on the same Side.

*My Lords,*

What my Noble Lord has mention'd to your Lordships occasions my standing up. I find myself under the same Difficulties; I have several things to say to this matter of the Union to your Lordships, and 'tis very indifferent to me when I offer them. I have a right of speaking my Thoughts, and entering my Protest too against any thing I dislike, and I shall certainly find some time to do so, before this Matter can pass into a Law. I am in your Lordship's Judgment, whether you will allow me to speak what I have now to say.

MY Lords, with what Disposition I come hither, I hope may be evidenced by the Motion I made last Year, for repealing certain Clauses that were grievous in *Scotland*; I would do any thing that were for the Benefit and Good of both Nations.

THESE Articles comes to your Lordships, with the greatest Countenance of Authority, that I think it is possible any thing can come. Your Commissioners have agreed to them, the *Scotch* Parliament have with some few Amendments ratified them, and the Queen herself from the Throne approves of them, and yet you must give me leave to say, that Authority, tho' it be the strongest Motive to incline the Will, is the weakest Argument in all the World to convince

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*the Understanding.* 'Tis the Argument the Church of Rome makes use of for their superstitious Worship, where there are ten *Ave-marias*, for one *Pater-noster*; just as unreasonable as if ten times the Application and Address were made to a *She-Favourite*, as to the Person of a *Sovereign*, which is a kind of *State of Idolatry*. \*

I would not, my Lords, be misunderstood, as if I were against a *Union*. A *fædral Union*, a *Union of Interest*, a *Union in Succession*, is what I shall be always for; nay, were it whether a People inhabiting the same Island, speaking the same Language, and having the same Religion, should be under the same Form of Policy and Government, I cannot see how any Man could be against it: but this is a matter of a quite different Nature, it is whether two Nations independent in their Sovereignities, that have their distinct Laws and Interests, and what I cannot forget, their different Forms of Worship, Church Government, and Order, shall be united into one Kingdom.

An Union made up in my Opinion of so many *mismatch'd Pieces*, of such jarring incongruous Ingredients, that should it ever take effect, I fear it would carry the necessary Consequence of a standing Power and Force, to keep us from falling asunder and breaking in pieces every Moment. For as my Lord *Bacon* well observes, (whom I take to have been a very great Man, tho' some times the *Courtier* got the Better of the *Philosopher*;) 'An Unity, says he, that is pieced up by a direct Admission of Contraries in the fundamental Points of it, is like the Toes of *Nebuchadnezzar's* Image which were made of Iron and Clay, they may cleave together, but never incorporate.'

ANOTHER reason why I am against an incorporating Union, is for the Sake of the good old *English* Constitution: justly allow'd to be the most equal and best poiz'd Government in all the World. The peculiar Excellency of which lies in that well-proportion'd Distribution of Powers,

\*-It will easily occur that his Lordship here Hints at the Adulation that was paid to the then Favourite, and the little respect show'd the Queen, by the Whig Ministry,

Powers, whereby the Greatness of the Monarch, and the  
 Safety of the People are at once provided for; and 'tis a  
 Maxim in all Policy, that the surest way to preserve any  
 Government is by a strict Adherence to it's Principles;  
 so that whilst this Balance of Power is kept equal, the  
 Constitution is safe; but who can answer what Alteration  
 so great a Weight as sixty-one *Scotch* Members, and those  
 to be return'd by a *Scotch* Privy Council, when thrown  
 into the Balance, may make.

BESIDES, my Lords, I am apprehensive of the Pre-  
 cedent, and know not how far it may be carried here-  
 after, or what Alterations, future Parliaments may think  
 fit to make. It is evident by the two and twentieth  
 Article, that above a hundred *Scotch* Peers, and as many  
 Commoners, are secluded from sitting and voting in the  
*British* Parliament, who perhaps as little thought of being  
 so a Year or two ago, as any of your Lordships do now;  
 for they had as much Right by Inheritance of sitting there  
 as any one Lord of this House has of sitting here; and  
 that Right too as strongly and well fenc'd and secured to  
 them by the fundamental Laws of their Kingdom, by the  
 Claim of Right, and Acts of Parliament which made it  
 Treason to make any Alteration in the Constitution of  
 that Kingdom: And yet have they not lost their Privile-  
 ges? My Lords, the Bishops have once been voted out  
 of this House by the Temporal Lords already; and who  
 knows what Questions may come hereafter? I will ven-  
 ture my Life in Defence of the Church of *England*, and at  
 the same Time own myself an occasional Conformist. But  
 if, my Lords, the Bishops will weaken their own Cause so  
 far, as to give up the two great Points of Episcopal Or-  
 dination and Confirmation; if they will approve and ra-  
 tify the Act for securing the Presbyterian Church Govern-  
 ment in *Scotland* as the true Protestant Religion and Pu-  
 rity of Worship, they give up that which has been con-  
 tended for between them and the *Presbyterians* these  
 thirty Years, and which I will undertake to prove to my  
 Lords, the Bishops has been defended by the Greatest and  
 Learnedest

Learnedest Men in the Church of *England*. I hope when 'tis proper, my Lords will give some light to one who desires Instruction, that I may not do any thing ignorantly to their Prejudice in this Matter. There is another reason why I am against this Union, because I cannot think it an entire Union; the exempted Articles, I mean the twentieth Article, whereby heritable Offices and Superiorities are preserv'd, and also the one and twentieth, both which *Oliver* by an Act of State was so wise as to abolish, especially their Act for securing their *Presbyterian* Church Government, and General Assemblies, seem to me like these little Clouds in a warm calm Summers Day, that are generally the Seeds and Attractives of approaching Tempests and Thunder: I the rather take notice of these, because tho' the Articles of *Union* are ratified by the *Scotch* Parliament, yet the Bulk and Body of that Nation seem to be against them. Have not the Murmurs of the People there been so loud as to fill the whole Nation, and so bold too, as to reach to the Doors of the Parliament? Has not the Parliament it self thought fit to suspend their beloved Clause in their Act of Security, for arming their People during the Session? Nay, has not the Government by the Advice of Parliament set out a Proclamation, which I have here in my own Hands, *pardon- ing all Slaughter, Blood-shed, Maiming, &c. that is committed upon any who are found in any Tumults there, and discharging all Prosecution for the same* \*? I do not mention this to find fault with any thing done in *Scotland*; but only to shew to your Lordships, that when such an unusual Proclamation as this is set out by Advice of Parliament, and cannot stay the Forms of Law, when we know that upon extraordinary Occasions, if it be but to grace a Compliment, a Bill may be read three times in one Day; sure my Lords, it shews a very great Ferment that

\* This uncommon and barbarous Proclamation could be dictated by none, but such as promoted the Massacre of *Glencoe* in the former Reign: and by one who, if common Fame does not lie, gave a fatal Instance of his Remorse upon a very remarkable Day.

that requires so very speedy an Application. After all, has not what we desired, I mean their being upon the same Foot of Succession with us, been offered without this Union? In short, my Lords, I think an incorporating Union, one of the most dangerous Experiments of both Nations; in which if we happen to be mistaken, however we may think of curing Things hereafter, the Error is irretrievable.

My Lords, this is the last time that I believe I shall ever trouble your Lordships in an *English* Parliament; give me leave therefore to say but one Word.

In King *Charles* the First's Time, the *Cavaliers* were the Persons who ventured their Lives and lost their Estates to serve him: And in King *Charles* the Second's Time they were forgot and left starving. At the Restoration the Presbyterians were as zealous for that as any Men whatever, and none were more persecuted all his Reign. Towards the latter End of his Reign, the Bishops threw out the Bill of Exclusion; and King *James* put them in the Tower. At the Revolution the *Londonderry* Men, &c. were the Persons that made the First and Noble Stop to King *James* in *Ireland*, and myself have fed some of them at my own Table, when they were starving with the greatest Commendations and Promises in their Pockets; which I have seen under King *William*'s own Hand. In the last Reign every Body knows who they were that made their most constant Court at St. *James*'s; and we see in what Favour they are in at this present.

Now there is a great deal of Zeal for this Union, I wish from my Soul that the Advantages may attend it, of Tranquility and Security, Power, Peace and Plenty as is intended by it. But yet it is possible Men may be mistaken, I won't say they will ever repent of it, but I will take leave to say what I have formerly said in this Place, that what has been may be.

LITTLE being said in answer to this Speech, the Question was put whether the Consideration of the first Article should be postponed or not, and it pass'd in the Negative, seventy



two against twenty two; which was pretty near the Division on all the Questions that were put concerning this important Affair. When the Lords came to consider each Article, Objections were offered to each of them. The Earl of *Rochester* said, ' he look'd upon the 22<sup>d</sup> Article to be ' incongruous, contradictory and inconsistent with itself: That ' there were sixteen Peers to be return'd to the House of ' Lords in the Parliament of *Great Britain*, who were Peers ' and no Peers: That being all Peers by Right of Inheritance, they were nevertheless made here Elective, he ' took to be divesting them of their Peerage; because not ' being sure of being always elected to every Parliament of ' *Great Britain*, they consequently must lose, when left ' out, the Benefit of sitting in Parliament; which was ever ' deem'd an inseparable Right of the Peerage: That the ' Rest of the Nobility of *Scotland* to the Number of above ' one Hundred, were thereby manifestly injur'd: And that ' for his Part he wonder'd very much, *how the Scotch came ' to accept of such unreasonable Conditions*, or how their Lordships could entertain any Thoughts of permitting such ' Peers by Election to be among them.'

THE Bishop of *Bath and Wells* said very honestly, ' That ' he could compare the Union to nothing else than mixing together strong Liquors of a contrary Nature in the ' same Vessel, which would go nigh being burst asunder by ' their furious Fermentation. That as their Bench was always reckoned the Dead-weight of the House, so those ' sixteen Peers being admitted to sit therein, would be an ' additional Weight: And that in all Debates concerning ' the Church, to which they could not be supposed to be ' well affected, they would be a Dead-weight upon our religious Constitution; therefore he was humbly of Opinion ' some Provision should be made to debar them of their ' Vote in any Church Matter that should hereafter come before the House.'

UPON reading the last Article the Earl of *Nottingham* said, ' That as Sir *John Maynard* had made this Compliment ' to the late King *William*, at the *Revolution*, ' That having

ing buried, upon Account of his great Age, all his Contemporaries in *Westminster-Hall*, he was afraid, if his Majesty had not come in that very Juncture of Time, he might have likewise out-lived the very Laws themselves; So if this Union did pass, as he had no Reason to doubt but it would most certainly, *he might with as much Reason and as justly, affirm, he had out-lived all the Laws and the very Constitution of England.* Concluding with a Prayer to God to avert the dire Effects which might probably ensue from such an incorporating Union.'

THE Commons having sent up to the Lords, on the first of *March*, an ingrossed Bill, ratifying the Articles of the Union, their Lordships soon gave it the necessary Dispatch; but on the third Reading, the Lord *North and Grey* offered the following Rider to be added to it, *viz.* 'Provided always that nothing in this Ratification contain'd shall be construed to extend to an Approbation or Acknowledgment of the Truth of the Presbyterian Way of Worship, or allowing the Religion of the Church of *Scotland* to be what it is styled, *The True Protestant Religion.*' But after the Debate, and the Question put, whether the said Rider should be read a second Time, it was carried in the Negative fifty-five against nineteen; then the whole Bill was passed. Several Peers enter'd their Dissent both at the passing of the Bill and to every distinct Resolve of the House. On the sixth of *March* the Queen came to the House of Peers, and gave the Royal Assent to this famous Act.

THE first Parliament of *Great Britain* was called by Proclamation to consist of the present *English* Representatives and the *Scotch* Representation, chosen by the deceased *Scotch* Parliament. When the *Scotch* Members came up, they were much caressed by the Ministry; but there soon appeared two Parties among them, one grown wearied of the Tyranny of the *Scotch* Ministry, wanted to see their Power at an end as soon as possible; and therefore proposed that the Privy Council in *Scotland* might be dissolved, and *Scotland* governed in the same manner as the rest of *England*. But the Ministry, unwilling to part with the little shadow

of Power they had left themselves, were desirous to render themselves as long necessary to the Government as possible. The Ministry knew the Disposition of the People in *Scotland*, and that it would be difficult to make good the Elections which were soon to come on, if the Privy Council was dissolv'd. This, tho' the only Reason for continuing a Council in *Scotland*, yet was far from being proper to be made publick; therefore they represented that it would be necessary to keep up Appearances for some Time, lest a too sudden Disappearance of the outward Grandeur of Government should alarm the Populace; therefore the Privy Council was continued for some time longer, that is, till such time as the Elections were over; which Turn being served, that now useless Body was laid aside.

THUS we see the Opinion that was conceived of the Union, both within Doors and without; but it went through against all Opposition; and every body expected that Happiness from it that was projected, at least that no part of these Expectations would be disappointed by the Promoters of it not observing strictly the Conditions stipulated on both sides. But a few Years did not pass till some of the greatest Patrons of the Union had like to have dissolv'd it; a Circumstance relating to it I chuse to mention here; especially as the Duke of *Argyle* was among the Number of those who proposed to bring in a Bill to dissolve it. The Case happened thus:

IN the Year 1713 the Parliament laid a Tax upon Malt within *Scotland*, which by the Articles of the Union was to be exempted from that Duty during the War; and by *no unnatural Deduction* the *Scotch* concluded that they were to remain free of it till some very apparent Exigency of State made it necessary to lay additional Duties upon the Subject, which the Time of profound Peace was not supposed to be the proper Period.

THE *Scotch*, while the Bill was depending in the House of Commons, argued strenuously against it; but when it passed that House, all of them unanimously agreed to lay aside all invidious Distinctions of Whig or Tory, and to endeavour

your either to be redressed in their Grievances, or dissolve the Union; for which Purpose they had several Meetings, and on the sixth of *May* deputed four of their Members, viz. the Duke of *Argyle*, the Earl of *Mar*, Mr. *Lockhart*, and Mr. *Cockburn*, to attend the Queen, and make a Remonstrance in the Name of the whole *Scotch* Representation. The Substance of which was, 'That their Countrymen bore with great Impatience the Violation of some Articles of the Act of Union, and the laying such an insupportable Burthen as the Malt-Tax upon them, was like to raise their Discontent to such a Height, as to promote them to declare the Union dissolv'd.' To this unexpected verbal Remonstrance the Queen answer'd, 'This was a precipitate Resolution, and she wished they might not have Reason to repent it, but however she would endeavour to make all Things easy.' Upon the Deputies Report to the *Scotch* Members, the next Day, of the Queen's Answer, they resolved before they proceeded any farther, to apply to the House of Lords. Accordingly on *Thursday* the 28th. of *May*, the Earl of *Seafield* made a Motion that some Day might be appointed to take into Consideration the State of the Nation, and *Monday* the first of *June* was appointed, and all the Peers summoned to be present on this important Debate, which was opened by the same Nobleman, who pathetically laid open the Grievances of the *Scotch* Nation; which he reduced to four Heads,

1. Their being deprived of a Privy Council :
2. The Laws of *England* in Cases of Treason extended to *Scotland* :
3. The Peers of *Scotland* being incapable of being made Peers of *Great Britain*, as was judged in the Case of the Duke of *Hamilton* :
- And, 4. The *Scots* being subjected to the Malt-Tax; which would be more insupportable to them now, in that they never bore it during the War, and had Reason to expect to reap and enjoy the Benefits of a Peace.'

Concluding, 'That since the Union had not those good Effects as were expected and hoped from it when it was made, he therefore moved, that leave might be given to bring in a Bill for dissolving the said Union, and securing the Protestant Succession in the House of *Hanover*, secur-  
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'ing the Queen's Prerogative in both Kingdoms, and preserving an entire Amity and good Correspondence between the two Kingdoms.' This Motion was seconded by the Earl of Mar, and a great many Scotch Peers. Those who spoke for the Dissolution was the Duke of Argyle; the Earls of Islay, Eglington, Nottingham, and Sunderland; the Lord Viscount Townshend; the Lords Hallifax, Powlet, Scarborough, and Scarfsdale. Those who spoke against it were the Lord North and Grey, the Lord Earl Peterborough, the Lord Chief Justice Trevor, and the Lord Treasurer Oxford. The Arguments against the Dissolution were chiefly drawn from the Impossibility; the Lords on that side supposing it impossible to dissolve it: comparing it to a Marriage, which once made, could not be broke. That this Union was concluded with so much Solemnity, that nothing could be more Solemn, except it came down from Heaven like the Ten Commandments. They did not pretend so much to deny that the Scotch had not Grievances to complain of, but that some other Remedy might be found out to ease them than dissolving the Union. With some little Reflections on the Poverty and Temper of the Scots; who would have all the Advantages of the Union with England, and yet with their good Will would not pay one Farthing towards the common Expence.

THE Lords on the opposite side argued, That however solemn the Treaty of Union might be, yet the Power which made it might dissolve it. They expatiated upon their Grievances; which they said were the more intollerable, as the general Confidence they had placed in the Faith of the English Nation, for which they had desired no Guarantee, gave them all the Reason in the World to expect other Usage. They owned the Country poor, and that was the Reason they complained of the Imposition of the Malt-Tax. That they were willing to bear their stipulated Proportion of the necessary Expences of the Nation; but they had no Reason to expect that they should be taxed above their Power. The Duke of Argyle, in a handsome but warm Speech, among other Things said, ' That he was by some reflected

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on as if he was disgusted, and had changed Sides ; but that he despised those Persons as much as he undervalued their Judgments. That it was true he had a great Hand in making the Union : That the chief Reason that moved him to it, was the securing the Protestant Succession ; but that he was satisfied that might be done now as well if the Union was dissolved : That he spoke as a Peer of *England* as well as of *Scotland* : That he believed in his Conscience it was as much for the Interest of *England* to have it dissolved, as that of *Scotland* : And if it was not, he did not expect long to have Property left in *Scotland*, or Liberty in *England*. He urged, That the Tax upon Malt in *Scotland* was as unequal, tho' the same as in *England*, as taxing Land by the Acre ; which would be very unjust, the Land being worth five or six Pound *per* Acre here about *London*, and not more Shillings in some Parts of the Country : That this was the Case between the *Scotch* and the *English* Malt ; the latter being worth three or four Shillings *per* Bushel, the other not above one. So if that Tax was collected in *Scotland*, it must be done by a Regiment of Dragoons.' Several *English* Lords were for putting off the Debate till a farther Day, that the Peers might have time to consider of a Matter of such Consequence. To this last Opinion of a Delay, the Earls of *Mar* and *Louison* join'd, and so lost the Bill ; for the Question being put on the Earl of *Seafield's* Motion, it was carried in the Negative by four Voices only ; there being fifty four Lords on each Side present, seventeen Proxies on the Negative, and but thirteen on the Affirmative ; so near was the Union to receiving a fatal Blow.

HAVING thus briefly concluded the History of the Union, we shall now view his Grace in another Capacity, subduing the Enemies of his Country ; who with indefatigable Industry endeavoured to embroil these Kingdoms, and bring them back to Popery and Arbitrary Power.

THE Plot of the Rebellion that broke out in *Scotland* in the Year 1715 had been long a projecting, even earlier than the Change of the Ministry in Queen *Ann's* Reign. For it appears,

pears, that the whole Hopes of the Party depended upon that Change ; as might be easily gathered from their Joy at that unhappy Event.

THAT there was a formed Plot at that Time is evident from a Letter from the Elector of *Bavaria's* Minister at *Ver-sailles* to his Master, dated the 18th of *October*, 1710 ; which I think proper to insert, as it plainly shews the Dependence that Party had on that Ministry. ' The King has received ' certain Advice to Day that the Parliament is dissolved, and ' that the projected Change of the Ministry will go on. ' His Majesty did not defer one Moment to give me Notice ' of it, that I might acquaint your Electoral Highness with it.' And then after hinting at the Disadvantages this Change would bring to the grand Alliance, goes on, ' The Duke ' of *Berwick*, who was informed a good while ago, that this ' Change would be made, writ to Monsieur *de Torey*, to ' represent to the King, that this would be the right Time ' to attempt a Descent, not in *Scotland*, but in *England* ; ' and that he would be glad to put himself at the Head of ' twenty thousand Men to carry the King of *England* thither ' with certain Success.'

THUS early the Plan was laid by that Ministry for the Introduction of the Pretender. And with that View they clapt up that famous Peace of *Utrecht*, to gratify their Patron the King of *France*, by whose Assistance this Change was to be brought about.

THAT the Ministry at that time had an Intention to bring in the Pretender is a Matter past Doubt ; and some will even affirm that her Majesty Queen *Ann* was likewise in the Plot of defeating the Protestant Succession : Which Bishop *Burnet* believed so probable, that he says he himself took the Liberty to tax her Majesty with it, who, according to that Prelate, seem'd only inclin'd to make him believe there was nothing in the Suggestion. Whether there is any Truth in the Whole of this Surmise is not material to enquire ; but this is certain, that the Agents of that Party gave it out every where, that the Queen was more inclinable to favour the

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Succession of the Chevalier *de St. George* than that of *Hanover*. And their Emissaries were taught to inculcate this Doctrine, that her Majesty had a private and revealed Will, and that she had actually made a Bargain with her supposed Brother, that she would take Measures to promote his Succession, on Condition of her peaceable Enjoyment of the Crown during her own Life.

WITH these and such like Surmises the Hopes of that Party were kept up, and abundance of new Converts daily gain'd, of such Sort as are always willing to follow implicitly the Measures of a Court. Thus the Ministry went on to lay Measures for enslaving the Nation, till happily they fell out among themselves about the Queen's Favour. The late Lord *Bolnbrooke* had got the Ascendant over his Rival the Earl of *Oxford*, from whom the white Staff was taken. This made such a Breach betwixt these two, that the whole Party was divided, and never could afterwards unite, tho' the State of the Queen's Health threaten'd themselves, and all their hopeful Projects, with utter Destruction.

THE Queen's Health being at last despair'd of, the Friends of the House of *Hanover*, thought it high time to take Measures to prevent the Machinations of the Ministry on so critical a Conjunction. Accordingly the Dukes of *Argyle* and *Somerset* went, without being summon'd, to the Council-Chamber at *Kensington*; where the chief Ministers were met in a Committee (as some report) to deliberate on the Manner of proclaiming the Pretender on the Event of the Queen's Death. But the Appearance of these two Noblemen, quite disconcerted their Measures; and they paid so great Respect to these great Men, as not only to admit them to sit in Council without Opposition, but on their Motion allow'd that all Privy Councillors then in and about *London*, should attend without Distinction; by which means the Friends of the House of *Hanover* had an Opportunity to protect the Interest of that House.

ON the First of *August* 1714 the Queen died, which quite extinguish'd all their Hopes; the Government, by an Act pass'd



pass'd in the fourth Year of her late Majesty's Reign, resolv'd on the following seven Persons.

The Lord Archbishop of *Canterbury*.  
 The Lord High Chancellor.  
 The Lord President of the Council,  
 The Lord High Treasurer.  
 The Lord Privy Seal.  
 The first Lord Commissioner of the Admiralty.  
 The Lord Chief Justice of the King's Bench.

To which seven, the Successor had by the same Act, a Power to add as many more as he should think fit, by an Instrument under his Hand and Seal, which Instrument being produced by the Minister of the Elector of *Brunswick*, it appeared that the following Persons were appointed.

The Lord Ab. of <i>York</i> .	The Duke of <i>Roxburg</i> .
The Dukes of <i>Shrewsbury</i> .	The Earls of <i>Pembrcke</i> .
<i>Somerset</i> .	<i>Anglesea</i> .
<i>Bolton</i> .	<i>Carlisle</i> .
<i>Devonshire</i> .	<i>Nottingham</i> .
<i>Kent</i> .	<i>Abingdon</i> .
<i>Argyle</i> .	<i>Scarborough</i> .
<i>Montrose</i> .	<i>Orford</i> .
The Lord Viscount <i>Townshend</i> , Lord <i>Hollifax</i> , Lord <i>Cowper</i> .	

AFTER reading the said Instrument, the Lords of the Council issued out a Proclamation for proclaiming his late Majesty King *George* the First, of most blessed Memory; which was accordingly done with the usual Solemnity, amidst the Acclamations of a joyful People. Which happy Change had not, in all human Probability, been brought about with so little Difficulty, if the two Dukes of *Argyle* and *Somerset* had not made that early and unexpected Appearance in Council. To such small Accidents are sometimes owing the Success of the greatest Events, and the Disappointment of the best concerted Schemes human Wisdom can invent.

THE Party for the Pretender appeared first Thunderstruck ; their Surprise to see all their fine spun Scheme baffled in a Minute, was so great, that it was sometime before they could recover their Astonishment : but in a little time recollecting themselves, they take new Courage from fresh Hopes, and take to their old Game of Mobbing and Rioting ; which continued all the Remainder of the Year 1714. They begun to cabal together in great Numbers, and the whole Party in a short Time began to look big, in Expectation of some new Deliverance from the Misfortunes of Liberty and Property.

REPORTS of Preparations from abroad came daily to the Ears of the Government, and the Pretender openly acquainted his Friends that he soon expected to see his Affairs in a better Posture than ever. Collections were made for him in all the Roman Catholic Countries, to promote such a good Cause as rendering back *Great Britain* to the Obedience of the Holy See, after so long an Apostacy.

IT is believed by some, that the greatest Effort was designed to be made in *England*, not in *Scotland* ; and the Scheme first opening there, was only with Intention to draw the Forces from *England* to that Corner, that those designed for the Service here, might go through their Work with less Opposition.

WHETHER the Ministry believed this, or not, is hard to determine ; but they seemed, notwithstanding of the repeated Intimations they had of such a Design, to have made very little Provision against an Emergency that might have been attended with such fatal Consequences ; for the Time the King's Forces took the Field at *Sterling*, they were not above two thousand strong, Horse and Foot : so small a Number, that if but common Prudence had directed the rebel Councils, that Part of the Kingdom might have been over-run before it was possible to augment the King's Forces. And in effect it was a Misfortune to *Scotland* to be thus left naked for so long a Time ; they were not only liable to the Insults of the Rebels, but the miserable Defence the Country saw such a handful of Troops could make, was a Temptation to them to join

join the Rebels Army ; who seemed to be the wisest as well as the strongest Party at the first opening of that fatal Rebellion.

THE Earl of *Mar*, the chief Director in this Affair, the Ministry had among them, and did not want proper Grounds of Suspicion to have justified their confining him, which would have prevented most of the Mischief that followed. Some are of Opinion, that the Ministry was to blame that they did not make a Friend of the Man who had early offered his Service to his late Majesty. They knew him to be of such a Stamp, that Interest was his only Principle, and that they might depend upon his adhering to that ; and that he was a dangerous Enemy, and had never been employed by any Ministry out of Love but of Fear.

THAT he would have served his late Majesty with as much Fidelity as he did the Pretender is not much doubted ; and we have by a Letter under his own Hand the Tender he made of his Service to his Majesty before he arrived in these Kingdoms ; which, as it gives some light into the Character of the Man we shall here insert.

S I R,

HAVING the Happiness to be your Majesty's Subject, as also the Honour of being one of your Servants, as one of your Secretaries of State, I beg leave to kiss your Majesty's Hand, and congratulate your happy Accession to the Throne, which I would have done myself the Honour of doing sooner, had I not Hopes of having the Honour of doing it personally 'ere now.

I'm affraid I may have had the Misfortune to be misrepresented to your Majesty, and my reason for thinking so, is, because I was, I believe, the only one of the late Queen's Servants whom your Ministers did not visit ; which I mention'd to Mr. *Harley* and the Earl of *Clarendon*, when they went from hence to wait on your Majesty ; and your Ministers carrying so to me was the Occasion of my receiving such Orders, as depriv'd me of the Honour of waiting on them, or being known to them.

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‘ I suppose I had been misrepresented to them by some  
 ‘ here on account of Party, or to ingratiate themselves by  
 ‘ aspersing others, as our Parties here too often occasion :  
 ‘ but I hope your Majesty will be so just as not to give Credit  
 ‘ to such Misrepresentations.

‘ THE Part I acted in bringing about and making of the  
 ‘ Union, when the Succession of the Crown for *Scotland* was  
 ‘ settled on your Majesty’s Family, where I had the Honour  
 ‘ to serve as Secretary of State for that Kingdom, doth, I  
 ‘ hope, put my Sincerity and Faithfulness to your Majesty  
 ‘ out of Dispute.

‘ MY Family have had the Honour for a great Tract of  
 ‘ Years, to be faithful Servants to the Crown ; and have had  
 ‘ the Care of the King’s Children, (when Kings of *Scotland*)  
 ‘ intrusted to them. A Predecessor of mine was honour’d  
 ‘ with the Care of your Majesty’s Grandmother, when young :  
 ‘ and she was pleas’d afterwards to express some Concern for  
 ‘ our Family, in Letters which I have still under her Hand.

‘ I have had the Honour to serve her late Majesty in one  
 ‘ Capacity or other ever since her Accession to the Crown.  
 ‘ I was happy in a good Mistress, and she was pleas’d to have  
 ‘ some Confidence in me, and Regard for my Services. And  
 ‘ since your Majesty’s happy Accession to the Crown, I hope  
 ‘ you will find that I have not been wanting in my Duty, in  
 ‘ being instrumental in keeping Things quiet and peaceable in  
 ‘ the Country to which I belong, and have some Interest in.

‘ YOUR Majesty shall ever find me as faithful a Subject  
 ‘ and Servant as ever any of my Family have been to the  
 ‘ Crown, or as I have been to my late Mistress the Queen ;  
 ‘ and I beg your Majesty may be so good not to believe any  
 ‘ Misrepresentations, of the which nothing but Party, Hatred,  
 ‘ and my Zeal for the Interest of the Crown doth occasion ;  
 ‘ and I hope I may presume to lay Claim to your Royal  
 ‘ Favour and Protection.

‘ As your Accession to the Crown hath been quiet and  
 ‘ peaceable, may your Majesty’s Reign be long and prosper-  
 ‘ ous ; and that your People may soon have the Happiness  
 ‘ and Satisfaction of your Presence among them, is the  
 ‘ earnest

\* earnest and fervent Wishes of him, who is, with the humblest  
 \* Duty and Respect, S I R,

*Your Majesty's most Faithful, most Dutiful and  
 most Obedient Servant and Subject,*

M A R.

*Whitehall, August 30,*

*O. S. 1714.*

IN this Letter his Lordship has been pleased to dwell much on the Loyalty of his Predecessors, and not to forget his own Services in the Affair of the Union, and his Fidelity to his late Mistress; but this last Article could be little or no Ground of Favour to his late Majesty, who was not ignorant of the secret Intrigues and Cabals of the whole Ministry concern'd in the last four Years of that Queen's Reign; and with how much Contempt both his Person and Interest were treated in all the Transactions of that Period.

HOWEVER we may conclude from this Letter, that this noble Earl was willing to worship the Rising Sun, and would perhaps have exchanged his Popish Schemes for a Settlement under the present Family, if they had thought proper to have gratified him. We may likewise conclude that his after Conduct and Attachment to the *Chevalier de St. George*, was more owing to Revenge for Disappointment, than any real Affection he had for that Gentleman, or the Cause he pretended to espouse with so much Zeal.

THE Earl of Mar was descended from, and the Representative of one of the antientest Families in *Scotland*; a Family for many Ages noted for it's Loyalty. The Earls of Mar were Hereditary Guardians of the Kings of *Scotland*, during their Minority; and Hereditary Governors of the Castle, and Hereditary Sheriffs of the Shire of *Stirling*, the Key of the *Highlands*. This Nobleman's Father was early in the Interest of the Revolution, and bred up his Son in the same Principles. When he came to his Estate, he found it much impair'd; to recover which he devoted himself to the Interest of the Duke of *Queensberry*, and the Measures of the Court in the beginning of Queen *Ann's* Reign:

Reign : but in the Year four, he thought proper to trim about and appear Patriot, in Opposition to the Marquess of *Tweedale* and his Party, and dissembled with so much Art, says a Writer of those Times, that the quickest fighted *Cavaliers* believed him an honest Man (that is a staunch Jacobite.) He had no sooner served his Turn, and help'd to over turn the Marquess of *Tweedale*'s motly Ministry, than he return'd to the Service of the Court, and was by them again mistaken for a mighty sincere Zealot for the Protestant Succession and the Union ; and continued to preserve this Countenance till the Change of the Whig Ministry, when he had Address enough to persuade the *Torys* once more that he was in their Interest, and procured to himself in that Faith to be made one of her Majesty's Secretaries of State. We have just now given a Specimen, how willing he was to change his Cloak once more, on his Majesty's Accession. He was a Man of great natural Parts, tho' but an indifferent Speaker in Publick : yet had so cunning a method of insinuating himself into those he had a mind to inveigle that few were capable of diving into any of his Projects, till they were executed, or could guard themselves against his Snares. He was truly fitted for a Court, as Master of all the Dissimulation, and fawning and flattering Tricks necessary for that Climate. He was an able Statesman, and wanted not Personal Courage ; but was intirely ignorant of the Art of War, a Province which we shall see he made but a wretched Figure in. In short, he had Qualifications sufficient to make a great Man, if he had but the least Grain of Honesty.

THIS was the Leader, whom so many noble Families in *Scotland* followed to their Ruin ; and this the Man that deluded Party chose to restore their *Mock King*. He had been at Court on the first of *August* 1715, in the Evening, to pay his Compliments to the late King ; and the next Day, with only Lieutenant General *Hamilton*, and two Servants, embark'd on Board a Vessel in the River, bound for *Newcastle upon Tyne* ; the Master of which they persuaded to carry them to the Town of *Greil*, situated on the Coast of *Fife*, near the Mouth of the Firth of *Forth* ; from thence his Lordship crossed the County

of *Fife*, to *Dundee*, and from thence to his Seat a *Kildrumny*, in the Braes of *Mar*.

UPON the Earl's arriving in the Braes of *Mar*, notice was sent to all the chief Men of that Party, to meet together on Pretence of a Hunting-Match in these Parts. The sixteenth of *August* was appointed for the Grand Rendezvous, when Numbers of the Nobility and Gentlemen of chief Note in that Interest appeared ; among whom were the Marquess of *Huntley*, Eldest Son to the Duke of *Gordon* ; the Marquis of *Tullibardin*, Eldest Son to the Duke of *Athol* ; the Earls of *Marischall*, *Nithisdale*, *Traquair*, *Errol*, *Southesk*, *Cornwall*, *Seaforth*, and *Linlithgow* ; the Viscounts of *Kilsyth*, *Kenmure*, *Kingston*, and *Stormont* ; and the Lords *Kollo*, *Duffus*, and *Drummond* ; and a Number of Gentlemen of great Interest in the *Highlands* ; in particular the two Generals *Hamilton* and *Gordon*, *Glengary*, and *Glendaruel*, with others from the *Clans*.

AT this Meeting, the Earl of *Mar* opened the whole Scheme, with which most of them were, no doubt, acquainted before ; and in a set Speech, they were excited to take hold of this Opportunity to show their Zeal for the House of *Stewart*.

IN the Introduction, he express'd himself with a well dissembled Sorrow for his own past Behaviour ; especially in being so instrumental in the late Reign in bringing about the Union, and abolishing the antient Constitution of *Scotland*. For this Piece of fatal Mis-conduct, he show'd the greatest Compunction, and said he now saw his Error, and would spend his best Blood to make them again a free People, and rid them of the Union, which he was pleas'd now to dignify with the Epithet of *Cursed*.

He then endeavoured to inculcate into the Assembly a Sense of the Misfortunes they laboured under, by being governed by a Foreigner, a Stranger to the Constitution, who gave up the Management of the Government to the Hands of a set of Courtiers who had no View, but to strengthen and continue our Slavery, under a foreign Yoke, without any regard to the Interest of the People, upon whose Civil and

Religious Liberties they were daily making new Encroachments.

THEY told them that Thousands were in League with him, to redress their Grievances, and restore their lawful King, *King James the Eighth* (as he call'd him) to the Throne of his Ancestors : He shew'd them Letters under the *Chevalier's* own Hand from *Lorrain*, promising to come over in Person, and put himself upon the Valour and Fidelity of his *Scotch* Subjects ; giving them in the mean Time, the strongest Assurances they should be sure of Ships, Arms and Ammunition, and other Military Stores, with Officers and Engineers, so soon as they could concert where they were to be landed.

HE likewise assured them, that he was furnished with Money for the Discharge of the Expence of the Expedition ; and should from time to time be supply'd with Money for levying Men, and regularly to pay the Troops, so that no Gentleman should be at any Expence to subsist his Men ; and that they, and the Country should be eased of all Burthens of that kind.

HE likewise harangued them, on the great Assistance they were to expect from the *French* King, from whom the *Chevalier* had already received great Supplies, and that there was great Insurrections to be in *England* at the same time, in different Places, which he said would divert the Government from sending Forces to *Scotland*. And lastly shew'd them, or at least told them, he had a Commission as Lieutenant General from their King, who had entrusted him with the sole Direction of this important Affair : And then informed them of the Measures he intended to pursue, that he was resolved to set up the Royal Standard, and summon all the sensible Men in his interest to attend it.

THIS Speech had the desired effect. So many large Promises, and such assurances of Success, especially from the then defenceless State of *Scotland*, and the supposed Insurrection in *England*, wrought easily upon the Passions of Men already in their own Minds heartily embarked in that desperate Undertaking.



FROM deliberating, they soon went to Action; every Man dispers'd to his own Estate, there to influence his Friends and Vassals to be ready, so soon as they had Intimation from the Earl of Mar.

ANOTHER Meeting was summoned to *Aboyne* in *Aberdeen-shire* on the third of *September*, in order to concert Measures for appearing publickly in Arms; the Result of which was, that the Earl of Mar, attended only by about 500 Horse, set up the Pretender's Standard at *Kirk-Michael*, a small Village in the *Brae of Mar*, and there proclaim'd him in common Form, and with as much Solemnity as the Circumstances of Time and Place would admit. He was likewise proclaimed in a few Days after at several other Places, such as at *Aberdeen* by the Earl Marischal; at *Dundee*, by Mr. *Graham*, afterwards created Earl of *Dundee* by the Pretender, at *Montross*, by the Earl of *Southesk*; and at *Perth*, which they soon after took Possession of, by Colonel *Balfour*; at *Dunkeld*, by the Marquiss of *Tulibardin*; at *Castel-Gordon*, by the Marquiss of *Huntley*; at *Breechin*, by the Earl of *Pannure*; and at *Inverness* by Brigadier *McIntosh* at the Head of five Hundred Men, who likewise took Possession of that important Pass, then without a Garrison.

BEFORE the Earl of Mar left *Brae Mar* with the few Forces he had, he publish'd a Declaration, dated the ninth of *September*, summoning all the sensible Men within his own Lordship to attend the King's Standard on the Monday following at the Invor of *Brae Mar*, in order to proceed on their March towards *Perth*. The Order is directed to the Bailiff of *Kildrumny*, and the rest of the Gentlemen of that Lordship. As there was nothing particular in that Declaration, we shall not trouble the Reader with it; but as the following Manifesto speaks the Sense of the Rebels, we chuse to give it a Place here.

*MANIFESTO by the Noblemen, Gentlemen, and others, who dutifully appear at this Time, in asserting the undoubted Right of their lawful Sovereign James the VIIIth, by the Grace of God, King of Scotland, England, France, and Ireland, Defender of the Faith, &c. and for relieving his antient Kingdom from this the Oppressions and Grievances it lies under.*

HIS Majesty's Right of Blood to the Crown of these Realms is undoubted, and has never been disputed or arraign'd by the least Circumstance of a lawful Authority.

By the Laws of God, by the antient Constitutions, and by the positive unrepealed Laws of the Land, we are bound to pay his Majesty the duty of Loyal Subjects; nothing can absolve us from this our Duty of Subjection and Obedience, the Laws of God require our Allegiance to our rightful King; the Laws of the Land secure our Religion, and other Interests; and his Majesty giving up himself to the Support of his Protestant Subjects, puts the Means of securing to us our Concepts Religious and Civil in our own Hands.

OUR Fundamental Constitution has been entirely altered, and sunk amidst the various Shocks of unstable Faction; while in the searching out new Expedients, pretended for our Security, it has produced nothing but daily Disappointment, and has brought us, and our Posterity under a precarious Dependance upon foreign Councils and Interests, and the Power of foreign Troops.

THE late unhappy Union, which was brought about by the mistaken Notions of some, and the ruinous and selfish Designs of others, has proved so far from healing and lessening the Difference betwixt his Majesty's Subjects of Scotland and England, that it has widened and encreased them; and it appears, by Experience, so inconsistent with the Rights, Privileges, and Interests of us and our good Neighbours and Fellow-Subjects of England, that the Continuance of it must inevitably ruin us, and hurt them; nor can any way be found out to relieve us, and restore our antient and independant Constitution, but by restoring our rightful and natural King, who has the only

undoubted Right to Reign over us ; neither can we hope, that the Party who chiefly contributed to bring us into Bondage, will at any Time endeavour to work our Relief ; since 'tis known how strenuously they opposed, in two late Instances, the Efforts that were made by all *Scotchmen* by themselves, and supported by the best and wisest of the *English*, towards so desirable an End, as they will not adventure openly to disown the Dissolution of the Union to be.

OUR Substance has been wasted in the late ruinous Wars, and we see an unavoidable Project of having War continued on us and our Posterity so long as the Possession of the Crown is not in the right Line.

THE hereditary Rights of the Subjects, tho' confirmed by Conventions and Parliaments, are now treated as of no Value or Force ; and past services to the Crown and royal Family, are now look'd upon as Grounds of Suspicion.

A pack'd up Assembly, who calls themselves a *British* Parliament, have as far as in them lies, inhumanly murdered their own and our Sovereign, by promising a great Sum of Money as the reward of so execrable a Crime.

THEY have prescribed, by unaccountable and groundless Impeachments and Attainders, the worthy Patriots of *England*, for their honourable and successful Edeavours to restore Trade, Plenty and Peace to these Nations.

THEY have broken in upon the sacred Laws of both Countries, by which the Liberty of our Persons was secured. They have empower'd a foreign Prince who, notwithstanding of his Expectations of the Crown for fifteen Years, is still unacquainted with our Manners, Customs, and Language, to make an absolute Conquest (if not timely prevented) of the three Kingdoms, by vesting himself with an unlimited Power, not only of raising unnecessary Forces at home, but also of calling in foreign Troops ready to promote his uncontrollable Designs. Nor can we be ever hopeful of its being otherways in the way it is at present for some Generations to come. And the sad Consequence of these unexampled Proceedings, have really been so fatal to great Numbers of our Kinsmen, Friends and Fellow-Subjects of both Kingdoms, that they have been con-

strained to abandon their Country-Houses, Wives and Children, or give themselves up Prisoners, or perhaps Victims, to be sacrificed at the Pleasure of Foreigners, and a few hot-headed Men of a restless Faction, whom they employ.

OUR Troops abroad, notwithstanding of their long and remarkable good Services, have been treated, since the Peace, with neglect and Contempt, and particularly in *Holland*; and 'tis not now the Officers long Service, Merit, and Blood they have lost, but Money and Favours by which they obtain Justice in their Preferments, so that 'tis evident the Safety of his Majesty's Person and Independancy of his Kingdoms call loudly for immediate Relief and Defence.

THE Consideration of these unhappy Circumstances, with the due regard we have to common Justice, the Peace and Quiet of us and our Posterity, and our Duty to his Majesty and his Commands, are the powerful Motives which have engaged us in our present Undertaking; which we are firmly and heartily resolved to push to the utmost, and stand by one another to the last Extremity, as the only solid and effectual Means to put an End to so dreadful a Prospect as by our present Situation we have before our Eyes; and with faithful Hearts, true to our only rightful King, our Country, and our Neighbours, we earnestly beseech and expect (as his Majesty commands) the Assistance of all our Fellow-Subjects, to second this our first Attempt; declaring hereby our sincere Intention that we will promote and concur in all lawful Means for settling a lasting Peace to those Lands, under the auspicious Government of our native born rightful Sovereign, the Direction of our own domestick Councils, and the Protection of our native Forces and Troops.

THAT we will in the same manner concur and endeavour to have our Laws, Liberties and Properties secur'd by the Parliaments of both Kingdoms; that by the Wisdom of such Parliaments, we will endeavour to have such Laws enacted, as shall give absolute Security to us and future Ages, for the Protestant Religion, against all Effects of arbitrary Power, Popery, and all its other Enemies. Nor have we any Reason to be distrustful of the Goodness of God, the Truth and

Purity

Purity of our holy Religion, or the known Excellency of his Majesty's Judgment, as not to hope, that in due Time, good Example and Conversation with our learned Divines, will remove those Prejudices we know his Education in a Popish Country has not rivetted in his royal discerning Mind; and we are sure as Justice is a Virtue in all Religions and Professions, so the doing of it to him will not lessen his Opinion of ours.

THAT as the King is willing to give his royal Indemnity for all that is past, so he will cheerfully concur in passing general Acts of Oblivion, that our Fellow-Subjects who have been misled, may have a fair Opportunity of living with us in the same friendly Manner we design to live with them.

THAT we will use our endeavour for redressing the bad Usage of our Troops abroad, and bringing the Troops at home to be on the same Foot and Establishment of Pay as those of *England*.

THAT we shall sincerely and heartily go into such Measures, as shall maintain effectually and establish a right Union betwixt his Majesty's antient Kingdom of *Scotland*, and our good Neighbours and Fellow-Subjects of *England*.

THE Peace of these Nations being thus settled, and we thus freed from foreign Dangers, we will use our Endeavours to have the Army reduced to the usual Number of Guards and Garrisons, and will concur in such Laws and Methods, as shall relieve us of the heavy Taxes and Debts now lying upon us; and at the same Time, will support the Publick Credit in all Parts.

AND we hereby faithfully promise and engage, that every Officer who joins with us in our King and Country's Cause, shall not only enjoy the same Post he now does, but shall be advanced and preferred according to his Rank, and the Number of Men he brings off with him to us, and each Foot Soldier so joining us, shall have twenty Shillings Sterling; and each Trooper and Dragoon, who brings Horse and Accoutrements along with him twelve Pounds Sterling Gratuity, besides their Pay.

AND in general we shall concur with all our Fellow Subjects, in such Measures, as shall make us flourish at home, and formidable abroad, under our rightful Sovereign, and the peaceable Harmony of our antient fundamental Constitution, undisturbed by a Pretender's Interest and Council from abroad, or a restless Faction at home.

IN so honourable, so good and just a Cause, we do not doubt of the Assistance, Direction and Blessing of Almighty God, who has so often succoured the royal Family of *Stewart*, and our Country, from sinking under Oppression.

THESE were the Arguments the Party published to satisfy the World of the Justness and reasonableness of the Cause they were engaged in, by which they deluded Numbers of People to embark in that desperate undertaking, involved their Country in an unnatural civil War, and ruined many of the best Families in that Kingdom.

IT must appear strange that so many Noblemen and Gentlemen of reputed good Sense, could be trepan'd by such weak Pretences, mix'd with innumerable gross Falshoods, to renounce their Allegiance to the best of Princes, and make Shipwreck of these Oaths they had taken to an Establishment settled by the Voice of, and for the Interest of the People, to preserve our happy Constitution from the Encroachments of arbitrary Power; and our holy Religion from the Errors, Idolatry, and Tyranny of the Church of *Rome*.

AND it is still more surprizing, that the Earl of *Mar*, whose Character as a Time-server was so publick, could gain so much Credit as to be capable of engaging so many Persons of eminent Note, to believe him, and put so much Trust in his Sincerity, when they had seen him so often, change his Opinion and Measures, and so zealous in promoting the most popular Grievance they had to complain of, the Union of the Kingdoms. How insatuated must they be, either to believe themselves, or impose upon the Credulity of their less knowing Followers, that their Mock King was capable of changing his Religion, and renouncing those Errors that had been so early, and with so much Industry inculcated upon his

his Mind by the Agents of the Enemies of our reformed Religion, since they had the Example of his Father, who renounced three Kingdoms for the Sake of these Superstitions. And even when he was attempting to be restored to what he so justly, tho' foolishly lost, could not be prevailed on by his Friends, to give the least Countenance to those of the Reformed that followed his unhappy Fortunes; nor so much as to indulge them with a Chapel for the Exercise of their Worship at his Court, or trust them with the least Direction of his Affairs. So recent and publick an Example of the Father's Bigottry and Attachment to these fatal Errors, might have been, methinks, sufficient Grounds to have deterred any of the Protestant Subjects of that Nation from being led away by such vain Surmises in Favour of the Son.

BUT with how little Ground this Suggestion was introduced into this Manifesto the Behaviour of that unhappy Gentleman, when he landed in *Scotland*, is now no Secret to any the least versant in the Transactions of his Court; since he gave openly Encouragement to, his Popish Chaplains, used them on all Occasions, and could not be prevailed on to suffer the Attendance of any Protestant Divine for the Discharge of any of the religious Duties of his Household, tho' solicited to it by Noblemen who risk'd their All to serve him. This (to do him Justice) was an Instance of his Sincerity, that he did not intend in this Article to impose upon his pretended Subjects; and from it all Mankind may conclude that there never was, nor possibly can be, (without a Miracle) any Hopes of his Conversion from these Doctrines, which neither Gratitude or Complaisance to his Friends, or regard to his own Interest could prevail on him to relax one Grain of his rigid Observance of.

AND as there was no Hopes of his Conversion to our Religion, so neither was there any Probability that he would long agree with our Notions of Government, since arbitrary Principles was as early instilled into him as those of his Religion, and the one the natural Consequence of the other. But however inconsistent the Profession of a *Jacobite* in Politicks is with that of a Protestant in Religion, Numbers of the last became zealous

zealous Abettors of the first : And 'tis to be hoped the Disappointment of this last Scheme has cured all Protestants from the Itch of following the Banners of Popery and Slavery, and the desperate Fortunes of a Popish Pretender.

THE Rebels having now passed the *Rubicon*, without any Design of reflecting upon the Consequences they were to draw upon their Country, march'd from *Kirk-Michael* to *Maulin*, another small Village in *Brae-Mar*, where they proclaim'd the Pretender and staid fourteen Days. From thence they march'd to *Logyrate* ; and from thence to *Dunkeld*, formerly a Bishop's See, and the Residence of the Dukes of *Athol*. This they made their Head Quarters for some Time, and were join'd by two Thousand Men from the Highlands ; among whom were some of the Earl of *Bradalbin*'s Men. Their Numbers thus increas'd, they found themselves under a Necessity to extend their Quarters ; and at the same Time the Earl of *Mar* having intelligence that the Earl of *Rothes*, and some other Gentlemen of *Fife*, intended to seize *Perth* for the King, the Earl was resolv'd to be beforehand with 'em, and secure that important Pass for himself. He accordingly dispatch'd Mr. *John Hay*, Brother to the Earl of *Kinoul*, with a strong Party to perform that Service, which he executed successfully ; the Earl of *Rothes*, and the Gentlemen of the royal Interest, tho' advanc'd to the Number of five hundred pretty near the Place, not daring to dispute it, but dispers'd immediately.

*Perth*, commonly called *St. John's Town*, is situate in a plentiful Country, commands the Passage over the *Tay*, and the Communication with the Shire of *Fife*, one of the most populous and plentiful Countries in *Scotland*. The Possession of this Town, to which the Earl march'd with all his Forces, and made it his Head Quarters, was of great Advantage to him, as it prevented the King's Troops from passing Northward, secured the Pass of *Tay*, and opened a Communication with the fruitful Province of *Fife*, and all the Towns upon that Side of the *Firth of Forth*. This Town was taken Possession of on the 14th of *September*, and gave some Reputation to the first Dawning of this unhappy Design.



ABOUT six Days before, at a Time when there was scarce Intelligence at *Edinburgh* that the Rebellion was so far advanced, an Attempt was discover'd, which, if it had succeeded, had in a little Time made the Earl of *Mar* Master of the most Part of *Scotland*.

ONE *Arthur*, formerly an Ensign in the Castle of *Edinburgh*, was employ'd by the Lord *Drummond* to debauch Part of the Garrison, to betray it into the Hands of the Rebels, His Lordship sent fifty *Highlanders* to assist in the Enterprize, and there was about fifty more employ'd, or in the Secret. The 8th of *September*, at Night, was appointed for the Execution of this Design: A Ladder of Ropes was provided, and a Centinel then upon Duty actually let down a Rope and haul'd up the Ladder, upon which some of the Party were actually mounted; when a Lieutenant, either by Accident or Design, going the Rounds out of the ordinary Hour, discover'd the Danger, and by firing a Piece alarm'd the Garrison, who immediately ran to Arms: The City Guards taking the Signal, beat an Alarm in the City, and a Party sallied out of the West Port and seiz'd upon one Captain *Mac Lean*, formerly an Officer at *Killycranky*, who had bruised himself by a Fall from the Ladder in such manner as he could not make his Escape with the rest: They took up two others whom they suspected to be of the Party, and found some *Muskets* and *Carbines* the Owners had thrown away, to be able the speedier to make their Escape.

IT was pretended at this Time, that the Lord Justice Clerk had that Evening got Intelligence from one of the Conspirators of the whole Design, and that he had sent Notice to Lieutenant-Colonel *Stewart*, Deputy Governor of the Castle, to be upon his Guard; and that he order'd Lieutenant *Lindsay* (the Officer mention'd above) to go the Rounds all Night; by which Means the Design was prevented. That the Justice Clerk had such Intelligence may be true; but it does not appear, that there was sufficient Caution taken by the Deputy Governour, considering the Danger of his trusting another: Making no new Disposition of the Centinels on Duty, or increasing their Number, or keeping the Garrison under Arms, seems

seems to be Errors that might have proved fatal; at least this was the Opinion of the Government, since the Governor was discharged his Office, and committed Prisoner to the *Tol-booth* of *Edinburgh*, tho' he was soon restored to his Liberty, but never to his Post, only was allow'd Half-Pay; which that Gentleman's Friends constructed an Acquittal from the Suspicion of Treachery or Neglect.

THIS was a narrow Escape to the Government; for if the Rebels had got Possession of this important Fortress, they would have commanded the City of *Edinburgh*, and most of the Kingdom, where there are but few Garrisons of any Note, and given such Reputation to their Arms, that the King's Affairs would have been but in an indifferent Situation had this Project succeeded.

THE Rebellion becoming now publick, 'tis Time to see what Preparations were making by the Government to suppress so formidable an Insurrection. Upon the first Notice of the Earl of *Mar*'s appearing in Arms, the Government thought proper to seize upon as many suspected Persons, both in *England* and *Scotland*, as they could lay their Hands upon; and such as were out of their Reach were summon'd to surrender themselves, and give such Security to the Government for their Fidelity as the Law directed, pursuant to an Act of Parliament made for that Purpose.

*A LIST of the Persons Names so summon'd.*

THE Marquis of *Huntley*.

Earls of *Southesk*,  
*Seaforth*,  
*Winton*,  
*Gairnath*,  
*Nithisdale*,  
*Linlithgow*,  
*Mar*,  
*Kincoul*,  
*Panmure*,  
*Marischall*,  
*Bradalbin*,

Lord Viscounts *Kenmure*,  
*Stermount*,  
*Killsyth*,  
*Kingston*,  
*Strathalbern*,  
The Lords *Oglive*,  
*Rollo*,  
*Drummond*,  
*Nairn*,  
*Glenorchy*.

SIR

SIR *James Campbell, of Auchanbreck.*

SIR *Duncan Campbell, of Lochnell.*

SIR *Patrick Murray, of Auchtertyre.*

SIR *Hugh Paterfon, of Banockburne.*

SIR *Alexander Erskine, Lord Lyon.*

SIR *John M'Lean, of Douart.*

LIEUTENANT-GENERAL *George Hamilton.*

SIR *Donald M'Donald, of Sleat.*

THE Master of *Stormont.*

THE Master of *Nairn.*

*Alex. M'Kenzie, of Frazerdale.*

*James Sterling, of Keir.*

*Robt. Stewart, of Appin.*

*John Campbell, of Auchacalader.*

*William Murray, Jun. of Auchtertyre.*

*Alex. Robertson, of Struan.*

Lairds of *M'Kinnan,*

*Keppoch,*

*Glenronald,*

*Lochiel,*

*Glengary,*

*Glendaruel.*

*William Drummond, Servant to Lord Drummond.*

MR. *Seaton, of Touch.*

LIEUTENANT *Allen Cameron.*

*Robt. Roy, alias M'Gregor.*

MR. *Stewart, of Airde.*

MASTER *Francis Stewart, Brother to the Earl of Murray.*

MR. *John Fullertoun, of Green Hall.*

MR. *M'Intosh, Jun. of Borlam.*

*James Malcolm.*

MR. *Henry Maule, Brother to the Earl of Panmure.*

MR. *Walkinshaw, of Borrowfield.*

MR. *Graham, Baron of Bucklivy.*

*George Hume, of Whitefield.*

MR. *John Drummond.*

*Lyon of Austerhouse.*

COLONEL *Balfour.*

MR. *Balfour.*

MR. *Bethune, of Balfour.*

MOST of these, upon Publication of the Summons, either retired to the Hills, or immediately join'd the Rebel Army. The like Care was taken in *England*, and several Gentlemen taken up, which prevented their doing Mischief to themselves, or their Posterities. Besides these Precautions, the Government dispersed the Army all over *England*, to such Places as were most suspected to favour that Interest; and General *Cadogan* was sent to *Holland*, to demand the Six Thousand *Dutch* stipulated by Treaty, which were design'd, as they afterwards did, to augment the Royal Army in *Scotland*, the Ministry not caring to spare any National Troops for that Service. The Duke of *Argyle*, already Commander in Chief in *Scotland*, was made General of the Forces; and General *Wightman*, who commanded in his Grace's Absence, was order'd to assemble the King's Forces, and encamp with them in *Stirling-Park*, under the Cannon of that Castle, in order to secure that important Pass, and hinder the Rebels from making any Progress Southward.

HIS Grace the Duke of *Argyle* arrived at *Edinburgh* about the latter End of *October*, and found the King's Affairs in a very bad Situation, the Rebels in Possession of *Perth*, of all the Sea Coast on both Sides of *Scotland* for a great Tract of Land, from *Brunt-Island* on the North-side of the *Firth* of *Forth* to *Fifeness*, East, and from thence to *Buckness* beyond *Aberdeen*, North, extending again where the Shore falls off, and runs on West to *Cromarty-Bay*, and the *Murray Firth*, being above One Hundred and Sixty Miles of Sea-Coast; and on the *Irish* Side the Islands of *Sky* and *Lewis*, two considerable Islands of the *Hebrides*, was at their Command, as being mostly the Property of the Earls of *Seaforth*, Sir *Donald McDonald*, and others of the *Clans*, who were in their Interest; so that they were in Possession of all that Part of the Kingdom that lies North of *Forth*, except the Shire of *Argyle*, the Garrison of *Fort-William* in *Inverness*, and the remote Counties of *Cathness*, *Sutherland*, and *Strathnaver*.

THO' there had yet been no Insurrection in the South Parts of *Scotland*, yet the rapid Progress of the Rebels in the North, and Smallness of the Number of the King's Forces,

at this Time not two thousand strong, made People of all Ranks uneasy, tho' very well affected to the Government. The City of *Edinburgh*, by the late Attempt upon the Castle, was in the most dreadful Panick; the Magistrates expected daily to see their Enemies at their Gates, and no Provision to protect them: Their Fears from within the Town were not less; they knew there were in such a populace City Numbers of disaffected People; but, above all, they dreaded the Insults of their own Mob, who, like others, are always ready to join against the establish'd Government, from a Love of Novelty rather than any settled Principle of Disaffection.

At *Glasgow* the Consternation was the same, and at *Dumfries* was still greater, where the *Jacobite* Gentry threaten'd to set Fire to the Town. In short, the Duke found all the well-affected in the Nation agitated with nothing but Despair, against which he had no Remedy to offer, but many fair Promises of speedy Succours, for he had not brought down one Regiment with him; but he found the Gentlemen of the Party, tho' no ways satisfied with the Prospect of Things, nor the Treatment they met with from the Government, heartily attach'd to his Majesty's Interest, and willing to risk all in his Service, and their own Defence; they offer'd to raise Volunteers of their Friends and Dependants, either to strengthen the Army, or protect the City of *Edinburgh*; and the Citizens shew'd so forward a Zeal, that they form'd themselves in Companies, and arm'd themselves in Defence of the Common Cause.

To encourage the Zeal of the People, and that they might act lawfully, and by Authority, his Grace was pleased to issue the following Order.

*JOHN* Duke of *Argyle*, General and Commander in Chief of his Majesty's Forces in *North-Britain*, to the Lords Lieutenants, Deputy Lieutenants, and in their Absence to the well-affected Heretors of the Western and Southern Shires of *Scotland*; and in particular to the Justices of Peace, Magistrates of Burrows, and other Judges and Officers, Civil and Military.

‘ WHEREAS great Numbers of well-affected Noblemen, Gentlemen, and others, in the Southern and Western Shires of *Scotland*, being in Readiness to march to such Places as they shall be appointed, may be desirous to have a particular Order to that Effect; These are therefore, in his Majesty’s Name, and by his Authority, requiring, ordering, and authorizing the Lords Lieutenants, Lieutenant Deputies, or in their Absence all well-affected Heretors, and each of them, in the Western and Southern Shires aforesaid, to march forth-with their fencible Men, with their best Arms, and what Ammunition they have, with forty Days Provision, towards *Glasgow*; and to quarter there, or in the adjacent Towns or Villages, on the North-side of the River *Clyde*, in order to assist in opposing and extinguishing the Rebellion now raised against our Laws, Liberties, and the Protestant Religion.’ *Given at the Camp at Sterling the 2d of October, 1715.*

*Sign’d,*

ARGYLE.

IN the mean Time, the Duke went about to augment his Forces, by filling up the Companies to fifty Men each, and two new Companies to each Regiment; but as the Officers, at least no great Number, could be spared from Duty to the Recruiting Service, the Levies went on but slowly in this Manner; so that his Grace was obliged to issue a second Order to the Noblemen and Gentlemen, pressing them to be assisting in the Levies, and promising that their Services in that Affair should be faithfully reported to his Majesty; and offering forty Shillings *Sterling* to every private Man that should enlist in his Majesty’s Service, and a Promise of their Discharge upon two Months Notice to their Officer, and to have a Pass to return to their several Places of Abode within six Months after the Suppression of the Rebellion, without being obliged to serve Abroad, or against any Foreign Power.

HIS Grace likewise reported the State of the Country to his Majesty, and solicited Supplies suitable to the Occasion; but the Ministry remained firmly resolved not to part with

any

any of the Forces then in *England*, only ordered *Evans's* Regiment of Dragoons, *Clayton* and *Wightman's* Regiments of Foot, to be sent from *Ireland* to the Assistance of his Grace with all Expedition; which accordingly had the good Fortune to join the Royal Army before the Battle of *Dumblain*.

AT this Time the Earl of *Mar* and his Party were in high Spirits at *Perth*, having now the Face of a considerable Army, and having just received a Letter from the *Chevalier* by the Hands of Mr. *James Murray*, second Son to the Lord Viscount *Stormount*; this Gentleman ventur'd to land in *England*, and travelled *incognito* to *Edinburgh*, where he remained several Days undiscovered, tho' a Person very well known, and was frequently in Conversation with his Friends; after which he took an open Boat at *Newhaven*, a small Town a little above *Leith* cross'd the *Firth* to *Brunt-Island*, and so arrived at *Perth*.

THE Dispatches he brought gave the Party great assurances of speedy and powerful Succours, and that the *Pretender* would soon be with them in Person; from whom, 'tis said, he produced Patents, appointing himself Principal Secretary of State for the Affairs of *Scotland*, and creating the Earl of *Mar*, a Duke, by the Stile of Duke of *Mar*, Marquess of *Sterling*, and Earl of *Alloway*.

ABOUT the 3d of *October* the Earl of *Mar* having Intelligence that *Four Hundred* small Arms with Ammunition in Proportion, had been delivered out of the Magazines of the Castle of *Edinburgh*, and put on board a Ship in the Road of *Leith* for the Use of the Earl of *Sutherland*, who intended to raise his Followers at *Dunrobin*, in the Rear of the Earl he resolved to seize them, which would be a proper Supply for himself, and a Disappointment to the Designs of the Earl of *Sutherland*.

SOME Accidents happen'd to favour this Undertaking, such as the Wind blowing hard at North-East, which makes a foul Sea in the Offing of *Leith*, the Master of this Vessel, which belonged to some Merchants in *Brunt-Island*, which was then the Weather-shore, weighed his Anchors, and stood over to the Shore of *Fife*, near that Town.

THE Earl of *Mar*, having proper Intelligence of the Situation of the Vessel, dispatch'd Five Hundred Horse, with each a Footman behind. This Detachment arriv'd at *Brunt-Island* in the Middle of the Night; the Foot dismounted, and enter'd the Town, and immediately seiz'd all the Boats in the Harbour, to prevent any from going off to the Vessel, while the Horse surrounded the Town on all Hands, to prevent any of the Inhabitants from escaping to alarm any of the Towns on the Coast, which lies very thick,

HAVING thus seiz'd all the Boats, the Commanding Officer sent out about One Hundred and twenty of his Men in these Boats to the Ship, which they boarded without any Opposition: They attempted to bring her into the Harbour; but finding, after weighing Anchor, that the Tide did not answer, they dropt that Design and fell to unloading her into their Boats; which they soon effected, landed their Cargo, and then press'd all the Carriages round the Country, and set out with their Booty for *Perth*.

THE Duke of *Argyle* had no intelligence either of their March or Intentions till the Day following, in the Afternoon, when he was acquainted with the Success of the Undertaking. The Earl of *Mar*, fearing the Duke would make a Motion to intercept this Detachment before they reach'd *Perth*, made a feign'd Motion himself, and had it rumour'd so as to reach the Royal Army that he intended to send Six Thousand Men as far as *Ava*, to support this Detachment, and fight the Royalists, in case they should attempt to intercept them in their March; which Stratagem had the desired Effect, for the Duke of *Argyle* did not think proper to hazard any of the small Number he had with him for the Sake of receiving that Booty, so that the Rebels got it safe to *Perth*. This little Success made many People conceive a better Opinion of the Earl of *Mar*'s Judgment than they had at first; and this supply of *s* and Ammunition, was very seasonable: for tho' they had received three Ships from *France* with Arms, &c. and had rais'd a large Quantity in the Towns on the Coast of *Fife*, yet they were still in great want of Arms and warlike Store, with which they expected daily to be supplied in great-



er Quantities from *France*. For in the Ports of that Kingdom, the *Pretender's* Friends, either by Toleration, or Connivance from the Regent, had bought, or freighted, twelve large Ships, and some Frigates of good Force, which they openly loaded with warlike Stores, of which the following is a List published at that Time.

*An Inventory of the Pretender's Magazines which was shipping at Havre, and St. Malo's; when Sir George Byng appeared upon the Coast, with an Account of the Ships.*

#### THE MAGAZINE.

12000 Musquets with Bayonets and Cartouches, to each Musquet one.

2000 Carbines.

2000 Fuzees, or smaller Musquets.

6000 Cartouches and Bayonets, for those who had Arms before.

18000 Swords.

2000 Halberds and Half-pikes.

12 Brass Field Pieces with Carriages.

16 Large battering Cannon.

40 Pieces of Iron Guns.

All the necessary Furniture for 120 Gunners.

300 Tun of Lead, Iron, Ball and Shells.

Soldiers, Volunteers, and Officers 1861.

#### SHIPS.

The *Archangel*, a large Privateer of 40 Guns, 300 Men, besides the Equipages, carried the General Officers.

The *Furieux*, a Frigate, 36 Guns.

The *Cheval Marine*, 26 Guns.

The *Sambour*, 24 Guns.

Two large Transports with the Cannon and Bombs.

#### AT HAVRE.

Eight large Transports.

#### AT DIEP.

Two *English* built Ships, loaded with Powder and Arms.

BUT

BUT the Government having Intelligence of these Preparations, made Remonstrances by his Majesty's Ambassador the Earl of *Stairs* to the Regent, and back'd them with the Appearance of Sir *George Byng* upon the *French Coast*, which oblig'd them to reland these Stores; and the Party never reap'd any Benefit by them, except some few Ships that were sent by Stealth.

ON the fifth of *October* the Laird of *Borlam*, Uncle to the Laird *Mackintosh*, known by the Name of Brigadier *M'Intosh*, join'd the Earl of *Mar* with five hundred Highlandmen of his Nephew's followers. The Brigadier had serv'd abroad, and had the Reputation of a bold and experienc'd Officer; and the Men he brought along with him, were among the most resolute, and the best arm'd of any that compos'd the rebel Army; a Proof of which they gave by undertaking that desperate Attempt of crossing the *Forth*, of which we are shortly to give an Account.

ON the 6th of the same Month, the Marquis of *Huntley* joined their Army with 500 Horse, and 2000 Foot, and the Earl of *Marischall* with 300 Horse, and 500 Foot at least. This was the Number these Noblemen were said to bring along with them; but I have reason to believe that both Sides exaggerated on these Occasions, since 'tis pretty well known that both of them are not able of their own Followers to raise half the Number; but whatever was the precise Number, they made a considerable addition to the Earl of *Mar's* Army.

ABOUT the beginning of *October*, the Earl of *Darwentwater*, who had got Intelligence that a Messenger was sent to secure him with Mr. *Foster*, afterwards General in these Parts, conven'd at *Alnwick* about three hundred of his Friends, all Horse, pretty well mounted and arm'd; and at the Market-Place of that Town proclaim'd the *Pretender*. This was the first Insurrection in *England*, of the Progress of which we shall give an Account in its proper Place.

THE Earl of *Mar*, tho' he was much superior in Numbers to the Duke of *Argyle*, yet as his Grace was situated under the Cannon of *Stirling*, which commanded the Bridge o-

ver *Forth*, could not pretend to attack him in that Post, and the River in that Season of the Year was high, that he could not pretend to pass it at any other Place.

HE had by this Time heard of the Insurrection in *Northumberland*, and that this Party wanted Foot, and that the Viscount *Kenmure* had a good Body of Horse about *Nithisdale*, he therefore resolved to send a Detachment of those he had with him, to join his Friends in the South, and by that Means increase the Diversion on that Side.

As he could not without great Hazard force a Passage over the *Forth*, so he resolved to make this Detachment pass the *Firth* from the Coast of *Fife*, and land in East *Lothian*, between *Berwick* and *Edinburgh*; an Enterprize so bold and daring, that nothing but the Success of it could justify; and so desperate, that none but the People employed in it, *Highlanders*, would have attempted; yet it was perform'd with little or no loss, and not without a large Share of Military Conduct.

To perform this Exploit the *Highlanders* were pitch'd upon; and first of all the 500 Men Brigadier *McIntosh* had brought along with him, and the Command of this desperate Expedition was committed to that old Officer assisted by the Earl of *Pannure*, and several other Gentlemen, well versed in military Affairs.

THE Number of the Detachment amounted at their setting out from *Perth*, to two thousand five hundred pick'd Men, two thousand of these with the Brigadier at the Head; escorted by a Detachment of Horse, commanded by Sir *John Erskine* of *Alva*, march'd to the last Part of *Fife*, where previously all the Boats on that Side had been carried. The other five hundred march'd openly, to *Brunt-Island*, and there got together as many Boats as they could lay their Hands on; upon which Numbers of them pretended to embark.

The Men of War lying in the Road having Intelligence of what was carrying on at *Brunt-Island*, of which the Actors did not design they should be Ignorant, mann'd their Boats, slippt their Cables, and in great hurry set in for the Town. The *Highlanders* pretending to be much affraid re-landed,  
and

and the Men of War threw some Shot into the Town, which did little or no Damage, but soon discerned from their Top-mast Head how much they had been amused by this Party; for they plainly saw that the Main Body had embark'd about twelve Miles lower, and were now in the middle of the Channel.

THEY had chosen such a Time of the Tide, and little or no Wind stirring, that it was impossible for the Men of War to give them any Chace. However they mann'd their Boats, and by rowing down Shore fell in with one Boat with about forty five Men; these they made Prisoners, and carried them to *Leith*, where they were confined, but were soon after released by their Friends. And so soon as the Tide turn'd the Men of War came down, and cut off from the rest eight Boats, in which were about two hundred Men, and the Lords *Strathmore*. However they got clear of the Men of War, and put into the Isle of *May*, where the King's Boats durst not attack them, and in two or three Days got safe to the Coast of *Fife*.

OF the two thousand Men who were shipp'd at the East End of *Fife*, about fifteen hundred landed safe on the opposite Shore, between *Tantalan*, *Aberlady*, and *North-Berwick*.

THIS bold Attempt of *Mr Intosh's* put the City of *Edinburgh* into the utmost Consternation; they knew Numbers in the Place waited only for this Opportunity to declare openly for the Rebels; and they had not the least Hopes of being able to preserve the Town by any Power then with them, and they judged that if the Earl of *Mar* had made a Motion to face the Duke of *Argyle*, that it was impossible for his Grace to spare them any Relief; but they were Mistaken in *Mar's* Measures, for he only intended that Detachment to join the Viscount of *Kenmure* and his Friends in the South.

HOWEVER, the old Brigadier being inform'd at *Haddington* of the Consternation of the People of *Edinburgh*, undertook of his own Head to try to surprize that Capital; and accordingly march'd out all his Men, allowing them but one Night's Rest at *Haddington* to *Carstarphan* a Village within two Miles of *Edinburgh*, where he arrived about six in the Evening; but finding that none came out, and that the Citizens

had

had shut the Gates, and were in Arms to defend themselves, he gave over the Enterprize.

BRIGAD. *M'Intosh* was too much a Soldier to attempt to force so populous a City as that of *Edinburgh*, with only fourteen or fifteen hundred Foot; and therefore he struck off to the Right; in order to take Possession of *Leith*; that he might not be obliged to fight at a Disadvantage. Many were of Opinion, that with the few he had if he had made an Attack he would have carried the Place; but that Conjecture had so little Probability in it, that the Brigadier did not venture to hazard his Men.

IN the Interim the Duke of *Argyle* arrived in the City with three Battallions to the inexpressible Joy of the Inhabitants. His Grace had made all the Dispatch possible in coming to their Relief, and arrived there about two of the Clock in the Morning of the fifteenth, *M'Intosh* having possessed himself of *Leith* without any Opposition the Evening before.

THAT Day the Horse Militia of the Country round about *Edinburgh* join'd his Grace, who resolv'd not to give his Enemies any Rest, but immediately attack them; accordingly he drew out his little Army, which consisted of four hundred Dragoons, and two hundred Foot of the Regular Forces, which was what he could most depend on; with these was joined a new Regiment of Volunteers rais'd by the City, and one hundred and fifty of the City-Guards, with five hundred of the Country Militia, some Horse, some Foot; but these last very indifferently armed.

WITH this Army his Grace march'd to *Leith*, and tho' but a short Mile, yet in that Space he lost not a few of his Volunteers, who began to grow sick of their new Employment; the Brigadier having Notice of their Design to attack him, did not care to venture a Battle with Foot against so many Horse, and therefore retired into a Place call'd the Citadel, which is the ruins of an old Fort rais'd in *Oliver Cromwell's* Time to guard the Port of *Leith*.

WHEN this Place was dismantled, the Tops of the Walls and Bastions were only thrown down into the Ditches, the Gates broke down, and the Draw-bridges taken away; so  
that

that the main Body of the Work still remained, and might with very little Expence be made a Compleat Piece of Fortification.

THIS was a proper Retreat for the Brigadier, who taking about eight Pieces of Cannon out of the Ships in the Harbour, with as much Powder and Ball as he could get, he planted two Pieces of Cannon on the Bridge, and the rest at proper Spaces on the Works; to which he made such Additions as the Time would permit; and in this posture waited to receive the Duke.

HIS Grace arrived with his Army, such as it was, before the Place, summoned them to surrender, and threaten'd if they obliged him to force them, or should hurt any of his People that he would give them no Quarter. To this they returned a very resolute Answer; That as to surrendering they did not understand the Word, and hoped none of them would; that they neither would take nor give Quarter if they engaged; and that if his Grace was prepared for an Assault they were ready to receive him.

THE Duke upon viewing their Situation, found they were not to be attack'd without Artillery; since the Walls were so high that the Horse could be of no use in an Assault, and his Foot were by no means to be trusted: therefore his Grace returns to *Edinburgh* to prepare more effectual Means for forcing their Entrenchments than he had.

BUT old *M<sup>r</sup>Intosh* who had no Design to stay where he was longer than he found it for his Safety, much less to stand an Assault with Cannon in a Place so ill provided, resolved to disappoint the Duke's Preparations, by a secret and speedy Retreat, which he executed the same Night.

ABOUT Nine o'Clock the Tide happened to be out, and at this Time the Water of *Leith*, and the Mouth of the Harbour is so shallow, that it is scarce Knee deep. This was a proper Time for his Retreat; he left the Citadel silently, and without passing thro' any Part of the Town, crossed the Water a great way below the Ends of the Peers, and steering their March due East along the Sands, they were got so far before the Duke had any Intelligence of their Escape, or could

be

be in a Condition to pursue them, that it was to no Purpose to have any Thoughts of it. Before they left the Citadel, they sent out a Boat with Dispatches for the Earl of *Mar*, acquainting him of their Proceedings. As this Boat passed the Citadel they fired several Shot at her, to make the Men of War believe she did not belong to them, which had the desired Effect, the Boat escaped unperceived, and arrived safe on the *Fife* Shore, and return'd to them again some Hours before they left *Seaton-House*.

THE next Morning after they left *Leith*, they took Possession of *Seaton-House*, about nine Miles from *Edinburgh*. This House is a Seat of the Earl of *Wintoun's*, strongly built and walled round, so that they were in no Danger of being surprized without more Forces than the Duke had at Hand, or without the help of Cannon, having barricaded the Gates and Avenues to the Place, and taken all proper Precautions for their Safety, they resolved to rest for some Days, and sent out Detachments to carry in all manner of Provisions, which they got in such Plenty, that the Country believed they intended to stay till more should join them from the other Side of the *Firth*.

THE Duke of *Argyle*, who did not intend to give them any more Rest in their new Habitation, than he had done in their former, sent out a Detachment of Horse and Foot to alarm them; but when they came to view the Place, and the Care that was taken to secure it, returned back the same Night, without giving the Highlanders any Molestation.

THE Earl of *Mar* having intelligence of the Situation of his Detachment, advanced with all his Cavalry to *Dumblain*, and ordered three thousand Foot to follow. This small March struck the Royal Army with a dreadful Pannick, which they signified to his Grace by one Express upon the back of another; who, upon this Advice, speedily left *Edinburgh*, taking with him all the regular Forces, except one hundred Dragoons, and one hundred and forty Foot, commanded by General *Wightman*, for the security of the City.

THIS Motion of the Earl of *Mar's* if it had been done sooner might have been of fatal Consequence to the King's Affairs;

but as it was, he had his design of drawing the Duke from *Edinburgh*, and preventing his Detachment from being invested in *Seaton-House*, which done he marched back to *Perth*.

UPON *Tuesday* the eighteenth in the Evening the Boat, mentioned some time ago, landed at *Port Seaton*, and delivered her Dispatches to the Brigadier, which contained Orders to march immediately to join the Viscount *Kenmure* and their Friends in the South of *Scotland* and *England*.

By this Time the Earl of *Darwentwater* and the *Northumberland* Gentlemen had crossed the Borders, and directed their March towards *Kelfo*. Brigadier *McIntosh*, in pursuance of his Orders, quitted *Seaton-House* on the nineteenth, and the twenty second in the Afternoon joined the *Northumberland* Gentlemen and the Viscount *Kenmure* at *Kelfo*. These last had so great a Regard for the Highlanders, that they marched out of *Kelfo* several Miles to pay them the Compliment of meeting them, and conducting them to the Town; where we shall leave them for some Time, till we discuss the Rebellion in *Scotland*, these Men being all employed in the unhappy Affair of *Preston*.

THUS far we have conducted the Rebellion without a Drop of Blood except one Man shot about the eighth of *October*; for tho' the different Parties often met, and frequently exchanged Words together, yet they never came to Blows. The Manner that Gentleman was killed, which was the first Blood drawn in the Cause, is thus related: One Dr *Sinclair* having Intelligence (or pretending so) that there were some People in the Pretender's Interest assembled at the House of Mr. *Hepburn* of *Keith*, his next Neighbour; he got together some of his Servants and Friends, and beset Mr. *Hepburn's* House; this Gentleman, one Relation, and two Sons, with his ordinary Servants, which was all the Company in the House, finding they were beset, mounted their Horses, resolving to break through them and make their Escape. Dr. *Sinclair* and his Poffy, so soon as they saw them, fired upon them, and killed Mr. *Hepburn's* younger Son, a Youth very much lamented. For this Action *Sinclair* was very much blamed, as a Part that seemed to be conducted by Malice rather than any  
Regard



Regard to the King's Interest, which was not to be supported by one Gentleman's cutting his Neighbours Throat.

THE Earl of *Mar* having now an Army at his Command, took all Measures to raise Money to support them; and for this Purpose seized all the Publick Money he could to his own Use, ordering all Collectors of Excise and Customs, and other current Taxes, to pay the same to his Receiver and Treasurers appointed for that End.

BESIDES this he levied Money by way of Tax upon Estates, where he took Care to distinguish between his Friends and Enemies, assessing those at twenty Shillings in the hundred Pound *Scots*, and the other at forty Shillings. The Order he published for that Effect is as follows :

*An Order for an Assessment by the Earl of Mar.*

‘ Pursuant and conformable to an Order from *John Earl of Mar*, Commander in Chief of his Majesty's Forces in *Scotland*, dated at the Camp at *Perth* the fourth of *October* 1715, These are commanding and requiring every Heretor, Fewer, or Wadsetter, now attending the King's Standard, or that may be excused, or their Factors or Doers in their Absence; and likewise all Liferenters, immediately to proportion and raise among their Tenants and Possessors of their respective Estates and Liferent Lands, the Sum of twenty Shillings *Sterling* on each hundred Pounds *Scots* of valued Rent. And such Heretors who do not immediately, nor shall betwixt this and the Day of *October* Instant, attend the King's Standard, if not excused by the said noble Earl, immediately to proportion and raise out of their respective Estates the Sum of forty Shillings *Sterling* on each hundred Pound *Scots* of valued Rent; which several Proportions, according to their respective Cases aforesaid, are by the said Order ordained to be paid by every Heretor, Fewer, Wadsetter, or Liferenter, to Collector, on or before the Day of this Instant *October*.’

THIS produced a kind of Paper War between the Duke of *Argyle* and the Earl, for they now issued out Orders and Proclamations directly counter to one another. Of this kind is the following.

*By JOHN Duke of Argyle, General and Commander in Chief of his Majesty's Forces in Scotland.*

‘ WHEREAS I am certainly informed, that the Earl of *Mar*, and the other Rebels, have in Prosecution of their treasonable Practices, adventured to impose a Cess upon some Parts of the Shires of *Fife*, *Glaſtmanan*, *Kinross* and *Perth*; And whereas the paying of Money to the Rebels, or complying with any of their Orders or Demands, will infer High Treason against such as do the same, as being Aiders, Comforters, and Abettors of the Rebels. Therefore, and that all well-affected People may know and prevent their Danger in this Matter, I hereby, in His Majesty's Name and Authority, strictly prohibit and discharge all his Majesty's good Subjects in the Counties above-mention'd, or any otherwhere within *Scotland*, to give or furnish the Rebels with Money, Provisions, or any other Aid or Assistance whatsoever, directly or indirectly, under the highest Pains and Punishments of the Law. And this I appoint to be intimated at each Parish-Church Door after Divine Service, and before Dissolution of the Congregation, the Sabbath immediately after this, or a Copy of this, comes to your Hand.

*Given at Sterling,*

*Octob. 25, 1715.*

*Sign'd*

A R G Y L E.

FROM the Earl of *Mar*'s Order, we may observe how little Faith was to be laid upon his Promise; he but the preceding Month in his Declaration, and the Manifesto of his Associates, in the most solemn Manner assur'd the Publick, that

that neither the Gentlemen, nor the Country, should be put to any Charges for carrying on the War; yet in this Order of his own Authority, takes the Liberty to tax both Friends and Foes, a Power which the Laws of War only allows in an Enemies Country. And from both this Order, and that of his Grace, we may observe to what unhappy Circumstances does a civil War reduce a Nation; for here the Subjects of these Shires, which was the Earl of *Mar's* Quarters, if they disobeyed his Order, were subject to military Execution. And if they disobey'd the Duke's, were subject to the Pains and Penalties of high Treason.

IN this Manner the two Generals went on giving contrary Orders to one another; for the Duke having publish'd an Order for raising Men to recruit his Forces, and promising a Reward, and a Discharge after a limited Time; the Earl of *Mar* publish'd an Order, prohibiting any Person enlisting in the Duke's Service, under the Pain of High Treason, &c. or any Magistrate, Justice of the Peace, Minister of the Gospel, or any other Person from publishing or executing any Orders issued by his Grace, under the same Pains. But to pass this Paper War, we shall proceed to the remaining Motion of the Earl of *Mar*, of which we cannot give a better Account than what came from himself in two Letters, the one addressed to the Lord Viscount *Kenmure*; and the other to General *Forster*, which fell into the Duke of *Argyll's* Hands. That to my Lord *Kenmure* ran thus:

My LORD,

I long extremely to hear from you, you may be sure, since I have not had the least Account of your Motions almost since I sent the Detachment over. I hope all is pretty right again; but it was an unlucky Mistake in Brigadier *McIntosh*, in marching from *Haddington* to *Leith*. I cannot but say though, that it was odd your Lordship sent no Orders nor Intelligence to him, when you had Reason to expect that Partis coming over every Day. The Retreat he made from *Leith*, and now from *Seaton*, with the Help of the Movement I made from this, make some Amends

for that Mistake. And I hope that Party of Men with him will be of very great Use, to you and the Cause. I wish you may find a way of sending the inclosed to Mr. Forster, which I leave open for your Lordship to read; and I have little farther to say to you, than what you'll find in it. I know so little of the Situation of your Affairs, that I must leave to your self what is fit for you to do, as will most conduce to the Service; and know you'll take good Advice.

My humble Service to all Friends with you, particularly Brigadier *Mr. Intosh*, Lord *Nairn*, Lord *Charles Murray*, and the Laird *Mr. Intosh*, who I hope are join'd you long e'er now; and indeed they all deserve Praise for their gallant Behaviour: I must not forget *Kinachin*, † who I hear spoke so resolutely to the Duke of *Argyle* from the Citadel; and I hope *Inercal* and all my Men with him are well, their Countrymen long to be with them, which I hope they and we shall have soon the Pleasure. I have sent another Copy of the inclosed to Mr. *Forster* by Sea, so it will be hard if none of them come to his Hands.

I know your Lordship will let me hear from you as soon as possible, which I long impatiently for; and I hope you will find a way of sending it safe. In one of my former, either to your Lordship, or somebody to show you, I told that a Part of the Army would be about *Dumbarton*, but now I beg you would not rely upon that, for till I hear from General *Gordon*, I am uncertain if they hold that way. I have sent your Lordship a Copy of my new Commission, which perhaps you have not seen before, I have named the general Officers, and your Lordship has the Rank of Brigadier of the Horse.

I am told the Earl of *Winton* has been very useful to our Men we sent over, I suppose he is now with your Lordship, and I beg you would make my Compliments to his Lordship, and I hope the King will soon thank him himself.

• I

† *Vide*, The Answer made to the Duke's Summons, *Page*. 174.

\* I will trouble your Lordship no farther now, but all Success attend you, and may we soon have a merry Meeting.  
 \* I am, with all Respect, my LORD,

*From the Camp at*  
 Perth, Oct. 21, 1715.

*Your most Obedient,  
 Most humble Servant.*

M A R.

THE other Address to Mr. Forster, ran thus.

*From the Camp at Perth, Oct. 21, 1715.*

S I R,

\* I wrote to you of the 17th from *Auchterarder*, which  
 \* I hope you got. I march'd the same Night the Horse to  
 \* *Dumblain*, within four Miles of *Sterling*, and the Foot some  
 \* Miles short of that Place. Next Morning I had certain Intelligence of the Duke's returning from *Edinburgh*, with  
 \* most of the Troops he had carried there, and was on their  
 \* March towards *Sterling*. I had also an Account of *Evan's*  
 \* Regiment landed in the West of *Scotland*, and were on  
 \* their way to *Sterling*. I had come away from *Perth* before  
 \* our Provisions were ready to go with us, and I found  
 \* all the Country about *Sterling* where we were to pass *Forth*,  
 \* was entirely reduced by the Enemy, so there was nothing  
 \* for us to subsist on there. I had no Account from General *Gordon*, as I expected; and the soonest I could expect him at the Heads of *Forth*, was two Days after that,  
 \* and I could not think of passing *Forth* till I was join'd by  
 \* him. Under these Difficulties, and having got one of the  
 \* Things designed by my March, the Duke of *Argyle* withdrawn from our Friends in *Lothian*, I thought it fit to  
 \* march back to *Auchterarder*, which was a better Quarter,  
 \* tho' not a good one neither. Next Morning I got Intelligence of the Duke of *Argyle's* being come to *Sterling* the  
 \* Night before; and that he had sent Express upon Express

\* to *Evan's* Detachment to hasten up. I had a Letter that  
 \* Morning from General *Gordon*, telling me that some Thngs  
 \* had kept him up longer than he suspected, that it would  
 \* be that Day before he could be at *Inveraray*; and that he  
 \* could not possibly join me this Week. Upon this I thought  
 \* it better to return here, which is a good Quarter, and wait  
 \* his coming, and the Lord *Seaforth's*, than continue at *Auch-*  
 \* \* *terarder*, since it would not a bit retard my passing the  
 \* *Forth*, so soon as I should be in a Condition to do it;  
 \* and in the mean Time I could be getting Provisions ready  
 \* to carry along with me in my March, which as I have  
 \* told, are absolutely necessary about the Heads of *Forth*, so  
 \* I came home last Night.

\* I very much regret my being obliged to this for many  
 \* Reasons, particularly because of its keeping me so much  
 \* the longer from joining you, but you easily see it was not  
 \* in my Power to help it. However, I hope my Stay here  
 \* shall be very short, and you may depend on its being no  
 \* longer than it necessarily must. The Passage over the  
 \* *Forth* is now so extremely difficult, that 'tis almost im-  
 \* possible to send any Letters that Way; and within these  
 \* two Days, there were two Boats coming over with Letters  
 \* to me, that were so hard pursued, that they were obliged to  
 \* throw the Letters into the Sea, so that I know very little of  
 \* our Friends on that Side, and less of you, which is no  
 \* small Loss to me.

\* I heard to Day by Word of Mouth, that the Detach-  
 \* ment I sent over, are march'd, and join'd our Friends  
 \* in the South of *Scotland*; so I hope they may be yet use-  
 \* ful, but I hope you know more of them than I do. I  
 \* have now writ to my Lord *Kenmure*, but its ten to one if  
 \* it comes to his Hands; I know not what he is doing,  
 \* where he is, or what way he intends to dispose of his  
 \* People, whether he is to march to *England*, or towards  
 \* *Sterling*, to wait my passing *Forth*. And in the Ignorance  
 \* I am in of your Affairs besooth the River, I scarce know  
 \* what to advise him; if you be in need of his Assistance in  
 \* *England*, doubt not but you have call'd him there; but if

\* not,

not, certainly his being in the Rear of the Enemy when I pass *Forth*, or that the Duke of *Argyle* is reinforced, should he march towards me where I am, it would be of great Service. I am forced in a great Measure to leave it to himself to do as he finds it most expedient.

I am afraid the Duke of *Ormond* is not as yet come to *England*, else I should have had the Certainty of it one way or other before now; I cannot conceive what detains him, nor the King from coming here: however I am sure 'tis none of their Fault, and I hope they will both surprize us agreeably very soon.

I believe I told you in my last, of my Lord *Strathmore*, and 200 of the Detachment that were going over *Forth*, and drove into the Island of *May* by three Men of War, who being got safe ashore on this Side, are now join'd us again. There were but two of all the Boats taken; and I hear that some of the Men that were in them, who were made Prisoners in *Leith*, were relieved by our Men when they came there, but that their Officers were sent to *Edinburgh* Castle; so I want some Reprisals for them, which I hope to have e'er long.

THE Brigadier *M'Intosh's* Mistake in going to *Leith* was unlucky to us and them; yet it has given the Duke of *Argyle* no little Trouble, and our March, obliging him to let them slip, has, I am apt to believe, vex'd him.

I BEG you will find some Way to let me hear from you. Ever since my Detachments were in *Fife*, all the Men of War that arrived on the North Coast, betwixt *Peterhead* and the *Firth*, have been in the *Firth*, and I believe will continue there, to prevent my sending more over that Way; so all that Coast is clear, which I wish to God the King knew; and you may easily send a Boat here any where, with Letters from *England*. I hear there is one of the Regiments of Foot from *Ireland* come to *Sterling*.

WHEN you write to me, if by Sea, pray send me some News-Papers, that I may know what the World is

‘ a doing ; for we know little of it here these eight Days.  
 ‘ Success attend you ; and I am, with all Truth and Esteem,

S I R,

Your most Obedient,

Humble Servant,

M A R.

By these Letters we may see the little Correspondence that was between the Rebels in the South and those in the North, and how little Intelligence the Earl of *Mar* could procure of any thing that related to any other of the Parties in Arms, except those he had with him. This want of Intelligence shew'd both a Weakness in their Councils, and the Diligence of the Duke of *Argyle* and the Friends of the Government, in guarding the Passes, and preventing any Communication between the different Parties ; and to this may, in a great measure, be ascribed the Success that attended the Royal Cause, since, if the Heads of these different Detachments had been wise or lucky enough to have had Intelligence of one another's Motions, Things might have been much worse with the Duke in the defenceless State he was in for some time.

HAVING follow'd the Earl of *Mar* thus far, let us now enquire into the Transactions of those of his Party further North. General *Gordon*, a Gentleman of good Family, and esteem'd an Officer of great Bravery and Experience, was sent upon the first Rising of the Rebellion, into the *Highlands*, to raise the North-western *Glans*, and march them down to the Heads of *Forth*, and there to join *Mar*, or, as some gave out, to march them by *Dumbarton* towards *Glasgow*.

GENERAL *Gordon* soon got together a Body of four or five thousand Men, all Foot, pretty well Arm'd ; with these he pass'd by *Fort-William*, a Garrison on the Confines of the Shire of *Argyle*, which he put in some Consternation, having surpris'd some of the Out-works with a Lieutenant and Serjeant and twenty-five Men ; but the Garrison taking the

Alarm,



Alarm, the main Body of the Place was preserved, and General *Gordon* proceeded on his March to *Inveraray*.

*Inveraray* is the Head Borough of the Shire of *Argyle*, situate within three Miles of the Head of *Lochfine*, an Arm of the Sea which runs from *Campbell-Town* to *Inveraray* near seventy Miles into this Place, which is a kind of Pass into the Shire of *Dumbarton*. The Earl of *Islay*, now Duke of *Argyle*, in his Brother's Absence, assembled about *two thousand five hundred* Men to preserve the Pass, and the Peace of the Country, and to prevent any Insurrection of the *Clans* in that Shire, or the disaffected Branches of the Name of *Campbell*.

*Colin Campbell* of *Glendaruel*, a Gentleman very forward in his Temper, and a zealous Stickler for the *Pretender*, was at the first Grand Council of the Rebels in the Braes of *Mar*, and there took upon him (I dare say only upon his own improbable Conjectures) to assure that Assembly, that if the more *Northern Clans* would take *Argyleshire* in their Way to the South, their Numbers would be exceedingly increased by the *Mac Leans*, *Mac Donalds*, *Mac Dougalds*, *Mac Neils*, &c. and the other *Macs* of that Shire; together with a great Number of *Campbells*, of the Family and Followers of the Earl of *Brodalbine*, Sir *James Campbell* of *Auchanbreck*, and Sir *Duncan Campbell* of *Luchnell*; who, he said, would all join, if they saw the other *Clans* in the Country to protect them against those in the Interest of the Duke of *Argyle*. This he deliver'd with so much Assurance, pretending to be a kind of Plenipotentiary or Ambassador from the Gentlemen of the Shire of *Argyle*, where his Estate lay, that General *Gordon* was ordered to march through *Argyleshire*, to favour this promis'd Insurrection.

IN consequence of his Orders, General *Gordon* came before *Inverary*, where the Earl of *Islay* had taken Care to take all Measures to prevent a sudden Surprise, by throwing up Entrenchments round the Place, where the Inclosures belonging to the Duke did not serve for that Purpose. The Men his Lordship had drawn together were remarkable for their Loyalty and Courage, were very well arm'd and disciplin'd by some Gentlemen that had serv'd in Queen *Ann* and King *William's*

*William's Wars* ; particularly *Keneth Mac Lauchlen* of *Kill-nuchanuch* was very diligent in instructing the Men, in which he succeeded so well, that before they left the Place they were capable to go thro' their Exercise as well as any regular Troops in the Service ; yet their Number was too few to venture a Battle in the open Fields against such great Odds as General *Gordon* brought with him ; therefore they remained within their Entrenchments, resolving to defend the Place to the last.

GENERAL *Gordon*, after viewing the Posture of the Place, and being inform'd of the Temper of those within, did not attempt to enter ; but encamp'd upon the North-East Side of the Town, at scarce a Mile distance, and continued there for some Days, without any Acts of Hostility on either Side. 'Tis not to be doubted, but General *Gordon*, considering the Situation of the Place, and that it was impossible, at the greatest Expence of Time and Money, to make it tenable for any considerable Time, might have forced his Way into the Town ; but then he could not do it without a considerable Loss, which the Place was not worth ; and besides, this was no Part of his Design, which was only to cover the Rising of these Gentlemen and their Followers.

DURING the Continuance of this *Black Camp* at *Inveraray*, which it was then called, the Earl and his Men were subject to continual Alarms from very trifling Accidents. There had join'd the Earl some Time before, a small Body of Horse from *Kintyre* ; the Men were quarter'd in the Town, and the Horse put to Grass on the East-Side of a small River that runs by the Town. These Horses one Night, not liking their Quarters, took it into their Heads to return Home ; which is common enough to Horses in that Country to go of themselves from a strange Place in search of the Pasture they have been used to : In their March they were obliged to keep along the Shore, and cross the River at the lower End of the Town : The Noise of their Feet along the Gravel was soon heard by the Garrison at some Distance, which put them in the utmost Consternation, not doubting but it was the Enemy that was advancing that Way. The Horses were upon  
the

the full Gallop, and advanced every Minute nearer ; so that there was nothing but Terror to be seen in all Faces, which the Darknes of the Night increased as well as concealed : They were immediately all in Arms, but a few Minutes put them out of the Panick ; for some of the Horses passing the River, were found to be without Riders ; and at last the whole was found only to be a Plot among the *Kyntire* Horse to desert, not to the Enemy, but to their own Country ; for 'tis to be supposed the Horses, as well as their Owners, were of very loyal Principles.

HOWEVER, the last Alarm of this kind the Earl met with, tho' not quite so ridiculous, yet had a much better Consequence than could be expected from such an Accident.

THE Night preceding that Morning General *Gordon* and the *Clans* left *Inveraray*, the Serjeant on Duty going his Rounds on that Quarter of the Town opposite to where the *Clans* lay, happen'd to make some Mistake in the Word, which made the Centinel on that Post mistrust him for an Enemy, -and fire his Piece, which miss'd of the Serjeant and his Party, but alarm'd the Forces in the Town ; the Fire coming from that Quarter, confirm'd them, without further Enquiry, that the Enemy was ready to enter.

THE Earl, like a vigilant Officer, immediately order'd the Drums to beat to Arms, and in a trice they were all assembled on the Cattle-Green, where they were drawn up in Batalia, in a very formal Manner, by Torch or Candle-light, for the Night proved prodigious dark, not so much as a Star to favour them with it's Light : they were no sooner martiall'd in this warlike Manner, than the Signal was given to fire ; and accordingly the whole Army fired in Platoons, with great Intrepidity, towards that Quarter which their Fears suggested the Enemy was to come upon them, and continued for a considerable Time ; during which Time some Gentlemen, and some say General Officers, that lik'd to fight under Covert, employed themselves in distressing the Enemy out of the Windows of a square Tower called the Castle of *Inveraray*.

DURING all this Time no Enemy appeared within a Mile of the Place, and little or no Blood was spilt in this Skirmish ;

only some of the Centinels, in returning from their Posts situate next the Enemy, were wounded by their own Men (so undistinguishing are Bullets in the dark) and another, I think named *Mac-Phun*, was so zealous as to tripple charge his Piece, which burst and deprived him of his Hand; for which his Bravery he was rewarded with a Custom-house Officer's Commission. In a little time they found they were fighting with the Wind, and gave over firing, but continued under Arms all Night; and thus ended this Farce, which was attended with unexpected good Consequences.

GENERAL *Gordon*, who had not the least Notion of entering the Town, yet could not help being disturbed out of his Rest by the firing, which they heard so distinctly that they judged, from the Closeness and Regularity of it, that some regular Forces had entered the Town, and that this great Firing was some Military Lucubrations for Joy of their Arrival, not dreaming that they meant to hurt him by it; he therefore with or without calling a Council of War, beat his March very silently before Day-light towards *Perthshire*, lest he should be attack'd by the Earl with this imaginary Reinforcement. The Resolution was just enough on the Supposition of a Reinforcement; for a very few regular Troops and Officers, join'd to the Troops the Earl commanded, would have been able to give a very good Account of the General and his *Glans*; but whether the regular firing of the Earl's Men was just Grounds for that Supposition we leave the Reader to determine.

Thus General *Gordon* left *Argyleshire*, without reaping any Benefit from the Time he spent in that fruitless Expedition, for not one Man joined him. Sir *James Campbell* of *Achanbreck*, the Man the Party had most Hopes of, had honestly sent all his Men to *Inveraray*; and they were of such a Stamp, that they would have followed him no where else; and, except one Gentleman, then a Youth under Age, there was not one Man of that Branch of the *Campbells*, in the least concern'd in that Affair. *Glendaruel* and *Campbell* of *Ederline* was all of any other Branch, except that of *Brodalbin*, that gave any Countenance to the Rebellion.

As to Sir *Duncan Campbell*, of *Lochnell*, on whom they likewise built some Hopes, he is a plain honest Gentleman, and those who knew him never suspected him of being a Politician, he has but few Followers, and those all employed by and at the Nod of the Duke of *Argyle*; they rather seem to lead the *Knight*, than he to lead them.

As to the *Mac Leans*, and other *Macs*, which make up a great Body in this Shire, they are not perhaps hearty in the Interest of the Family of *Argyle*; yet their Principles, which are mostly *Presbyterian*, secure them in the Interest of the present Establishment. I firmly believe, that from Principles and Inclination, abstracting from their Dependance on the Family of *Argyle*, there is not a Shire in *Scotland* so unanimous in their Attachment to the present illustrious House; so that the Project of coming to *Inveraray*, in Expectation of an Insurrection in that Shire, was a Scheme without any Foundation, and could only be attributed to that judicial Infatuation which it pleased Providence should attend all their Councils, and baffle their Designs against the Nation; for if General *Gordon* had march'd directly to join the Earl of *Mar*, without losing any Time in the Shire of *Argyle*, that Earl must have pass'd the *Forth*, and join'd the Southern Rebels, and the Duke of *Argyle* must have hazarded a Battle without the Reinforcement from *Ireland*, which might have ended fatally.

BUT before I proceed further, or leave my Friends at *Inveraray*, I must conduct them to Sight of their Enemies in Day-light, and to the Prelude of a Battle that had like to have been more Bloody than any of the former they have been engaged in.

THE *Guns* had no sooner left *Inveraray*, than a Detachment of the Earl of *Bradaire*'s Men entered the Shire, to the Number of about five hundred, commanded by *Campbell* of *Glen Lyon*, a Gentleman of that Branch. This gave the Earl and his Friends another Alarm, and put them upon Thoughts of driving these Intruders out of the Shire.

FOR this Purpose a Detachment of the choicest Men in the Town, commanded by the Gentlemen of the best Figure and Experience, were draughted out to go to *Lorn* to meet

the Enemy ; they accordingly set out, to the Number of seven hundred, or thereabouts, under the Conduct of Colonel *Campbell* of *Fanab*, an old Veteran, the Earl himself being to follow : they were well furnish'd with Arms and Ammunition, and as much Provision as if they had been to pass the *Alps*. Thus appointed, they came up with the Enemy at *Glenfeluch*, a small Village situate at the one end of the Lake call'd *Lochnell*, in the Mid-Division of *Lorn*, about twenty Miles distant from *Inveraray*.

THE *Brodalbine* Men scorn'd to decline the Combat, and both Parties prepared for Battle ; each General chose such Advantages of Ground as his Judgment directed him, and ranged his Men in Battle Order after the best Manner. The Men of both Sides threw aside their Plaids and other Incumbrances, and with the most fighting Faces they could put on, stood seemingly impatient for the Signal to come to Blows.

HOWEVER, from what Side it came I cannot at this Distance learn, but a Parly was proposed at the critical Juncture when they were just going to fall on. A Conference was held in the Middle between the Lines by both the Generals ; the Result of which was, that the *Brodalbine* Men, to spare *Campbell's* Blood, which would have been spilt in Abundance, capitulated to lay down their Arms, on Condition of being allow'd to march out of the Country without Disturbance ; which was easily agreed on by Colonel *Campbell* of *Fanab*, who had as great an aversion to the effusion of Blood as the other. The Terms being agreed on between the two *Chiefs*, they are reported to their mutual Hosts, who return their Approbation by a loud Shout of Joy. *Hostages* were immediately exchanged, for the Security of Performance of Articles, which were proclaim'd in the Centre between the two Armies : this over the *Chiefs* embrace each other, and all the rest prepare to be merry together in Token of Friendship.

THE Earl of *Islay* was not yet come up, and so had no Hand in this seeming Prelude to a Battle ; but he arrived at *Dunstaffnage* that Night, where Colonel *Campbell* and the rest of the Officers attended him with the Report of the  
Ope-

Operations of this Part of the Campaign. His Lordship heard the Journal of their Proceedings with great Patience, till they came to the Article of the abovementioned Capitulation, for which he upbraided the Colonel very severely, and express'd abundance of Indignation that the Colonel should have taken upon him to agree that so many of the Rebels should have Leave to escape, and encrease the Number of the King's Enemies, at a Time too when he had it in his Power to have cut them all to pieces and by that Means acquired some Reputation to the Armies of *Argyle*, and punished a rotten Branch for Disaffection.

THE old Colonel said all in his Power to appease his Lordship; urged Christian Charity, that forbids the unnecessary Effusion of Christian Blood; the many Chances there is in War, by which it was possible that, if they had engaged, his Lordship's Men, tho' very brave, yet might have had the worst of it, which would have been of dreadful Consequence; whereas, if Victory should have chanced to declare against the *Brodalbine* Men, it would have been but an inconsiderable Loss to the Party they espoused. Tho' his Lordship was by no Means satisfy'd with all the Arguments that could be brought in Favour of the Capitulation, yet the Articles were sacredly observed on both Sides, and this Detachment of the Earl of *Brodalbine*'s Men came Time enough to join the Earl of *Mur* before the Battle.

THE Shire of *Argyle* being now free from any Foreign Enemies, the most Part of the Men in Arms were allowed now to disperse to their own Houses; and his Lordship of *Islay* went to join his Brother the Duke at *Sterling*, and was present at the Battle of *Sheriff-Muir*, where he had the Honour to spend some Blood in the Service of that Country, whose Liberties he has been ever since so indefatigable to preserve.

THUS I have done with the Military Exploits of the present Duke of *Argyle* where I have taken Care to be as particular as possible: I have not been able to settle the Cronology of these Events in which his Grace was so remarkably con-

cern'd, as other Authors have been remarkably negligent in this Part of the Transactions of this Year: I was obliged to supply their Defects, from my own Memory, of Facts related to me by Gentlemen present, and serving under his Lordship; and as at the Time he pick'd up these Anecdotes, I did not think I should have had so good an Opportunity of doing Justice to his Grace's Military Genius, I took no Notes, and my Memory could not supply the Dates, which defect I hope all Parties concerned will excuse. And as by Course of Nature, I may reasonably expect to out-live his present Grace; So I hope to do myself the Honour to add his Name to the Roll of his Ancestors, when I shall take an Opportunity to justify any Errors that may have crept into this Part of his History.

GENERAL Gordon's March through *Argyleshire*, had alarm'd the City of *Glasgow*, and all the West of *Scotland*, for fear he should have come down by the Side of *Dumbarton* into *Glydfdale*, which he might have easily done; this Alarm obliged the Duke of *Argyle* to cause the Regiments that came from *Ireland* to halt at *Glasgow*, till they saw which way the Highland Host would dispose of themselves; but so soon as General Gordon had left *Inveraray* as above, march'd through *Perthshire*, and joined the Earl of *Mar*, the West Country recovered from the Panick that General had put them in, and these Regiments join'd his Grace.

WE have now done with General Gordon, and his Clans, till we engage them in the Battle of *Dumblain*, and must now carry the Reader to the most northern Parts of *Scotland*, where the Earl of *Sutherland* made a brave Stand for the Interest of his Country against the Earl of *Seaforth* and the northern Powers, bordering on *Caithness* and *Sutherland*.

THE Earl of *Sutherland*, as early as the first Motions the Earl of *Mar*, generously offered his Service to his Majesty, and to risk his Life and Fortune in making a Diversion in those northern Parts where his Interest lay. The Proposal was relish'd by his Majesty, and Orders given to supply the Earl with such warlike Stores as were necessary



cessary to arm his Vassals, and expedite the Undertaking ; but the unlucky Accident of the Supplies design'd for him falling into the Enemies Hands, as we have related at large, prov'd a great Baulk to the generous Undertaking of this noble Earl ; for had he been so happy as to have received that supply of Arms as designed, his Lordship would have been in the Field before the Earl of *Seaforth* could bring his Men together, by which Means he might have given these northern Gentlemen such a Blow, as would have hindered them from joining the Earl of *Mar* in the manner they did.

ABOUT the 10th of *October*, the Earl of *Sutherland* parted from *Edinburgh* on board the *Greyhound* Frigate, and in a few Days landed safe at his Castle of *Donrobin*, in the Shire of *Sutherland*.

So soon as he landed, he applied himself earnestly to serve his Country ; and in a few Days by his Interest in that Shire, where his Estate lies, and the Authority of his Commission as Lord Lieutenant of the Shire of *Sutherland* and *Gaithness*, he assembled a Body of 1800 able bodied Men, of which some few were Gentlemen ; with these he march'd to the Frontiers of the Shire of *Ross*, where the Earl of *Seaforth* and the Marquis of *Huntley*, had each of them a separate Body of Men, whom they had gathered together to assist in the Rebellion.

THE Earl of *Seaforth* and the Marquis being inform'd of the Earl of *Sutherland's* March and his Numbers, join'd all their Forces and bent their March that way with an Intention to force the Earl to an unequal Battle ; but his Lordship knowing their Superiority in Numbers, wisely declin'd coming to an Action, and made a Soldier-like Retreat by putting it out of the Power of the Rebel Lords to fall upon his Rear, and so amused them with Marches and Counter-marches for a considerable Time, that he hindered these Lords and their Followers from joining the Earl of *Mar* so soon as he desired ; and when they went, they were obliged to leave a considerable Force to guard their Country from the Insults they dreaded from the Noble Earl. By this Means the Supply the Earl of *Seaforth* and the Marquis of *Huntley*, brought  
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the Pretender, was neither so considerable, nor so seasonable, as if they had not met with this Interruption from the Earl of *Sutherland*; for this and his other eminent Services, his late Majesty was pleased to do him the Honour to give him an Acknowledgment under his own Hand.

HAVING thus conducted all Parts of the Rebellion to one Period, we now prepare to bring all those in *Scotland* to a general Engagement with the royal Forces. Let us only mention that on the twenty-third of *October*.

THE Duke of *Argyle* being informed that a Party of the Enemy consisting of 200 Foot and 100 Horse, were marching by *Castle Campbell*, towards *Dumferling*, his Grace immediately sent out a Detachment of Dragoons commanded by Colonel *Cathcart*, who came up with the Rebels about 5 o'Clock the next Morning; and after a smart Engagement, the Colonel got the better, kill'd and wounded several of them, and took seventeen Prisoners, among whom were the following Gentlemen.

Mr *Murray*, Brother to the Laird of *Aberkennie*.

Mr *Hay*, Son to *Arbroth*.

Mr *Patrick Gordon*, younger of *Aberdour*.

Mr *Alex. Forbes*, Son to the Laird of *Bauffie*.

Mr *Robertson*, Brother to *Donshilis*.

Mr *Kinloch*, a Physician.

Mr *Alex. Smith*.

Mr *Alex. Gordon*.

Mr *Francis Gordon*, of *Craig*.

Mr *Hamilton* of *Gibstone*, in *Strathbogie*.

*George Gordon*, of the *Kiln* of *Kircardine*.

WITH these Prisoners Col. *Cathcart* returned to the Camp at *Sterling* the same Evening.

THE Earl of *Mar* being now joined by all the Power he could expect by *Seaforth*, and all his northern Clans; and General *Gordon* and his, thought himself strong enough to put his grand Design in Execution of passing the *Forth*, joining his Southern Friends, and marching into *England*.

To this Purpose he summon'd a general Council of War, where all their Measures were concert'd for this grand Enterprize. Accordingly, he left Col. *Balfour*, Governor of the Town of *Perth*, with a Guard sufficient, and being furnish'd with Provisions, Artillery, and all other Necessaries for a long March, he set out on the 10th of *November* for *Auchterarder*, there to draw his Army together, of which he made a general Review that Day at that Place, and rested the Eleventh.

THE Duke of *Argyle* having Intelligence of the Movement of the Enemy, was at no uncertainty what to do. He knew if he was to dispute their Passage over *Forth* at the Heads of that River, his Horse would be of no Service to him in these Grounds; and in these he placed his whole Dependence. Therefore he chose to fight the Earl on the Grounds about *Dumblain*, where he might avail himself of his Forces, he likewise had Intelligence that the 12th at Night the Enemy design'd to encamp at *Dumblain*. Therefore judging it of Importance to possess that Place, on the 12th, in the Forenoon order'd his whole Army to pass the River at the Bridge of *Sterling*, and encamp'd that Night with his Left at *Dumblain*, and his Right towards *Sheriff-Muir*; and the Enemy advanced the same Night within two Miles of the royal Army, and there between Night and Morning receiv'd Intelligence that the Duke with his whole Army was in Possession of *Dumblain*; upon which, the agreed on Signal of the firing of three Cannon being given, the Rebels were drawn up in order of Battle, and stood in that Posture under Arms till break of Day.

As there are various Accounts of this Battle publish'd, and not one of them agreeing in many material Circumstances, I shall present the Reader with the best and most probable Account I can collect from the whole, and the Information I have been able to get from Men of Probity upon the Spot; and afterwards subjoin the other Accounts that seem to deserve most the Attention of the Publick, and leave the Reader to chuse which Account suits his Taste.

ON the 13th in the Morning, both Armies were in Motion, and the Duke of *Argyle* advanced to a rising Ground, to take a View of the Rebel Army, which he could easily dis-

discern in full March towards him. But another Hill on his Left, intercepted his Grace's View of the whole Extent of their Left Wing, by which Reason it was impossible for him to guess at the true Extent of their Line, or how far they out-flank'd him.

HIS Grace's Army, amounting to 3500 Men, of which 1200 were Dragoons, was drawn up upon the Hights above *Dumblain* to the North-East of that Place, which lay about a Mile and a half from his Left, and a wet boggy Mire, or Morass, call'd *Sheriff-Muir* on his Right.

THE Order of the Royal Army was thus ; the First Line was composed of six Battalions of Foot in the Center, with three Squadrons of Dragoons upon the Right and Left ; the Second Line was composed of two Battalions of Foot, and two Squadrons of Dragoons on each Wing. His Grace commanded on the Right at the Head of *Stair*, and *Evan's* ; General *Witham* commanded the Left ; and Major-General *Wightman* the main Battle, or Center.

THE Earl of *Mar's* Army amounting to about 9000 Men, were drawn up in the following Order ; the First Line was composed of ten Battalions of Foot, consisting of the Clans commanded by the Capt. of *Clanronald*, *Glengary*, Sir *John M'Lean*, and *Campbell* of *Glenlyon* on the Right ; there was three Squadrons of Horse, viz. that called the *Sterling Squadron* which carried the Pretender's Standard, and two of the Marquiss of *Huntley's* ; on the Left was drawn up the *Perthshire* and *Fife'shire* Squadrons. The Center of the Second Line was composed of three Battalions of the Earl of *Seaforth's*, two Battalions of the Marquiss of *Huntley's*, the Battalion of the Earl of *Pannure*, Marquiss of *Tullibardin*, Lord *Drummond* and *Strowan*, all commanded by their respective Chiefs, except those of *Drummond*, commanded by the Viscount of *Strathallen*, and *Logie-Almond*. The Earl of *Mar's* Squadron was on the Right, and that of *Angus* on the Left.

THE Earl of *Mar* who knew his Numbers far exceeded the Duke's, extended his Lines as far as possible, with a Design to take his Grace in Flank, and march'd up to him in this Disposition.

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THE Duke of *Argyle* who till now supposed that the Morrafs of *Sheriff-Muir* was unpassable, saw that the two or three Nights Frost had made it capable of bearing; and the Rebels coming down the Moor with an Intent to flank him, having their Right much extended beyond the Point of his Left; hearing their Bagpipes at a great Distance, found himself obliged to alter the Disposition of his Front, to prevent his being furrounded; which, on account of the Scarcity of General Officers, was not done so expeditiously as to be all formed again before the Rebels begun the Attack.

THE Left Wing of the Duke's small Army fell in with the Centre of theirs, which consisted, especially the first Line, of the Flower of the rebel Army; the Clans animated by the Presence of their respective Chiefs, who led them on to the Attack with uncommon Bravery.

THEY began the Action by a general Discharge of their Fire Arms, and received the first Fire of the Royal Troops without shrinking; which is a sure Signal that these kind of Militia will stand to the last; but at the first Fire, the Capt. of *Clanronald*, who led them on in Chief, was kill'd, which had like to have struck a Damp upon the Rebels, as they had a Respect for that Gentleman that fell little short of Adoration. But *Glengary*, who succeeded him, starting from the Lines, waved his Bonnet, and cried three or four times, Revenge; which so animated the Men, that they followed him like Furies close up to the Muzzles of their Muskets, pushed by the Bayonets with their Targets, and with their broad Swords spread nothing but Death and Terror wherever they came.

THE three Battalions of Foot on the left of the Duke's Centre, behaved gallantly, and made all the Resistance they could make; but being unacquainted with this Savage Way of Fighting, against which all the Rules of War had made no Provision, they were forced to give way, fell in among the Horse, and help'd the Enemy to put them in Confusion; so a total Route of that Wing of the Royal Army ensued. General *Witham*, with some of the Horse, riding full Gallop to *Sterling*, gave out there with certainty, that all

was lost ; but the General was mistaken in that, as well as in the Opinion he form'd of the Men he run from that Morning before the Engagement.

UPON the Right Wing of the royal Army, the Duke of *Argyle* commanded in Person, and charg'd at the Head of *Stair's* and *Evans's* Dragoons, attack'd the Enemy's Left, consisting chiefly of Horse, with such Intrepidity, that notwithstanding the Rebels shewed they wanted neither Courage nor Inclination to stand, yet were obliged to give way, and were put into Confusion. the Duke pursued them towards the River *Allen*, which he was oblig'd to do, in regard that tho' the Distance is not above two Miles, yet in that Space, they attempted to rally again near a Dozen of Times. And wherever the Ground would afford them any Advantage, endeavoured to make a full Stop ; so that the Duke having to do with Troops of this Disposition, who likewise out-number'd him, was oblig'd to follow his Blow, lest he should have lost the Advantage he gain'd, and have all his Work to do over again ; nor was it in his Power to succour his Left, the Rout of that Wing happening so suddenly, and the Officer that commanded that Wing, leaving the Field almost at the first Fire of the Rebels, there was no Opportunity to rally the broken Troops a second Time.

BRIGAD. Gen. *Wightman* followed close after the Duke with three Battallions of Foot, and ran a very great Risk of faring in the same Manner with the rest, if the Rebels had but common Prudence, for no sooner their Right understood the Disaster of their Left, than they formed again, and returned back to the Field, following close on the Rear of *Wightman's* Battallions, to the Number of 5000 ; some say that Body was led on by General *Gordon*, others by General *Hamilton*, others by them both ; and others, and indeed with more Probability, said they were headed by *Glengary* ; and that he, upon being ordered to attack these Battallions, returned for Answer, that the Clans had done enough, and that he would not hazard them to do other People's Work (meaning the Horse) and remain'd upon a Hill, where he seem'd to form his Men as if for some new Action.

THE Duke having by this Time entirely broke their Left, and push'd them over the River *Allan*, return'd to the Field ; and *Wightman* facing again to the Right, took Possession of some Inclosures and mud Walls, which would serve for a Breast-Work, in Case they were attack'd, as they judged by the Countenance and Numbers of the Enemy they should ; in this Posture both Parties stood looking at one another, but neither caring to engage ; when towards Evening the Duke drew off towards *Dumblain*, and the Enemy towards *Ardoch*, without molesting one another.

THESE are the simple Facts gathered from the publick Accounts corrected by the best Information I was capable of ; but for the Satisfaction of the Reader, we shall here insert some of these Accounts that were made publick by a kind of Authority on all Sides, which may be sufficient, with the above, to help him to the true History of this controverted Battle.

*Colonel Harrison's Account of the Victory.*

' The Duke of *Argyle* being inform'd on the 12th, that the Rebels had come to *Auchterarder* with their Baggage, Artillery, and a sufficient Quantity of Bread for a March of many Days, found he was obliged either to engage them on the Grounds near *Dumblain*, or decamp and wait their coming to the Heads of *Forth* : He chose the first on many Accounts, and amongst others, that the Grounds near *Dumblain* were much more advantageous for his Horse than those at the Head of the River ; and besides this, by the Frosts then beginning, the *Forth* might become passable in several Places, which the small Number of his Troops did not enable him to guard sufficiently. He likewise received Advice that the 12th, at Night, the Rebels design'd to encamp at *Dumblain* ; upon which judging it of Importance to prevent them, by possessing that Place, he marched the 12th, in the Forenoon, and encamped with his Left at *Dumblain*, and his Right towards *Sheriff-Muir*. The Enemy stopped that Night within two Miles of *Dumblain*. Next Morning his Grace being inform'd by his advanced

Guard that the Rebels were forming, rode to a rising Ground, where he viewed the Enemy distinctly, and found, as they pointed their March, they design'd streight upon our Flank. The Muir, to our Right, was the preceeding Night unpassable, and guarded us from being flanked on that Side; but by the Frost was become passable. His Grace therefore ordered his Troops to stretch to the Right, in the following Order: Three Squadrons of Dragoons upon the Right and Left in the Front Line, and six Battalions of Foot in the Center. The second Line was composed of two Battalions in the Center, and one Squadron upon the Right, and another upon the Left, and a Squadron of Dragoons behind each Wing of Horse in the first Line. As the Right of our Army came over against the Left of the Rebels, which they had put to a Morass, his Grace finding they were not quite formed, gave Orders immediately to fall on, and charged both their Horse and Foot. They receiv'd us very briskly, but, after some Resistance, were broke through, and were pursued above two Miles by five Squadrons of Dragoons, the Squadron of Voluntiers, and five Battalions of Foot. When we came near the River *Allan*, by the vast Numbers of Rebels we drove before us, we concluded it an entire Rout, and resolved to pursue as long as we had Day-light. The Pursuing to the River *Allan* had taken up a long Time, by Reason of the frequent Attempts they made to form in different Places, which obliged us as oft to attack and break them; when they were in part passed, and others passing the *Allan*, Major General *Wightman*, who commanded the five Battalions of Foot, sent to acquaint the Duke of *Argyle*, that he could not discover what was become of our Troops on the Left, and that a considerable Body of the Rebels, Horse and Foot, stood behind us. Upon that his Grace halted, formed his Troops, and marched towards the Hill on which the Rebels had posted themselves.

HEREAFTER his Grace extended his Right towards *Dumblain*, to give his Left an Opportunity of joining him. There we continued till it was late, and not finding our

Left



Left come up, his Grace marched slowly towards the Ground he had form'd on in the Morning. So soon as it was dark, the Rebels, who continued undispers'd on the Top of the Hill, moved to *Ardoch*. About an Hour after our Troops, which had been separated from the Duke of *Argyle*, joined his Grace. Our Dragoons on the Left, in the beginning of the Action, charged some of the Horse on the Right, and carried off a Standard; but at the same time, the Rebels pressed so hard on our Battalions on the Left, that they were disorder'd and obliged to fall in among the Horse. The Rebels, by this Means, cut off the Communication between our Left and the other Body; and they being inform'd that some of the Rebels were endeavouring to get to *Sterling*, the Troops on our Left retired beyond *Dumblain*, to possess themselves of the Passes leading there. We have, as yet, no certain Account of the Numbers killed; but is reckoned they may be about eight Hundred, among whom there are several Persons of Distinction. The Quality of the Prisoners is not yet fully known; only that the Viscount of *Strathallan*, two Colonels, two Lieutenant Colonels, one Major, nine Captains, besides Subalterns, are brought to *Sterling*. We have likewise carried off fourteen Colours and Standards, four Pieces of Cannon, Tambrells with Ammunition, with all their Broad Waggon. This Victory was not obtained without the Loss of some brave Men on our Side. The Earl of *Forfar's* Wounds are so many, that his Life is despair'd of. The Earl of *Islay*, who came half an Hour before the Action, received two Wounds, the one in his Arm, and the other in his Side; but the Bullet being cut out of his Side, 'tis hoped he is past Danger. General *Evans* received a Cut in his Head. Colonel *Hawley* was shot through the Body, but there is Hopes of his Recovery. Colonel *Lawrence* is taken. Colonel *Hummers*, and Captain *Armstrong*, Aid de Camp to the Duke of *Argyle*, are killed. The Courage of the King's Troops were never keener than on this Occasion, who, tho' the Rebels were three times their Number, yet attack'd them and pursued them with all the Resolution

‘ imaginable. The Conduct and Bravery of the Generals  
 ‘ and inferior Officers, contributed much to this Success ; but  
 ‘ above all, the great Example of the Duke of *Argyle*,  
 ‘ whose Presence not only gave Spirit to the Action, but  
 ‘ gained Success as often as he led on ; the Troop of Horse  
 ‘ Volunteers, which consisted of Noblemen and Gentlemen  
 ‘ of Distinction, shewed their Quality by the Gallantry of their  
 ‘ Behaviour ; in a particular manner the Duke of *Roxburgh*,  
 ‘ the Lords *Roths*, *Haddingtoun*, *Lauderdale*, *Loudon*, *Bel-*  
 ‘ *haven*, and Sir *John Shaw*.

*The next Account is that of Major General Wightman, who  
 differs in several Particulars from the former.*

Sterling, Nov. 14, 1715. at Eleven at Night.

‘ LAST Friday I arriv’d from *Edinburgh*, where I had fi-  
 ‘ nished all the Works and Barricadoes that I had Orders to  
 ‘ do for the Security of that Town ; and as soon as I came  
 ‘ to his Grace the Duke of *Argyle*, he told me he was glad  
 ‘ to see me, and that as he intended to make a march towards  
 ‘ the Enemy the next Morning, he had sent an Express to *E-*  
 ‘ *dinburgh* for me. Accordingly on *Saturday* the 12th Instant  
 ‘ our whole Army marched over the Bridge of *Sterling* to-  
 ‘ wards the Enemy, who lay at a Place called *Ardoch*, about  
 ‘ seven Miles from this Place ; and in the Evening our Ar-  
 ‘ my came within three Miles of the Enemy’s Camp. We  
 ‘ lay all that Night on our Arms, and the next Morning, being  
 ‘ *Sunday*, I went with his Grace where our Advanc’d Guard  
 ‘ was posted, and had a plain View of the Rebels Army all  
 ‘ drawn up in Line of Battle, which consisted of nine thou-  
 ‘ sand one hundred Men. They seem’d to make a  
 ‘ Motion towards us, upon which the Duke order’d me im-  
 ‘ mediately back to put our Men in Order, and soon after his  
 ‘ Grace order’d them to march to the Top of an Hill against  
 ‘ the Enemy ; but before all, or not half our Army was form’d  
 ‘ in Line of Battle, the Enemy attack’d us. The Right of their  
 ‘ Line, which lay in a hollow Way, vastly out-wing’d us,  
 which

which was not perceived by us, nor possible for us to know it, the Enemy having Possession of the Brow of the Hill ; but the Left of their Army was very plain to our View, the Moment we got to the Top of the Hill. Not half our Men were come up, or could form. The Enemy, that were within little more than Pistol-shot, began to attack with all their Left upon our Right ; I had the Command of the Foot, the Enemy were Highlanders, and as it is their Custom gave us Fire, and a great many came up to our Noses Sword in Hand ; but the Horse on our Right with the constant Platoons of Foot, soon put the Left of their Army to the Rout ; the Duke of *Argyle* pursuing as he thought the Main of their Army, which he drove before him for about a Mile and a half over a River. As I march'd after him as fast as I could with a little above three Regiments of Foot, I heard great firing on our Left, and sent my Aid-de-Camp to see the Occasion of it, and found that the Right of the Enemies Army that lay in the hollow Way, and were superior to that Part of their Army which we had beaten, was fallen upon our Left with all the Fury imaginable ; and as our Men were not form'd, they cut off just the half of our Foot and the Squadrons on our Left. The Duke who pursued the Enemy very fast, was not apprised of this, and as he had ordered me to march after him as fast as I could, I was obliged to slacken my March, and send to his Grace to inform him of what had happened ; I kept what Foot I had in perfect Order, not knowing but my Rear might soon be attack'd by the Enemy that had beat our Left, which proved to be the Flower of their Army. At last when the Duke had put to flight that Part of the rebel Army he was engaged with, he came back to me, and could not have imagined to see such an Army as was behind us, being three times our Number ; but as I had kept that Part of our Foot which first engag'd in very good Order, his Grace joined me with five Squadrons of Dragoons, and we put the best Face on the Matter ; to the right about and so march'd to the Enemy who had defeated all the Left of our Army. If they had either Courage or Conduct, they might have entirely de-

• stroyed my Body of Foot ; but it pleased God to the con-  
 • trary. I am apt to conjecture their Spirits were not a little  
 • damp'd by having been Witnesses some Hours before of the  
 • firm behaviour of my Foot, and thought it hardly possible to  
 • break us ; we march'd in a Line of Battle till we came with-  
 • in half a Mile of the Enemy, and found them ranged on the  
 • Top of an Hill on very advantageous Ground, and above  
 • 4000 in Number ; we posted ourselves at the Bottom of the  
 • Hill, having the Advantage of Ground where their Horse  
 • could not well attack us, for we had the Convenience of  
 • some Earth Walls or Ditches about Breast high, and as E-  
 • vening grew on, we inclined with our Right towards the  
 • Town of *Dumblain*, in all the Order that was possible. The  
 • Enemy behaved like civil Gentlemen, and let us do what  
 • we pleased ; so that we pass'd the Bridge of *Dumblain*, pos-  
 • ted ourselves very securely, and lay on our Arms all Night.  
 • This Morning we went with a Body of Dragoons to the  
 • Field of Battle, brought off the wounded there, and came  
 • to this Town in the Evening. General *Webb's* late Regi-  
 • ment, now *Morison's*, is one of the unfortunate Regiments  
 • that was not formed, and suffered most. Major *Hammere*  
 • is killed with young *Hillary*, and many other Officers. Ge-  
 • neral *Evans* and I had the good Fortune to be on the right  
 • Wing with the Duke. General *Evans* had his Horse shot  
 • dead under him, and escaped very narrowly as well as my-  
 • self.

• P. S. Our whole Army did not consist of above a 1000  
 • Dragoons, and 2500 Foot ; and but a little more than half  
 • of them engaged. However I must do the Enemy that Jus-  
 • tice, to say I never saw regular Troops more exactly drawn up  
 • in Line of Battle, and that in a Moment ; and their Officers be-  
 • haved with all the Gallantry imaginable ; all I can say, is, it  
 • will be of the last Danger to the Government if we have not  
 • Force to destroy them soon ; the Loss on both Sides I  
 • leave for another Time, when we have a more exact Ac-  
 • count.

THE Reader will easily observe, what a wide Difference there  
 is in both these Accounts. One should almost think it impos-  
 sible

sible that two Officers, both in the same Action, should vary so much in their Account, at the Time when the Thing was so recent. There are several Inconsistancies will appear at first View in Col. *Harrison's* Account; but the Account the General was pleased to allow to be published in his Name, has such a Spirit of Vanity and Egottism, running thro' the whole, as well as some gross Falshoods, that I am apt to think the Design of that Relation of the Battle was to throw a silent Reflection on the Commander in Chief, and arrogate to himself a Share in that Action which he had no Title to.

HE seems to intimate that the Disposition of the Army was left to him; a thing so improbable in itself, that it requires no Arguments to refute it; he next would persuade us that the Duke's Army was not form'd, which is equally improbable with the former; that an Army lying under Arms all Night, consisting of so small a Number as the royal Army, should not be form'd sooner than the Rebels that were three Times the Number, who had as far to march to the Field of Battle as they, is a monstrous Supposition.

HE would make us believe that the Battalions he commanded that Day, had been attacked in the Morning, but 'tis more probable that they are Part of the one half of the Foot he says himself never engaged; and it will be hard for the Friends of that General to give any reason why that Gentleman who commanded the whole Foot, which composed the main Battle or Center, should allow one half of the Body he commanded to be cut to Pieces without knowing what was become of them till he heard a great Firing to his Left; and then to be so surprized at firing in a Battle, as to send an Aid-de-Camp to find out the Cause of it, is so ridiculous, that it must put every common Centinel out of Countenance to read it; but not to lose Time with his Contradictions, we shall now see what Account the Earl of *Mar* or his Party, are pleased to give of this Battle. And for that Purpose we intend to give the Reader that Account that was publish'd at *Perth* by Mr. *Freebairn* the Pretender's Printer at *Perth*, rather than any other, as that seems to take in the whole Particulars relating to this Affair.

*An Account of the Engagement on the Sheriff-Muir near Dumblain, November 13, 1745. betwixt the K——'s Army commanded by the Earl of Mar and the D. of B——'s commanded by Argyle.*

' THERE being various and different Reports spread abroad to cover the Victory obtain'd by the K——g's Army over the Enemy; the best Way to set it in a clear Light, is to narate the true Matter of Fact, and leave it to the World to judge impartially thereof.

' *Thursday, Nov. the 10th, the Earl of Mar review'd the Army at Auchterarder. Friday the 11th, rested.*

' *Saturday the 12th, the Earl of Mar ordered Lieutenant General Gordon, and Brigadier Ogilvie with three Squadrons of the Marquiss of Huntley's and the Master of Sinclair's five Squadrons of Horse, and all the Clans, to march and take Possession of Dumblain, (which was ordered to be done two Days before, but was delayed by some Interruption;) and all the rest of the Army was ordered at the same Time to parade on the Moor of Tullibardin very early, and to march after General Gordon. The Earl of Mar went to Drummond Castle, to meet with the Earl of Brodalbine, and ordered General Hamilton to march the Army. Upon the March, General Hamilton had Intelligence of a Body of the Enemies having taken Possession of Dumblain, which Account he sent immediately to the Earl of Mar. A little after, General Hamilton had another Express from General Gordon, who was then about two Miles to the Westward of Ardoch, that he had Intelligence of a great Body of the Enemy's being in Dumblain: Upon which General Hamilton drew up the Army so as the Ground at the Roman Camp near Ardoch would allow. A very little after, the Earl of Mar came up to the Army, and not hearing any more from Lieutenant General Gordon, who was march'd on, judg'd it to be only some small Part of the Enemy to disturb our March, order'd the Guards to be posted, and the Army to their Quarters, with Orders to assemble upon the Parade any Time of the Night or Day, upon the firing of three Cannon.*

non. A little after the Army was dismiss'd, the Earl of *Mar* had an Account from Lieutenant General *Gordon* that he had certain Intelligence of the Duke of *Argyle's* being at *Dumblain* with his whole Army ; upon which the General was ordered to halt 'till the Earl should come to him, and ordered the three Guns to be fired ; upon which the Army formed immediately, and march'd up to General *Gordon* at *Kinbuck*, where the whole Army lay under Arms with Guards advanced from each Squadron and Battallion till break of Day.

' Sunday the 13th, the Earl of *Mar* gives Orders for the whole Army to form on the Muir to the left, on the Road that leads to *Dumblain*, fronting to *Dumblain* ; the general Persons were ordered to their Posts.

' THE *Sterling* Squadron with the King's Standard, and two Squadrons of the Marquis of *Huntley's*, form'd the Right of the first Line of Horse, all the Clans form'd the Right of the first of Foot. The *Perthshire* Squadron formed the Left of the first Line of Horse : The Earl *Marischall's* Squadrons on the Right of the second Line. Three Battalions of the Marquis of *Seaforth's* Foot, two Battalions of my Lord *Huntley's*, the Earl of *Panmure's*, the Marquis of *Tullibardin's*, the Battalions of *Drummond* commanded by the Viscount of *Strathallan*, and *Logie-Almond* ; the Battalion of *Strowan*, and the *Angus* Squadron of Horse, formed the second Line. When the Army was forming, we discovered some small Number of the Enemy on the Right of the West End of *Sheriff-Muir*, which looks into *Dumblain*, from which Place they had a full View of our Army. The Earl of *Mar* called a Council of War consisting of all the Noblemen, Gentlemen, General Officers, and Heads of the Clans, which was held on the Front of the Horse, where it was voted to fight the Enemy *Nemine contradicente* : Upon which the Earl of *Mar* ordered the Earl *Marischal*, Major General of the Horse, with his own Squadron, and Sir *Donald M'Donald's* Battalions to march up to the Height, where we saw the Enemy, and disloge them ; and send an Account of their Motions and Dispositions. No sooner had the

the Earl *Marischal* begun his March, but the Enemy disappeared, and the Earl of *Mar* ordered the Army to march up after them. By the other Generals Orders, the Lines march'd off to the Right, divided in the Center, and march'd up the Hill in four Lines; after marching about a Quarter of a Mile, the Earl *Marischal* sent back an Account that he discover'd the Enemy forming their Lines very near him, to the South of the Top of the Hill; upon which the Army, particularly the Horse, was ordered to march up very quickly and form to the Enemy; but by the breaking of their Lines in marching off, they fell in some Confusion in forming, the second Line jumbled into the First, on or near the Left; and some of the Horse formed near the Center, which seems to be the Occasion that the Enemy's few Squadrons on the Right were not Routed as the rest.

THE Earl of *Mar* placed himself at the Head of the Clans, and finding the Enemy only forming their Lines, thought fit to attack them in that Posture. He sent Colonel *William Clephan* Adjutant-General, to the Marquis of *Drummond*, Lieutenant General of the Horse on the Right, and to Lieutenant General *Gordon* on the Right of the Right of the Foot; and Major *David Erskine*, one of his Aid-de-Camps, to the Left, with Orders to march up and attack immediately; and upon their Return, pulling off his Hat, waved it with an Huzza, and advanced to the Foot of the Enemy's form'd Battallions; upon which all the Line to the Right, being of the Clans, led on by Sir *Donald M'Donald's* Brother, *Glengary*, Captain of *Clanronald*, Sir *John M'Lean*, *Glenco Campbell* of *Glenloyn*, Colonel of *Brodalbin's*, and Brigadier *Ogilvie* of *Bayne*, with Colonel *Gordon* of *Glenback*, at the Head of *Huntley's* Battalion, made a most furious Attack, so that in seven or eight Minutes we could neither perceive the Form of a Battalion, or Squadron of the Enemy before us. We drove the main Body and Left of the Enemy in this manner for about half a Mile, killing and taking Prisoners all that we could overtake. The Earl of *Mar* endeavour'd to stop our Foot and put them in some Order to follow the Enemy which we



saw making off in small Bodies from a little Hill below towards *Dumblain*, where the Earl of *Mar* resolved to follow them to compleat the Victory, when an Account was brought that our Left, and most of our second Line, had given Way, and that the Enemy was pursuing them down the Back of the Hill, and had taken our Artillery; immediately the Earl of *Mar* gave Orders for the Horse to wheel, and having put the Foot in Order as fast as could be, march'd back with them, when he was again near the Top of the Hill, two Squadrons of the Enemy's *Grey* Dragoons, were perceived marching towards us; when they came near the Top of the Hill, and saw us advancing in Order to attack them, they made much faster down the Hill than they came up, and joined at the Foot of the Hill to a small Squadron of the black Dragoons, and a small Battalion of Foot, which we judged had marched about the West End of the Hill, and joined them at first; they again seem'd to form on the low Ground, and advanced towards us; but when they saw us marching down the Hill upon them, they filed very speedily to *Dumblain*; the Earl of *Mar* remained possessed of the Field of Battle, and our own Artillery; and stood upon the Ground till Sun-set; and then considering the Army had no Cover or Victuals the Night before and none to be had nearer than *Braes*, *Ardoch*, and Adjacents, whereby his Lordship suspected the Left to rally, and the Battalions of Lord *George Murray*, *M'Pherson*, *Innarhytie*, and *M'Gregor* to join him, resolved to draw off the Artillery and march the Army to that Place where there was Provisions; there were two Carriages of the Guns broke which we left on the Road; but these Battalions did not join us till the next Day Afternoon, before which, the Enemy was return'd to *Sterling*.

We took the Earl of *Forfar* who was dangerously wounded, Col. *Lawrence*, and ten or twelve Captains and Subalterns, and above two hundred Serjeants and private Men. The Remainder of this Letter printed at *Perth*, contains only an Account of the Prisoners with which we shall not at present double the Reader.

UPON the whole of this Battle, we can only learn that both Sides behaved with great Courage, that each Party claim'd the Victory, and it will be hard to determine from the Action itself, which had the most right to it, but the Consequences of it declare it for the Duke of *Argyle*; for by it he establish'd the Superiority of the King's Troops, since the Enemy durst not that Day, notwithstanding of their great Superiority, and tho' flush'd with the Advantage they had gain'd over the Duke's Left, venture to attack him, or in the least disturb his March to *Dumblain* in their Sight; and by this Battle the grand Design of passing the *Forth*, and joining the Southern Rebels was disappointed, and for ever after laid aside. Upon the whole the Duke who was in a most defenceless State for so long a Time, had the Courage and Conduct to overcome all Difficulties, and to engage more than double the Number of as good Men as any the Kingdom could produce, and come off with Honour, and break in that Day the Neck of the Rebellion.

NEXT Day the Duke of *Argyle* returned to the Field of Battle, and carried off the wounded and four Pieces of Cannon left by the Rebels to *Sterling*, where he returned with all his Army.

THE Prisoners of most Note taken by the King's Forces, were the Lord *Strathallan*, the Lairds *Barrowfield*, *Logie Drummond*, Mr. *Murray* of *Auchtertyre*, the Viscount of *Strathallan*'s Brother, Mr. *Drummond* of *Drumquhany*, Mr. *Ross* Son to the Archbishop of *St. Andrews*, *Colin M'Kenzie*, of *Kelldin*, &c. with several Captains and Subaltern Officers, and private Men, amounting in all to the Number of Eighty or thereabouts.

THE Earl of *Forfar*, the Laird of *Glenkindy*, Lieutenant Colonel *Lawrence*, is all the Men of Note whose Names are mentioned to be taken Prisoners on the other Side; they took several Captains and subaltern Officers; and according to them, about two hundred private Men.

THE Number kill'd and wounded on the Rebel Side, is said to have amounted to eight hundred, and on his Majesty's to five hundred; but they never agreed in their Account of  
their

their mutual Losses ; but 'tis certain that the Number lost in that Battle, was but inconsiderable in Proportion to the Number of the Rebels, who notwithstanding the Loss were able to undertake any thing they were capable of before ; only they found by that Day's Engagement, that a handful of regular Troops commanded by such a General as the Duke, was more than Match for such a Militia as theirs under such bad Discipline, since there were as many Generals as there were chief Men, or Heads of Clans.

THERE was at this Time a Report prevail'd, That one *Drummond* went to *Perth* under the Notion of a Deserter from the Duke of *Argyle*, but in reality acted the Part of a Spy, and gave his Grace Intelligence of all the Motions of the Enemy. This Man was employ'd the Day of the Action, as Aid de Camp to the Lord *Drummond*, and in that Quality, attended the Earl of *Mar* to receive his Orders ; the Earl, when he found his Right was like to break the Duke's Left, sent this *Drummond* with Orders to General *Hamilton*, who commanded on the Rebel's Left, to attack the Enemy briskly for that he was like to get the better on the Right. But *Drummond*, as they pretend, gave contrary Orders, and Intelligence to General *Hamilton*, acquainting him that the Earl's Right was broke, and desiring the General to retire with all the Expedition possible, and in the best Order he could. Upon which General *Hamilton* gave Orders to slacken the Attack, which was obey'd. Then the Duke's Right approaching, the most of them gave Way without striking a Stroke, and those who stood, were mostly Gentlemen and Officers, who were severely gall'd by the Duke, and they pretend that *Drummond*, after performing this treacherous Part, went over to the Duke. That his Grace had many Spies among the Rebels, I believe may be very true, and that this *Drummond* was one of them is pretty notorious ; but whether this Man's Treachery was of such signal Advantage to the Duke as Report gave out, is very much to be question'd.

AMONG other Causes of the Rebel's Misfortune in that Day, they reckon the Part *Rob Roy*, *M. Gregor*, acted to be one ; this *Rob Roy*, or *Robert*, was Brother to the Laird

of *M. Gregor*, and commanded that Clan in his Brother's Absence, but in the Day of Battle he kept his Men together at some Distance without allowing them to engage, tho' they shew'd all the Willingness imaginable, and waited only an Opportunity to Plunder, which was it seems the Chief of his Design of coming there. This Clan is a hardy rough People, but noted for pilfering, as they lie upon the Border of the Highlands, and this *Rob Roy* had exercis'd their Talents that way pretty much in a kind of thieving War he carried on against the Duke of *Montrose*, who had, as he alledged, cheated him of a small feudal Estate.

THEY reckon'd likewise that some Noblemen, and Chiefs from the North did not act so honest a Part, or at least did not show so much Courage as the Zeal they express'd for this Righteous Cause required. As the Battle was fought on the Twelfth of *November*, so that Day may be reckon'd in the Number of unlucky Days to the Pretender, for this Engagement was no sooner over than they had the sad News of the Surrender of the important Pass of *Inverness* to the King on the same Day, on which the Battle was fought.

THIS signal Piece of Service was perform'd by *Simon Frazer* of *Beauford*, since *Lord Loveat*, the same Person mention'd in the Duke of *Queensberry's* Sham-Plot, which made so much Noise both in *England* and *Scotland*. At the time this thing happened, some People gave the Honour of it to the Earl of *Sutherland* and his People, but that Noble Peer was not there, nor any of his Followers.

*Simon Frazer*, Chief of the *Frazers*, who had only appear'd in the Interest of the Pretender, till he got a sufficient number of his own Clan, and the Grants to join him, resolved for this once in his Life to do a good Action, and declare for his Lawful Sovereign. He came before *Inverness* on the Tenth, the Place little expecting a Visit of this kind, from one who had all his Life time been plotting with and for the Rebels, was but ill provided to dispute it with him; Sir *John M'Kenzie*, who held it as Governour for the Earl of *Seaforth*, had only Three Hundred Men with him; with these he retired to a kind of Castle, or Citadel in the Place,

out

out of which he made his Retreat on the Twelfth, and gave free Possession to his Majesty's new Friends.

THE securing of *Inverness* was a severe Blow upon the Rebels in these Parts, for by it a free Communication was open'd between the Earl of *Sutherland* and the King's Friends in the Counties adjacent to *Inverness*; and by this means the Earl of *Seaforth* and the Marquis of *Huntley* were not only brought from the Rebel Army to defend their own Territories, but were brought soon after to make their Submission; and a good Number of the *Frazers* who followed *Frazerdale* before, upon this Change of Disposition in their Chief *Simon*, left the Rebels, and increas'd the Number of the King's Friends under their Chief, who, to do him Justice, has continued steadfast ever since in the Interest of the illustrious House that now fills our Throne.

THE Duke of *Argyle* being return'd to *Stirling*, and the Earl of *Mar* to *Perth*, both Parties remain'd quiet in their respective Quarters the remaining Part of *November*, and all the next Month; where we shall leave them, and bring up the Rebellion in *England*, which terminated the same fatal Twelfth of *November*.

We left old Brigadier *M'Intosh* with his *Highlanders* at *Kelfo* join'd by the *Northumberland* Gentlemen, and the Viscount *Kenmure* with the rest of the Gentlemen in the South Country, who had taken Arms in this Cause.

Before we proceed to give an Account of the Marches of the Party, we shall give the Reader an Account of their Numbers, and the Officers that Commanded them, because they were more numerous than at any Time after. The *Scotch* Noblemen and Gentlemen compos'd five Troops of Horse; the first was commanded by the Lord Viscount *Kenmure*, who had under him the Honourable *Boyle Hamilton* of *Baldour*. His Lordship acted as Commander in Chief, while this Party remain'd in *Scotland*. This Nobleman is descended of a very antient and honourable Family, had a solid penetrating Judgment, improv'd by a very liberal Education, was esteem'd to have acquired an extensive Knowledge in publick Business, that is as far as related to Civil Affairs, but

in Military, had not, nor pretended to have, till this Time, any Experience ; his Temper was grave and mild, and his Deportment every way engaging, had all the Qualifications of a fine Gentleman, but nothing of the Officer except Personal Courage.

The second Troop was call'd the *merse* Troop, consisting chiefly of the Followers and Dependents of the Earl of *Hume*, whose Interest lies chiefly in that County ; the Earl himself was at this Time Prisoner in the Castle of *Edinburgh* ; therefore his Brother, the Honourable *James Hume*, commanded this Troop, who was a Youth of a very sweet Disposition, but too young for such a Command.

The third Troop was commanded by the Earl of *Wintoun*, and consisted of his Lordship's Followers. This Earl is of an ancient Family in that Kingdom, but was supposed to be subject to a kind of Caprice, for which his Family was remarkable ; but however, by the Advice he gave the Rebels at this Time, he seem'd to have a more solid Judgment than those who were not suspected of any Incapacity. He opposed, with all his Power, the March of the Rebels into *England*. He laid before them the absolute Certainty of their being overpower'd in *England* ; and proposed neither to meddle with the Duke of *Argyle*, nor to join suddenly the Earl of *Mar*, but to join the Western Clans, and attack *Glasgow* and *Dumfries* in their Way, by which they might open the Communication with the Rebels at *Perth*, and effectually distress the Duke of *Argyle*, by obliging him either to weaken his main Army, by sending Detachments to the Relief of these Places, or allow them to be possess'd by them peaceably. However, this Advice was not follow'd, and happy for these Kingdoms, that it was not. His Lordship gave the Command of his Troop, under himself, to Captain *James Dalzell*, brother to the Earl of *Carnwarth*, who was formerly in his Majesty's Service ; but, on engaging in this Affair, he threw up his Commission, which saved his Life at the Court-Martial at *Preston*. He was always reckon'd a Man of great Courage, and on this Occasion gave some Proofs of it.

The fourth Troop belong'd to *Robert Earl of Carnwarth*. This Nobleman owed his Attachment to this Interest to his Education, the first Principles of which he received from one who was a Bigot to the Doctrines of Divine Indefeasible Hereditary Right and Non-Resistance. At *Cambridge* he imbib'd an early Affection to the Liturgy and Discipline of the Church of *England*, which, as he grew up, he improv'd into an Aversion for the Establish'd Church of *Scotland*. His Disposition was naturally sweet, and his Address engagingly affable, and on all Occasions discover'd a ready Wit and a great Command of Words, delivering himself on most Subjects very handsomely. The Command of the Troop he gave to his Uncle, *John Dalzell, Esq;* a Gentleman very much esteem'd, and firmly attach'd to the Chevalier's Interest.

The fifth Troop was commanded by Captain *Lockhart*, Brother to *George Lockhart of Carnwarth*. He was upon his Majesty's Half Pay at this Time, for which he was tried at *Preston*, and shot to Death, with three more in the same Circumstances, by a Sentence of that Court-Martial. He was a young Gentleman, endowed with Qualifications that ought to be better employ'd, and deserved a better Fate. He had a great natural Genius, improv'd by Learning; an undaunted Courage, which he shew'd both in his Actions at *Preston*, and in the Manner he receiv'd his Death. He behaved under his Sentence with a becoming Sense of his Sins, among which, it seems, he did not reckon the Crime he suffer'd for; but in every other Instance, behav'd like the Gentleman and the Christian.

These Troops were all well manned and armed, but the Horses were many of them small, and but in mean Condition. Besides these Troops, there were several Gentlemen Volunteers that were not form'd into any Corps.

The *Scotch Foot* consisted of six Regiments, and amounted to sixteen hundred Men, all of them Highlanders, and in Highland-Dress, except one Regiment that belong'd to my Lord *Strathmore*, who was not with them, having been among those that were forced back into the Isle of *May*, when this Detachment cross'd the *Firth of Forth*, a

has been related above. The Earl of *Strathmore* was esteem'd a hearty Friend to the Pretender, and had, some time before the Rebellion broke out, in Conjunction with several others, signed a Paper, whereby they declar'd they would embrace the first Opportunity to take up Arms to establish him on the Throne ; which Paper was lodged in the Hands of Colonel *Hooks*, to be by him transported to *France*. The Earl was as good as his Word, when this Insurrection begun, he was among the first and most zealous that engaged, and was killed in the Battle of *Dumblain*.

THE second Regiment was that of *Mar's*, and commanded in his Absence by *Innecal*.

The third was commanded by *David Stuart*, Esq;

The fourth by the Lord *Nairn*, Brother to the Duke of *Athol*. This Nobleman was much esteem'd in his Country, where he made himself popular by the Opposition he made to the Union, as well as by his other great Qualities. He was reputed a Man of Courage, having formerly served in the Navy, where 'tis said he gave Proofs of his Valour.

The fifth Regiment was commanded by Lord *Charles Murray*, a younger Son of the Duke of *Athol's*. This Gentleman had formerly served as Cornet of Horse in *Flanders*, where he signaliz'd himself in a particular Manner by his Bravery. He had a pretty extensive Knowledge both of Men and Books, and a very noble and engaging Address, with a particular Sweetness and Evenness of Temper, which gained much upon the Affections of the Men he commanded. Upon all Marches, he never could be prevailed on to ride, but always kept at the Head of his Regiment on foot in his Highland Dress ; and with his Men, tho' in that severe Season of the Year, forded Rivers above Mid-thigh deep, a sort of Discipline that would not suit with the Stomachs of some of our young Gentry that now compose the *British* Troops.

When the Rebels surrendered *Preston*, Lord *Charles* was tried as a Half-Pay Officer by a Court-Martial, found guilty, and condemned to be shot ; but it being represented to his Majesty, that he had given his Commission into the

Hands



hands of a Relation before he engaged in that unhappy Affair, his Majesty was graciously pleased to pardon him.

The sixth was call'd *M'Intosh's* Battalion. This Gentleman was Chief of that Clan, and was never suspected to be any ways inclinable to that Side of the Question, but was drawn in by his Kinsman the Brigadier. He was at that Time a young Gentleman of very good Accomplishments, with a Heart as brave as the Sword he wore; and his Men by much the best armed of any that were concerned in that Affair, with as great a Share of Courage as any of the Clans. Besides these, there was an independent Company of Volunteers, commanded by Captain *Skeen*, Captain *M'Lean*, and Ensign *John Dumber*.

THE *English* consisted of five Troops of Horse, all double Officer'd: The whole under the Command of *Thomas Forster* Junior, of *Etherston* in the County of *Northumberland*, Esq; and Member of Parliament for that County. This Gentleman was well enough esteem'd in his Country, a Man of good Parts and personal Bravery, but had by no means the least Claim to the chief Command, especially as he had not Skill in military Affairs, but was pitch'd upon by the Earl of *Mar*, under whose Commission he acted, as the Protestant of most Note concern'd in these Parts, the Rebels not thinking it adviseable to give the chief Command to a Papist, for fear of alarming their Protestant Friends.

The first Troop was called the Earl of *Derwentwater's*, and commanded by his Brother *Charles Radcliff*, Esq; and Captain *John Shaftoe*. This unfortunate young Nobleman had the Misfortune to be educated a Papist, and to have some Claim of Relation to, and a personal Acquaintance with the *Chevalier De St. George*, which laid him under stronger Temptations to espouse his Interest than most Men.

THERE was no Man ever gain'd so universal an Esteem as this Earl. His Temper was mild and bewitchingly engaging. His Deportment was affable and free, without the least Tincture of Reserve or Pride. His Generosity was so great, and his Benevolence so unbounded, that he seemed to live only for others, and to have no Relish of Life or Fortune,

Fortune, but as it enabled him to make others happy. His House and Table were as open as his Heart, where he kept up the Hospitality of our Ancestors, and entertain'd his Neighbours with a chearful Welcome and a magnificent Plenty, without Riot or Luxury. His Ears were open to the Distressed of all Persuasions, and his Hand ready to relieve them. In short, his Time was spent in Offices of Charity and good Neighbourhood, which gained him almost the Adoration of those who lived near him.

A MAN of this Character, with so great an Estate, could not miss to have a prodigious Number of Followers, tho' his Lordship brought but few with him to this mad Enterprize, which was look'd upon at that Time by every body, not hurried away by the Violence of Party Prejudice, as a Proof that his Lordship's embarking in this Affair was sudden, and without any premeditated Design. He and Mr. *Forster* first left their own Houses, to avoid being secured by the Messengers sent from the Secretary's Office, where the Secret, it seems, took Air; and then did not think themselves secure but in pursuing these unhappy Measures that involved that Noble Peer and his Family in Ruin, to the Regret of many Thousands, who had not the least Affection for the Cause he suffered in, which might have been prevented, had the Warrant been issued with that Secrecy which was the Duty of the Secretaries to observe in a Matter of that Moment to his Majesty and his Kingdoms.

THE second Troop was the Lord *Widrington's*, commanded by *Thomas Errington* of *Beaufort*, Esq; This Lord's Family had produced many Noblemen, remarkable in the *English* History for Courage and Loyalty. But Mr. *Paten*, Author of the History of the Rebellion, says, he could observe nothing in this Lord of the ancient Spirit of his Ancestors, even when there was the greatest Opportunity of showing it when the King's Troops invested *Preston*. ' Mr. *Errington* ' (says that Author) that commanded under his Lordship, is ' a Gentleman of a very ancient Family in *Northumberland*, ' He has very good natural Parts, and had been formerly ' an Officer in the *French* Service, where he got the Reputation

tion of a good Soldier. 'Tis believed (continues he) that he would not have engaged in this Rebellion, had not the many Obligations he lay under to the Earl of *Derwentwater* prevailed with him.

THE third Troop was commanded by Captain *John Hunter*, a *Northumberland* Gentleman, who had obtained a Commission in the latter End of Queen *Ann's* Reign to raise an Independent Company, but had neither listed any Men, nor received any Pay.

THE fourth Troop was commanded by *Robert Douglas*, brother to the Laird of *Finland*, in the South of *Scotland*. This Gentleman was very useful to the Rebels, by going frequently between *England* and *Sterling* to carry Dispatches to and from the Earl of *Mar*, and was the Person who brought Mr. *Forster* his Commission, with the Manifesto and Declarations of that Earl and the Pretender. He was likewise indefatigable in searching for Arms and Horses, in which he succeeded better than any Man. 'A Trade (says the forementioned Author) some were pleased to say, he follow'd out of the Rebellion as well as in it.' He behaved very gallantly at *Preston*, and had the good Fortune to make his Escape out of Prison.

THE fifth Troop was commanded by Captain *Nicholas Vogan*, an *Irish* Gentleman born, but descended of an ancient Family of that Name in *Wales*.

BESIDES these Troops, there was a great many Gentlemen Volunteers that were not form'd into any Troop, and all the Troops were double Officer'd, the better to gratify the Ambition of so great a Number of Gentlemen, and prevent Animosity among them.

THE Rebels remained at *Kelfo* from *Saturday* the 22d to *Sunday* the 27th, when they had Intelligence that General *Carpenter*, with *Hotham's* Regiment of Foot, *Cobham's*, *Molesworth's*, and *Churchill's* Dragoons, had marched from *Newcastle*, and was that Day advanced as far as *Wooler*, in order the next Day to attack them at *Kelfo*.

THE Lord *Kenmore*, who by concert commanded in chief while they continued on the *Scotch* Side of *Tweed*, called a Council

Council of War, where it was debated what Course they should take. The Lord *Wintoun* gave his Advice to march to the West of *Scotland*, but the *English* Gentlemen could not be prevailed on to listen to that Overture, which was the wisest they could follow. It was then proposed immediately to attack General *Carpenter*, before he had Time to give his Men any Rest after so long and fatiguing a March, and before he was joined by more veteran Troops : Those he had with him did not then amount to above one Thousand, and of these two Regiments of Dragoons were new rais'd, and had never seen an Action. But this Soldier-like Advice, wherein there was great Probability of Success, was likewise overruled ; and they only determin'd to remove from *Kelfo*, and make some Motions to get further out of Reach of the King's Troops. Accordingly that Day they removed from *Kelfo*, and, stretching a little to the Right, bent their March towards *Jedburgh*. In this March, they were twice put in great Consternation, by mistaking Parties of their own Men for the King's Forces : However, being more afraid than hurt, they arrived at *Jedburgh*, where they continued the 29th.

AT this Place they found they could get the Start of General *Carpenter*, and leave him three Days March behind. On the earnest Sollicitations of the *English* Gentry, it was resolved to cross the Mountains, and march for *England*. For this Purpose Captain *Hunter*, who was well acquainted with the Country, was ordered to march with his Troop into *North Tyndale* to provide Quarters for the Army.

UPON this Resolution being communicated to the Highlanders, they unanimously resolved not to stir one Foot, and no Persuasions could prevail on them to alter this Resolution. This obliged the Generals to alter their Measures and an Express was sent after Captain *Hunter* to countermand him. Here the Highlanders were furnished with a Quantity of Oatmeal, which was raised by an Assessment on the Housekeepers of *Jedburgh*, from whence they began their March towards *Haick*, a small Market-Town belonging to the Dutchess of *Buckelugh*. Upon this March the Highlanders, still supposing the March for *England* was resolved on, separated them-

themselves from the Horse, drew up on the Top of a rising ground, rested their Arms, and declared they would fight if they would lead them on to the Enemy, but would on no account march to *England*, adhering to the Earl of *Wintoun's* Advice to cross the West of *Scotland*, join the Clans there, and either cross the *Forth* some Miles above *Sterling*, or acquaint the Earl of *Mar* that they would attack the Duke of *Argyle's* Rear, whilst he fell on his Front, his Number being then very small.

THIS Humour of the Highlanders put their Leaders to the greatest Nonplus. They would allow none to speak or commune with them but the Earl of *Wintoun*, who confirm'd them in their Aversion to going to *England*, by telling them, they would there be overpower'd with Numbers, and either cut to Pieces, or sold for Slaves; which proved in the Event but too true a Prognostick. All they could be brought to, after Dispute which lasted some Hours, was, that they consented to continue together while they remained in *Scotland*; but, upon any Motion for going to *England*, they declared they would return to their own Country. A Resolution which would have been happy for these People to have kept with their usual Obstinacy.

THIS Breach being made up, the whole Army marched to *Maick*, where the *English* Horse put an Experiment in Practice, to try if the Highlanders would do their Duty if an Enemy appeared. The Highlanders, after joining the Horse, did all the Duty. A Party of them being upon the advanced Guard in the middle of the Night, which was clear and moon-light, discovered a Party of Horse Patrolling on their front; upon which the Alarm was given, and the whole Body was drawn out and form'd in very good Order, and stood with their Arms very chearfully to oppose any Attempt of the supposed Enemy. But the Design of this Alarm, which was only to try the Highlanders Resolution; being answered, they were soon undeceiv'd, tho' not let into the Secret, which might have proved a dangerous Experiment, and all return'd to their Quarters.

FROM *Haick* they march'd to *Lougholm*, another small Market-Town belonging to the Dutchess of *Buckclugh*. Here they seem'd resolv'd to attack *Dumfries*, a Port upon the *Irish* Sea, the Inhabitants of which are very rich, and drive a very good Trade, both foreign and domestick. There were no regular Forces in the Place, only some few Companies of Militia, not much famed for their Courage or Zeal for the Service, nor has it any Fortifications : They dispatched a strong Detachment to form a Blockade till the whole Body could come up to attack it.

THERE was no doubt of their being Masters of the Town, had they come before it ; and the Advantages that it would have brought them were so many and so apparent that none but mad Men would have slipt the Opportunity. In the Town there was a large Quantity of Arms in good Order, and a proportionable Store of Provisions, all which they wanted. The Town itself, and the Country adjacent, abounded with Gentlemen who would have joined them. They had free Access to attack *Glasgow*, and the other Towns on the West ; and might have been joined by General *Gordon* and his Clans, and been in a condition to intercept the Succours the Duke of *Argyle* expected from *Ireland*. But all these Advantages availed nothing, *Quem Jupiter vult perdere prius dementat*, the Resolution was laid aside, and the March for *England* again resumed. General *Forster*, and the rest of the *English* Gentlemen, pretended to have received Letters from their Friends in *England*, that twenty thousand Men were ready to join them so soon as they would appear there. These pretended Advices cast the Ballance in their Council of War, and they foolishly resolv'd to go and embrace their Ruin. The Highlanders once more separated and seem'd obstinate, for some time ; but their Chiefs being brought off, the most of them acquiesc'd, but so much against the Grain of the common Men, that five hundred of them separated from the rest, and, in spite of all Arguments, return'd to their own Country, by which they escap'd the miserable Fate of their more easy advis'd Companions.

THE Earl of *Wintoun* left them likewise, with most Part of his Troop, highly dissatisfied with their Proceedings ; but  
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he returned and joined the Body some little time after, but never after concurred cordially in any of their Measures.

THEY had brought from *Kelfo* some Pieces of Cannon. These they nail'd up, and made unfit for Service, and left them at *Longholm*, from which Place they marched to *Langtown*, where, it seems, Brigadier *Stamvix* had been the Day before with a Detachment from *Carlisle*, from whence this Place is distant only seven Miles; but upon Intelligence of the Approach of the Rebels, thought proper to retreat to his Garrison.

HERE the Party which had been detached to block up *Dumfries*, joined them, and the next Day they entered *England*, and put up at *Brampton*, the first Market Town they came to, after crossing the Border. Here Mr. *Forster* open'd and publish'd his Commission to act as General in *England*, and took upon him the Command accordingly. The Pretender was proclaim'd at this Place, and all the publick Money seiz'd for his Use. From this time the Highlanders received Six-pence a Day each, which was necessary to keep them in Temper on an Expedition which went somuch against their Stomach. It was at this Place that the Rebels received those Letters, mention'd Page 179, 180, &c. address'd to the Lord *Kenmore*, and Mr. *Forster*, Duplicates of which had fallen into the Governments Hands.

THEY halted at *Brampton* but one Night, and the next Day advanced towards *Penrith*. Upon this March they were likely to meet with some Action, for the Sheriff and the Bishop of *Carlisle* had raised and armed almost all the sensible Men of the County. Their Number amounting to upwards of fourteen Thousand; with which the Sheriff and his spiritual Coadjutor thought to hinder the Rebels from penetrating further into *England*; but whatever Share of Courage these two great Leaders might be possess'd of, their Followers were not much troubled with that sometimes dangerous Qualification, for so soon as a Party, they had sent out to reconnoitre the Rebel Army, return'd with their Report (which might be like that of the *Jewish* Ambassadors sent to view the Land of *Ca-*

naan) this mighty Army, with their temporal and spiritual Leaders, separated, every Man shifting for himself in the best Manner he could. This sudden dispersing of the Mob very much animated the Rebels, and gave them an Opportunity of making some Booty of Horses and Arms among the terrify'd Run-aways.

THE Rebels having arrived at *Penrith* without any Disturbance, rested there that Night, proclaimed the Pretender, and seiz'd the publick Money, and next Day marched to *Appleby*, where some of their Number left them, as not liking the Posture of their Affairs, and finding none to join them of those great Numbers the General made them believe when in *Scotland*, was ready to assist them.

ON the fifth of *November* they left *Appleby*, and marched to *Kendall*, and on the sixth arrived at *Kirbylonsdale*, a small Market-Town in *Westmorland*, where some few Papists and their Servants from *Lancashire* joined them. From this Place they marched to *Lancaster*, in which Place the famous Colonel *Chartres* and another Officer happen'd to be; when the Intelligence of the Rebels being marching that way was brought to this Place, the Colonel propos'd to blow up a fine Bridge over which they were to pass, to obstruct their Entry into the Town; but the Inhabitants could not be brought to relish the Proposal: Therefore the Colonel thought it advisable to leave the Town, after having ordered some Barrels of Powder then in the Town to be thrown into a deep Well, to prevent it's falling into the Hands of the Rebels.

THE Rebels having entered the Town without Opposition, perform'd the usual Ceremonies of proclaiming and levying. It was thought they would have continued here till they had received the promised Succours, the Place being easily made tenable against a greater Force than the Government could command on a sudden, but they were in a prodigious Hurry to meet their Fate, and left this Place on the ninth, carrying with them six Pieces of Cannon, which they found there, and mounted them on their Carriages, and directed their March towards *Preston*, where the Horse arrived that Night, but the Foot halted half way, and entered the Town the next Morning.



ning. The Horse entered *Preston* without any Opposition, *Stanhope's* Regiment of Dragoons, and a Regiment of Militia, having thought proper to retire on the Approach of the Rebels; which did not a little animate them to see the Royal Troops thus fly before them. At this Place they were joined by a considerable Number of Gentlemen and their Followers, but all Papists, which very much disgusted the Highlanders and *Scotch*, because they were made to believe that all the High Church Party would join them.

THEY had once resolved on *Thursday* to march out of *Preston* the next Day, in order to enter *Manchester*, where they expected to meet with a considerable Reinforcement, and to possess themselves of *Warrington* Bridge, which would have made them Master of the opulent Town of *Liverpool*, which the Possession of that Bridge would have block'd up from all Relief; but this Design, like all others that had any shew of Prudence, was laid aside till the *Saturday* following, when they found themselves otherwise employed.

'Tis now time to observe what Motions the King's Troops made to oppose this Insurrection. We have already observed how they gave General *Carpenter* the Slip, who had been sent down to command in those Parts.

WHILE it was yet uncertain which Way the Rebels would direct their March, the Duke of *Argyle* sent a Detachment from his small Army at *Sterling*, to hinder their passing the Heads of *Forth*, if they should attempt that Way to join the Earl of *Mar*. A Squadron of Dragoons, and one Battalion of Foot of this Detachment, were quartered at *Falkirk*, and two hundred Dragoons at *Kilsyth*.

GENERAL *Carpenter*, upon Intelligence that the Rebels were in full March towards *Lancaster*, resolved to pursue them with the Dragoons only, for the greater Expedition, not doubting but he would be joined by the King's Troops in the West; in which he happen'd not to be mistaken, for General *Willes*, who had been sent down some Days before to command in the West, having Intelligence at *Chester*, that the Rebels were advancing towards *Lancaster*, gave Orders for all the Troops quartered in those Parts to assemble at

*Warrington*, on the Borders of that County. When he arrived there, he found only the Regiment of *Preston*. With these he set out on the eighth of *November*, and the same Day arrived at *Manchester*, where he had Intelligence that General *Carpenter* was on his March from *Durham* to *Lancashire*, to whom he sent an Express, to acquaint that General of his own Motions, that they might act in Concert.

HE marched from *Manchester* the eleventh with the Regiments of Dragoons of *Win*, *Honeywood*, *Munden*, and *Dormer*, and *Preston's* Regiment of Foot, and advanced directly to *Wigan*, where *Pitt's* Regiment of Horse, and *Stanhope's* Regiment of Dragoons were quartered. Understanding here that the Rebels were still in *Preston*, he gave Orders that the Troops should be ready to begin their March towards this Place next Morning by break of Day. He formed the Horse into three Brigades, viz. *Win's* and *Honeywood's*, under the Command of Brigadier *Honeywood*; *Munden* and *Stanhope's* under the Command of Brigadier *Munden*; *Pitt's* and *Dormer's*, under the Command of Brigadier *Dormer*.

ON the twelfth the Troops began their March in the following Order. A Captain and fifty Men of *Preston's* Foot sustained by a Captain and fifty Dragoons, formed the Vanguard, *Preston's* Regiment followed Brigadier *Honeywood's* Brigade, next *Dormer's*, after *Honeywood*, and *Munden's* in the Rear, and the Baggage in the Rear of all. In this Order they marched to the Bridge of *Ribble*, where we shall leave them, to observe what Preparations were made for their Reception by the Rebels.

On *Saturday* Morning General *Forster*, according to the former Resolution, gave Orders for his Army to march, not in the least suspecting that the King's Troops, and the Subversion of all their Hopes, were so near at hand. He had depended for Intelligence from the *Lancashire* Gentlemen who had promised that none should advance within forty Miles without his Knowledge; but, it seems, they disappointed him: So that he was under the greatest Surprise when he had Intelligence from all Hands, that General *Wille* was within Sight of him. He went out with a Party of Horse

Horse to view the Posture of the King's Troops, and, upon finding they were in full March towards him, he returned to the Town to prepare for receiving these unwelcome Guests in a suitable Manner.

HIS Men were no ways discourag'd, but chearfully set about the Preparations for their Defence. They barricaded the Avenues, and posted their Men in the Streets and by Lanes, and such Houses as were properest for galling their Enemies. The Gentlemen Volunteers were posted in the Church-yard, under the Command of the Earls of *Derwentwater*, *Wintoun*, and *Nithisdale*, and the Viscount *Kenmare*. General *Forster* formed four main Barriers; the first a little below the Church, commanded by Brigadier *M<sup>r</sup> Intosh*, and supported by the Gentlemen Volunteers in the Church-yard; the second, was situated at the End of a Lane leading to the Fields, and commanded by *Charles Murray*; the third Barrier was near a Windmill, and commanded by the Laird of *M<sup>r</sup> Intosh*; and the fourth was in the Street leading to *Liverpool*, commanded by Major *Millar* and *Mr. Douglass*. They threw up several Intrenchments in an Instant, and did all in their Power to make a stout Resistance; but were guilty of one capital Error, which discover'd their Ignorance, or rather Infatuation. For, in the Morning, upon the first Intelligence they had of General *Willes's* Approach, they had detach'd *M<sup>r</sup> Pherson* of *Innervall*, Lieutenant Colonel of the Earl of *Mar's* Regiment, with a hundred pick'd Men, to take post at the Bridge of *Ribble*, which was the only Pass the King's Troops could enter on that Side, the River being fordable only in two Places, the one below, and the other above the Bridge, at some considerable Distance from the Bridge, and these Fords easily made unpassable. The Bridge terminates a long narrow Lane, where, in some Parts, not above two can ride abreast. This is the famous Lane where *Oliver Cromwell* met with a stout Resistance from the King's Troops, and had very near been the Burial-place of that Usurper; for the Royalists having rolled down several large Stones from the Height upon him and his Men, one of them came so near, that he only escaped by making his

Horse jump into a Quick-sand. But neither the present Cause nor the Men were the same; for Mr. *Forster*, instead of making Advantage of this Pass, which he might have done to the Destruction of the King's Troops, whom he might have very much annoy'd by the Help of his Cannon, while they lay open and expos'd without any Cover, order'd this Detachment to return to the Town, and left the Pass free for General *Willes*.

WHEN General *Willes* came up to the Bridge in the Order we have already mention'd, he laid his Account with having a difficult Task to force the Pass; but finding it abandoned, he was much surpriz'd, and suspected that they had some Stratagem in hand, and had perhaps lined the Hedges, and therefore resolv'd to proceed with Caution. But there was no Occasion, he had to do with Men who conducted every Step of this mad Undertaking, with the same Infatuation that first prompted them to engage in it. The General having view'd the Hedges, and laid open the Ways for the Cavalry to enter, found those clear, and not the least Appearance of an Enemy. This made him conclude they had abandoned the Place, and were endeavouring, by long Marches, to return to *Scotland*; but in this he was mistaken also. For upon his advancing near the Town, he found them in a Posture to give him a warm Reception, in a Place where he could easier come at them than he could at the Bridge of *Ribble*. He immediately prepared for an Attack, and dispos'd his Troops in such manner as he could best annoy them in the Town, and prevent their making an Escape.

THE General having view'd the Disposition of the Enemy, and finding all the Avenues leading to the Town strongly baracaded, and two Pieces of Cannon planted on each; he resolv'd to make two Attacks, and dispos'd of his Troops accordingly. For the Attack of the Avenue that leads to *Wiggon*, a Captain and fifty Dragoons were draughted out of each of the five Regiments, with a Major, and Lieutenant Colonel, to command them, and order'd to dismount to sustain *Preston's* Regiment commanded by the Lord *Forrester*,  
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their Lieutenant Colonel, and *Honeywood's* Regiment was order'd to remain on Horseback, to sustain the whole, and the Brigadier of that Name, had the Direction of this Attack.

THE Regiments of *Win* and *Dormer*, and a Squadron of *Stanhope's* were ordered to dismount under the Command of Brigadier *Dormer*, while the Regiments of *Pitt* and *Munden*, and the remaining Squadron of *Stanhope's*, sustained them in the Attack of the Avenue that leads to *Lancaster*, lying on that side of the Town opposite to the Attack of the Avenue leading to *Wiggan*. By the Disposition of the King's Forces, the four chief Barricades of the Enemy was easily attack'd, but not with desir'd Success.

THE first attack was upon that Barricade below the Church, commanded by the Old Brigadier *M<sup>r</sup> Intosh*, who received the King's Forces very gallantly, and with a terrible Fire both from the Barricade, and the Houses, obliged them to retire to the end of the Town, at the same Time the Lord *Forrester*, Lieutenant Colonel of *Preston's* Foot, enter'd the Avenue of *Wiggan*, and took Possession of two large Houses within fifty Yards of the Barricade, where he posted his Men, finding it impracticable to force the Barricade, but from these Houses which overlook'd the whole Town, he very much annoy'd the Enemy, and from thence 'tis said, they received most of the Damage they sustain'd during the Action. These Houses had been possess'd by the *Highlanders* when the Barricade was commanded by *M<sup>r</sup> Intosh*, but were by him call'd off to support that Barricade, which gave the King's Troops an easier Possession of these Houses, and perhaps saved the remains of that gallant Regiment, which suffered very considerably in that bold attack. General *Honeywood* order'd the Houses between those he possess'd, and the Barricade to be set on Fire, which was not done without the loss of Men on both sides. He likewise ordered Breast-Works to be thrown up both to secure his Men, and prevent the Rebels from escaping at that Quarter of the Town.

THE other Barricades were attack'd with a great deal of Resolution, but without any Success; the King's Troops be-  
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ing obliged to retire to the Ends of the Town, and remain satisfied till they could renew their Attempts next Day; for by this time, Night hinder'd their farther Approaches. Thus far the Rebels seem to have acted with Courage and Resolution, and to have had any Advantage that could be boasted of, since they had in all the Attack's repulsed the King's Troops with little or no Loss on their Side, and a considerable Slaughter on that of his Majesty.

BUT they did not long continue in this Disposition, for having Intelligence next Day, that General *Carpenter* had arriv'd with more Troops to surround them, their Spirits and Resolutions failed them, and from that Moment acted like Madmen, rather than Men endued with common Principles of Reason.

GENERAL *Carpenter* arriv'd at *Preston* on Sunday the thirteenth, with three Regiments, and several Gentlemen of Distinction in the County. General *Willes* reported to that General, the Disposition he had made the preceding Day: General *Carpenter* found himself oblig'd to make some Alterations in that Disposition both for facilitating their future Attacks, and preventing the Rebels from making their Escape. A great many of the King's Troops on one Side of the Town were crowded together very incommodiously, they were situated in a narrow Lane, where not above three or four could march a breast. These he obliged to extend themselves to Right and Left, disposing of them in other Places, where their Service was more wanted. He ordered Colonel *Pitt* with his two Squadrons of Horse to take Post at the End of *Fisbergate-street*, and to extend himself into a Marsh, or Meadow, into which that Street leads, by which great Numbers of the Rebels were constantly riding off, even in Sight of the General; for till *Carpenter* came, there was no Troops posted at this Avenue, by which the whole Body of the Rebels might have made their Escape the preceding Night, if they had been so wisely disposed; and as this Place was the Pass where it was probable the Rebels would make the Attempt to force a Passage. The General open'd a Communication betwixt them and the other Posts, that

that the Troops there might be supported by the whole Army in Case of Need.

THE Place thus invested on all Hands, the Rebels, I mean most of the Gentlemen who had been most forward for this *English* Expedition, began now to think of a Surrender, and by that Means save their Lives ; to this Purpose they sent out Colonel *Oxburgh*, an *Irish* Gentleman, to make an Overture for Capitulating. He went out with a Trumpet to the General, who allowed him to come and go freely ; but told him that no Terms would be given, but that he would save them from being put the Sword by the Soldiers, and that they must surrender at Discretion.

THIS was reported to Mr. *Forster*, and such Gentlemen as were intrusted with the Secret of the Intrigue, and Captain *Dalzell* was sent out to obtain some Time to consider on it. In the mean Time the *Scotch* and Highlanders were made to believe that the King's General had sent to offer them honourable Terms.

ABOUT three in the Afternoon, Colonel *Cotton*, with a Dragoon, and Drum, beating a Chamade, came up the Street from the General's Quarters, and put up at the Sign of the Mitre, where most of the Rebel Officers were got together. To them he communicated his Orders, which was to receive their positive Answer in Relation to the Surrender ; they acquainted the Colonel that there were Disputes between the *English* and *Scotch*, which would retard their coming to a Resolution ; but if the General would grant a Cessation of Arms till next Day at Seven of the Clock, Matters would be adjusted ; and the Gentlemen there present, promised for themselves that they would submit, that is, they would leave the *Scotch* whom they had trappan'd into this Snare, to shift for themselves, if they would not comply with those Terms which their cowardly Hearts dictated to them as sufficient for their Safety.

THE General for the King agreed to the Cessation of Arms, upon Condition that they threw up no new Intrenchments to secure themselves, or allowed any of their People to escape ; and that Hostages should be delivered for Observation

vance of these Articles. Accordingly the Earl of *Derwentwater*, and Brigadier *McIntosh* were sent out as Hostages.

So soon as the Terms they were to expect were made publick, the common People, especially the Highlanders, expressed the utmost Rage. There was nothing but Confusion to be seen in the Streets, and several shot to Death for but mentioning a Surrender. The General became so obnoxious to the Army in general, that to save himself from being torn to Pieces in the Height of their Resentment, he was obliged to confine himself to his Chamber, and even there he had like to have been put to Death by Mr. *Murray*, who fired a Pistol at him, the Ball of which lodged in the Wainscoting near him, Mr. *Paten*, the Author of the *History of the Rebellion*, having given his Hand a Jostle when he presented it.

THE Highlanders proposed to force their Way Sword in Hand, and die fighting, rather than submit in that ignominious Manner. It was represented to them that though they should succeed in that Way, yet they could not make their Escape without a great deal of Bloodshed on both Sides, and they were liable after all to be cut to Pieces by the People of the Country in their Return home. This Argument would have had but little Weight, if they could have depended on meeting with no Resistance from the *English* Horse in the Town, who they knew had resolved on the Surrender.

THINGS remain'd in this Confusion for a considerable Time; but about Seven next Morning, their Dispute being somewhat abated, General *Forster* sent to acquaint General *Willes* that they were willing to surrender on Discretion. The old Brigadier *McIntosh* was present when this Message was delivered; and told the General he could not be answerable that the *Scotch* would surrender on these Terms, as they were Men resolute in their Dispositions, and desperate in their Fortunes; that he himself had been long a Soldier, and knew what it was to surrender at Discretion; the General then desired him to go back to his People again, and told him



he would attack the Town, and would not spare the Life of a Man among them.

THIS was little more than a Gasconade, for 'tis likely from the whole Tenour of the Behaviour of this Party of Highlanders, that if their Leaders, and *English* Associates, had been as heartily inclined to risk their Lives as these poor People, the General would have found the Victory would have cost him dear; and Numbers, if not most of them, might have escaped the unhappy Fate that attended their Surrender.

THE Brigadier however went back to the Town, but found when he came there, that it was now too late to think of acting the manly Part, all the Gentlemen having agreed to the Surrender. He therefore return'd to the General, and agreed with the rest.

GENERAL *Carpenter* enter'd one Side of the Town and General *Willes* the other, with all their Troops with Trumpets sounding, Drums beating, and Colours displayed; they both met in the Middle of the Town where the Highlanders were drawn up under Arms. The Noblemen and Gentlemen were first secured in several Inns, and the Highlanders then laid down their Arms in the Place they were standing; and they were next secured under a sufficient Guard.

GENERAL *Carpenter* finding the Place too narrow to contain all the Horse that was with him; sent Part of them to *Wiggan* that same Day, being the fourteenth, and went away himself the next Day, leaving General *Willes* to command in his Absence; the Dead on both Sides being buried, all Things seem'd now in perfect Tranquility in this Part of the Kingdom.

MR. *Forster* was by most People blam'd for the Surrender, without obtaining better and more explicit Terms for the poor People he had drawn into this unhappy Enterprize; his Want of Skill was acknowledged on all Hands, and this was what he could be least blamed for, since he was made General, as I have observed in the Beginning of this Narration, as the only Protestant of Note of the Party. Tho' he was nominal General, yet he depended mostly upon the Conduct of Colonel

Colonel *Oxburgh*, who had gain'd in foreign Service the Reputation of an experienced Officer ; yet the Author of the History of the Rebellion alleges he could discover nothing in him either of Conduct or remarkable Courage, only a great outward Shew of Devotion, a Qualification not very necessary in a commanding Officer.

OTHERS did not scruple to charge Mr *Forster* with Treachery, as well as want of Capacity, and pretend to say, that if the King's General had not been sure of *Forster* before hand, they would have granted more generous Terms to the Rebels. And they bring his Escape out of *Newgate*, as a Proof of this Surmise ; supposing that a Prisoner of his Note would have been better look'd after, if the Government had not been under Obligations to connive at his Escape ; tho' I believe there is little Grounds for this harsh Suspicion, especially since we see the *Pretender* did not credit it, but held Mr *Forster* afterwards in great Esteem and Confidence ; yet any Person, who impartially considers the whole Behaviour of the rebel Chiefs in this Affair, will be apt to conclude that they wanted either Courage or Honesty, if not both, since none but Fools would have staid at *Preston* to be surrounded ; and none but Fools or Knaves would have acted when there, as they did.

I have now followed this Party from their first Rise, till I have lodged them in the Hands of the King's Troops ; what remains of their History, is too melancholy to be particular in ; they met with Justice, but it was Justice without the least Mixture of Mercy ; they most of 'em either suffered by the Hand of the common Executioner, or were made Slaves in the Plantations.

I believe there is none that is acquainted with the History of these Times, but will acquit his late Majesty of the Rigour of these unhappy People's Fate ; his Majesty, like the Almighty, whose Vicegerent he was, held Mercy as his darling Attribute, and submitted with Reluctancy to the Advice of his Ministers, who represented their Proceedings as a wholesome Severity, necessary to  
crush

crush Rebellion, and establish the Peace of his Dominions ; but 'tis to be feared they allowed themselves to be too much sway'd with the Spirit of Party, which then raged in the Kingdom, and were prompted by it, to prostitute their Humanity, and the national Character of Mercy, to gratify their Revenge on these misled People.

The Case of the common Highlanders, who were all made Slaves in the Plantations, was perhaps harder than that of the Gentlemen who suffer'd, if we consider that they did not act from Principle or their own Inclination, but were led into this Affair by the natural Attachment they had for their Chiefs.

'Tis well known these People entered in to the Measures of their several Leaders implicitly, without reasoning, or indeed being capable of making any Reflection upon the Justice or Legality of the Cause they espoused, and are in this Respect scarce no more accountable for the Morality of their Actions than their Horses.

They must be wretchedly ignorant of the Temper of these People who attribute to them any political Principles, since there are several Instances within these sixty Years, where they have taken both Sides in the Questions that have divided these Nations, according as their Chiefs were pleased to dispose of themselves and them. Thus the Duke of *Arbol* raised his Followers against my Lord *Dundee*, who commanded for the late King *James*, and they followed him cheerfully, tho' he made no great Use of them. *Dundee's* Death superceding the Necessity ; the same People followed his Son the Marquis of *Tullibardine*, and join'd the Earl of *Mar* in Support of a quite contrary Interest.

The *Frazers*, as long as their Chief Lord *Loveat* was pleased to appear a *Jacobite*, were of his Way of thinking, and some of them joined the Earl of *Mar*, but when that Chieftain was pleased to return to his Allegiance to the present royal Family, they tack'd about also, left the Earl of *Mar*, and with their Chief performed that signal Service of reducing *Inverness*.

The

The *MacIntosh's*, who made the Plurality of this unhappy Party we are now speaking of, were always look'd upon to be zealous Asserters of the *Hanover* Succession ; but so soon as the old Brigadier had persuaded his Kinsman their Chief to espouse the Pretender's Cause, these poor People followed him through all Dangers, till he left them a Sacrifice to a justly incensed Government.

Many Instances might be given to prove the implicit Attachment, which these People have for their Chiefs, without any Regard to those Principles which engage other Men ; as this flows from natural Affection, and a Sense of the Protection they enjoy under their Chiefs, their Crimes cannot be said to flow from Malice, but is rather the irregular Production of an unhappily directed Virtue.

However, this Attachment which has been frequently fatal to these unhappy People, and proved dangerous to the Government, their Leaders themselves are taking very effectual Means to lessen, and even quite eradicate ; for these Gentlemen, instead of living upon their Estates and spending their Revenues at home in Offices of Beneficence to their Vassals and Dependants, and keeping up that ancient Hospitality that endeared them to their Followers, have learned, since the Union, to court Dependance on court Minions, to live in *London*, and waste their ancient Patrimonies in costly Equipages, and the polite Vices of the Age of which their Forefathers were happily ignorant ; by this Means they are Strangers upon their own Estates, and never see their Vassals but when they go down to fleece them with a Turkish Severity ; this has so much lessened their natural Interest in their Counties, that in a few Years more, they may come into the Field as ill attended as other Gentlemen.

'Tis to be hoped that the Fate of these People, and the Disappointments they met with both at *Preston* and *Dumblain*, will open the Eyes of the common Highlanders, and convince them that the best and surest Protection they can depend on, is that of the present established Government, and teach them to give less Ear to the In-

uations of their Chiefs, if there are any of them Enemies to our happy Constitution.

There was a further Circumstance that made the Case of these poor People more lamentable ; that was, most of them believed, that, by the Capitulation, they had a Promise of their Lives and Liberty.

This was certainly owing to the Managers of that Surrender on their own Side, who found themselves obliged to palliate Things in such Manner as might convince the common People that they had taken Care of their Lives, in order to hinder them from pursuing desperate Measures, and make them agree to the Surrender, on which depended all the Hopes of Safety the Gentlemen had.

'Tis possible too that there might have been some Ambiguity in the Terms agreed to by General *Willes* ; perhaps some even of the better Sort understood that General's Expression of Undertaking to save their Lives from the Soldiers, as a Promise of Pardon from the Government ; tho' that Gentleman declared upon Oath, at the Trial of the Earl of *Wintoun*, that he meant only that he would hinder them from being put to the Sword by his Troops, which, he says, by the Laws of War he had a Right to do ; but if that General meant by the Laws of War the Custom of all civiliz'd Nations, I believe it would be hard for him to find a Precedent in History, either ancient or modern, for cutting the Throats of such a Number of Men in cold Blood, who had surrendered themselves ; so that his Promise amounted to no more, in his Words, than a Declaration that he was not, nor would not prove a Barbarian. It had been better that Mr. *Willes* either had a more civilized Notion of the Laws of War, or had left that Promise quite out, which would have hindered many from flattering themselves with the Hopes of Life, at a time they might have been better employed in preparing themselves for Death.

But 'tis time to leave this Subject, and return to the Rebellion in *Scotland*. We left the Duke of *Argyle* at *Sterling*, and the Earl of *Mar* at *Perth*, after the Battle

of *Dumblain*, where both Sides had got so much of Fighting, that they thought it adviseable to remain some time quiet, in expectation of fresh Supplies of Men, and in Compliance with the rigorous Season of the Year, that did not favour any new Attempt on either Side.

There was nothing remarkable happen'd to the Rebels all the Month of *November*, only the latter End of that Month the Earl of *Seaforth* quitted the Earl of *Mar*, to return to his own Country to cover it from the Incursions of the Earl of *Sutherland*, who was become formidable by the Communication being opened between him and the South, by my Lord *Loveat*'s being in Possession of the important Pass of *Inverness*; for which Purpose, he took with him three hundred Horse, and three Battalions of his own Foot, with which he never afterwards returned to the Rebel Army.

The Marquis of *Tullibardin* left him likewise on the same Occasion; and many of the Clans returned to their own Country, not seeing any Likelihood of coming to an Action; as it is a Custom with these People never to remain long from Home, unless they are kept in constant Employ, a Life of Uncertainty and Inactivity not suiting with their fiery and restless Disposition.

This was the Situation of the Rebel Army, when the Chevalier landed in *Scotland*; and by his Presence, convinc'd his Party that the Mountains of Promises they had so long fed themselves with from *France*, were all mere Illusions: For, instead of bringing with him eight or ten thousand Men, with which the Earl of *Mar* flatter'd those he had ensnar'd into this Undertaking, he took Shipping at *Dunkirk* on Board a small Ship, that had formerly been a Privateer of eight Guns, and landed at *Peterhead* in the North of *Scotland*, on the 22d of *December*, with only six Gentlemen in his Retinue; among whom was the Marquis of *Tinmouth*, Son to the Duke of *Berwick*.

The first Night his pretended Majesty lay at *Peterhead*, the second he lay at *Newburgh*, a Seat of the Earl *Marischal*'s, and passed through *Aberdeen* incognito ( he and all that

that were with him being in the Habit of Sea-Officers) to *Fetteresso*, the chief Seat of the Earl *Marischal*.

Here he was met by the Earl of *Mar*, the Earl *Marischal*, and about thirty Noblemen and Gentlemen of the first Quality, who had left *Perth* with a Party of Horse, on the first Notice of his landing, which they had by an Express sent from *Peterhead*.

At this Place he was pleased to appear in Publick, and to assume his pretended Quality, and permitted the Noblemen and Gentlemen to kiss his Hand.

While he remained here, which was till the twenty seventh, he form'd something of the Face of a Court, appointing all the Officers of State and Household, and created some Peers, and made several Knights. He was proclaim'd with great Solemnity before the Door of the House, and then he published his Declaration, which was drawn up and dated at *Crommercy* in *Lorrain*. It was printed at *Perth*, by *Robert Freebairn*, who stiled himself the King's Printer, and was sent to all the Magistrates, Ministers, and Justices of the Peace within the Rebel Quarters, many of whom, especially in the North, publish'd it according to Orders sent with it. As there is something in it differing from the other Declarations inserted in this Work, I fancy the Reader will not think it inconsistent with the Nature of this Undertaking, to insert a Copy of it.

### JAMES R.

JAMES VIII, by the Grace of God of *Scotland, England, France, and Ireland*, King, Defender of the Faith, &c. to all our loving Subjects, of what Degree or Quality soever, Greeting. As we are firmly resolv'd never to lose any Opportunity of asserting our undoubted Title to the Imperial Crown of these Realms, and of endeavouring to get the Possession of that Right which has devolved upon us by the Laws of God and Man; so we must in Justice to the Sentiments of our own Heart, declare, that nothing in the World can give us so great Satisfaction, as to owe to the Endeavours of our loyal Subjects, both our

own and their Restoration to that happy Settlement, which alone can deliver this Church and Nation from the Calamities which they lie at present under, and from those future Miseries which must be the Consequence of the present Usurpation. During the Life of our dear Sister, of Glorious Memory, the Happiness which our People enjoy'd, soften'd in some degree, the Hardship of our own Fate. And we must further confess, that when we reflected on the Goodness of her Nature, and her Inclination to Justice, we could not but persuade our self, that she intended to perpetuate the Peace which she had given to these Kingdoms, by destroying, for ever, all Competition to the Succession of the Crown, by securing to us, at last, the Enjoyment of that Inheritance out of which we had been so long kept, which her Conscience must inform her was our Due, and which her Principles must bend her to desire that we might obtain.

But since the time that it pleased God to put a Period to her Life, and not to suffer us to throw our self, as we then fully propos'd to have done, upon our People, we have not been able to look upon the present Condition of our Kingdoms, or to consider their future Prospect, without all the Horror and Indignation that ought to fill the Breast of every *Scotchman*.

We have beheld a Foreign Family, Aliens to our Country, distant in Blood, and Strangers even to our Language, ascend the Throne.

We have seen the Reins of Government put into the Hands of a Faction, and that Authority, which was designed for the Protection of all, exercis'd by a few of the worst, to the Oppression of the best and greatest Number of our Subjects. Our Sister has not been left at Rest in her Grave; her Name has been scurrilously abused; her Glory, as far as in these People lay, insolently-defaced; and her faithful Servants inhumanly persecuted. A Parliament has been procured by the most unwarrantable Influences, and by the grossest Corruptions, to serve the vilest Ends; and they



they who ought to be the Guardians of the Liberties of the People, are become the Instruments of Tyranny.

• Whilst the principal Powers engaged in the late War enjoy the Blessings of Peace, and are attentive to discharge their Debts, and ease their People, *Great Britain*, in the midst of Peace, feels all the Load of a War; new Debts are contracted, new Armies are raised at home, *Dutch* Forces are brought into these Kingdoms, and, by taking Possession of the Dutchy of *Bremen*, in Violation of the publick Faith, a Door is opened by the Usurper to let in an Inundation of Foreigners from abroad, and to reduce these Nations to the State of a Province to one of the most considerable Provinces of the Empire.

• These, are some few of the many Evils into which these Kingdoms have been betrayed, on Pretence of being secured from Dangers purely imaginary; and these are such Consequences of abandoning the old Constitution, as we persuade ourselves many, who promoted the present unjust and illegal Settlement, never intended.

• We observe, with the utmost Satisfaction, that the Generality of our Subjects are awaken'd with a just Sense of their Danger, and that they shew themselves disposed to take such Measures, as may effectually rescue them from that Bondage which has, by the Artifice of a few designing Men, and by the Concurrence of many unhappy Causes, been brought upon them.

• We adore the Wisdom of the Divine Providence, which has opened a Way to our Restoration, by the Success of these very Schemes, which were laid to disappoint us for ever. And we most earnestly conjure all our loving Subjects, not to suffer the Spirit to faint or die away, which has been so miraculously raised in all Parts of the Kingdom, but to pursue, with all the Vigour and Hopes of Success, which so just and righteous a Cause ought to inspire, those Methods which the Finger of God seems to point out to them.

• We are come to take our Part in all the Dangers and Difficulties, to which any of our Subjects, from the greatest  
down

‘ down to the meanest, may be exposed on this important  
 ‘ Occasion ; to relieve our Subjects of *Scotland* from the  
 ‘ Hardships they groan under on account of the late unhap-  
 ‘ py Unions and to restore the Kingdom to it’s antient,  
 ‘ free and independent State.

‘ We have before our Eyes the Example of our royal  
 ‘ Grandfather, who fell a Sacrifice to Rebellion, and of our  
 ‘ royal Uncle, who, by a Train of Miracles, escaped the  
 ‘ Rage of the barbarous and blood-thirsty Rebels, and lived  
 ‘ to exercise his Clemency towards those who had waged  
 ‘ War against his Father and himself ; who had driven him  
 ‘ to seek Shelter in foreign Lands, and who had even set a  
 ‘ Price upon his Head.

‘ We see the same Instances of Cruelty renewed against us,  
 ‘ by Men of the same Principles, without any other Reason  
 ‘ than the Consciousness of their own Guilt, and the impla-  
 ‘ cable Malice of their own Hearts ; for in the Account of  
 ‘ such Men, ’tis a Crime sufficient to be born their King.  
 ‘ But God forbid that we should tread in those Steps, or that  
 ‘ the Cause of a lawful Prince, and injur’d People, should  
 ‘ be carried on like that of Usurpation or Tyranny, and owe  
 ‘ it’s Support to Assassins. We shall copy after the Patern  
 ‘ above-mention’d, and be ready, with the former of our  
 ‘ royal Ancestors, to seal the Cause of our Country, if such  
 ‘ be the Will of Heaven, with our Blood. But we hope  
 ‘ for better Things ; we hope, with the latter, to see our  
 ‘ just Rights, and those of the Church and People of *Scot-*  
 ‘ *land*, once more settled in a free and independent *Scotch*  
 ‘ Parliament, on their ancient Foundation. To such a Par-  
 ‘ liament which we will immediately call, we shall entirely  
 ‘ refer our and their Interest, being sensible these Interests  
 ‘ rightly understood, are always the same. Let the civil,  
 ‘ as well as religious Rights of all our Subjects, receive their  
 ‘ Confirmation in such a Parliament ; let Consciences truly  
 ‘ tender be indulged ; let Property, of every Kind, be better  
 ‘ than ever secured ; let an Act of general Grace and Am-  
 ‘ nesty extinguish the Fears, even of the most guilty ; if  
 ‘ possible, let the very Remembrance of all which hath  
 ‘ preceded

preceded this happy Moment, be utterly blotted out, that our Subjects may be united to us, and to each other, in the strictest Bonds of Affection, as well as Interest.

‘ And that nothing may be omitted which is in our Power to contribute to this disinterested End, we do by these Presents, absolutely and effectually, for us, our Heirs and Successors, pardon, remit and discharge all Crimes of High Treason, Misprision of Treason, and all other Crimes and Offences whatsoever done or committed against us, or our royal Father, of blessed Memory, by any of our Subjects of what Degree or Quality soever, who shall at or after our Landing, and before they engage in any Action against us or our Forces, from that Time lay hold on Mercy, and return to that Duty and Allegiance they owe to us, their only rightful and lawful Sovereign.

‘ By the joint Endeavours of us and our Parliament, urged by these Motives, and directed by these Views, we may hope to see the Peace and flourishing Estate of this Kingdom in a short time restored; and we shall be equally forward to concert with our Parliament such further Measures as may be thought necessary for leaving the same to future Generations.

‘ And we hereby require all Sheriffs of Shires, Stewards of Stewardries, or their Deputies, and Magistrates of Burroughs, to publish this our Declaration immediately after it shall come to their Hands, in the usual Places and Manner, under the Pain of being proceeded against for Failure, and forfeiting the Benefit of our general Pardon.’

*Given under our Sign Manual and Privy Signet, at our Court of Cromptery, this Twenty-fifth Day of October, and Fifteenth Year of our Reign.*

The Publication of this Declaration was the first publick Act of his pretended Royalty, after his Arrival in Scotland. From the whole of it we may observe, that the Spirit of Rebellion, which now display'd itself in the Nation, had been a hatching during all the Queen's Life-time, to whose Memory

mory the Pretender is made to shew a prodigious deal of Respect; and at the same time to insinuate, that his not asserting his Right during her Reign, was by a Concert between him and her late Majesty, who is here supposed conscious to herself of the Justness of his Claim, and willing to promote his Succession, rather than that of *Hanover*. That her Majesty's Ministry, both in the first four Years, and in the last four Years of her Reign, had such a View to disappoint the Protestant Succession, is past all Doubt; but Decency would oblige us to be cautious of branding her Majesty's glorious Memory with the Imputation of such Weakness, as long as it is possible for us to suppose that the Ministry might have such Views themselves, and might venture to represent her Majesty's Sentiments to the Chevalier as agreeable to their own, without acquainting their Mistress of it. But this Notion of the Queen's favouring the Chevalier's Succession, had great Weight with Numbers of People, to persuade them into this mad Enterprize, as this Supposition took off all Objections to his Legitimacy, of which they concluded her Majesty was satisfied.

Tho' the Pretender's being legitimate or not does not affect his Title to the Crown of these Realms, he being equally excluded by the Laws of the Land, whether we suppose the Stories propagated concerning his Birth true or false; that is, in the Opinion of Men capable of judging of our Constitution; but in the Eyes of the Vulgar, his being supposed an Impostor, entirely governs their political Determinations. This destroys that Tenderneſs they have naturally for their antient Stock of Kings, since they conclude him not of that Race. It was therefore very necessary to destroy that Notion, by representing her Majesty Queen *Ann* acknowledging him as her Brother, and promoting his Claim to the Succession of the Throne of her Ancestors. Thus to false Facts, false Hopes, and false Characters, this Party owed the greatest Part of the unhappy Success they had in embroiling their native Country in an unnatural Rebellion.

Whilst his pretended Majesty remained at *Fetteresse*, he received the Homage of his Ecclesiastical and Lay Episcopal Subjects

Subjects of the Diocese of *Aberdeen*, by Addresses from each of them. The Episcopal Clergy of that Diocese were the first to shew their Loyalty to a Government, who indulged them more than they deserved; and their Concern for a Protestant Church, of which they professed themselves Members, by doing Homage to a Person excluded from the Sovereignty by the most solemn Laws of their Country, and incapacitated, by publickly professing Principles destructive of that Religion of which they were Pastors. As these Addresses stand single, no other Society in *Scotland* having done the Pretender that Honour, we shall, for their Novelty, insert a Copy of them in this Place.

*To the King's Most Excellent Majesty.*

*The humble Address of the Episcopal Clergy of the Diocese of Aberdeen, presented to his Majesty by the Reverend Dr. James and George Gardens, Dr. Burnet, Mr. Dunbreck, Mr. Blair, and Mr. Maitland, at Fetteresso, the 29th of December, 1715, introduced by his Grace the Duke of Mar, and the Right Honourable the Earl Marischal of Scotland.*

S I R,

WE your Majesty's most faithful and dutiful Subjects, the Episcopal Clergy of the Diocese of *Aberdeen*, do, from our Hearts, render Thanks to Almighty God for your Majesty's safe and happy Arrival into this your ancient Kingdom of *Scotland*, where your royal Presence was so much longed for, and so necessary to animate your loyal Subjects, our noble and generous Patriots, to go on with that invincible Courage and Resolution which they have hitherto so successfully exerted, for the Recovery of the Rights of their King and Country, and to excite many others, your good Subjects, to join them, who only wanted this great Encouragement.

We hope and pray that God may open the Eyes of such of your Subjects, as malicious and self-designing Men have industriously blinded with Prejudices against your Majesty,

\* as if the Recovery of your just Rights would ruin our Reli-  
 \* gion, Liberties and Properties, which by the overturning  
 \* of these Rights have been highly encroach'd upon : And  
 \* we are persuaded, that your Majesty's Goodness will settle  
 \* and secure those just Privileges, to the Conviction of your  
 \* most malicious Enemies.

\* Almighty God hath been pleased to train up your Ma-  
 \* jesty from your Infancy in the School of the Cross, in  
 \* which the divine Grace inspires the Mind with Wisdom  
 \* and Virtue, and guards it against those false Blandishments  
 \* with which Prosperity corrupts the Heart ; and this School  
 \* has sent forth the most illustrious Princes as *Moses, Joseph*  
 \* and *David*, So we hope the same infinitely wise, and good  
 \* God designs to make your Majesty not only a Blessing to  
 \* your own Kingdoms, and the true Father of them, but  
 \* also a great Instrument of the general Peace and good of  
 \* Mankind.

\* Your princely Virtues are such, that in the Esteem of  
 \* the best Judges you are worthy to wear a Crown, tho'  
 \* you had not been born to it, which makes us confident  
 \* that it will be your Majesty's Care to make your Subjects  
 \* a happy People, and so to secure them in their Religion,  
 \* Liberties and Property ; as to have no just Ground of  
 \* Distrust, and to unite us all in true Christianity according to  
 \* the Gospel of *Jesus Christ*, and the Practice of the primi-  
 \* tive Christians.

\* We adore the Goodness of God in preserving your Ma-  
 \* jesty amidst the many Dangers to which you have been  
 \* exposed ; and notwithstanding the hellish Contrivances  
 \* form'd against you for encouraging Assassins to murder your  
 \* sacred Person, a Practice abhor'd by the very Heathens :  
 \* May the same merciful Providence continue still to protect  
 \* your Majesty, to prosper your Arms, to turn the Hearts  
 \* of all the People towards you, to subdue those who resist  
 \* your just Pretensions, to establish you on the Throne of  
 \* your Ancestors, to grant you a long and happy Reign, to  
 \* bless you with a royal Progeny, and at last with an immor-  
 \* tal Crown of Glory. And as it has been, still is, and shall

be,

be, our Care to instil into the Minds of the People true Principles of Loyalty to your Majesty, so this is the earnest Prayer of,

*May it please your Majesty,*

*Your Majesty's most faithful, and most dutiful,*

*And most humble Subjects and Servants.*

To which Piece of spiritual Flattery his mock Majesty was graciously pleased to return the following Answer.

*I am very sensible of the Zeal and Loyalty you have express'd for me, and shall be glad to have Opportunities of giving you Marks of my Favour and Protection.*

The City of *Aberdeen*, who are mostly of the episcopal Communion, followed the Example of their Pastors; who, according to their own Confession, *had been very industrious to instil into their Flocks, Principles of Loyalty to his Majesty, as they term it*; and succeeded but too well in these wicked Endeavours, with many of the unthinking People of that Part of the Kingdom; who, by the Means of their Clergy, have learnt to hate and despise the Establish'd Protestant Church of that Kingdom, at the same time that they are taught to pay Homage to a Popish Pretender, and to esteem a bigotted Member of the Church of *Rome*, as the best Defender of the Faith of a *Protestant Church*. But if the Clergy of that Communion in *Scotland* were not so industrious to instil these loyal Principles into their Hearers, the Love of the Hierarchy of the Church of *England* would procure them but a thin Audience; there are few so ignorant of the Affairs of *Scotland*, but knows that to be of the Communion of the Church of *England*, in that Kingdom, is generally speaking, but another Word for being a professed Jacobite, and an Enemy to the present Establishment; that Difference in Church Policy being only supported in that Kingdom by

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keeping up this Distinction in Politicks. The Copy of this famous Address is as follows.

*To the King's most Excellent Majesty.*

‘ We your ever loyal and dutiful Subjects the Magistrates,  
 ‘ Town-Council, and other your Majesty’s loyal Subjects Ci-  
 ‘ tizens of *Aberdeen*, do heartily congratulate your Arrival to  
 ‘ this your native and hereditary Kingdom. Heaven very  
 ‘ often inhances our Blessings by Disappointments; and your  
 ‘ Majesty’s safe Arrival after such a Train of Difficulties,  
 ‘ and so many Attempts, makes us not doubt but God is  
 ‘ propitious to your just Cause.

‘ As your Majesty’s Arrival was seasonable, so it was sur-  
 ‘ prising. We are happy, and we know it not, we had the  
 ‘ Blessing we wish’d for, yet insensible till now, that your  
 ‘ Majesty has been pleased to let us know, that we are the  
 ‘ happiest, and as so, we shall always endeavour to be the  
 ‘ most loyal of,

*May it please your Majesty, &c.*

To which the *Pretender* returned the following Answer.

*I am very sensible of the Duty and Zeal you express for Me in this Address, and you may assure yourselves of my Protection.*

During the two or three Days he staid at *Fetteress*, he was attacked by an aguish Disorder, but he soon recovered; and on the 2d of *January* arrived at *Breechen*; he staid there two Days, and the third, he went and lay at *Kinaird*. On the next Day, being *Thursday*, he arrived at *Glames*, and lay there that Night; on *Friday* Morning he made his publick Entry into the Town of *Dundee*; the Earl of *Mar* rode on his Right, and the Earl *Marischall* on his left Hand; and he was followed by about three hundred Gentlemen on Horseback. At the Desire of his Friends he remained for about an Hour on Horseback in  
 the



the Market-place, allowing the People to perform the Ceremony of kissing his Hand. He then went and dined at *Stewart of Garuntully's*, where he lodged that Night; on *Saturday* he left *Dundee*, and dined at *Castle-Lyon*, a Seat of the Earl of *Strathmore's*, and lay that Night at Sir *David Tripplin's*, and on *Sunday* arrived at the Palace of *Scoon*, the ancient Place of the Coronation of the Kings of *Scotland*, where he seem'd resolved to stay till that Ceremony was performed.

On *Monday* the Ninth of *January* about Noon, the *Pretender* made his publick Entry on Horseback into *Perth*, and reviewed some of the Troops that were drawn out on Purpose for him to see; he expressed great Satisfaction at the Appearance of the Men, and was wonderfully pleased with the Highland Dress, which was till that Time quite new to him.

In the Evening he returned to *Scoon*, where he began to form a regular Council, and to perform several Acts of State. He issued out Six Proclamations, one for a general Thanksgiving for his safe Arrival; another for praying for him in Churches; a third, for the Currency of all foreign Coins; a fourth for summoning the Meeting of the Convention of Estates; a fifth, for ordaining all sensible Men from sixteen to sixty, to repair to his Standard; and a sixth for his Coronation on the 23d of this Instant *January*.

On the Sixteenth of that Month, a grand Council was held, at which all the Chief of the Rebels assisted; at the Opening of which the *Pretender* delivered himself in a set Speech to the following Effect.

' I am now on your repeated Invitation come among you; no other Argument need be used of the great Confidence I place in your Loyalty and Fidelity to Me, which I entirely rely on; I believe you are already convinced of my good Intentions to restore the antient Laws and Liberties of this Kingdom; if not, I am still ready to confirm to you the Assurance of doing all that can give you Satisfaction therein. The great Discouragements which presented, were not sufficient to deter me from coming

' to put my self at the Head of my faithful Subjects, who  
 ' were in Arms for Me, and whatever shall ensue, I shall  
 ' leave them no room for Complaint, that I have not done  
 ' the utmost they could expect from Me ; let those who  
 ' forget their Duty, and are negligent of their own Good, be  
 ' answerable for the worst that may happen ; for me, it  
 ' will be no new Thing if I am unfortunate ; my whole  
 ' Life, ever from my Cradle, has shewn a constant Series  
 ' of Misfortunes ; and I am prepared ( if so it please  
 ' God ) to suffer the Threats of my Enemies, and  
 ' yours. The Preparations which are making against  
 ' Us, will, I hope, quicken your Resolutions, and con-  
 ' vince others from whom I have Assurances that it  
 ' is now no time, to dispute what they have to do ; if  
 ' otherways, they shall by their Remissness, be unmindful of  
 ' their own Safety, I shall take it as my greatest Comfort that  
 ' I have acquitted myself of whatever can be expected from  
 ' Me. I recommend to you what is necessary to be done in  
 ' the present Conjuncture ; and next to God, rely on your  
 ' Council and Resolution.'

This Speech was dispersed with a great deal of Industry,  
 tho' there appears to me nothing in it but Expressions of a  
 Spirit broken with former Disappointments, and despairing of  
 Success in the present Undertaking. There is nothing of  
 these great Assurances with which the Party was unhappily a-  
 mused before his landing ; no new Hopes of Succour, nor  
 any Arguments to raise and animate their Zeal and Courage,  
 but such as were proper only for an Assembly of Monks, but  
 too cold to be addressed to an Assembly of Rebels met on so  
 desperate an Attempt. But I believe that unhappy Gentle-  
 man spoke and delivered himself according to his Circumstan-  
 ces and the real Sentiments of his Heart ; others, not he, had  
 amused the People with uncommon Supplies from abroad, and  
 many had persuaded him that they would take Arms for him,  
 who either never were sincere in his Interest, or had not Cou-  
 rage to own it, now that it was come to the push, at least they  
 were

were happily better advised than to forsake their Allegiance to the present happy Establishment. Thus he saw not half that promised to meet him, appear at his Standard ; many that had attended it, were grown weary, and left it after the Battle of *Dumblain* ; and such bad Use had been made of Opportunities, that an Army that was scarce sufficient to protect itself from their Insults, was now become so formidable by the Addition of the *Dutch* Troops, as to be able to Act upon the Offensive, and seek them out even in their fortified Quarters ; it was no Wonder then that the *Pretender* delivered himself in this Speech with so much Despondency, since it was his genuine Circumstances ; but it was madness in the Party to publish it, since they intended to carry on for some time the Appearance of Resolution.

This grand Council, as it was called, soon came to a Resolution to abandon the whole Enterprize, the first Opportunity they should have to do it decently ; they were not really in Circumstances to stand the Attack of the royal Army, which was now re-inforced with six thousand *Dutch* ; but at the same time it was necessary to conceal this Resolution from their own People, till the proper Measures were concerted to have them all dispersed with the greatest Safety, without exposing them to the Insults of the royal Army. Had they made this Resolution publick, it would have had this Consequence, that the common People would be so dispirited as not to be capable to take Care of their Safety ; and some of them perhaps might have had Thoughts of revenging the Danger they had been ensnar'd into upon their Leaders, as was like to be the Case of the Chiefs at *Preston*.

For this Reason the Council gave out, that they resolved to fight the King's Troops ; and accordingly they made all the Preparation necessary for such an Undertaking, as if they had been really design'd to fight.

There was Expresses sent for the Earl of *Seaforth*, the Marquis of *Huntley*, and many others of their Friends to return speedily to the Army at *Perth*. Their Head Quarters was fortified in the best Manner, and People of all Ranks

were zealous in forwarding the Work ; nothing was to be seen from the Sixteenth, till the Day they abandoned the the Place, but the greatest Bustle in throwing up Entrenchments, raising Batteries, planting Guns, with all the other dreadful Preparations of destructive War.

Thus far their Policy was reasonable and consistent with Humanity, as well as the Rules of War, but the burning the Village of *Auchterarder*, was a Piece of barbarous Policy, since they had no Intention to fight or stay so long at *Perth*, as to give the Duke of *Argyle* any Opportunity of making Use of that Village or the Provisions they had destroyed betwixt that and *Dumblain* ; if it was necessary to carry on a warlike Farce at any Rate, it might have been done without so much Damage to the Country.

The Order for burning that Village, was sign'd by the Pretender's own Hand, and counter-sign'd *Mar*. The Original itself was found at *Tullibardin*, and is as follows.

### JAMES R.

Whereas it is absolutely necessary for our Service, and the publick Safety, that the Enemy should be as much incommoded as possible, especially upon their March towards Us, if they should attempt any thing against Us, or our Forces ; and seeing this can be by no Means better effected than by destroying all the Corn and Forage that can support them in their March, and burning the Houses and Villages which may be necessary for quartering the Enemy, which nevertheless it is our Meaning should only be done in Case of absolute necessity, concerning which we have given our full Instructions to *James Graham* Younger, of *Braes*. These are therefore ordering and requiring you, how soon this Order shall be transmitted to you by the Hands of the said *James Graham*, forthwith with the Garrison under your Command, to burn and destroy the Village of *Auchterarder*, with all the Houses, Corn and Forage within the said Town, so as they may be rendered entirely useless to the Enemy ; for doing whereof, this shall

be

‘ be to you, and all you shall employ in Execution hereof,  
 ‘ a sufficient Warrant.

*Given at our Court of Schoon this Seventeenth  
 Day of January, in the Fifteenth Year of  
 our Reign, 1715-16.*

*By his Majesty's Command,*

Mar.

*To Colonel Patrick Graham, or the commanding Officer for  
 the Time, of our Garrison of Tullibardin.*

In the Account which was publish'd at *Paris* of the Chevalier's Conduct in leaving *Scotland*, we are there informed, that upon his leaving *Scotland* he had deposited a Sum of Money in the Hands of General *Gordon*, for the Use of the Sufferers by the Execution of this Order ; which Money was to be delivered by that General, with a Letter from the Pretender to the Duke of *Argyle*. Whether this was published to take off the barbarous Impression that Order seems to leave upon the Minds of the People, or if there was any Truth either in that or the Letter, I shall not pretend to be certain, not having seen any other Voucher for that Fact, except the fore-mentioned Paper, and the Report of some People, that they believed there was such a Thing.

However, the last Act of Royalty the Pretender exercis'd in *Scotland*, was the issuing and executing this Order, which was done so soon as the Duke of *Argyle* began his March towards *Perth*.

In the fore-mentioned Account published at *Paris*, where the Earl of *Mar* is made to give a seeming ingenuous Account of their Transactions after the Action at *Dunblain*, the Author of that Paper says, that their Number was much decreased after that Action ; and so little Prospect appeared of their being in a Condition to make head against the King's Troops, that many began openly to speak of capitulating before the Pretender came over. And adds, in a Paragraph in the next Page.

‘ In the mean time, those who were for capitulating with  
 ‘ the Enemy, pressed the Earl of *Mar* so hard to consent to it,  
 that,

• that, to prevent some People making private and separate  
 • Treaties, he was at last forced to comply so far with their  
 • their Request, as to send a Message from the whole Army  
 • to my Lord *Argyle*, to know, if he had Power to treat  
 • with them. That Lord returned, with great Civility, this  
 • Answer, That he had not sufficient Power to treat with them  
 • in a Body; but that he would write to Court upon the Sub-  
 • ject. To which it was replied, that when he should let  
 • them know he had sufficient Powers, they then would make  
 • their Propositions, by which the Affair was put off at that  
 • time; and we were since informed, that my Lord *Argyle*  
 • never received these Powers; and that even his former  
 • Powers, which he sent up to be enlarged, were never re-  
 • turn'd him.

From this we may judge of the Condition of the Rebels  
 at the Time they abandon'd *Perth*, and of how much Conse-  
 quence the Duke's Victory at *Dumblain* was to the Govern-  
 ment; since, in its Consequences, it obliged them to think  
 of capitulating, and, at last, to abandon the whole Enter-  
 prize; tho' they, for sometime, for the Reasons already as-  
 signed, magnified their Power, and blinded the Grofs of their  
 People with Hopes of fresh Succours, and a vigorous De-  
 fence.

But, 'tis high Time to see what Measures the Duke of *Ar-  
 gyle* took to dislodge them from *Perth*, and remove the Pre-  
 tender from the Kingdom.

A Number of the Rebels having Possession of the Town of  
*Brunt-Island*, on the other Side of the Road of *Leith*, the Duke  
 of *Argyle* ordered the Men of War, then on Duty in that  
 Road, to stand over to that Side and throw a few Bullets into  
 the Town, to annoy the Rebels in it. The Captain had  
 thrown but a few Shot into the Town, when the Rebels aban-  
 doned it, fearing, as they said, that the Captain, after his  
 Cannonading, would attempt to land; and their Number  
 was not sufficient to defend the Place.

Upon Notice of the Rebels abandoning this Town, where  
 they had left behind them six Pieces of Cannon, some Arms  
 and a great Quantity of Provisions, a Detachment of *Scotch*  
 and

and *Dutch* Troops were sent over the *Firth* to take Possession of it, under the Command of Sir *John Montgomery*.

Upon his Majesty's Forces obtaining thus much Footing on that Shore of *Fife*, the Rebels quitted all the Towns on the North Side of the *Firth*, by which Means the Navigation to and beyond *Leith* was not so much interrupted as in the beginning of this Winter.

There happened some Skirmishes between the Detachments sent to possess these Towns, and some Parties of the Rebels, but none of any Consequence : That of the greatest, was about the second of *January*, when the Earl of *Roths*, with a good Company of Volunteers, and a Detachment of fifty *Dutch* Troops, attempted to possess themselves of the Palace of *Falkland*, a royal Foundation, but now gone into Decay. The Rebels got Intelligence of his Lordship's Design, threw a Party of their Men into the Place, and sent another Body of their Troops to surround his Lordship and his Detachment in a Village, within a small Distance from *Falkland*. The Gentleman Volunteers to the Number of thirty, found Means to make their Escape ; but the *Dutch* Foot were made Prisoners.

To restrain the Incurfions of the Enemy upon the Duke's new Acquisitions on the Coast of *Fife*, his Grace was pleased to order three Battalions of *Dutch* Foot to pass the *Firth* at the *Queen's Ferry*, to take Quarters about *Innerkeithing*, *Dumfermling*, and the Towns in that Neighbourhood, which proved a sufficient Check upon the Rebels for the time they staid in *Perth*.

About this time the Earl of *Seaforth* and the Marquis of *Huntley* had capitulated with the Earl of *Sutherland*, after many Threatnings between them, which never came to Blows. The Earl of *Seaforth* was afterwards weak enough to involve himself afresh ; but the Marquis of *Huntley* strictly observed the Terms of his Capitulation.

The Duke of *Argyle* had now got all the Supplies he expected. The six thousand *Dutch* Auxiliaries, under the Command of Major General *Vanderbeck*, had joined his Grace, two thousand of them having come by Sea, and the rest by Land.

*New.*

*Newton's* and *Stanhope's* Dragoons had joined him from *England*; so that he had now a sufficient Force to deal with the Rebels, had they been as strong as they were before the Battle of *Sheriff-Muir*, and as much resolved to make a Resistance, as they affected to give out at this Time.

But his Grace was in great want of a Train of Artillery, which he had long expected from *England*, and had been actually shipp'd for this Service; but the stormy Weather and easterly Winds continuing, his Grace grew impatient of waiting any longer for them, and ordered General *Cadogan* (who had been sent from *England*, to supply the great Want his Grace was in of General Officers) to go to *Berwick* with a Guard of five hundred Men, and fifteen hundred Carriage Horses, that had been pressed for that Purpose, and to bring from thence ten Pieces of Cannon and four Mortars, with their Carriages and Ammunition, which, with fourteen Pieces his Grace had already with him, was thought a sufficient Train for this Expedition.

The Train being now had, his Grace was as much at a Loss for Gunners, &c. to manage them, having few or none in his Army; but the Fleet, on Board of which the Train and Ammunition had been shipped arriving in the Road of *Leith* on the 28th of *January*, Colonel *Borgard*, who commanded the Engineers and Gunners sent with these Stores, arrived at *Sterling* on the 29th; so that now all things was ready for the intended Attack of the Rebels.

A Council of War was held at *Sterling*, whereat assisted all the General Officers, both Foreigners and Natives, where it was resolved to attack the Enemy, notwithstanding of the Rigour of the Season. The Measures were concerted, and the Order of Battle appointed, and is as follows, Copies having been delivered to all the Field Officers.



# ORDER of BATTLE of the King's Army in Scotland.

His Grace the Duke of ARGYLE General and Commander in Chief.

Lieutenant General CADOGAN.

Major General Sabine,  
Brigadier Newton,

|||||  
~~~~~  
Carpenter, Ker.

Evans,  
Chambrier,

FIRST LINE.

Starier, Chambrier, Palant, Clayton, Fuzileers, Wills.

Whitham.  
Stanwix.

|||||  
~~~~~  
Evans, Portmore.

Lieutenant General VANDERBECK,  
Major General Wightman.

Brigadier Cronstrom.

|||||  
~~~~~  
Stanbope.

SECOND LINE.

Rantzan, May, May, Cronstrom, Wightman, Grant, Shannon, Montague, Morrison,

Brigadier Labadie.

Body of Reserve.

! Zontland, Smith, Welderen. |  
Stair.

Brigadier Grant.

|||||  
~~~~~  
Newton.

JOHN Duke of Argyle.

On the twenty-first two hundred Dragoons were sent under the Command of Colonel *Guest*, to view the Roads, and discover some of the Dispositions of the Rebels. This small Party, tho' only sent out to reconnoitre, put the Rebels into the utmost Confusion at *Perth*. Some Country People, whose Fear magnified the Number of this Detachment, carried News to the Town that the Duke of *Argyle* and all the Army was within a few Hours March of them. This struck the whole Rebel Army with the greatest Consternation, and the Pannick continued till Parties, sent out as far as *Tullibardin* to view the Country, returned with the Report of the Falseness of the former Rumour.

Colonel *Guest* return'd with his Report to the Duke of *Argyle*, which was, that the Roads were so covered with Snow that it would be impossible for the Army to pass them, especially the Artillery and heavy Carriages, except the Snow was removed; upon which, several thousand People from the Country were summoned in to clear the Roads.

On the twenty-fourth his Grace, with General *Cadogan*, went out with a Party to view the Country, and hasten the Workmen employ'd in clearing the Roads. This likewise alarm'd some of their advanc'd Posts, but did not, as the other, reach *Perth*.

On that Day, and the twenty-fifth, it thaw'd suddenly; and the Thaw was followed by a great Fall of Snow, which much embarrass'd the Workmen employ'd in clearing the Roads, who had now all their Work to do over again, and rendered the designed March almost impracticable. This obliged most of the Generals to incline to defer the March of the Troops till the Season was more moderate, none of them having seen a Campaign in so cold a Climate as this now was; but the Duke was not to be disappointed in his Measures by Inconveniencies of that kind. He was firmly resolved to dislodge the Enemy without loss of Time, which was likewise his Orders from above.

His Grace knew that, besides the Inclemency of the Weather, and the Badness of the Roads through which he must pass to come at the Enemy, it was impossible either to find

find Provision, Forage or Shelter, all the Way from *Dumblain* to *Perth*, the Country intervening being all laid waste, and the Villages burnt or destroyed, according to the barbarous Policy of War; as his Grace knew this, so he provided against it as much as was in his Power, for he carried Provisions and Forage for twelve Days, and had provided more to send after him, if there had been Occasion; though, as it afterwards happen'd, there was not Occasion for all this Caution, to dislodge an Enemy who only wanted an Opportunity to make a safe Retreat.

ON the 26th his Grace detached two Regiments of Dragoons and 500 Foot to take Possession of the demolish'd Bridge of *Down*, for Fear the Enemy should occupy that Pass.

ON the 29th the main Army began to march. Those who were already at *Dumblain* advancing at the same Time, formed the Van-Guard. This Party advanced to the old Castle of *Braco*, which they found abandoned. The main Body of the Army lay that Night at *Dumblain*. The next Day, the 30th, the Van-Guard advanced with two Pieces of Cannon on the Road to the Castle of *Tullibardin*, to protect the Workmen, and hinder them from being insulted by the Garrison of that Place. This Night the whole Army lay at *Auchterarder*, that is, in the Place where it stood; for the Rebels had burnt this Village to the Ground, so that the Men were obliged to lie in their Scabards in the open Air, in as violent a cold Night as ever was known in these Parts: The greatest Comfort the best of them had, was to post themselves in the Ruins. We need not believe they tarried long in such Quarters. The next Morning early they marched to *Tullibardin*, the Garrison of which Place had retired, except fifty Men, who were made Prisoners. Here the Duke of *Argyle* received Intelligence that the Chevalier and his Army had abandoned *Perth* the Day before, and retired towards *Dundee*. This was agreeable News to the whole Army, for now that they had lain in the Snow for two Nights successively, there could nothing give them greater Joy than the Thoughts of warm Quarters, which they expected at *Perth*, now the Enemy had abandoned it: But it was four o'Clock

in the Afternoon before the Duke had the Intelligence, and in that Season of the Year almost dark, therefore they could not get there that Night. But his Grace took with him four Squadrons of Dragoons and two Battalions of Foot, and marched that Evening to take Possession of the Town, where he arrived about two o'Clock in the Morning with the Horse; but the Foot, through the Length and Deepness of the Road, did not arrive till ten next Morning, very much harass'd by their March. Had the Rebels had any Intelligence that the Duke was detached with so small an Attendance from the Main of the Army, his Grace might have been but in a scurvy Condition; for the Gros of the Army did not arrive at *Perth* from *Tullibardin* till late in the Evening, being the first of *February*, and then so dispirited with three Nights lying in Snow, and the Fatigue of their March, that they were capable of very little Action, if there had been Occasion.

The Pretender and his Party had now got two Days March a Head of the royal Army. It was therefore necessary to pursue them without Intermission, that they might have no rest. They had left the City of *Perth* on the thirtieth of *January*, a remarkable Day for the Murder of King *Charles* the First; so that Day may be reckoned among the unhappy Days to the House of *Stewart*.

On the Second of *February*, the Duke of *Argyle* continued his Pursuit at the Head of six Squadrons, two Battalions, and eight hundred detach'd Foot; lay that Night at *Errol*, and the third arrived at *Dundee*, though the Gros of the Army, who made more easy Marches, did not come up till the 4th.

Here the Duke's Intelligence made him judge that the Rebel Army which had now pass'd on to *Montrose*, would make some Stop there, as that Place was more tenable than *Perth*, and a Sea-Port where they might expect Supplies from abroad. Therefore his Grace resolv'd not to allow them to fortify themselves, but sent two Detachments to *Montrose* by two different Roads; two thousand Foot, and fifty Dragoons went by the Way of *Aberbrothick*, and three hundred more, and fifty Dragoons march'd by the Way of *Breechen*; but the Snow was so deep, that this March proved very tedious to these

these Detachments, since they were obliged to summon in the Country People to clear the Roads.

On the Fifth, the whole Army march'd; his Grace with the Cavalry and Train by the Road of *Breechen*, and the Infantry with General *Gadogan* by the Way of *Aberbrothock*.

On this Day's March, they had Intelligence that the Pretender had made his Escape both from his own People and the King's Army the Morning before, on board a *French Ship* called the *Mary Teresa* of *St. Malo*, then lying in the Road of *Montrose*.

I have somewhere else observed that the abandoning *Perth* and dispersing the rebel Army so soon as they could be led out of the Reach of the King's Army had been resolved upon ever since, if not before, the Chevalier's Arrival in *Scotland*, but that it was necessary to conceal this Design from the Gros of the Army, as well as that the Pretender and some of the chief Ringleaders of this Undertaking intended to make their Escape to *France* the first Opportunity.

However, the Army's abandoning *Perth* so precipitately as to leave their Waggon and Artillery behind them, and then pointing their March to the Shore, especially to *Montrose*, where it was known several *French Ships* lay, raised Jealousies in the Heads of the Army, of what really was their Intent, and produced considerable Murmurings, which the Earl of *Mar* could not appease; but by countenancing the March from *Montrose* to *Aberdeen*, where he gave out they designed to make a Stand. The Army was made to believe that the Pretender was to go along with them; and to amuse them, his Horses and his ordinary Body Guards were drawn up before the Door of the House where he lodged; and this removed all Jealousy, and the Army became tractable again, and proceeded on their March.

But the Pretender, instead of going on with them, left his ordinary Attendance in their usual Waiting, slipped out of a Back-door, and went on Foot to the Earl of *Mar's* Quarters, and from thence to the Water-side, where a Boat waited for them, and carried them on Board with only three Servants. The same Boat returned, and took in the Earl of *Melfort*, the

Lord *Drummond*, Lieutenant General *Bulkley*, *Sheldon* and others, to the Number of seventeen in all, being Persons of the first Rank either in his Household or Army, and originally privy to his Design.

When they were all got on Board, the Vessel weighed their Anchors, and set sail, steering their Course to the Coast of *Norway*, to keep clear of the *English* Cruizers: They had a fresh Gale at West South West, and made Land the next Evening, and, coasting along the *German* and *Dutch* Shore, they arrived in five Days at *Gravelling* in *France*; and the same Ship return'd in twelve Days from her first setting out, both to give Intelligence of the Chevalier's safe Landing, and to take in a fresh Cargo of Gentlemen, which she did at or about *Frazerburgh*, near the main of their Army was dispersed in the Hills.

The Earl *Marischal* and the young Lord *Tinmouth* were about five Miles Distance from *Montrose* when the Pretender embark'd and so were left to shift for themselves, with several others; but it would appear, from the Sequel, that both the Earl *Marischal* and General *Gordon* were in the Secret, tho' they pretended to make the Army believe otherwise, to secure themselves from their Resentment, and only staid behind to conduct the Army to a Place where they could with Safety disperse them; which they did so effectually, that tho' his Grace the Duke of *Argyle* used all the Diligence in his Power to come up with them, and gave himself or his Army no Rest; yet he never could overtake one Party of them, and did not, in all the Pursuit from *Pertb* to the Highlands, make a hundred Prisoners, they kept so close together, and made such Expedition, till they had got so far into the Mountains, that it was in vain for his Grace to pursue them further.

When the Pretender went away, he appointed General *Gordon* to command in Chief. When that General arrived with his Army at *Aberdeen*, where they were but coolly received, in comparison to their former Reception, he produced a Paper of Instructions which he had from the Pretender, which he said he was commanded not to open till he came to that City.

In

In this Paper the Pretender complains of Disappointments from abroad principally; and mentions the Necessity he was under for his own Preservation to leave the Country; he thanks them for their so chearfully undertaking so hazardous an Enterprize, which he says would not have been liable to the present Disappointment, if their Endeavour had been as well seconded by others, who had by large Promises flatter'd him with their Assistance. He recommends to them to consult their own Safety, and to keep together till they arrived at such Places where they might separate without becoming a Prey to the Enemy, and promises to let them hear from him shortly.

This was the 6th of *February* that they arrived at *Aberdeen*, the third Day after the Pretender embarked. Here they staid but one Night, and in that Interval procured three Vessels to carry over about two hundred Gentlemen, who design'd to make their Escape that way. These Vessels received private Orders to meet them to the North of *Aberdeen*, about *Peterhead*, *Buchan-Ross*, and other Parts where they took in their intended Cargoe; but one of them falling in with the King's Cruizers, put in for the Shore again, where the Gentlemen re-landed, and followed the rebel Army by bye Paths. The other two Vessels with about 140 Gentlemen arrived safe in *France*.

On the 7th the Rebels resolved to leave *Aberdeen*, and began their March early in the Morning, and had evacuated the Place by two in the Afternoon. General *Gordon* with the Foot form'd the Van, and the Earl of *Marischal*, with about a thousand Horse form'd the Rear to prevent Surprize. They directed their March to the Left due West, thro' *Strath-Spey* and *Strath-Down*, to the Hills of *Badenoch*, where they quietly dispersed the common People mostly to their own Homes; but with a Resolution to be ready to take up their Arms on the first Notice they should have from General *Gordon*.

About this time several Gentlemen who had betaken themselves to the Hills about *Lochaber*, received Advice that two *French* Frigates lay at the *Orkneys* in *Pentland Firth*, till they should come on board; upon this the Lord *Duffus*, Sir *George St. Clair*, and Lieutenant General *Eclipse* with about one

hundred and sixty Gentlemen more on Horseback well armed and mounted, made a Sally from the Hills, and crossing in a Body the Shire of *Murray*, came down to the Sea Coast near a Place call'd *Burch*. Here they quitted their Horses to their Servants, and such as they had not Use for, they killed to hinder their falling a Prey to the King's Forces; then went on board some small Boats to pursue their way to the *Orkneys*; but finding these Boats too small and dangerous for that boisterous Season of the Year, they put in again at *Dumbeth*; there they hired two large Barks, in which Sixty of them embarked, and got safe on board of the Frigate of twenty-six Guns. The other pressed another *Scotch* Vessel to carry them to the other Frigate; when they arrived off that Coast, the Country People were alarm'd and were afraid they came with a design to plunder them, and seemed inclinable to fall upon them; but the *French* ship coming in to their Assistance, the common People were soon set right as to their Mistake, and assisted them in getting on board the *French* Ship; both the Ships set sail, and landed them at *Gottenburgh*, in the King of *Sweden*'s Dominions, who was then setting out with an Army on his Expedition to *Norway*; and received their offer of entering into his Service very courteously. But the Lord *Duffus* going to *Hamburgh*, was there seized at the Suit of the *British* Envoy.

We left the Duke of *Argyle*, on his March to *Montrose*, where he arrived on the sixth; on the eighth he arrived at *Aberdeen*, with five hundred Men; but the rest of the Army not being come up, the Pursuit could not be continued, only his Grace dispatched Major General *Evans* with two hundred Dragoons to harraßs their Rear, or endeavour to divide their Horse from the Foot; and at the same time to give Chace to these two hundred Gentlemen who had separated from the rest, to take shipping at *Frazersburgh*, as I have mentioned above; but the General succeeded in neither.

While the Duke of *Argyle*, was in Chace of the rebel Army by Land, the Men of War were as industrious to annoy them by Sea, and hinder their Escape, tho' they were so unhappy as not to meet with one Ship belonging to the Rebels, but that was owing to Chance, (some will say Providence) for as



appears by the following Journal of their Proceedings published at *Edinburgh*, they were not remiss in their Duty.

• *Edinburgh, Feb. 22d.* The *Royal Ann* Galley, *Pearl*,  
 • *Port-Mahon*, *Deal Castle*, and *Phœnix*, are returned from  
 • cruising. It appears from the Journal of Capt. *Stewart*, that  
 • he had Intelligence early of the *Pretender* having put to Sea  
 • from *Montrose* in a clean Tallow'd *French Snow*, which rowed  
 • out of the Harbour and close in along Shore, a good while  
 • with her Sails furl'd. The *Port Mahon* lay all that Night  
 • within two Leagues of the Harbour's Mouth; but it was so  
 • very dark that there was no seeing a Ship at a Quarter of a  
 • Mile's Distance. Capt. *Stewart* and the *Pearl* were off  
 • *Aberdeen*, and when the Rebels marched out of that Town,  
 • having Notice of their marching Northward, and that Lord  
 • *Tinmouth* and others were contriving to make their Escape  
 • from *Peterhead* or *Frazersburgh*, he immediately dispatch'd  
 • away the *Pearl* and *Phœnix* to lie off these Places, which  
 • effectually disappointed them; he lay himself at *Aberdeen*,  
 • till the Duke of *Argyle* arrived there; the Winds afterwards  
 • blowing hard southerly, he disposed the Ships mostly on the  
 • South Coast of the *Murray Firth*; sent by the *Deal Castle*, a  
 • Letter to the Earl of *Sutherland*, to apprise him of the Flight  
 • of the Rebels, and to prepare to receive them in case they  
 • should make a push at *Inverness*; and Traced Lord *Tin-*  
 • *mouth* and his Associates as far as *Port-Sany*; where, seeing  
 • a Ship of War ready to intercept them, they despair'd of Suc-  
 • cess on the Coast, and therefore they join'd the Clans on the  
 • 10th Instant, and took to the Mountains. All the Ships  
 • kept the Sea diligently when the Wind and Weather would  
 • permit, and observed the Motions of his Majesty's Army so  
 • carefully, that the Duke of *Argyle* did not pass through any  
 • Sea-Port-Town without finding some Ship ready to put in  
 • Execution any Service his Grace might have had to propose.  
 • On the 21st Sir *John Jennings* had Advice from my Lord  
 • *Loveat*, that a Vessel with the *Pretender's* Plate, and other  
 • Effects on board, and a considerable Sum of Money for his  
 • Use, had lately put into the *Lewis*; and that many of the  
 • Chiefs of the Rebels were making off towards the Isle of *Skie*,  
 • and

and other Northwest Islands; whereupon he immediately ordered the *Drake* Sloop thither, with Instructions to cruize about the *Orkneys*, if the Wind should then be contrary; and by Express directed Capt. *Stewart* of the *Aldbrough* to dispatch the *Happy Sloop* thither, and to cruize himself with the *Lively* for fourteen Days about the Islands of *Islay*, *Mull*, and *Canna*, to endeavour to intercept the Rebels or any Vessels for their Relief.

With all this Diligence both at Sea and Land, it was strange that any escaped; but it was much more so, that not one of them ever fell into the Hands of their Pursuers, but arrived every Man of them safe in *France*; where they were hunted by my Lord of *Stair*, the *British* Minister at the *French* Court, whose Intelligence was so good, that there was no Step taken by the *Pretender*, or any of his most secret Friends, without this Minister's Knowledge; by which means he disappointed the *Pretender* of the greatest Part of the Supplies he expected from *France*, and watched his Person so narrowly, that he kept him a considerable time on that Side of the Water, to the general Disappointment of the Rebels. By his repeated Memorials to the Regent of *France*, he kept him in constant Observance of the Treaty of *Utrecht*, at least any Violations that were made were only by Connivance; in which Cases the Earl of *Stair* was never silent, as appears by the two following Memorials; the one writ while the *Pretender* was in *Scotland*, and the other after he had abandoned it.

*Memorial presented by the Earl of Stair to his Royal Highness the Duke of Orleans, Regent of France, January 1715-16.*

The Underwritten Earl of *Stair*, Minister of the King of *Great-Britain*, at the Court of his Most Christian Majesty, represents to his Royal Highness the Duke of *Orleans*, Regent of *France*, that altho' his Royal Highness has several times assured the said Earl, that he would faithfully and punctually observe the Treaty of Peace concluded with *Great Britain* at *Utrecht*, and that he would not suffer any Arms, Ammunition of War, Officers or Soldiers, to sail from  
any

any Harbour of *France* for the Service of the *Pretender*; and that his Royal Highness had accordingly sent strict Orders to all the Harbours in that Kingdom for that Purpose; it is nevertheless apparent, that Things of this Nature, are daily embark'd and shipped off in the Ports of *France*, without any Opposition on the Part of the Officers commanding there. The late Duke of *Ormond* and the *Pretender* have frequently gone on Board Ships at *St. Malo* that were known to be loaden with Arms and Ammunition for the Service of the *Pretender*; and that with so little Circumspection that they have been attended with a whole Troop of Horse, with their Officers of the Regiment of *Nugent*, all of them in their regimental Cloaths, Arms and Accoutrements, without meeting with any Opposition from the commanding Officers of the most Christian King at *St. Malo*. The *Pretender* finding it not adviseable to venture to embark there, set out thro' *Normandy* to embark at *Dunkirk*; and the late Duke of *Ormond* not finding it safe to land in *England*, returned to *Morlaix*. During his Absence his Royal Highness did the Earl of *Stair* the Honour to tell him, that he would cause the said Troopers of the Regiment of *Nugent* to be punished as Deserters, if they returned to *France*; and the Marshal *D'Uxelles* assured him that he would cause them to be hanged. They are now returned and have joined their Regiments; the *Sieur Besuch* and his Company, the Arms and Ammunition which the late Duke of *Ormond* had with him for his Enterprize are still at *Morlaix*, and have been removed only from one Ship to another: The commanding Officer is so far from commanding those Arms to be stopt, that he refused to cause the Ship to be searched, tho' he was desired to do so by Captain *Campbell*, Commander of an *English* Man of War lying in the Harbour of *Morlaix*.

Several Ships with Arms, Ammunition, Money, and Officers for the Service of the *Pretender*, are sailed within these six Weeks past from *Deip* and *Havre de Grace*, which are actually arrived in *Scotland*: And lastly, a Ship sailed the 17th of this Month from *Havre de Grace* in Sight

of

of an Officer of the King of *Great Britain*, who having represented to the Marquess *de Roveray*, that there were twenty Officers both at *Havre* and *Hersleur*, ready to go on board to follow the *Pretender to Scotland*; and desired the Marquess to give Orders to prevent their Embarkation. The said Marquess answered that what he said might possibly be true; but that he could not hinder the said Officers from going on board, having no Orders from Court so to do. The said Earl of *Stair* has several times represented to his Royal Highness the Regent, and to the said Marshal *D'Uxelles*, that several Generals, Colonels, and other Officers, who are actually in the Service of *France*, designed to go over to *Scotland* and join the Rebels, and even has given a List of them to the said Marshal, which Generals, Colonels and Officers, are still at *Bologn*, *Calais*, *Dunkirk*, and other Places thereabout, ready to embark for *Scotland*, having been detained by contrary Winds and great Frosts; the Commanders of the said Places alledging that they have no Orders from Court to hinder the said Officers from embarking. The said Earl of *Stair* finds himself obliged to represent these Things to his Royal Highness, that he may see whether his Orders have been punctually executed, and consider whether *Great Britain* has reason to believe that the Treaty of *Utrecht* is faithfully executed. His Royal Highness is desired, at the same time, to cast an Eye on the said Treaty. Furthermore, the said Earl of *Stair* finds himself obliged to notify to his Royal Highness, that the said late Duke of *Ormond*, and several other Conspirators against their King and Country, set out some Days since towards *Bordeaux* and *Bayone*, and that they have assembled on the Coast of *Gascoign* a great Quantity of Arms and Ammunition, with Ships to make a Descent (as the Court of *St. Germans* give out) in *Ireland*, and cause a Rebellion there, which that Court flatters themselves will not only be supported with Money, but also with Troops, from *France*. The Earl of *Stair*, who has so ardently desired to establish and maintain a good sincere Friendship between the King his Master, and his Royal Highness, finds himself very uneasy

to have Representations to make about Matters of so great Importance, which are of so nice a Nature, and tend to alienate the Affection of the two Nations from each other, and provoke them so far, that dismal Consequences may ensue thereupon, if speedy Care is not taken to prevent them.'

The Facts contained in this Memorial were too well vouched for the Regent to deny, and it was hard to find out any Evadee to reconcile them to the Engagements of the Court of France in the Treaty of *Utrecht*; therefore his Royal Highness did not encline to give any Answer. But the Affairs of the Pretender taking a different Turn, and he being obliged to leave *Scotland*, and being again arrived in *France* some Days after this Memorial was delivered, the Earl of *Stair* presented another to prevent his or any of his fugitive Adherents being sheltered in that Court.

*Memorial presented by the Earl of Stair to his Royal Highness the Duke of Orleans, Regent of France, on the 9th of March, 1716, N. S.*

' The Earl of *Stair*, Minister of the King of *Great Britain*, to his most Christian Majesty, by express Order from the King his Master, notifies to his Royal Highness the Duke of *Orleans*, Regent of *France*, the Flight of the Pretender, and the Dispersion of the Rebels in *Scotland*; which his Majesty is persuaded will be very acceptable to his Royal Highness, by reason of their near Relation, and the strict Friendship which his Majesty has carefully cultivated with his Royal Highness.

' The Treaty of *Utrecht* being so lately concluded, the King thought himself sure that his Royal Highness Regent would have taken proper Measures to hinder the Pretender from setting Foot again in *France*: But since the said Pretender has found Means to return thither, his Majesty persuades himself that his Royal Highness will oblige him, as soon as he has Notice of it, to quit the Kingdom.

• His

‘ His Royal Highness has too much Reason and Penetration, not to see the whole Weight and Justice of this Demand. ‘ *Great Britain* cannot be either safe or quiet so long as Persons, who have conspired and undertaken with an armed Force the Ruin and Subversion of their Country, are received and supported in its Neighbourhood; nor can *France* itself be sure that they shall not be again exposed to bear the Blame of their evil Practices.

‘ The King of *Great Britain* and the Nation thought themselves very safe on the Side of *France*, by the solemn Treaty of *Utrecht*, which for ever excludes the Pretender from *France*, and obliges *France* to give him no Succours, nor Ships, nor Arms, nor Ammunition, nor Money, nor Officers, nor Soldiers, nor Council, directly or indirectly. These Gentlemen come over, and demand Refuge and Protection in *France*, where they are no sooner arriv’d, but taking Advantage of the Conveniency of the Neighbourhood, and the Facility of Correspondence by Letters, they plot and contrive a black and detestable Treason against their Country; which, upon the Faith of the Treaty, was disarmed and defenceless. And notwithstanding the Treaty, they find Means to get Entrance for the Pretender into *France*, and, by their Intrigues, procure him Ships, Arms, Ammunition, Officers, Soldiers, and Money; with which Assistance the Pretender did actually invade *Britain*, where he occasioned infinite Damage to the Nation.

‘ His Royal Highness may imagine, whether *Great Britain* can be easy in a Situation so troublesome as they would find themselves in, having these Rebels in their Neighbourhood, ready to carry Fire and Sword into the Heart of their Country. In this Situation, *Great Britain* would be obliged to keep always in Arms, tormented with continual Suspicions and Inquietudes; a Condition much worse than an open War. For a People which love to live in Peace with all their Neighbours, and is jealous of the Preservation of their Laws and Liberties, his Royal Highness may see, by the unanimous Addresses of both Houses of Parliament to the King, with what an Eye the Nation beholds this boisterous and

and unsettled Situation. The King hath the Happiness of his Subjects too much at Heart, not to come with Eagerness into their Sentiments and Interests; and he flatters himself, that upon this Account his Royal Highness will not refuse him so just a Proof of his Friendship, and of the Desire he hath to maintain a good Understanding between the two Nations.

• For the same Reasons the King of *Great Britain* hopes, that his Royal Highness will be pleased to join effectual Instances, with those of his Majesty, to the Duke of *Lorrain*, to the End the said Duke may not permit the Pretender to return into his Dominions.

• The Earl of *Stair* is ordered likewise to put his Royal Highness in Mind of the Declaration he made, that the Officers in the Service of *France* who should follow the Pretender in the Invasion of *Great Britain* should be broke; and the King is perswaded, that his Royal Highness will not suffer the General Officers, Colonels, and others, who have followed the Pretender in the Rebellion, ever to be employ'd again in the Service of *France*; and that if it happen that some of the said Officers should return, or be already returned into *France*, his Royal Highness will punish them in such manner, that it may appear his Royal Highness and this Government do loudly disapprove of their proceeding formally, contrary to the Treaty of *Utrecht*.

• To the End there may be no Mistake in so nice and important a Matter, the Earl of *Stair* hath Orders to demand an Answer in Writing to his Memorial, which he is earnestly desirous may be such, as may contribute towards the restoring of a good Understanding between the two Nations.

The Regent's Answer to this Memorial having something in it singular, we shall add a Copy of it. As it is Matter of History relating to the Occurrences we are now treating of, it will not, we hope, be looked on as an improper Digression.

*The Answer of his Royal Highness the Duke of Orleans, Regent of France, to the Memorial presented him by the Earl of Stair, March 9, 1716.*

His Royal Highness being unfeignedly desirous of advancing the Glory and Prosperity of the King of *Great Britain*, heard with so much the greater Pleasure of the Success of his Arms in *Scotland*, because at the same time that this Event secures the Tranquility of the Kingdom of *Great Britain*, it will put a Stop to the false Reports that have been spread without Foundation by the Enemies of the publick Peace, with Design to alter the Truth and Friendship which the King is desirous to preserve with the King of *Great Britain*, and which hath always been one of the principal Objects of his Royal Highness's Views. And as he will punctually fulfill the Treaty of *Utrecht*, he hath already employ'd the Authority he is entrusted with to make the *Chevalier de St. George* depart the Kingdom, and will continue to make use of the same Authority to oppose his coming into it again at any Time, or under any Pretence whatsoever.

As for the Fugitives who are come into this Kingdom from *England*, or who may hereafter come over, tho' nobody is ignorant what the Laws of Refuge are in Foreign States, his Royal Highness being desirous to convince the King of *Great Britain* how far the King is from suffering any Person whatsoever to abuse the Sanctuary of his King, as to maintain in *Great Britain*, an Intelligence capable of disturbing her Tranquility, he will, in concert with the King of *Great Britain*, enter into any Measures which shall be thought proper for preventing such an Abuse, and for keeping up a good Understanding, by removing every Occasion of Distrust. And to shew besides how far his Majesty is from bearing with the Rashness of those who dare to act contrary to his Intentions, he has caused the Ordinances to be strictly executed against such of the Officers of his Troops as went out of the Kingdom without his Leave.

If it be true what the Earl of *Stair* says, that *England* was disarmed upon the Faith of Treaties, it is no less certain, that no Person whatsoever can say, with Truth, that ever his Majesty



‘ Majesty had a Mind to take that Opportunity to disturb it, nor that he hath granted any Succours to the *Chevalier de St George*. It is well known, on the contrary, that his Royal Highness hinder’d the suspected Armaments and Embarkations when he had Notice of them; and nothing better proves that the *Chevalier de St George* was not assisted by *France*, than the Condition he was in in *Scotland*, destitute of all things necessary for such an Enterprize.

‘ His Majesty sees, with Pleasure, the Marks of a perfect Intelligence between the King of *Great Britain* and his Parliament, since this must be the most solid Foundation of the Glory of that Prince, and the Happiness of his Subjects. His Royal Highness will always have a great Concern therein, as he very truly desires to keep his *Britannick Majesty’s* Friendship, so he will omit nothing that may shew him how glad he is of the Testimonies he receives thereof; neither will he interpose, directly or indirectly, to hinder the Duke of *Lorrain* from granting, upon the Instances of the King of *Great Britain*, what he shall be pleased to ask of him with relation to the *Chevalier de St George’s* Residence in his Territories. And as he hath a real Concern for the Satisfaction of his *Britannick Majesty*, he will see, with a great deal of Pleasure, whatever may contribute towards it: But his Royal Highness is persuaded at the same time, that the King of *Great Britain* will not desire him to take any Measures with a Prince over whom the King hath no Authority, which cannot be grounded on any solid Foundation, and which would add nothing to the rendering effectual the powerful Instances of his *Britannick Majesty*. An Answer conceived in Terms so plain and particular, ought to evince to all Mankind, what are the true Intentions of the King; and leaves no manner of Doubt or Obscurity in relation to the sincere Desire his Royal Highness has always had carefully to preserve the Amity of the King of *Great Britain*, and to contribute in whatever depended upon the Authority he is entrusted with, to the Establishment and Preservation of a good Correspondence and perfect Friendship between the King and that of *England*.’

Thus we see the *Pretender* himself turned out of *France*; and tho' some of the unhappy Gentlemen that embarked with him in that Affair were allowed the Protection of the Kingdom of *France*, yet they were forbid the *French* Court; and did not find that Support either from their Master the *Chevalier*, or from his secret Ally the *Regent*, which they were made to hope for, or their Sufferings gave them claim to; which 'tis hoped will be a Lesson for the future to hinder others from engaging hastily to serve such perfidious Masters, against the Peace and Tranquility their native Country enjoys under our present Establishment.

The Duke of *Argyle* now finding that the Enemy was dispersed, thought it high time to put an End to the Winter Campaign. His Grace made a Partition of Quarters for his Army, and disposed of them in such Manner as they might be assembled again in a very short Time, in Case the Rebels should rally again; and leaving the Command to General *Cadogan*, set out for *Edinburgh*, where he arrived the 27th of *February*, and was present at the Election of a Peer to serve in the Room of the Marquess of *Tweeddale*, deceased. His Grace was magnificently entertained by the Magistrates of *Edinburgh*, in Gratitude for the signal Services he had done that City and Kingdom in the Suppression of the Rebellion. And on the first of *March* he set out for *London*, and arrived there on the sixth, where he was most graciously received by his Majesty. But this Sun-shine did not last long; for in a few Months he was turned out of all his Places, to the great Surprise of all Mankind; but especially all disinterested Lovers of the Protestant Succession, who were not a little puzzled to find out a Cause why a Nobleman, who by his early Appearance in the Interest of the House of *Hanover* had contributed much to their peaceable Accession to the Crown, at a time when in the Opinion of the most sanguine that Event was in very great Danger, and by his Influence, as well as personal Conduct, had suppressed an unnatural Rebellion, that seemed to threaten the Constitution with total Ruin, should so suddenly be disgrac'd.

The Vulgar entertained a Notion at this time, that the Reason of this extraordinary Change was owing to an Opinion that the Ministry had conceived, that the Duke did not prosecute the Rebellion in *Scotland* with so much Zeal as they inclin'd he should; that he had not made the Campaign bloody enough; that his Grace had it in his Power to have cut them all to Pieces, instead of allowing them to disperse in the manner they did: But the foregoing History being carefully examined, it will appear that his Grace did more than could be expected, since he stopt the Progress of the Earl of *Mar*, with a handful of Men, and gave a finishing stroke to the Rebellion before he received any Succours from *Holland* or *England*; and when these Succours came, his Grace did not linger one Moment in making the proper Dispositions for an Attack of the Enemy, at a Season of the Year when none but himself would have thought of such an Enterprize, and pursued his Resolution even contrary to the Opinion of the other Generals, 'till he dispersed the Rebels entirely.

There must have been some other Reason than those commonly reported, that could move his Majesty to withdraw his Countenance from a Subject who had deserved so well of his Family.

There was at this Time an Affair which divided the Ministry, and involved some of them in the Displeasure of the Court, wherein 'tis possible the Duke of *Argyle* and his Brother might be engaged with the rest.

When the Earl of *Derwentwater* and the other Lords were condemned, these unhappy Noblemen petitioned the House of Lords to interpose with his Majesty for Mercy: As the Courtiers were averse to all Motions of this kind, it was thought the Petition would be thrown out; but the Earl of *Nottingham*, President of the Council, falling in with the merciful Motion, it was carried to address his Majesty, 'That he would be pleased to extend his Mercy to such of the condemned Lords as deserved it.' The King was pleased to give but a dry Answer to that Address; and the President pressing it both in the House and at the Council Board, was taken so ill, that he and all his Family were turned out of all their

Places. Some were of Opinion, that this was some part of the heinous Crime his Grace of *Argyle* was charged with.

There was another Article, which 'tis likely his Grace's natural Love of Justice would oblige him to give some Opposition to the Ministry; that was, in bringing the *Scotch* Prisoners from *Scotland* to be tried at *Carlisle*. This was looked upon by some as a Step that was entirely needless; and yet carried in it such an Appearance of Injustice, as nothing but the most extream Necessity could justify.

All that could be urged in Defence of that Method, was that the Ministry suspected all *Scotland* to be so much tainted with the late Rebellion, that they could not hope to get a Jury that would find a Verdict for the Crown. But this was a gross Reflection upon that Part of the Kingdom, and a manifest Falseness; for all the low Countries of *Scotland*, and the City of *Edinburgh*, the Capital; where the Tryal in Course ought to have been, were so far from giving Marks of Disaffection to the Government, that they shewed as great Testimonies of Loyalty as any People were capable of; if steadily adhering to the Interest of his Majesty, when he had not a Power in the Kingdom sufficient to protect them, and withstanding the Temptation of the Rebels, at the Head of no contemptible Forces, and risking voluntarily their Lives in a Cause that at that time almost seemed desperate, are Testimonies of Loyalty and Affection.

Besides, not a few who abhorred the Rebellion, yet could not approve of Measures to suppress it that would weaken the Esteem and Affection which the Subject ought to have for his Majesty's Person and Government, which all unnecessary Acts of mere Power have a natural Tendency to.

The Union had lately been concluded for a Bulwark to the *Hanover* Succession, and the *Scotch* had unwillingly sacrificed the Independency of their ancient Kingdom for the sake of that Illustrious House; could it then be grateful to that People, or a proper Method to extirpate the Seeds of Rebellion and Discontent out of that Part of the Nation, to pursue Measures in prosecuting the unhappy Prisoners, that could be looked upon by the most distant Construction, as an Encroachment

ment upon the reserved Privileges of that Part of the Kingdom.

By the Articles of Union, the Jurisdiction of the Court of Justiciary is expressly reserved, and 'tis stipulated that no Subject of *Scotland* shall be tried by any other Court, or out of the Kingdom, for Crimes committed within that Part of the Island. This Objection against bringing the Prisoners to *Carlisle* was argued by many; and it was believed the Prisoners, some of whom were Persons of no mean Distinction, would plead it in Bar of their Trial; but none but one did so, and the Court over-ruled the Plea. But to give our Readers the Argument in it's full Force, we shall transcribe Part of a Tract that was published at that Time on the Subject.

*The Jurisdiction of the Court of Justiciary in Scotland asserted from the Articles of Union.*

' It was the Opinion of many judicious Persons, who were against an Incorporating Union, that the Parliament of *Great Britain* could never be restricted from enacting what Laws they pleased, though contrary to any Provision in the Articles of Union; but the Abettors of the Union thought it unnecessary to have any Guarantee for the Performance of the Articles of Union, in regard that as they in their own Favour suggested *Scotland* was to be united with a just and equitable People, who always sacredly observed all their Treaties.

' It is certain the Legislative Power may enact what Laws are judged necessary for the publick Utility; but at the same time 'tis doubted when the Legislature has by express Paction and Stipulation chain'd up their Power from encroaching upon certain Privileges granted to a Kingdom, if the said Legislature can emit any Laws or Edicts that in the least diminish or encroach upon these Privileges, which were the express Conditions of entering into Submission and Subjection to the said Parliamentary Power, namely, that all the Conditions expressed in the Articles shall be inviolably observed, and that even the *British* Parliament should not innovate, alter, or derogate from them in any Point.

' In-

' Indeed the three Estates may enact and declare what they  
 ' please and judge necessary ; and the Government may and  
 ' can put the said Laws in Execution, since there is no supe-  
 ' rior Power to controul them : Thus it is statuated and or-  
 ' dained that Criminals may be tried in any Part of the united  
 ' Realm, without regard to a contrary Provision in the Trea-  
 ' ty of Union ; but at the same time it remains a Question, if  
 ' the Subjects of *Scotland*, and such Persons, except Peers,  
 ' who are imprisoned for Crimes within *Scotland*, may not,  
 ' conform to the Treaty of Union, protest against being tried  
 ' for their Lives and Fortunes out of *Scotland* ; and if they  
 ' may not reface and deny the Jurisdiction of any Justiciary  
 ' without that Kingdom : Forasmuch as the Court of Justici-  
 ' ary is expressly stipulated by the Articles of Union to remain  
 ' within *Scotland*. Article XIX. *That the Court of Jus-*  
 ' *ticiary do, after the Union, and notwithstanding there-*  
 ' *of, remain in all Time coming within Scotland, as it is now*  
 ' *constituted by the Laws of that Kingdom, and with the same*  
 ' *Authority and Privileges as before the Union ; and that no*  
 ' *Causes in Scotland be cognisable by the Courts of England.*

' This may be pleaded by any Subject as a fundamental  
 ' Article of the Union, which was ratified, approved, and con-  
 ' firmed under this express Provision, as the Preamble to the  
 ' Articles declares.

' The said XIXth Article does I confess subject the Justici-  
 ' ary Court to such Regulations as shall be made by the Parlia-  
 ' ment of *Great Britain* ; but this Regulation respects not the  
 ' Jurisdiction and remaining of the Court within *Scotland*, but  
 ' only the enacting of such Laws as relate to the Procedure  
 ' and Form of the said Court. Tho' the Parliament may de-  
 ' clare what is Treason, and what Penalties are to be inflicted  
 ' on Criminals, yet by the Articles the Court of Justicia-  
 ' ry must remain within the Kingdom ; and the Criminal  
 ' must be proceeded against before the said Court within the  
 ' Kingdom.

' It is a noted Maxim in our Law, that *exceptio firmat re-*  
 ' *gulam in non exceptis*. Now by the XIXth Article the Ad-  
 ' minality

miralty Jurisdiction is made subject to the Regulations and Alterations of the *British* Parliament ; whereas the Justiciary Court is only subjected to the Regulations : So that it evidently appears, that the *bona fide* Meaning of the said Article is to preserve the said Justiciary within the Kingdom, for judging Criminals, who are by the Articles subject to no other Jurisdiction either in or without the Kingdom, unless they be impeached before the House of Lords, who have an inherent right to judge such as are brought before them by the House of Commons.

By the Articles of Union the Jurisdiction of the Justiciary Court is reserved ; and as in all Compeals *Scotland* has reserved something to itself, and resigned other Privileges to the *British* Parliament ; so in this Case a just Performance of all that was stipulated on either Side is to be expected. Thus *Grotius* says, in *Lib. i. cap. iii. § 17. de Jure Belli & Pacis. Sic etiam fieri potest, ut populus Regem eligens quosdam actus sibi servat, alios autem Regi deferat pleno Jure. Lib. ii. cap. xi. § 4. In alia natione particulæ cujusdam nostræ Libertatis illuc pertinent promissa dandi hoc promissa faciendi.*

What *Puffendorf, de L. N. & G. l. vii. c. v. §. 18.* says, may be appositely applied here with very little Variation. The power of Life and Death is left to the Pleasure of each distinct Kingdom ; tho' at the same time the particular Kingdoms ought so to manage their Privileges as they shall cause no Disturbance in the general Union ; I may add, no Heartburnings or Animosities, because Love and Concord are the best Supports of our Coalition. Whence it is evident, that *Scotland* cannot be hindered from exercising, according to Paction, the Administration of Justice in Criminal cases ; especially when in the Treaty of Union the Court was so fixed as never to be altered : So to remove Criminals out of the Kingdom, and arraign them before any other Bar, what is it but to evacuate this XIXth Article, and to derogate from the Jurisdiction of the Justiciary Court by evacuating its Power and Authority.

\* This

' This Reservation of our criminal Jurisdiction is made by  
 ' the Articles a fundamental Right and Privilege, which  
 ' was expected to be religiously observed and maintained,  
 ' which certainly nothing, nay even extreme Necessity, can  
 ' not excuse, in regard no less Authority is requisite for re-  
 ' pealing any Conditions in the Articles of Union, than  
 ' that very Authority, viz. the two Parliaments who  
 ' made the said express Condition. *Nam eodem aliquid debet*  
 ' *desolvi quo colligetur.* And we know what harsh Thoughts  
 ' and monstrous Sentiments are entertained by the Assertors of  
 ' Liberty and Property against all who endeavour to subvert  
 ' and violate fundamental Laws and Privileges. *Vide Bur-*  
 ' *gesdicii Ideam Politicam*, p. 173. *Nota Tiranni est, si le-*  
 ' *ges fundamentales, & privilegia subditorum violet.* p. 144.  
 ' *Omnium fœderum fundamentum, anima ac Vita est fides, quam*  
 ' *nulla vel publicæ vel privatæ auctoritates ratio in fœderibus*  
 ' *violare debet.*

' Now seeing the Alteration of this fundamental Article  
 ' was made in time of imminent Danger, which occasioned  
 ' the Legislature to overlook this essential Condition and Pro-  
 ' vision; yet when we now enjoy profound Peace and Tran-  
 ' quility, it may with all due Submission to the Alteration,  
 ' prove of dangerous Consequence to remove and judge the  
 ' Prisoners in *England*, when our own Court of Justiciary re-  
 ' mains in the Kingdom where the Crimes were committed;  
 ' where the Facts can be best known; where there are as lear-  
 ' ned and impartial Judges as any where; and where the  
 ' Laws are the same.

' To conclude, it may be justly said, that all well-mean-  
 ' ing *Scotchmen*, who intended the flourishing Condition of  
 ' *Scotland* by the Union, never expected the least Encroach-  
 ' ment upon fundamental and essential Conditions of the  
 ' Treaty, which at the making of them were reputed sacred  
 ' and inviolable.'

These were the Arguments the Prisoners and their Friends  
 used in Opposition to their being tried in *England*; but the  
 Government had no regard to their Application, but brought  
 m<sup>e</sup> from the several Prisons where they were confined, to

Carlisle.



*Carlisle*. They seemed resolved when they came there not to plead in that Court, but to insist upon their supposed Privileges ; but Means were used to persuade them to alter their Resolution ; as it was represented to them that the Court would have no regard to their Plea, and by the Laws of *England* they would be pressed to Death if they refused to plead to their Indictment : or if the Court should find out some Expedient to try them without their pleading, then they could expect no Mercy from the Government. The Arguments to this Purpose were published in a Letter dated from *Carlisle* ; the Author of which, in reciting the Arguments used to persuade the Prisoners to relinquish their Plea of reserved Privileges, pays the worst Compliment to the Government that possibly could be devised ; for he does not pretend to convince the Gentlemen of the Insufficiency of their Objection to the Jurisdiction of the *Carlisle* Judges, but supposes them previously determined to over rule all Pleas against their Jurisdiction, however well founded ; and that the Government would shew them no Mercy ; why ? because they pretend to insist upon such Points in their Defence as the Laws of their Country affords them. This is supposing the Court and Government both arbitrary and tyrannical ; to deny the Validity of legal Objections to their Jurisdiction, and to refuse Mercy to the Prisoners for no other Reason but because they would not betray the reserved Privileges of their native Country, by the Laws of which they ought to be tried.

However weak and unreasonable these Suggestions were, yet they wrought upon the natural Fear of the Prisoners ; and in hopes of Mercy they all of them pleaded guilty to their several Indictments, except four, one of which was acquitted, two others, of the Name of *Stewart*, had a *noli prosequi* for some secret Services they had done, and the fourth, Brigadier *Campbell* of *Ormond*, made his Escape when his Trial was to have come on. There was one Mr *Hay*, who was hardy enough to offer his Plea, declining the Jurisdiction of the Court ; but the next Day, finding the Court inclined to overrule it, he withdrew it, and pleaded guilty with the rest, and afterwards made his Escape out of Prison.

It was supposed, as I have said already, that some Dislike the Duke of *Argyle* expressed to this Method of Tryal was one of the Reasons why he and his Brother were disgraced, I mean turned out of all their Places.

Thus I have finished the History of the Rebellion, where I have been as brief as I could; and I hope shewed as little Partiality in the Relation as possible; having made it my Study to take Facts from the best Authorities, and to relate them with a becoming Freedom, without Fear or Design of disobliging any Party.

It remains now that we take a View of the Duke of *Argyle's* Conduct in the Senate, and his Behaviour in the most important Debates that came before the House of Peers; where it will appear that his Grace's Conduct was uniform, acting openly, upon Principles of Liberty, whether in the Favour of the Court or out of it; never caballing with Parties, but directed in his Actions by what he thought the Interest of the Crown and People; never following Faction when out of Court for the sake of Opposition only, which too often is the Case of most of our modern Patriots, nor slavishly following the Dictates of a Minister, or degrading his Honour by becoming the *Drudge or Tool of an Administration*, when he enjoy'd the greatest Offices of Trust and Honour.

Every thing at Home being now settled in Peace, his Majesty propos'd visiting his *German Dominions*; towards which the Parliament thought proper to repeal that Part of the Act of Settlement that prohibited any King or Queen of this Realm from going out thereof without the Advice and Consent of Parliament. This Act being pass'd, his Majesty appointed his Royal Highness the Prince of *Wales*, now our most gracious Sovereign, to be Regent in his Absence, and set out for *Hanover*.

The Duke of *Argyle*, tho' in no place at Court, yet constantly paid his Court to the Regent, which made some People believe, that he was still employed in Council in private, tho' in publick he seem'd discarded; but in this Conjecture they were mistaken, his Grace neither was in any Consultations with the Court, nor did he chuse to enter into all the Measures of the Party that oppos'd the then Ministry; but

kept

kept himself free and independent upon both, paying at the same time all imaginable Respect to his Royal Highness the Regent, as well on Account of his Duty, as a personal Esteem his Highness was pleased to express for him, which continued for several Years, both while the Prince was under the Displeasure of his Majesty, and after the happy Reconciliation of the Royal Family.

The first remarkable Debate which I shall take notice of, wherein his Grace was concern'd, happened before this Period; yet I chose rather to mention it in this place, than break the Thread of the Narrative I was engaged in; I mean the famous Schism-Bill, passed in *June 1714*; which laid the Dissenters under very great Hardships, depriving them of the Benefit of teaching Youth, or even educating their own Children. This Bill prohibited, under the Penalty of three Month's Imprisonment, any Person from settling a School or Seminary for teaching of Youth, or being Tutors to any Youth, unless they had first a Licence from the Bishop or Ordinary of the Diocese, which was not to be granted them unless they produced a Certificate that they communicated with the Church of *England* within the Space of one Year before demanding such Licence, subscribed the Oath of Supremacy and Abjuration, and were subject to the same Penalty if they taught any other Catechism than that in the Common Prayer Book, or frequented any Meeting or Conventicle during the Time that they continued to teach Youth.

This Bill was opposed by all the Dissenters in both Houses, and by many who were zealous Friends of the Church of *England*, as they looked upon the Bill as calculated to distress the Dissenters, as they were Friends to the Protestant Succession. The Duke of *Argyle* appeared zealous against this Bill, which he thought was unreasonable in itself, and implied a kind of Absurdity, to call that Schism in *England* which was the established Religion in *Scotland*; and that it would be as unreasonable to bring in a Bill to prevent the Growth of Schism in *Scotland*. But as the Speeches are too long to be here inserted, I shall only insert here the Lords Protest against this Bill, where all the Arguments about it are summ'd up.

*Dissentient.*

‘ We cannot apprehend (as the Bill relates) that great Dangers may ensue from the Dissenters to the Church and State.

‘ Because, Ist, By Law no Dissenter is capable of any Station which can be supposed to render him dangerous.

‘ And since the several Sects of Dissenters differ from each, as much as they do from the establish’d Church, they can never form themselves into a national Church; nor have they any Temptation to set up any one Sect among them; for in that Case all that the other Sects can expect, is only a Toleration, which they already enjoy by the Indulgence of the State; and therefore ’tis their Interest to support the established Church against any other Sect that would attempt to destroy it.

‘ II. If nevertheless the Dissenters were dangerous, Severity is not so proper and effectual a Method to reduce them to the Church as a charitable Indulgence, as is manifest by Experience; there having been more Dissenters reconciled to the Church since the Act of Toleration, than in all the Time since the Act of Uniformity to the Time of the said Act of Toleration; and there is scarce one considerable Family in *England* in Communion with the Dissenters. Severity may make them Hypocrites, but not Converts.

‘ III. If Severity could be supposed ever to be of Use, yet this is not a proper time for it, while we are threatened with much greater Dangers to the Church and Nation, against which the Protestant Dissenters have join’d, and are still willing to join with us in our Defence, and therefore we should not drive them from us, by enforcing Laws against them in a Matter which of all others must most sensibly grieve them, *viz.* the Education of their Children, which reduces them to a Necessity either of breeding them up in a way they do not approve, or of leaving them without Instruction.

‘ IV. This must be more grievous to the Dissenters, because it was little expected from the Members of the established Church, after so favourable an Indulgence as the Act of Toleration, and the repeated Declarations and Professions

‘ from

from the Throne, and former Parliaments, against all Persecution, which is the peculiar Badge of the Roman Church, which avows and practises this Doctrine; and yet this has not been retaliated even upon the Papists, for all the Laws made against them have been the Effect and just Punishment of Treasons from Time to Time committed against the State: But 'tis not pretended that this Bill is designed as a Punishment of any Crime which the Protestant Dissenters have been guilty of against the civil Government, or that they are disaffected to the Protestant Succession as by Law established, for in this their Zeal is very conspicuous.

V. In all the Instances of making Laws, or of a rigid Execution of Laws against the Dissenters, 'tis very remarkable that the Design was to weaken the Church, and to drive them into one common Interest with the Papists, and to join them in Measures tending to the Destruction of it. This was the Method suggested by Popish Councils to prepare for the two successive Declarations in the Time of *Charles* the Second, and the following one issued out in the Time of *James* the Second, to ruin all our civil and religious Rights. And we cannot think that the Arts and Contrivances of Papists to subvert our Church, are proper Means to preserve it, especially at a Time when we are in more Danger of Popery than ever, by the Designs of the Pretender, supported by the mighty Power of the *French* King, who is engaged to extirpate our Religion, and by great Numbers in the Kingdom, who are professedly of his Interest.

VI. But if the Dissenters should not be provoked by this Severity to concur in the Destruction of their Country and the Protestant Religion, yet we may justly fear they may be driven by this Bill from *England* to the great Prejudice of our Manufacture; for as we gain'd them by the Persecution Abroad, so we may lose them by the like Proceeding at Home.

Lastly, The Miseries we apprehend here, are greatly enhanced by extending this Bill to *Ireland*, where the Consequences of it may be fatal; for since the Number of Papists in that Kingdom far exceeds the Protestants of all Denominations together, and that the Dissenters are to be treated as

\* Enemies, or at least as Persons dangerous to that Church  
 \* and State, who have always in all Times joined, and still  
 \* would join with the Members of that Church in their com-  
 \* mon Defence against the common Enemy of their Religion;  
 \* and since the Army there is very much reduced, the Prote-  
 \* stants thus unnecessarily divided, seem to us to be exposed  
 \* to the Danger of another Massacre, and the Protestant Re-  
 \* ligion in danger of being extirpated. And we may further  
 \* fear that the *Scotch* in *Britain*, whose national Church is  
 \* Presbyterian, will not so heartily and zealously join with us  
 \* in our Defence, when they see those of the same Nation,  
 \* same Blood, and same Religion, so hardly treated by us.

\* And this will be more grievous to the Protestant Dissenters  
 \* in *Ireland*, because whilst the Popish Priests are registered,  
 \* and so indulged by Law as that they exercise their Religion  
 \* without any Molestation, the Dissenters are so far from en-  
 \* joying the like Toleration, that the Laws are by this Bill  
 \* enforced against them.'

The Peers who join'd in the Protest were, *Somerset, Dor-*  
*chester, Scarborough, Nottingham, Haversham, Hallifax, W.*  
*Lincoln, Dorset, Middlesex, Sunderland, Bolton, Grafton, Der-*  
*by, Carlisle, Foley, Greenwich, Islay, Wharton, Cornwallis, Tor-*  
*rington, Devonshire, Lincoln, Somers, Montague, Radnor, W.*  
*Asaph, Townshend, Orford, Rockingham, Scomberg and Leinster,*  
*J. Bangor, De Longueville, J. Landaff, Crowper.*

The next remarkable Instance where his Grace of *Argyle*  
 appeared for the Liberties of the Subject, was in the Case of  
 the Bill against Mutiny and Desertion, which he and the rest  
 of the Lords who opposed it said had never before now been  
 allowed of by Consent of Parliament, as inconsistent with  
*Magna Charta*, and the fundamental Rights and Liberties of  
 the People. That the vesting such Power in a Court-Martial,  
 who by the indefinite manner in which these Crimes, Mutiny  
 and Desertion, were expressed, had it in their power to ex-  
 plain away arbitrarily the Life of any Officer or Soldier, was  
 dangerous, especially in Time of profound Peace; since the  
 Discipline of the Army would suffer nothing, tho' the Cogni-  
 fance of these Crimes were left to the Civil Magistrate, by  
 which

which the Military would be entitled to all those valuable Privileges which are not denied to the meanest Subject or the vilest Criminal. They likewise objected further, that there was no Provision in the Bill for the securing the Obedience of the Military to the Civil Power, on which the preservation of our Constitution depends; and that there was the greater Necessity for such a Provision, as such a Number of Men, governed by Martial Law, had it in their Power, so they were naturally inclined, to insult the Authority of the Civil Magistrate; of which they said they were confirmed, as well by what has happened here at Home, as by the History of all Ages and Nations. This was the Substance of the Speeches and two Protests against this Bill, in which the then Lord *Islay* joined his Brother the Duke.

Upon a further Debate upon this Bill, the Number of Forces, viz. 16347, was objected against, as too great a Number in Time of Peace; and a Motion was made to reduce them to 12,000 Men, on which a very great Debate followed. Those who argued for the Reduction (among whom were the Duke of *Argyle* and his Brother, as well as among the Number of Protestors) urged, that the keeping up a standing Army in Time of Peace was not the Way to gain the Hearts, but rather increase the Disaffection, of the People; and that all good and wise Princes had ever chosen to depend rather on the Affection of their Subjects, than on a Military Force; of which the late King *William* and Queen *Ann* furnished recent Examples, as well as many other Instances with which our *English* History abounds, that none but bad and corrupt Ministers have need of Troops to maintain their Authority and unwarrantable Proceedings. That it would be much more prudent to save the Nation's Money to reimburse the Charges of the two last expensive Wars, than to squander it upon the Support of Troops that were not only unnecessary, but dangerous to the Constitution. That such a Number of Soldiers, dispersed in Quarters throughout the Kingdom, would prove grievous to the Subject: That the Danger from the standing Force was still made greater by the Military being subject to the Martial Law; because, said they, we cannot but think those

Persons better prepared, and most easily tempted to strip others of their Rights, who had already lost their own : That the Clause enabling his Majesty to establish Articles of War, by which Court-Martials are to judge and condemn Criminals, vests a sole legislative Power in the Crown ; which, however safely it might be lodged with his present Majesty, and how tenderly soever it may be used by him, may yet prove of dangerous Consequence, should it be drawn into Precedent in future Reigns.

This is the Substance of the Speeches and Protest against this famous Bill, which has been combated with the same Arguments repeated every Year in both Houses, but to as little Purpose as it was this Year, for the Bill passed on a Division, eighty eight against sixty one.

On the fourth of *March* in the same Year the Lords read the first Time a Bill from the Commons, vesting the forfeited Estates in *Great Britain* and *Ireland* in Trustees, to be sold for the Use of the Publick ; and the Question being put, that the Bill be read a second Time, it occasioned a very warm Debate.

The Lord *North* and *Grey* spoke first in Opposition to the Bill ; and represented, that the excessive Power that was lodged by the Bill in the Trustees, tended to the Ruin and Oppression of many Families who were no way concerned in the Rebellion, but were so unhappy as to be lawful Creditors upon the forfeited Estates : His Lordship was seconded by the Lords *Trevor* and *Harcourt*, and the Duke of *Argyle* ; who amongst other Things urged, that this Bill, by leaving the Claims to the forfeited Estates to the final Determination of the Trustees, not only clash'd with the Act of Union, in that it suspended and set aside the Courts of Judicature in *North Britain*, which by the said Act ought to remain entire, but was derogatory to the Authority of the House of Peers, who are supreme Judges in all civil Causes. That by the Method proposed by this Bill the Publick would get little or nothing by the Forfeitures ; whereas, if the Scheme \* proposed by Sir

*David*

\* Sir *David Dalrymple*, then Lord Advocate for *Scotland*, presented a Memorial to the Privy Council concerning the State of the Rebellion ;



*David Dalrymple* had been pursued, the same would have yielded considerable Sums, without any Oppression to the Subject.

They further added, that by this Bill there was erected a new kind of Court of Judicature, with strange and unheard of Powers, conceived in the most arbitrary Terms, and conveying the most unlimited Authority that can possibly be thought of; and that there is one Expression in the Conception of these Powers concerning the Circumstances of Persons that is not only unknown to our Laws, but prescribes a Rule which was never yet thought a proper Ingredient in the impartial Administration of Justice. That a Partiality seemed to be established among the Evidences, since a Punishment is inflicted on

lion; wherein he proposed that his Majesty should extend his Mercy to the Prisoners in some Circumstances which he there marked out, and divides into four Classes who were intitled, in his Opinion, in Equity to their Lives and Fortunes, tho' by strict Construction of the Law both might be forfeited.

He likewise observes the great Loss it would be to the Nation, that three or four hundred Gentlemen of Birth and Interest in their Country should be driven to take Shelter among Foreigners, and might form Bodies, which by their Interest they would always keep compleat.

This he supposes might be prevented by giving Power to some Persons to treat with such of them as should come in, within a limited Time, and submit to give such Security for their good Behaviour in Time coming. 'I presume, *says he*, 'Tis neither agreeable to the Disposition of the Government, nor will it indeed be for his Majesty's Interest and Service, to take the Lives of all of them that have forfeited them by the Rebellion; tho' 'tis very just that some Examples should be made in Terror to others to commit the like in Time coming. And if a great Number of Men of Birth and Interest should be turned adrift as Beggars, the Life that is spared them in Mercy will become a Burthen to them and their Relations.'

He then goes on to show, that an universal Forfeiture of Estates will produce nothing to the Publick, and extend the Calamity much farther than the Criminals, encrease the Cries of the People, and interest them in their Sufferings; which he supposes might be prevented by empowering Commissioners to compound with such as the King should be pleased to pardon, for such a Number of Years Purchase of their free Estates. This is the Scheme hinted at in the Debates, which has in it so much Lenity and good Sense, that I could not help giving this short Abstract of it,

such

such as shall forswear themselves to establish any false Claim, but none for such as shall forswear themselves to defeat any just Claim : And the Clause making void all Decrees of any Court of Judicature since the 24th of *June* 1715, concerning any Rights on the forfeited Estates, seems very inconsistent, especially since it does not reserve the Creditors Rights in the same manner as they were before passing of the Bill : And in short, that the erecting of new Jurisdictions with such indefinite Powers, exclusive of the House of Lords ; the making void or endangering the Rights of a great many lawful Creditors, and other Claimants, secured to them by the Laws ; and the depriving of the Courts of Justice of their Judicature, they humbly apprehended could not but raise the highest Discontent in the Minds of his Majesty's Subjects.

This Bill passed upon a Division eighty two against seventy six ; upon which several Lords, who had spoke against the Bill, entered their Protest ; the Substance of which was pretty much as above. But the Bill, with all these extraordinary Powers, had not so-much the desired Effect ; for the Commissioners still found themselves obliged to apply in many Cases to the ordinary Courts of Justice.

In the Beginning of the Year 1718-19, his Grace the Duke of *Argyle* was again admitted into his Majesty's Favour and Confidence, very much to his Glory and Honour, and to the Confusion of his Enemies, who had been industrious to give his sacred Majesty unjust Impressions of a Subject of so much Merit and unblemished Loyalty to his Person and Family. On this Occasion his Majesty was pleased to appoint his Grace Lord Steward of his Household, in the room of the Duke of *Kent* ; and in the Month of *April* following, his Majesty was pleased to add to his Grace's other well-merited Titles, that of the Duke of *Greenwich* in the County of *Kent*.

On the last Day of *February* the Duke of *Somerset* represented, that the Peers of *Great Britain* being very much increased of late, especially since the Union of the two Kingdoms, it seemed absolutely necessary, both to preserve the Dignity of the Peerage, and the Liberty of the People, from the Danger that may happen by creating a Number of Peers to  
serve.

serve a present Turn, as was the Case in the last Reign : He therefore moved for bringing in a Bill to limit the Peerage in such a Manner, ' That the Number of *English* Peers should not be *enlarged* beyond six above the present Number, which upon Failure of Male-Issue might be supplied by new Creations. That instead of the sixteen elective Peers in *Scotland*, twenty five be made hereditary on the Part of that Kingdom, whose Number, on Failure of Heirs Male, should be supplied by some other *Scotch* Peers.

The Duke of *Argyle* seconded the Motion ; but on the Motion of the Earl of *Carlisle*, who likewise back'd the Motion, the Debate was adjourned to the second of March.

On that Day the Earl of *Stanhope* delivered the following Message from his Majesty :

GEORGE, R.

' His Majesty being informed that the House of Peers have under Consideration the State of the Peerage of *Great Britain*, is graciously pleased to acquaint this House, That he has so much at Heart the settling the Peerage of the whole Kingdom upon such a Foundation as may secure the Freedom and Constitution of Parliament in all future Ages, that he is willing that his Prerogative stand not in the Way of so great and necessary a Work.

This is so famous a Bill, and a Subject on which so many plausible Arguments have been offered both for and against, and which has afforded to some Matter of Reflection against the Duke of *Argyle* for supporting it, that I find myself under an indispensable Necessity, in order to do impartial Justice to that great Man's Character, to give the Reader a full View of this great Debate, supposing that now the Spirit of Party that then prevailed being extinguished, our Readers can judge impartially of this Affair, and determine with themselves how far this Law, had it received that Force, would have bettered our Constitution, and how much the Abettors of it deserved the Censure of the Publick. I shall first give the Resolves upon which the Debate followed ; and subjoin the Substance of all the Arguments on both Sides, collected both from the Speeches

Speeches and printed Tracts of greatest Esteem publish'd at that Time.

On the third of *March* the Lords, in a Committee of the whole House, came to the following Resolves, with relation to the *Scotch* Peerage :

I. That in lieu of the sixteen Elective Peers to sit in this House on the Part of *Scotland*, twenty five Peers, to be declared by his Majesty, shall have hereditary Seats in Parliament, and be the Peers on the Part of the Peerage of *Scotland*.

II. That such twenty five Peers shall be declared by his Majesty before next Session of Parliament.

III. That nine of the said twenty five shall be appointed by his Majesty to have immediate Right to such hereditary Seats in Parliament, subject to the Qualification of the Laws now in Being.

IV. That none of the remaining sixteen so to be declared by his Majesty, or their Heirs, shall become sitting Peers of the Parliament of *Great Britain*, 'till after the Determination of this present Parliament, except such as are of the Number of the sixteen Peers now sitting in Parliament on the Part of *Scotland* and their Heirs.

V. That if any of the twenty five Peers so to be declared by his Majesty, and their Heirs, shall fail, some one or other of the Peers of *Scotland* shall be appointed by his Majesty, his Heirs, and Successors, to succeed to every such Peer so failing ; and every Peer so appointed shall be one of the Peers on the Part of the Peerage of *Scotland* in the Parliament of *Great Britain* ; and so *toties quoties* as often as any such failure shall happen.

VI. That the hereditary Right of sitting in Parliament which shall accrue to the twenty five Peers of *Scotland*, shall be so limited as not to descend to Females.

These Resolves were carried by a Majority of eighty-three against thirty.

Upon the fourth of *March*, without dividing, their Lordships, in a grand Committee, came to the following Resolves, in relation to the *English* Peers, viz.

I. That

I. That the Number of Peers in *Great Britain*, on the Part of *England* shall not be enlarged without precedent Right beyond six above what they are at present ; but as many of the said present Peers, or such six new Peers, in case they be created, as shall fail, their Number may be supplied by new Creation of Commoners, natural born Subjects of this Kingdom ; and so *toties quoties* as often as such failure shall happen.

II. That no Person hereafter be created a Peer by Writ, nor any Peerage be granted by Patent for any longer Estate than for the Grantee and the Heirs Male of his Body.

III. That there be not any restraint on the Crown to create any of the Princes of the Blood Peers of *Great Britain*, with right to sit in Parliament.

IV. That whenever any of the Lords now sitting in Parliament, whose Sons have been called by Writ, shall die, when it shall be lawful for his Majesty, his Heirs and Successors, to create a Peer to supply the Number so lessened.

V. That every Creation of a Peer hereafter to be made contrary to these Resolutions shall be null and void.

On the fifth of *March* the Earl of *Clarendon* reported these and the Resolutions of the preceeding Day ; and they were agreed to by the House, and the Judges ordered to bring in a Bill accordingly, which they did on *Saturday* the fourteenth of *March*, when the Bill had a first Reading, and appointed to be read a second Time.

Let us now take a View of the Arguments for and against this Bill both within and without Doors. It having raised the Attention of Numbers of People of all Ranks, who interested themselves in the Fate of it ; as if the Liberties of the Nation were ready to be devoured by it, and *Hannibal* already at their Gates.

Those who were against the Bill argued in this manner.

§. I. As this Bill is ushered in and supported by those Persons, who, by the great Employments they enjoy under the Crown, seem under the strictest Obligations to protect the Royal Prerogative, and to be watchful that it suffer no Diminution, it at first Sight gives the Publick an Impression, that there

there is some secret Meaning, some ministerial Intrigue, lurking under this Motion.

§. II. Too great a share of Power in the Hands of the Crown is no Doubt of dangerous Consequence to the Balance of our Constitution ; but too little is as dangerous, since the Happiness of our justly admired Frame of Government consists in the equal Distribution of Power among all the three Branches of the Legislature.

§. III. To lop off then one of the most valuable Branches of the Royal Prerogative, viz. That of conferring Honours and Dignities upon those who have merited of the Crown and their Country, not only lessens the Dignity of the Prince, but adds a Share of Power to the House of Lords, which may be used to the Destruction both of the Crown and Commons.

§. IV. For, by the Scheme proposed by this Bill, the Crown is not only directly deprived of creating any Commoner a Peer, tho' of never so distinguished Merit, but upon a Vacancy, but will consequentially be obliged to supply those Vacancies with none but the younger Sons, or at least the Dependents of the House of Lords : Because as the Crown will not then have any other Method to oblige a Majority of Peers to comply with it's Measures, or that of the House of Commons, those who form that Majority will have a Right in a Manner to command the Crown in this Case.

§. V. This, in the natural Course of Things, must in time have the worst Effect upon the Constitution ; may change it into an Aristocracy, the worst kind of Slavery. This may easily be brought about by the Combination of two or three great Families, who may form such a Party among the Lords too powerful both for the Crown and People.

§. VI. A Spirit of Liberty properly directed is always upon the Watch that no exorbitant Power be lodged in any Part of the Constitution. The Danger formerly was most from the Crown ; but since the *Habeas Corpus* Act, and many Restraints laid upon the Prerogative in King *William's* Time and the numerous Limitations in the Succession Acts, the Power of the Prince is reduced so low, that the Common

have nothing to fear from that Quarter. The Danger is now from the House of Lords, who are possessed of so many Privileges, that it would be dangerous to throw any more into their Scale. The Lords, as Judges in the last Resort, are Masters of the Property of the Commons : In Cases even where they are personally concerned, have a Power of Imprisonment limited by very uncertain Boundaries ; and have their Persons and Characters guarded by *ACTIONS de Scandalum Magnatum*.

§. VII. The Encrease of the Number of Peers is the best Security the Commons have for their Liberty ; because, as they encrease in Number, they diminish in Power, and become less Subject to Court Influence ; by which means alone Ministers are kept in Awe, and in a Situation of being called to Account for Male Administration. Whereas, if the Number of Lords is certain, they know exactly by whom they are to be tried, and may form a Party among them, to screen them from the Punishment due to the most atrocious Crimes.

§. VIII. History, both ancient and modern, affords us Examples how dangerous it is to alter the Balance of Power in limited Monarchies. *Theopompus* King of *Sparta*, was one of the wisest and most moderate Princes of all the *Lacedæmonian* Kings, with a simular Design, *viz.* to set the Government upon a lasting Foundation, gave away so much of his Prerogative into the Hands of the *Ephori*, that he enabled those Judges to become absolute Tyrants over both King and People : Their Original Power was as a Branch of the Legislature ; they were, like our House of Lords, the sovereign Judicature for determining all Matters of civil Property, and in the Absence of the King they composed the Regency ; but by the Indulgence of this good King, they disposed of the publick Treasure, influenced the Assembly of the People to vote for Peace and War as they pleased ; they made and broke Treaties, raised and disbanded the Armies of the State at their Pleasure ; at last they took upon them to dethrone, imprison, and even execute their Kings themselves, till in the end their Tyranny became so insupportable, that the People, to be delivered from so much Oppression and

Slavery, submitted to the Usurpation of a private Person, who, as his first Act of Grace and Sovereignty, wiped off all the publick Debts at once.

§. IX. The Kingdom of *Sweden* is a recent Instance, that too great a Power, lodged in the Hands of the Nobility, naturally tends to the Destruction of the Liberties of the People. The Case of *Denmark* is still more to the Point; where the Nobility treated the Commons as Slaves, of which when they presumed to complain, at a time when they had just come from saving from a foreign Yoke, not only the capital City, but the whole Kingdom, the Royal Family, and these very Nobles that oppressed them, a *Senator* stood up, and in great Wrath told the *President* of the City, ' That the Commons ' neither understood nor considered the Privileges of the Nobility, nor the true Condition of themselves, who were no ' other than Slaves.' The Commons, fired with Indignation at this inhuman Treatment, resolved, if they were to be Slaves, they would be Slaves to their Prince rather than to their Fellow Subjects; and instantly surrendered all their Privileges to their Sovereign, and forced the Lords to follow their Example so quickly, that in four Days that Kingdom was changed into the most absolute Monarchy on Earth.

§. X. As to what relates to the *Scotch* Peerage, one must be at a Loss to say any thing to it: If the most solemn Contract betwixt two Nations is to be violated: If Persons are to be deprived of their Right, without being heard, and without any pretence of Forfeiture: If those who have a Power intrusted to them by their Principals, only for a Term of Years, can seize it to themselves and their Posterity for ever; What Use will be made of Power so acquired I leave to every one to judge.

§. XI. The Advantages proposed to be gained by this extraordinary Change in our Constitution, are first, To prevent the King upon the Throne from flinging into the House of Lords a great Number of Peers at once, as was done in the last Reign, to serve a present Purpose: And, secondly, to preserve Property or great Estates in the House of Commons, from whence they are generally drawn to fill up the House of

Peers :



Peers : As to the first, It will no doubt have that Effect ; but then the Inconvenience dreaded from such an Abuse of the Prerogative here hinted at, is not so great as will attend the Remedy proposed. Should any future King pretend to act the same Part as the late Queen did, it may prevent the Nation of some Good, but can never do much Harm. Such Practices are always more grievous to the Crown in their Consequences than to the People. Whereas, if the present Scheme should take Effect, the Lords have it in their Power, by being obstinate, to deprive the Nation of as many Advantages as they please, and the Crown has it not in its Power to influence them ; so that leaving the Crown thus stript of this valuable Prerogative, is depriving the Constitution of a casting Vote, which would enable that Branch of the Legislature to domineer over the other two, or put an End to Government. As to the second Advantage, that is altogether imaginary, nor does there seem any Necessity for so extraordinary a Step as this is to preserve Property among the Commons, since Property or Wealth flows back faster to the Commons by the Extinction of great Families, but much more by the Want of Oeconomy in the Peers, than it is drawn from them by new Creations. Besides we see Estates are very often extinct before Families, and Property is very rarely increased in the House of Peers.

§. XII. But supposing these Advantages were really to be gained from the Bill, yet 'tis reasonable to consider if or not we do not pay too dear a Purchase for them, if we rob the Crown of its most valuable Privileges, and encrease the Power of the House of Lords to set them above the Crown and the Commons too, we certainly pay too dear for these imaginary Advantages. That this is the Case will appear plain to the meanest Capacity, if we take the Matter in a proper Light : Suppose the Balance betwixt the Lords and the Crown to be now even, as it certainly is, or the Constitution would not subsist in quiet, it will then follow, that like two Scales of an equal Poize, if you take any Weight out of one of them, you give Advantage to the other without putting any thing into it.

§. XIII. Shutting up the Door of the House of Lords is a Discouragement to Virtue and virtuous Actions in the Bulk of the People, may discourage Love of Literature and useful Knowledge even among the Peers themselves, since their Birth and Vote is sufficient without any Trouble of that kind, to gain them all the Preferment they covet. By the Want of those Supplies which usually went into it, and the Nature of their Body requires, in time that House may become corrupt and offensive, like a stagnated Pool, which hitherto has been preserved wholesome and pure by the fresh Streams that pass constantly into it; tho' 'tis pretended, by the Champions of this Scheme, that the frequent Extinction of Families, which they compute will amount to about two in a Year, will be sufficient to reward this Merit; but that is so uncertain that there is not much to be depended on; they form their Calculation upon a Supposition that will not hold, because they include in the Number of Families extinct, all those who have been so by Forfeitures: Now he must have much of the Spirit of Prophecy, who can determine that an equal Number of great Men will forfeit in equal Spaces of Time; so that if we deduct this and above fifty that is wanting, upon their own Hypothesis, to make up the two Peers a Year, there will not be above half a Peer for every Year, and those happening so seldom, they will scarce, as has been hinted at already, fall to the Share of a Commoner.

To conclude, It has been for our ancient Constitution we have struggled with so much Zeal for so many Ages, and spilt such Quantities of our best and noblest Blood and Treasure, that former Ages could not form an Idea of; this may have its Imperfections, but as they have been the Channels through which our Ancestors have conveyed Liberty to us, we ought to be satisfied with their Wisdom, and transmit them untouched to our Posterity, and not pretend to quack with it, and give way to the new modelling Schemes of every extraordinary Genius.

These were the Arguments used against this famous Bill, which I have abridged with as much Impartiality and Perspicuity

quity as possible, which I shall in the like manner observe in exciting the Reverse of the Argument.

§. 1. It has been the Opinion of the best Writers upon Government, both antient and modern, that the most perfect and reasonable Form of Government is a mixed Monarchy, divided into three Branches, each of them distinct, separate, and independent of one another, without any Possibility of any one of them being capable either to influence or controul the other two in the Exercise of the Share of Government allotted them. Without this Condition, that Government would be no more a mixed Government, but either an absolute Monarchy, an Aristocracy, or an Oligarchy, according as the Crown, the Nobles or the Commons had that influencing Power.

§. 2. It has been long the Boast of this Kingdom, that they enjoyed this Form so justly calculated to attain the Ends of all Government, the Happiness and Peace of Community; but if upon Examination and dear-bought Experience, it is found, that one Branch of our Legislature is liable, as often as a weak Prince or wicked Minister is so enclined, to be entirely subdued and biassed in their Determinations by one of the other Branches, it would seem extravagant to suppose a wise People opposing with Zeal a Rectification so prudent and necessary as is proposed by this Bill; especially when they have so fair an Opportunity as a voluntary Resignation of one of the best of Kings of a Power which some of his Predecessors in the Memory of most of us, prostituted to such low and base Purposes. Were the People to struggle with the Crown for this valuable Addition to their Privileges, and were obliged to force it to part with this Branch of the Prerogative against the Will of the Prince; such a Procedure might shock that Justice for which this Nation is remarkable; but when 'tis offered without being ask'd, without the least Pretence of Force, it must argue a strange Perverseness to refuse a Blessing which our Posterity may wish for in vain.

§. 3. To take Prejudice at this Bill because offered by the Crown, and supported by those who have the Honour to be employ'd in his Majesty's Service, is equally childish and un-

just, and flows from nothing else than what is generally the chief Ingredient of all modern Opposition, Party-Spleen; which has laid it down as a first Maxim, never to be departed from, to oppose every thing that is proposed by the Ministry, in Odium of those whose Places they want to enjoy. To be jealous of a Minister is the Duty of every Lover of his Country, but 'tis a kind of Enthusiasm in Politicks to carry that Jealousy so far as to oppose every thing in the Lump that comes from that Quarter; carrying things this Length, instead of preserving our Constitution, cannot miss to endanger it, if not totally subvert it; since this Opposition to Men and not Things must weaken the Hands of the King, and disappoint those Measures he concerts for the Preservation of the State; it would be much more candid to consider Things impartially, without regard to the Author, which would certainly abate much of the Opposition that is expressed to this Bill, both within and without Doors.

§. 4. The Position upon which the Bill is founded, has been denied by none; that is, that it is in the Power of the Crown to command the Suffrage of the House of Peers to whatever it proposes, in spite of all the Honesty and publick Spirit we can suppose the present Peers possessed of. This is too glaring a Truth for the Opposition to stifle, since it is a known Saying of a *British* King, 'That if his Friends could gain him a House of Commons, he would throw his Troop of Guards into the House of Peers, rather than miscarry in his Measures.' Now let every *Briton* consult within himself, if it is a Thing impossible for a Court to gain a House of Commons of what Complexion they please: If they can, and have a sure and infallible Method to influence the House of Lords, let them deny, if 'tis possible, the Necessity and Expediency of this present Bill.

These Suggestions are so plain, that, like so many first Principles, they have been advanced by Parties of all Denominations, who in their Turn have complained of this Abuse, which is endeavouring to be redressed, as often as they have suffered by it; and all at some time or other have wished for a Remedy, tho' perhaps only as Sinners think of God, that is, when they are under

under his afflicting Hand. But now is a Crisis to try if we are sincere in our Desire to preserve the happy Constitution for the sake of itself, or only make it worse when we are not Partakers of its Spoils.

§. 5. The first Objection that is generally made to this Scheme is, that it will be cutting off the most valuable Branch of the Prerogative: If it is, it is cutting off a Branch that has been abused in former Reigns, and may again, to the utter Subversion of our Constitution. It is no more than what has been the Practice of the Nation as often as they found any Prerogative of the Crown, tho' established by the longest Prescription, to lop it off, or never let the King sit easy till he parted with what they apprehended might be used to their Disadvantage; the *Habeas Corpus* Act, the Triennial Bill, the Limitations in the Act of Succession which are quoted to prove the low State of the Royal Power, are all so many Instances that the People were never averse to receive these Pledges of their Liberty from the Crown as often as they could find an Opportunity. All the World believes us a free People, but this must convince them we have got too much, when we are so much averse to accept of the only additional Security our Constitution is capable of.

§. 6. The Crown will still remain the Fountain of Honour, and have Opportunity of rewarding Merit by the frequent Extinction of Families as often as Subjects of that kind offer, for had real Merit and distinguish'd Abilities been the Object of this Power in former Reigns, such an Addition had not been made in so short a Period of Time to the Roll of Peers; and it may be allowed, without any Reflection upon the great Merit of the Commons, that the Vacancies that will happen will be sufficient to supply Titles for as many as will deserve them of that Body.

The King will still enjoy a Negative in passing Laws, which is all the Share our Constitution allows of legislative Capacity in the Sovereign. He will still remain the Fountain of Peerage, having the Power of creating all Peers that can be created, tho' he has not the Power of throwing it away on  
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Multitudes promiscuously, or to use it to the Detriment of the People.

§. 7. Another Objection started to the Scheme is, that as it takes from the Crown, so it adds to the Authority of the Peers; but there can be nothing more falacious than the Reasoning on this Head. If 'tis meant that it enhances the Value of Peerage to the Individuals, it may be granted; and that will furnish an Argument for the Bill; for as the Dignity of the Peerage is the Support of the Crown, this will give an additional Lustre: But if 'tis meant, that it adds to them more Power than they now enjoy in a Body, there can be nothing more false; since it gives them no new Jurisdiction, no new Authority, but secures to them an Independance which 'tis admitted on all Hands is the Perfection of our Constitution. But, say the Supporters of this Objection, it deprives the Crown of a Possibility of influencing them to such Measures as may be for the Interest of the Crown, the Publick, and the Commons. Suppose it does, does it not likewise hinder the Crown from influencing them to Measures that may be the Destruction of all three? This one Case, to use their own Expressions, may deprive the Publick of some Good, but can do little Mischiefe. But is not this a strange way of Reasoning, that we should be willing to trust the Crown with a Power of influencing any Branch of the Legislature because 'tis possible that Case, in some Instances, may be used for the Advantage of the People, against some obstinate Humour that may possess either of the Houses? Is it not more natural to suppose a King liable to be influenced by wicked Ministers, by whom he must frequently (tho' possessed of the most consummate Abilities) both see and hear, and act as they are pleased to allow him? I say, is it not more reasonable to suppose that he will oftener abuse this Power, than a House of Lords will obstinately refuse their Consent to any Measures for the Good of the People, in which the other two Branches are agreed? They are still in the Condition of Subjects, and must feel the bad Effects of their Obstinacy; though I believe our History will scarce find one Instance where that House, uninfluenced, have opposed any Measures conducive to the  
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Good of the People, tho' we have many Instances where they have opposed many wicked Encroachments wherein both Crown and Commons have agreed. Besides, by this Method of reasoning, the Crown should have this influencing Power over the House of Commons, since Obstinacy is not peculiar to Peers only ; it would be as reasonable to complain that 'tis an Error in our Constitution that the Crown cannot throw a Troop of Guards at any Time into the House of Commons to influence some favourite Scheme, since our History can furnish us with at least one Instance where the Obstinacy of that House overturned the Constitution, and involved the Nation in Anarchy, Murder of the deepest Die, and exposed the Church to the Mercy of numberless Sectaries. To compute Reasoning of this Kind requires no more than to state Matters in a clear Light, and strip the Arguments of a popular and wrangling Stile, then we shall find that they are fond of finding out Objections where there is none, and hug themselves when they can but dress up a Phantom of their own Imagination in dreadful Colours, to puzzle, but not inform the World.

The next Objection is a Consequence of the former, and founded on the same false Supposition, that what Power is in this Case taken from the Crown increases the Authority of the House of Lords, and may enable them to convert our Constitution to an *Aristocracy*. This Change is to be brought about by the Combination of two or three great Families, who are to have so much Influence in their own House, as to become too great for the Crown and the Commons both. This is so chimerical a Fear, that it scarce deserves to be seriously refuted. Suppose the House of Lords had such a Project in View, is it possible for them, in their legislative Capacity, to do any Thing towards this Alteration without the Concurrence of the other two Branches ? All the Effect a Combination can have in that House will be, they may distress the Government by denying their Assent to some good Laws, but 'tis impossible they can pass any Act without the two other Branches, especially the House of Commons, who carries the Purse. But let us suppose that it would be practicable

ticable for a House of Peers so modelled to turn our Government to an *Aristocracy*, and then inquire if they are not as ready to form that Form of Government at present as they will be then. 'Tis well known that for some Years past (except to serve Turns in the House of Peers) there has been few Peers created but such as had one or two Burroughs at their Disposal; upon such Considerations, and to serve Turns, there has been created since *James* the First's Time one hundred and sixty one, the Peerage at his Accession being fifty nine, now two hundred and twenty. If in the same Space of Time as many in Proportion shall be created, the House of Peers in a Century will be as numerous as the House of Commons; and if we suppose them but one with another to have the Disposal of one Member of the House of Commons a-piece, which they may have either by Relation, Dependence, or Election, then the Majority of that House may command the House of Commons. In which Case, tho' the King were to throw his Troop of Guards into the House, that Majority which his Guards would make a Minority, must command him, having the lower House at their Disposal; this would indeed make the Government *Aristocratical*, and the only Method that such a Scheme can be brought about. Now 'tis submitted to every Man to judge if or not the Limitations proposed does not rather prevent such a Scheme than encrease the Danger of it; since we can never suppose that two hundred and fifty can have the same diffusive Influence as five or six hundred, especially as the House of Commons in this Case will be less liable to be corrupted or influenced than they are now. Men of over-grown Fortunes who now grasp at Peerage must be contented with the Honour of a Seat in the House of Commons, as that is the greatest they can arrive at; which will fill that House with Men of great and independant Fortunes, and great Abilities, who are now draughted out of it to supply the House of Lords. It takes off part of the Influence of the Crown over the Commons, as it deprives it of a Bait that sometimes would prevail, when Money and Pensions would be despised. A Man of an over-grown Fortune is readier to be tempted with a Title than an Addition.



addition to his Wealth, except he is a meer Miser ; so that his Scheme not only lessens the Influence of the Crown upon the two other Branches of the Legislature, but removes from them Temptations which has hitherto had such Charms that few has had a sufficient Stock of Honesty to withstand them ; and likewise encreases naturally the Power of the Commons, instead of diminishing it ; since it keeps and brings Wealth into that House, than which nothing is more certain than that this will be followed by Power, and the Property of the House of Lords must diminish of course. Whereas, if the House of Lords go on encreasing in Proportion, and to draught out Men of the largest Fortunes out of the lower House, the Peers may in Time have much the greater Share of Property, and consequently Power. These Additions, 'tis granted, are prejudicial to the Crown in the Event, yet that is no Security that they will not be made, since Experience shows us that they never fail to make these Augmentations to serve some present Exigency that could not otherwise be remedied.

The next Objection is on the Part of *North Britain* ; which supposes this a Breach of the Articles of the Union, and Injustice to the Peers of *Scotland*, who shall not be of the Number of the twenty five hereditary Peers who are here supposed concluded, without being heard, and deprived of their birthright without any Crime. As to the first Part of the objection ; this may be called an Alteration ; but not a Breach of the Union : A Breach supposes something done that is contrary to the Design and Spirit of that Law, whereas this is not the Case here. The Peers of *Scotland* will still have a Representation, only that instead of these being sent every three Years they continue for Life. They cannot allege they are concluded without being heard, since they have their Representatives consenting, who by the full Power they received, are justified in doing every Thing they think conducive to the publick Good. The Union was formed by the wisest Heads of the Nation at that Time, who allowed *Scotland* a proportional Number of Members in the Legislature to take Care of the Interest of that Part of the United Kingdoms. To suppose this Legislature, so formed, has not the Power

Power of enacting, altering, or amending any Laws they think for the Good of the Whole, would be introducing a Doctrine into our Constitution destructive of the Being of all Government, which naturally supposes that absolute Power to be exercised for the Benefit of the Community must be lodged somewhere : The Legislature constituted of the *Scotch* and *English* Representatives must certainly have the same Power in the united Kingdom that any of the two Parliaments, when in Being, had in their respective Kingdoms. Besides, the *Scotch* Peers should remember that they never sat in a distinct House from the Commons in *Scotland*, but all sat in one House; consequently the Peers at all Times might have been concluded by the Barons and Burroughs without having any reasonable Ground of Complaint more than the Commons could have if by the Desertion of any of their Number, the Peers came to form a Majority in their Parliament. Besides, their Right to an hereditary Seat in that Parliament was obtained by Usurpation, since originally the Parliament of that Kingdom was formed of the Barons, or such as held their Estates immediately of the Crown ; in Process of Time these became so numerous, that they could not all meet and consult, therefore the lesser Barons were excused their Attendance, on Condition they sent up one or two, whom they chose, to represent them ; this Choice generally fell upon the chief Men for Estates, who were stiled *Magnates Scotiae*, and Lords of Parliament : These by Degrees became in love with the Title, which they retained even when they were not in Parliament, and at last, being often chosen, they pretended Prescription and hereditary Right to sit there ; and when Titles of Honour became to be known in *Europe*, they obtained those from the Crown. This is the original and natural Situation of the Peerage of *Scotland*, which, rightly considered, shows that there is not so much Injustice done them as most People believe.

To conclude, The Advantages flowing from this Bill are so plain and evident, it prevents the Constitution from an apparent Danger that threatens it, and the Inconveniencies that are supposed to attend it are purely imaginary. Does  
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Does the Bill tend to the Detriment of the Constitution in general? Does it confirm or subvert the Liberties of the People? Does it prevent the Abuse of the Prerogative in creating Peers? Does it diminish the Privileges of the Commoners, or give any new Power to the House of Peers? Does it tend naturally to settle or unsettle the Minds of self-interested or ambitious Men? Are the Evils as probable and as numerous as the Advantages that result from the Bill? These are Questions if fairly stated, and candidly answered, free from the Spirit of Party, as must determine every Man to wish for the Success of this Scheme.

There are some of the chief Arguments insisted on in Defence of this Bill; upon which I shall only make this Remark, That the Arguments seem to me convincing that are brought in Support of the Bill with respect to the Kingdom in general; but those that are brought in relation to the *Scotch* Peers seem to be too far strained, and do not remove the Objection founded on the Injustice done the Peers, unless, as far as there is Weight in this, that Particulars should submit to the general Good. However, I cannot help adding an Argument to this Head, and on this Head, which occurs to me as a *Scotchman*; that is, That there was the same Justice in making this Alteration as there was in making that Article of the Union which restricted the Peers of *Scotland* from a Seat in Parliament, except by Election. The Peers so secluded were intitled to their Seats by Laws as solemn and as sacred as the Treaty of Union; yet many of them were deprived against their Consent, and many without having an Opportunity of being heard, as being Minors, or otherwise not qualified to sit in the House. This is only an Argument *ad hominem*, and therefore supposed not convincing; yet it shews how dangerous Precedents are, since these very Men were to suffer by the Precedent, who by their Number and Influence had established it on their Fellow-Subjects. I shall conclude this Side of the Argument in the Words of a great Peer, who was one of the Commissioners to the Treaty of Union, and so best Judge of his own Work, and must be allowed otherwise as well acquainted with the Constitution of

these Kingdoms, both before and since the Union, as any Man; I mean the Lord *Ilay*, now Duke of *Argyle*, who, speaking to this Bill, said, ' That the bringing a Number of Peers into that House by Election was certainly derogatory to the Dignity of that august Assembly, and of the highest Tribunal in the United Kingdom, and therefore he had long before wished to see this Defect in the Union rectified, and the *Scotch* Peers freed from that ignominious Mark of Distinction which made them be looked upon as dependent on the Court and Ministry, and not at Liberty to vote like the other Members, for the Good and Interest of their Country.'

I have, in as concise and impartial a Manner as possibly I could, given the Reader a View of this important Debate, from whence they may judge how far those who supported the Motion for the Peerage Bill were blame-worthy. There appears so much Reason on that Side, that the Abettors of the Bill are justly entituled to have a charitable Construction put upon their Intentions, even by those who opposed it; since the Arguments brought to support it are so plausible, that I believe few Men who impartially consider the Merits of the Cause would dogmatically determine on either Side.

In all Cases where the Determination is doubtful, where the Mind is kept in any Suspence by the Difficulty in discerning the Difference of the Terms of the Proposition, there, we are obliged in Justice to suppose that the Parties who differ from us in Opinion, are convinc'd of the Truth of the Principles they offer in Support of it, and act as much from Conviction as we do; tho' we may be as firmly convinced as we please, that they are in an Error.

I am satisfied that Numbers in both Houses, and without Doors, who declared for the Peerage Bill, were real Lovers of their Country, and proposed no other Scheme to themselves by promoting this Bill, than to secure the Independency of that Branch of our Constitution, at the same Time that I believe many others had no other View but to serve a present Turn, and establish themselves in a Power which they seemed to be in Danger of losing. And this last I take to be the first Spring of this famous Motion, and the Sense which the Oppo-

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sition had, that the Ministry had more their own Establishment at Heart than the Welfare of the Publick ; and the Desire these had to supplant those in Power was the chief Cause of the Failure of the Bill, that is, the Opposition flowed more from a Dread of the present Advantage it gave the then Ministry over their Rivals, than from any Consideration of the Unfitness of the Law itself.

Had it been proposed by the Opposition, it would then have had the Voice of the People, at least there would have been none of those virulent Clamours raised against it, and we might possibly have reaped some Advantages from it at this Time ; but the Scheme at first View appeared so popular, that the Ministry could not dream that ever the People of *England* would oppose a Bill to restrain the Prerogative, and that in a Branch where there had been so recent an Example of the bad Use a wicked Minister might make of it ; therefore they pushed it with a kind of Precipitancy that gave many well-meaning People a bad Impression of their Designs, and enabled their Enemies to throw it entirely out.

What were the Views of the Ministry more than what they declared in publick, I will not pretend to guess at ; but if they had any Views in promoting this Bill more than the publick Good, I believe his Grace the Duke of *Argyle*, in the Eye of every impartial Judge, will be acquitted of any Share of those Designs ; and that he acted in that Affair from a Conviction that the Bill would have all the good Effects which the Preamble sets forth to be the Intention of it.

From this Period his Grace remained in the Administration during all the remaining Part of the late Reign, and upon his Majesty's Accession continued to enjoy his Favour, as well as many considerable Employments under him.

From the time of his Grace's being restored to his Places in the last Reign 'till some time in the Year 1736, his Grace seemed to live in Friendship with the Court, and did not ( at least publickly ) oppose the Measures of the Ministry, though for the greatest part of that Time there was a very great Spirit of Opposition in the Nation, which went then, as well as now, under the Name of Patriotism. For which Reason the

Transactions of his Grace's Life for that Period will be looked upon by some as inconsistent with his Behaviour both in the former and latter part of his Time.

Those who imagine the Word Patriot, and the Character it belongs to, to signify nothing else but a Person who constantly opposes every Motion that comes from the Court or Ministry merely because it comes from that Quarter, without considering the thing itself; one who lays it down as a Maxim, that every thing that harrasses the Ministry, clogs their Measures, and disappoints their Schemes, will be of Service to the Country: Those, I say, who have this absurd, yet common, Notion of a Patriot, will certainly conclude that his Grace was asleep above a dozen Years, or made a Sacrifice of his Love for his Country to some other reigning Passion.

But if we consider a Patriot in another Sense, that is, as one always watchful over the Liberties of his Country, and anxious to promote every thing that may strengthen the Constitution, or add to its Happiness, who considers Measures, not Men, and opposes Oppression and arbitrary Power, in whatever Disguise they appear under; who despises as much to be the Drudge of a Minister, as the Tool of a Faction: if we take the Word Patriot in this sense, it will not be impossible to reconcile this Period of his Grace's Life to the first and last Part, where his Opposition to the Minister appear'd more publick.

I think I may be allowed to take for granted, that 'tis possible for a Man to serve his Majesty in the highest Stations of Life with Zeal and Affection, and retain at the same time all that Zeal for our Country which the greatest Patriots of old *Rome* ever boasted of: I say 'tis possible in any Station except that of a Prime Minister, which I take to be an Office inconsistent with our Constitution.

If we suppose that a Person of this Character is employed, 'tis not necessary that he should always be haranguing the People against the Ministry, and opposing every Step in the Senate with the same Zeal that he would oppose an Invasion, even tho' the Measures were not the best that might be chosen. A wise Man does not expect Ministers to be infallible, neither  
does

does he pretend to it himself : He and they may differ in their private Consultations about the Measures pursued, yet when they are once resolved on by a Majority, 'tis his Business not only not to oppose them, but even to support them in publick ; I speak of those Measures that does not affect the Liberty or Property of the People. For where the Patriot is convinced that those are in danger, I believe no Considerations will hinder him from supporting them ; but where the Matter has none of these dreadful Consequences, Prudence will direct him to be silent, and not by any unseasonable Opposition involve the Government and People in greater Difficulties than those they would avoid.

I take this to be the Case of the *Duke of Argyle* during the Period we are now treating of. He was embarked with a Ministry many of whom he certainly despised ; yet it was his Duty, as much as lay in his Power, to live easy with them, that his Majesty's Interest might not suffer by an unnecessary Difference among his Servants.

I will not pretend to say, that the Measures of all that Time were in all respects without Faults, but I believe his Grace of *Argyle* cannot be charged with countenancing any of those that were most justly complained of, tho' at the same time he did not appear publicly in the Opposition to the Ministry 'till the Year 1736. He disclaims himself, in his publick Speeches, any share in many of those Transactions which afforded Matter of Complaint against the Ministry, which I take to be sufficient Authority for me to conclude that he opposed, in a proper Place, many of those Measures about which in publick he was silent ; because if he had not, the Ministry, who soon after became avowedly his Enemies, would nor have scrupled to have contradicted that part of his Grace's Declaration.

As long as the Minister continued within Bounds, as long as there was any Prospect of his blundering himself out of the many Blunders he had committed, his Grace remained quiet ; but so soon as he saw an open Attack upon the Liberty of the People, then he showed that no Consideration would hinder him from opposing it both in publick and private.

The first Instance we have of that kind is the Case of the City of *Edinburgh*, in relation to the Murder of Capt. *John Porteous*. In this famous Debate his Grace showed himself a watchful and zealous Patriot, and opposed the Minister, and those Measures he proposed, with a Spirit and Resolution that showed there was no Event he feared so much as a Ministerial Encroachment upon the Liberty of his Country. But as this Affair has made a great Noise, I shall take the Liberty briefly to trace it from its Original, that the Reader may judge of the Merits of the Cause.

'Tis impossible to give the Reader a just Notion of this Affair in all its Circumstances, without going so far back as the Accident which gave rise to the Sentence passed against Captain *Porteous* by the Lords of Justiciary in *Scotland*, which is briefly this :

The Collector of his Majesty's Revenues upon the Coast of *Fyfe* made a Seizure, some time in the Year 1736, of some Goods to a pretty considerable Value, had them condemned and sold : Two of the Proprietors of these Goods took an Opportunity of robbing the Collector of just so much Money as the Value of their Goods amounted to. This they looked upon not as a Robbery, but as a just Reprisal from the Collector. This Opinion prevailed not only with these Men, but the generality of the Mob, who are for the most Part no Friends to the Officers of the Revenue, looked upon the Action in some shape meritorious rather than a Robbery. However the Collector found Means to have the two Men taken up and committed to the *Tollbooth* of *Edinburgh*, and had them tryed and condemned for the Fact.

These Prisoners upon Tryal got Numbers of Persons to appear to their Character, and in Fact excepting that they dealt some time in Smuggling, and that Action which was the consequence of it, they behaved in every thing else like Men of Probity. However, this Fact of robbing the Collector being clearly proved against them, they had no Hopes of escaping Justice but by Means of the Mob, who expressed a great Deal of Uneasiness at their Sentence and the Prospect of their Execution.

This



This Spirit continued in the Mob of *Edinburgh* 'till a few Days before the Time appointed for their Execution, when an Accident happened that encreased the Tendernefs the Vulgar had for them, and made it more probable that they would interest themselves in the Safety of one of them.

'Tis a Custom in that City that Prisoners under Sentence of Death are carried the *Sunday* preceding their Execution to hear a Sermon in a Church that is just adjacent to the Jail, attended only by three or four of the City Guards : these two Prisoners were carried to this Place the *Sunday* preceding the Day appointed for their Execution, and happened to be brought to Church pretty early, before any of the Congregation had convened, and placed in the Seat allotted for Men in their Situation ; one of them seeing few or none in the Church but two or three old Fellows of the Guards who sat by them, made a Spring over the Seat where they sat ; the other, whose Name was *Wilson*, in order to facilitate his Companion's Escape, catched fast hold of one of the Guards in each Hand, and a third in his Teeth, by which means he detained them 'till his Fellow Prisoner had got out of the Church, and into the Hands of the Mob, who instantly conveyed him in Triumph out of the Reach of publick Justice ; when he found his Companion safe, he let go his hold of the Fellows, and sat himself composedly down, not attempting to make the least Struggle for his own Liberty.

This Action of *Wilson* appeared to the Mob so full of Generosity, that he became their Idol to such a Degree, that it was publicly talked that it was a Sin to put such a Man to Death for so petty a Crime as that of robbing a Collector of what he had formerly seized from him, and that the Mob would certainly rescue him at the Place of Execution.

The Magistrates of *Edinburgh* understanding the Disposition the Mob was in, and how much the Minds of the Vulgar are apt to be moved with Compassion for the Unhappy, especially where there happens any favourable Circumstances to concur in their Behalf, as in the present Case, were resolved to take all necessary Precautions to prevent the Criminal they had in  
their

their Hands from escaping the Punishment he so justly merited.

As they expected a more than ordinary Effort would be made by the Mob, they did not think the ordinary City Guards sufficient to protect them in the Execution of the Criminal; they therefore admitted some Companies of the Regular Forces then on Duty in the Suburbs to enter the City, and to parade at some Distance from the Place of Execution, that they might be in Readiness to support the City Guards in case they were vigorously attacked.

The Officer whose turn it was to do Duty, as Captain of the City Guard happened not to be a Man so fit to be entrusted on this critical Occasion, therefore the unhappy Captain *Porteus*, who was every way capable of Discharging his Duty, was pitch'd upon to take upon him the Command of the Guards that Day, tho' out of his turn, and he received three Charges of Powder and Shot, which he distributed amongst his Men, and by special Order from the Magistrates ordered the Guards to load their Pieces when they went upon that Day's Duty.

The Execution was carried on with little or no Disturbance 'till it was time to cut down the Criminal, when the Mob threw a great Number of Stones, which hurt the Executioner, and several of the Guards as they stood round the Scaffold, which so enrag'd the Guards, that some of them fired and killed some Persons some Distance from the Place of Execution.

The Captain so soon as he had got the Criminal cut down marched off his Men to the West Bow, which is a narrow winding Passage. The Mob, after recovering the Fright they were in by the first Fire, rallied again, and pursued the Guards, pelting the Rear with Stones, which the Guards returned with some dropping Shot, which killed some and wounded others.

They continued their March to the Guard-House, and there reposit'd their Arms, with the usual military Ceremony. The Captain discharging his Duty with the greatest Calmness imaginable, and then of himself, went up to the *Spread Eagle Tavern*, where the Magistrates were met, carrying

ying his Piece in his Hand ; when he came there he was charged with the Murder o' those that had been killed on that unhappy Occasion, by giving Orders to the Men under his Command to fire, and firing himself. He then denied his giving any Orders to fire, and produced his Piece, as an Evidence that he had not fired himself ; alledging that he received but three Charges from the Magistrates, two of which were still in his Cartouch Box, and the third in his Piece, which any Person might see had not been fired.

The Magistrates adjourned from the Tavren to the Council Chamber, where a very great and riotous Mob followed, calling out for Justice on the Captain ; the Magistrates after taking a \* Precognition, committed the Captain close Prisoner to the *Tolbooth of Edinburgh*, 'till such Time as his Tryal came on.

It will be necessary here to let the Reader into the Character of Captain *Porteous*, the Spirit of the then Guards, and the Mob of *Edinburgh*. The Captain was originally bred a Taylor, but that not suiting his Genius, he went into the Army, and served some time in *Flanders* in the last War ; on returning to his own Country upon the Peace of *Utrecht*, or shortly after, he was made Drill-Master to the City Guard of *Edinburgh* ; which Place he behaved so well, that in a short Time he was made one of the Captains, by the Interest of the Provost *John Campbell*, whose House-keeper he had married. Mr. *Porteous* behaved in this Station to the Satisfaction of every Body, except the lower class of Mechanicks and Journeymen, whom he checked in their natural Inclination to Mobbing, and used sometimes, when he had an Opportunity, to chastise them, very severely with his Cane. By this Means they both dreaded and hated him with all the Rancour and Malice they were capable of ;

\* A Precognition is something in Nature of a Coroner's Inquest in *England* ; a Magistrate in Cases of Riot or Murder examines the Fact on the Spot where it happened, by taking the Declarations of Persons present, but not upon Oath as the Coroner does here. These Delarations are taken down in Writing, and serve for a Direction to the Officers of the Crown, or the Party, in issuing out the necessary Steps of a Criminal's Prosecution.

of; and finding this unhappy Affair furnished them a plausible Handle, they were resolved to pursue their Revenge without any regard to Mercy or Humanity.

The City Guards of *Edinburgh* were composed at that Time mostly of old Men, who had served in the Wars abroad, who were very full of their Military Knowledge, and thought at this Time their Courage and Conduct were called in question by calling in the Aid of the King's Forces. They found themselves trusted with loaded Pieces which they imagined they had a discretionary Power to use in their own Defence, which 'tis possible they used without the Command of their Officer.

During the Interval between the Captain's Commitment and his Tryal, the Populace had wrought themselves up to a firm Belief of his Guilt, without consulting Evidence, and endeavoured to prepossess all they could with their own Notions, in such a manner that it was dangerous for any Person to declare his Opinion contrary to that of the People. This was the Disposition of the City at the Time the Tryal came on, when, according to the Wishes of the Mob, the Captain was found guilty, and condemned to be hang'd.

The better sort of the Inhabitants of the City, with many Noblemen and Gentlemen of Distinction, knowing how far popular Prejudices are apt to carry things, pitied the Captain's Condition, as there was great room left to Men not agitated by the Fury of the Times to judge that the Captain was innocent as to firing himself, or giving Orders, though he had been found guilty by a Jury of fifteen Men; at least there was such Circumstances attending the whole Affair, as made them believe him a fit Object of Royal Mercy. Accordingly a great Number of Noblemen and Gentlemen of the greatest Rank in the Kingdom sign'd a Petition to her late Majesty, then Regent, praying Mercy for the unhappy Mr. *Porteus*.

An impartial Representation of the Facts was at the same time sent up. Her Majesty, tho' her natural Disposition was all Mercy, yet would not rashly pardon the Criminal, but was graciously pleased to grant a Reprieve for six Weeks, that in the Interim she might have Opportunity to enquire more

growly how far the Prisoner was a proper Object of her Royal Clemency.

This Reprieve came down to *Scotland* some Days before the Time appointed for the Captain's Execution, and was entered upon the Justiciary Books in common Form.

It was no sooner known the unhappy Prisoner had this Reprieve, than the Populace expressed their Discontent in the vilest Manner, and threatened to put him to Death by their own Authority. For some Days this was the common Subject of Conversation of all Ranks of People: In some Companies the very Day was mentioned on which the Mob was resolved to murder the Prisoner. But I am persuaded few People of any Discretion believed that such a thing would be attempted, only the lower Class of People appeared positive in the Belief of such an Event: which might be owing rather to the Eagerness of Malice, than to any formed Project that was among them.

However, on *Tuesday* about Eight o'Clock at Night, the Evening immediately preceding the Day appointed for the Prisoner's Execution by the Sentence of the Lords of Justiciary, and the same Day which had some time before been talked of, as the Time fixed by the Mob for the Execution of this heinous Murder, a Number of People entered a Gate of the City that lies on the West, which they shut, and seized a Barricade belonging to the Suburbs of that Part, with which they proceeded thro' the Grass-market, and the Street called the *Long-gate*, till they came to the Gate on the East of the Town, which they seized on and shut, leaving a Party to guard them. Then they marched up the main Street, and attacked the Guard-House, in which there happened to be only sixteen or seventeen of the Guards upon Duty, with no Officer higher than a Serjeant; these made little or no Resistance, but yielded the Guard-House to the Mob, and shifted for themselves. The Mob seized all the Arms belonging to the Guard, and armed proceeded to the Prison; the Door of which they attempted to break open with Sledges and fore Hammers, not succeeding in that way, they set fire to it, and burnt a Hole in it, thro' which the Turn-key thought proper

proper to throw them the Keys, with which they entered the Prison, went up to the Room where the unhappy Captain was confined, dragged him down Stairs by the Heels, then carried him to the Place of Execution, and throwing a Rope over a Dyer's Pole, they hanged him, with many Marks of Barbarity. They remained about the Place 'till he was dead, and then left him hanging there, every Man of them dispersing without any farther Disturbance.

This Tragedy was begun betwixt 8 and 9 o'Clock at Night, and might be finished about half an Hour after 12, during which Time the Magistrates and chief of the Council were in a Tavern not far from the Jail, but had it not in their Power to stop the Progress of the Mob, tho' they went out in Person to attempt it, but were obliged to return again to the Tavern, being pursued by the Mob with a Shower of Stones, and in the utmost Danger of their Lives. Their Guards were dispersed, and the Rioters in Possession of all the Gates of the City, which stopped the Communication betwixt them and the regular Forces, who lay in the Subburbs ready to assist them, had they been properly called; and the Consternation amongst them was so great, that what Power they could command, they had not Presence of Mind to use it for their Safety.

Next Morning all the thinking Part of the City expressed their Surprize at the Boldness of the Undertaking, as well as their Sense of the monstrous Barbarity of the Action. People's Conjectures were various about it, and not a few blamed the Magistrates for want of Conduct. Now that the Bustle was over, every one could easily figure to himself the Means that might have prevented it, which is very common in such like Cases; tho' if these very judicious Persons were to have the conducting of such an Affair, the Means which afterwards appeared so plain, might not perhaps have occurred to them, more than to the Magistrates.

However, the Minds of all Ranks of People were strangely agitated on so uncommon an Event; when an Account was brought of it to Court, no doubt the Resentment of so gross an Affront on the Crown was equal to the Indignity;

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ty ; and the Action required the Animadversion of the Legislature.

The Nature of the Crime itself was sufficient to exasperate the Publick against the Mob of *Edinburgh* ; but there were Means used to direct that Resentment against others who were afterwards found not so guilty as supposed. At that Time it was thought that the Magistrates of the City of *Edinburgh* were put into their Offices by the Interest of a noble Peer who then had the chief Direction of *Scotch* Affairs : The Party who then formed the Opposition thought this a fit Opportunity to expose that noble Lord, by fixing the Crime upon his Tools ; in which Light they looked upon the Lord Provost and Magistrates of *Edinburgh* ; for which Reason Pains were taken to exaggerate every Circumstance of that unhappy Affair to the Prejudice of the Magistrates, and Surmises were handed about that they certainly had it in their Power to prevent the Murder, if they had not some Reasons to connive at it.

This was the State of Things without Doors when the Parliament met, and an Enquiry into this Affair was set on Foot ; which might have had a better Effect had it been less tainted with Party-Spirit.

It began in the House of Lords : The Lord Provost of *Edinburgh* and the four Bailiffs were sent for, and several other Gentlemen, who were all examined at the Bar of their Lordships House. These Examinations finished, a Bill was ordered to be brought in, declaring the Lord Provost for ever after incapable of holding any Place of Trust in the Kingdom, laying open one of the Gates of the City, and taking away the City Guards. This is the Substance of the Bill as it passed in the House of Lords ; which appeared to his Grace of *Argyle*, and many others, to have so dangerous a Tendency, that many who in all other Cases followed the Minister and his Measures ; yet in this appeared zealous in Behalf of the City of *Edinburgh*. Upon the third Reading of this Bill his Grace of *Argyle* delivered himself to the following Effect.

My LORDS,

I shall be far from saying any thing that may seem to  
 favour the Actors of a Crime, than which, from the Circum-  
 stances of Barbarity that attended it, and from the Contempt  
 of Majesty it expressed, no Age or Country ever produced  
 a blacker ; neither shall I pretend to defend the Abilities, as  
 a Magistrate, of the unfortunate Person who is the Subject  
 of Part of the Bill now depending. But 'tis my Opinion,  
 if any thing can be justly charged upon him from the Evi-  
 dence that has been laid before this House, 'tis not Treach-  
 ery but Folly, and that he is rather an Object of Pity than  
 Censure. I must however take notice of what has been said  
 with respect to the Lenity of this House in the present  
 Proceedings against the Lord Provost and the Citizens of  
*Edinburgh* ; really, for my own Share, I cannot think of a  
 Proceeding more harsh and unprecedented than the present ;  
 as I believe there is no Instance of the whole Weight of  
 Parliamentary Indignation (for such, my Lords, I call a Pro-  
 ceeding by a Bill *ex post facto*) falling upon any single Per-  
 son, far less upon any Community, for Crimes that are  
 within the Reach of the inferior Courts of Justice to pun-  
 ish ; for this, my Lords, I say, that if the Lord Provost and  
 Citizens of *Edinburgh* should suffer in the Terms of the  
 present Bill, the Proceeding against them is so far from de-  
 serving the Name of Lenity, that they will suffer by a cruel,  
 unjust, and fanatical Proceeding.---A Proceeding, my Lords,  
 of which very bad Use may be made, if ever this Nation  
 should have the Misfortune to fall under a partial and a self-  
 interested Administration. That Part of the Bill which af-  
 fects the Citizens of *Edinburgh* ought to be the principal  
 Concern of every Nobleman in this House ; for tho' we  
 may determine the Properties of private Persons, and may  
 adjust the Privileges of Communities, we cannot infringe  
 the Rights of Nations. To pass, my Lords, the present  
 Bill, in the Shape it is now in, is what I will be bold to say,  
 and I say it of my own Knowledge, and of my own Expe-  
 rience



rience (but with all the Respect that is due to this August Assembly) the whole legislative Body cannot do.——I was in the Parliament of *Scotland* when that Part of the Treaty of Union relating to the Privileges of the Royal Boroughs was settled; and, my Lords, these Privileges were put upon the same Footing with Religion, that is, they were not alterable by any subsequent Parliament of *Great Britain*. It is true, some moved they should be submitted to such Alterations as the Parliament of *Great Britain* should in Time coming, for good Reasons, think fit to make; but my Lords, in a full Debate it was carried that they should not be subject to such Alterations. The Nation of *Scotland* in all the Proceedings at that Time treated with *England* as an independant and free People; and as that Treaty, my Lords, had no other Guarantee for the due Performance of its Articles, but the Faith and Honour of a *British* Parliament, it would be both unjust and ungenerous should this House agree to any Proceedings that have any Tendency to infringe it.

‘ That many, nay most, of the Articles of Union are subject to be altered by a *British* Parliament, I shall not deny; nor shall I dispute but that if the People, or the Majority of the People of *Scotland* should, for good Reasons, petition for an Alteration in this or any other Article, I say I shall not dispute but the Parliament might and ought to make the desired Alteration; but I believe no Lord in this House will say this is the present Case.

‘ It has been much insisted on, that the Gate in question must necessarily be demolished in order to leave the King’s Forces a free Entry into the City of *Edinburgh* when any Exigency required them. No one, my Lords, is more sensible than I am, how reasonable it is that the King’s Forces should have free Access to suppress every Commotion of the like Nature with that now under our Consideration; but I believe a Method may be found, by which every Lord in this House will be satisfied, how that End may be answered more effectually, and without any of the bad Consequences

attending it that possibly may attend the demolishing the Gate in question.

The Castle of *Edinburgh*, my Lords, is the King's House, and no one can doubt his Majesty's Power to send as many Forces into it as he pleases; should we therefore petition his Majesty that the Barrack may be enlarged, and the Number of Troops in Garrison increased, there is no room to question but that the Ends proposed will be more effectually answered than they can be, by any Expedient laid down in this Bill.

The Nether-Row-Gate, my Lords, stands in a very narrow Street; near it are always a great Number of Coaches and Carts. Let us suppose another Insurrection is to happen. In that Case, my Lords, should the Conspirators have the Presence of Mind to barricade the Street with these Carriages, as may be done by a Dozen of Fellows, I affirm, and I appeal for the Truth of what I advance to any Man of my Trade, who knows the Situation of the Place, if five Hundred Men may not then keep out ten Thousand for a longer Time, than that, in which the Mob executed their bloody Design against *Porteous*. Besides, my Lords, I think it has been made out by the Gentlemen against the Bill, that the Gate in question is absolutely necessary for collecting the City Revenue, and for preventing Smugglers. In that Case, my Lords, I can't see how this can be taken away without damaging, not only the Revenue of the City, but that of the Crown. Thus much, my Lords, I thought fit to say with respect to that Part of the Bill that relates to demolishing the City Gate.

I shall now proceed to the other Part, I mean that of taking away the Guard; but, perhaps, it will be necessary to make some Remarks on the Right by which the City of *Edinburgh* enjoys the Guard. It was confirmed to them by a Parliament of *Scotland*, under the immortal Deliverer of our Religion and Liberties, King *William*; a Parliament, my Lords, than which no Body of Men ever shewed greater Zeal in acquiring, or greater Resolution in defending, these valuable Blessings; and such were their Sense of the Ser-

vices of the Town of *Edinburgh*, that it is inserted in the Preamble of the Bill, that the said Guard was granted to the Citizens of *Edinburgh* on Account of the Zeal they discover'd when Religion and Liberty were at Stake. Will such a Parliament, my Lords, and such a King, plead nothing in their Behalf? And must one wrong Step, allowing it to be such, forfeit the Merit of a long Tract of Services? When I was honour'd with the Command of the Forces in *Scotland* against the Rebels in the Year 1715, and at the Head of those numerous Armies and Squadrons, for so our *Gazettes* represented them to be, which amounted to about seventeen Hundred, I had Information that a Body of Rebels had ventured to *Leith*, and that they design'd to attack the City of *Edinburgh*. Tho' I had not a Troop with me at this Time, I saw the very Guard which you are to break by this Bill, draw out and march down against the Rebels in as good Order, and with as good a Shew of Resolution, as I ever beheld any Body of Men. The Effect was, that the Rebels alter'd their Design, and advanced no farther; Thanks to them they did not, they having the odds of five fighting Men to one. This was not all the Service they did at that important Juncture; the Rebels had gained over a Serjeant of the Garrison in the Castle of *Edinburgh*, who promised to assist them in surprizing the Garrison; and had it not been that the Ladders they made use of proved too short, they must have succeeded, which would at that Time have given a great Blow to the King's Affairs in that Country; and it was entirely owing to the Vigilance of the City Guard that the Conspirators were discover'd, and many of them seiz'd.

But, my Lords, setting aside all these Considerations, I think there are some of a private Nature that ought not a little to influence your Lordships in the present Affair. You have examined into the Conduct and Usefulness of the City Guard of *Edinburgh*; you have found that on many Occasions it has been of great Use; nay, in the present unhappy Case, your Lordships seem to approve of the Conduct of the Gentleman whose turn it was to command that Night on

which *Porteous* was murder'd. Now, my Lords, I would  
 gladly know why the other two Companies which compos-  
 ed that Guard, and with whom no Fault is pretended to be  
 found, should be equal Sufferers with those that Night upon  
 Duty, whom the present Bill supposes to be guilty? and  
 why the Captain commanding on that Night, who appears  
 not to have been guilty, should have his Bread taken from  
 him? Some of your Lordships have been pleased to men-  
 tion the great Lenity with which this Bill is attended; but  
 where the Lenity is of taking a Gentleman's Bread from  
 him, after having done his Duty honestly, I cannot com-  
 prehend; at least, if I may judge another by myself, I  
 was so far from taking it as a Favour, that I looked upon it  
 as the greatest Hardship I ever met with in the whole  
 Course of my Life, when I was obliged to resign to another  
 a Commission in which I had honestly and faithfully served.  
 Some Regard, my Lords, ought likewise to be had to pri-  
 vate Men, who are to be deprived of their Bread, and the  
 present Bill makes no Provision for them, tho' it appears  
 by the Evidence laid before your Lordships, that they were  
 entirely innocent; nor is any Care taken by it of having  
 the City of *Edinburgh* provided with another Watch; and  
 my Lords, I conceive there is no City of an equal largeness  
 with that of *Edinburgh* that can be without a regular Watch  
 of some kind or other.

I must now observe, my Lords, that great Zeal has ap-  
 peared in the House to pass this present Bill into an Act,  
 which is to affect a Person whose only Crime seems to have  
 been, That he was unfit for a Trust that requires an active  
 and vigilant Man, and against the Citizens of *Edinburgh*  
 who are only guilty of not foreseeing what it was impossible  
 for them to have foreseen; and yet, my Lords, no Bill  
 has been brought in to bring the Persons who have been  
 guilty of that barbarous Murder to Justice. These, my  
 Lords, ought to be the immediate Objects of the Resentment  
 of this House; for where such desperate Enthusiasts are  
 harbour'd, no State can be secure of its Peace, and no pri-  
 vate Person of his Property. Great Insinuations, my Lords,

have

have been made that this, and many other Tumults that have frequently happen'd in the United Kingdom, have been owing to the Oppression of the Magistrate. For my Part, my Lords, I have heard of no particular Acts of Oppression; and, I believe, I may venture to say, neither has any of your Lordships, as we must all have done, if any such had been. But, my Lords, can Riots proceed from no other Cause, but from the Oppression of the Magistrate? Have People no other Motives to Rebellion, but the Suggestions of Despair? I believe, my Lords, we may find, from the History of past Times, that they have always had, and from the Experience of the present, that they still continue to have other Motives.

' This riotous and rebellious Spirit of theirs does not proceed from any Oppression of the Governors or civil Magistrates of that Country, as has been strongly insinuated, but from a few fanatical Preachers lately started up in that Country, who by their Sermons, and other Ways, instil into the Minds of the Vulgar and Ignorant such Enthusiastical Notions as are inconsistent with all Government, by making Sedition and Rebellion a Principle of their Religion. From this Cause, I am inclined to think, the Tumult at *Edinburgh* proceeded; and to this is owing that ill-judged Fidelity of the Guilty towards one another; by which the Secret before the Execution was made impenetrable, and by which the Discovery of the Persons concerned has since been rendered impossible: But of the Inhabitants of *Edinburgh*, I am convinced, there are very few tainted with these Principles, because they seldom or never hear such Doctrine.

' I have now, my Lords, given my Opinion with respect to the present Bill, so far as I have had an Opportunity to know any thing of its Tendency, or the Evidence upon which it is founded; and, I think, if we consent to the passing it into a Law, at least in the Shape it is now in, we shall do what is both imprudent and unjust.'

The Lord *H-----* attempted to make a Reply to this speech; wherein he does not seem so much to deny the Force  
of

of the Objections made by his Grace to the Bill as it then stood; but only alledges, that if any Alterations were made in the Bill, either by leaving out the Clauses complained of, or inserting others, that the Bill would take up so much time, that the House could not go through it at that Season; and that what had been the Labour of both Houses for so many Months would be entirely lost, and concludes in these Words:

‘ ---- But I cannot imagine how any one who wishes well  
 ‘ to his King and Country can look upon the present Bill,  
 ‘ which is calculated only to punish a visible Neglect of the In-  
 ‘ terest of both, as a Jobb, and refuse his Concurrence to it on  
 ‘ that Account. The Time was when indeed Races of Popu-  
 ‘ larity were run, and when gaining a Borough or a County  
 ‘ might have been the Motive of a Dissent from a Bill of this  
 ‘ Nature; but I hope there are none among us who will sa-  
 ‘ crifice the Honour of Government in general to any Jobb,  
 ‘ or to any selfish Views whatever. Some think to govern  
 ‘ Nations by a Party, without any View to the good of Go-  
 ‘ vernment in general; but it is a pitiful way of governing.  
 ‘ A Man who acts zealously for the Good of his Country,  
 ‘ will make the Rule of his Conduct the Interest of the whole,  
 ‘ which is as much supported by the Maxims of punishing o-  
 ‘ pen Violations of, as rewarding particular Services done to,  
 ‘ Government in general. Whoever, I say, acts in this  
 ‘ manner, acts for the Good of the Whole.’

Some Words it would seem in this Conclusion his Grace of *Argyle* imagined were intended as a Reflection against him; therefore he replied in Substance as follows:

‘ I did not intend to have troubled your Lordships with ad-  
 ‘ ding any thing to what I have said upon the Subject of the  
 ‘ Bill now laid before us, but I find myself so plainly pointed  
 ‘ at, in the latter End of the Speech of the Noble Lord who  
 ‘ spoke last, that I think I am obliged to say something that  
 ‘ may acquit me of the Imputation his Words Insinuate; I  
 ‘ should be very glad if I have mistaken the noble Lord’s De-  
 ‘ sign: which I have the more reason to hope I have done,  
 ‘ because I have never failed to express the greatest Friend-  
 ‘ ship, I may say Love and Esteem, for his Person, as I have  
 always

always entertained the highest Respect for his Station and Character.

‘ My Lords, I am no Minister ; I never was a Minister, and I never will be one. Time was when I might have been a Piece of a Minister ; but I was too sensible of my own Incapacity to engage in any State Affairs, and I thank God I had always too great a Value for those few Abilities which Nature has given me, to employ them in doing any Drudgery or any Jobb of what Kind soever. I have ever since I set out in the World (and I believe few set out more early) served my Prince with my Tongue, I have served him with any little Interest I had, and I have served him in my Trade, and were I To-morrow to be stripped of all the Employments I have endeavoured honestly to deserve, I would serve him again to the utmost of my Power, and to the last Drop of my Blood. Can any Man say, my Lords, that I ever ran the Races of Popularity, or that I ever was engaged in any dirty Jobb of Elections, even when I met with ill Treatment, and was in Circumstances which perhaps one would have thought might justify such a Conduct ; and can it be suspected that I will now be dipt in such ? I have opposed the present Bill, my Lords, because I look upon it to be an Invasion of Property in that Part of the Kingdom. And upon that Account, my Lords, were it upon no other, I have more Reason to oppose it than any Man in this House ; nay perhaps than any Man in the United Kingdoms : Because there is none whose Property is, there, so extensive as my own. I likewise look upon it, my Lords, as an Encroachment upon Liberty ; and on this Account no Man has better Reason to oppose it. My Family, my Lords, has been always persecuted, and has often bled under Tyrants, and never had a Breathing time but that of Liberty ; and should Bills of this Nature pass into Laws there is Reason to be afraid of their Consequences with respect to Liberty.’

The same noble Lord who had given occasion to this last speech was pleased in a very polite manner to clear up the mistake, as to his Intention of applying the Words which had  
given

given his Grace Offence, declaring that his Grace was the last Man in the World to whom he would apply them.

His Grace's Appearance in this Affair had so much Weight, that the Bill was quite altered, and those Clauses concerning the Guard and Gates left out, the Lord Provost was declared incapable, and the City mulct in two thousand Pounds for the Use of Captain *Porteous's* Widow; and some Clauses inserted for discovering the Persons concerned in that barbarous Murder.

This was the Event of this Affair, and this the first publick Opposition which his Grace gave to the Measures proposed by the Ministry; where it is easy to be observed, that his Grace was directed by no other Motives but Zeal for the Liberty of his Country, and the Honour of his Royal Master; tho' 'tis said that some Expressions which dropt from him in this Debate was very much resented by those who had the chief Direction in the Administration, and were made use of some time after to supplant him in the Favour of his Majesty. A Man of his Grace's Character must always be obnoxious to a designing Minister; a Man who at the same time enjoyed the highest Employments under the Crown, and yet had Courage enough to declare his Mind freely against the Measures of the Minister, must be as much the Terror of bad ones, as he would be the darling of Honest Men.

The next Affair wherein his Grace's Zeal for the Honour and Interest of the Crown and People was conspicuous, was in the Affair of *Spain*.

The Merchants of this Kingdom had been long oppressed by the Court of *Spain*. They had often complained both there and at Home, but were still put off by that haughty Court with Delays and Evasions; and fresh Matter of Complaint furnished them every Day with little or no Hopes of Redress.

In the Year 1738 they petitioned the Parliament for Redress of their Grievances, and made out their Losses to the Conviction of all Mankind; which had this Effect, that both Houses came to certain Resolutions on that Subject, which they presented to his Majesty. The Resolves of the House



Lords were three in Number, and in Substance as follows. *Resolved*, That the Subjects of these Kingdoms have a clear and undoubted Right to carry all Sorts of Goods and Merchandize to and from any of his Majesty's Ports, and that the searching of any such Ships upon the open Seas, is an Infringement of the Treaties subsisting between this Court and that of *Spain*. 2°. That it appears to this House, that since the Execution of the Treaty of *Seville*, on the Part of *Great-Britain* there has been divers Ships and Vessels with their cargoes belonging to *British* Subjects, seiz'd by the *Spaniards* upon Pretences unjust and groundless; and that many of the Persons belonging to such Ships have been barbarously imprisoned and ill-treated. 3°. That it appears that frequent Applications have been made to the Court of *Spain* for redressing these Abuses, which in the Event have proved fruitless. Both Houses therefore gave his Majesty full Assurance, that in case he should receive friendly and powerful Instances for obtaining Reparation and Security for the Trade and Navigation of his Subjects, they would zealously and cheerfully concur in all such Measures as should become necessary for the Support of his Majesty's Honour, the Preservation of our Navigation and Commerce, and the common Good of these Kingdoms.

These Resolutions every Man, within and without Doors, took upon to be Directions for the Minister in all future Negotiations with the Court of *Spain*. It was impossible to suppose, that the Minister would venture to give away any of these Articles, which both Houses of Parliament Resolved to be the Natural Right of these Kingdoms; or would even deliberate to treat in such a manner about them as might give the Court of *Spain* the least Hopes that any of them would be yielded from.

Yet notwithstanding these Resolutions, the Court of *Spain* continued her haughty Airs; and their Minister *Geraldo* was often heard to say, that he wondered that the Ministry should so far impose upon the King and People, as to make them believe that the Court of *Spain* would part with their Right of searching Ships upon the *American* Seas; or that it would be possible

possible to conclude a Peace with that Court, in which such a Renunciation should be insisted on.

However, the Minister still went on negotiating; and during the Recess of Parliament had Address enough to bring forth the famous Convention, which was communicated to the Parliament by his Majesty in his Speech to both Houses from the Throne.

A Motion was made in the House of Lords for an Address of Thanks to the King for acquainting the Parliament that a Convention was concluded. To which some Lords made Opposition, since the House did not then know, if or not, that Treaty was concluded in the Terms of the Resolutions of the House formerly mentioned. His Grace of Argyle supported the Motion for the Address of Thanks, though at the same time it was currently reported that his Grace had given his Voice against the Convention when it was only in Projection; yet here his Regard for the Person of his Sovereign was such, that he was tender of every thing that related to him, and declared, ' That he had as bad an Opinion of the Thing called ' a Convention as any Lord in the House; yet he thought ' he owed so much to his Master, as to oppose nothing that ' had the Appearance of Zeal or Acknowledgment for his Majesty's Person. Besides, he did not conceive that any thing ' they should insert in the Address could preclude any Lord ' from speaking his Mind freely upon the Convention, when ' the proper time came for debating it.' This Opinion of his Grace had so much Weight that the Address was agreed to without a Division.

This Tendernefs for his Majesty's Honour, and every the least thing relating to it, must convince every un-prejudiced Reader, that his former and future Opposition to the Measures of the Ministry was free from all these mean Views of Party-Spirit or personal Discontent, and resulted only from a well directed Zeal for the Honour both of King and Country.

When the Convention came to be debated in the House, a Motion was made that the Directors of the *South-Sea-Company* should be examined with regard to a Declaration delivered by the *Spanish* Minister to Mr. Keen, importing a Defecazance of the

*Assiento Contract* in Case 68,000 Pounds was not paid by the *South-Sea-Company* to his Catholick Majesty within a limited Term; and likewise a disannulling of the whole Convention, in case these Terms were not comply'd with. This Motion was oppos'd by the C——t Party who thought proper, when they found themselves unable to answer the arguments in support of the Motion, to call out for the Vote; upon which his Grace of *Argyle* was pleased to say, "That they might carry the Question by Numbers, but it never would be in their Power to cram the Convention down the Throats of the People." In which he happened not to be taken.

When an Address was moved to be presented to his Majesty in Approbation of the Convention, his Grace, who took that to be more than a Matter of mere Compliment, spoke against making this Distinction betwixt it and that for which he stood at the opening of the Sessions, that as the Convention was not a Measure of his Majesty but of his Ministry, the Address would be a mean returning of Thanks for giving away the Wealth and Commerce of the Nation.

In his Speech upon this Occasion he introduced himself with a profession of Disinterestedness, and then entered into a Description of the pernicious Consequences of the Convention, and pointed out to what a Degree of Meanness we were sunk when we suffered a neighbouring Court to dictate to us in almost every Step of our Conduct, and to proceed to such a Pitch of Insolence, as to oblige us to break a brave Sea-Officer for doing his Duty against a Ship of that Nation, and which if he had not done, he must have suffered by the Rules of War here. He likewise demonstrated from History that the Convention was a Treaty which would be treated with Contempt in every former Age, but especially in the Reign of Queen *Elizabeth*, one of the most glorious Princesses that ever sat on the Throne of *England*, who understood our Constitution so well, that she never was ruled by a sole Minister. Ministers, he said, she had, but these were so far from being the bold and arbitrary Disposers of all the Affairs relating to the Kingdom, that they seem to have had no other Prebeminence

but in being subjected to a greater Share of Toil in the Affairs of Government. He took Notice of the resolute Maxims of *Cromwell's* Government, by which he had carried the Terror and Reputation of the *English* Arms to such a Height that the Principal of these Maxims was never to suffer an Insult upon the Flag of *England* by any Power on Earth to pass unrevenge'd. He made a very just Distinction between a Visit and a Search, which last ought never to be admitted of on the open Seas. He declared that he had disapproved of the Conduct of the Ministry with regard to the Management of foreign Affairs for eighteen Years past. He explained and showed the great Usefulness of that Maxim in our Constitution that the King of *Britain* can do no wrong : And concluded, that as the present Treaty could not be deemed a Measure of his Majesty, if they agreed to the Address propos'd, all the World would look upon it as returning Thanks to the Ministry for a Treaty enter'd into expressly contrary to the Resolutions of the House ; a Treaty that gave up all the Wealth and Commerce of the Nation to the Mercy of its natural and inveterate Enemies ; and that he would die before he would give his Consent to a Treaty so dishonourable in every Step.

This Speech gave so much Disgust to the Minister, that a certain great Man said in his Speech upon the Convention in the House of Commons, ' That while he had any thing to ' say in the Government, military Officers should have as ' little Power as possible in determining the Point of Peace ' and War in the Councils of his Majesty ; for (said he) they ' commonly court Glory by voting for War, no matter tho' ' it is attended with Ruin to their Country.'

Towards the Close of the same Session of Parliament a Message came from his Majesty to both Houses, demanding a Vote of Credit during the Recess of Parliament. As there was no Sum specified in the Message there was a vigorous Opposition to an unlimited Vote of Credit. The Duke of *Argyle* appeared among those Lords who oppos'd this extraordinary Measure, and observ'd to the House that they should look upon that Message as a Message from the Minister, and treat it as such. His Grace enter'd into a very free Discussion

of the Nature of Votes of Credit, and shewed that granting them, especially to an unlimited Extent, was no other than voting a Dictatorial Power in the Minister, and enabling him to rule without the Assistance of a Parliament. This he insisted on as a Power too great to vest even in the Crown itself, since the History of most Countries in *Europe* inform us, that they owe the Loss of their Liberty to their Folly of giving up the Power of granting Money. *Spain* itself lost its Freedom by parting with that valuable Power but for one Year. And the Power of granting Money, according to the Exigencies of State, is at present the most valuable Privilege of a *British* Parliament. These were the Arguments used by his Grace, and other Lords in Opposition to the unlimited Vote of Credit; but upon understanding that the House of Commons had a Bill in great Forwardness, limiting the Sum granted to 50,000*l*. the Question for the present was carried for the Court.

The next Opportunity which his Grace had of showing his Zeal for the Honour of his Master and the Interest of his Country, was, when the House took into Consideration the State of the Nation, 15th *April* 1740; when he delivered himself in a set Speech to the following Effect.

*My Lords,*

\* The present Question is of so great Importance, that I cou'd wish that every Lord in this House was to declare his Opinion, with the same Sincerity, with the same Unreservedness which I think is my indispensable Duty to use, when I lay my poor Thoughts before your Lordships. I, my Lords, have no View in speaking upon publick Affairs, but to do that Service to my Master and my Country, that I think every Lord in this House ought to aim at, without regarding who takes his honest Endeavours amiss; for my own Part, my Lords, I have ever since I had the Honour to sit in this House, spoke my Mind with equal Freedom upon all Occasions, and will continue to do it the more sincerely as I have neither Hopes nor Fears from this Administration, and as few from the next; and, my Lords, so void is my

Breast of all partial Considerations, of all interested Views, that I don't care, if all my Thoughts were read at *Charing-Cross*, all my Ambition being to be thought a Man who speaks and acts as he thinks; and, my Lords, it has been long my Opinion that by such a Conduct, a Man may even force the Esteem of his Enemies.

I, my Lords, have liv'd long enough in the World, to be able to compare the once flourishing State of this Country, with its present melancholy Situation; I have seen, my Lords, a Time when *Great Britain* was glorious, triumphant and terrible Abroad, her Government lov'd, respected and envy'd at Home; when her Enmity was dreaded, and when her Alliance was courted. Is there a Subject in this Kingdom, my Lords, who can reflect that these were once the happy Circumstances of this Country, and yet sees the deplorable Alteration which a few Years has made, who will not feel a sensible Concern upon the Comparison, however Self-interest may alleviate his Grief. I know, my Lords, what has been said in Favour of those who have been the Instruments of bringing this melancholy Change about; I know it has been attributed to Fortune and to unforeseen Causes. My Lords, I am very sensible that Fortune has very often a very great Hand in Public Events, and that a Nation may suffer a great deal from Events, that no Human Foresight cou'd prevent or guard against; but I am far from thinking that this has been our Cause. I am apt to believe, my Lords, that Fortune has been favourable to us, and presented us with many Opportunities of raising the Honour and Interest of this Nation to as high a Pitch as ever, even while they have been suffering the most, but that these Opportunities have been all wantonly slighted, and neglected. It is, my Lords, I am afraid, owing to a long Series of Misconduct, to a long Train of weak Measures, unsuccessful and unnatural Expedients, and not to Fortune, that this Nation has suffer'd so much in her Character and Interest in all the Courts of *Europe*. A very slight Review, my Lords, of our Conduct for some Years past may convince any Man of this Truth.

‘ The Treaty of *Utrecht*, my Lords, is a Measure that we have been often told is the Source of all those Inconsistencies that appear in our Conduct for these last five and twenty Years. My Lords, I had the Honour of sitting in this House at that Time, and to have some Share in the Successes that might have entitl’d us to a much better Treaty, I am very sensible it was not a good Treaty, and when it came to be consider’d by the House, no Lord spoke with greater Freedom on that Occasion than I did. At the same Time, my Lords, my Opposition to that Treaty cou’d not proceed from any Dissatisfaction, from any ill Will that I cou’d bear to those who concluded it. I liv’d on good Terms, nay had personal Friendships with several who had a large Share in the Negotiations that brought it about ; but I oppos’d it because I thought it might have been better, and because it gave up many Advantages that we might have then justly claim’d. But, my Lords, had as it was, I don’t think you have made a better since, and had even the Advantages which the Nation gain’d by the Treaty of *Utrecht* been improv’d by the next Ministry, had they made a right Use of their Power in cementing the short-liv’d Misunderstandings that soon after broke out amongst our Allies, and thus depriving *France* of all the means of retrieving her Power upon these Differences, you might, notwithstanding all that then happen’d, have gone on from Glory to Glory till you had fix’d the Balance of Power unalterable in your own Hands.

‘ But, my Lords, the succeeding Ministry took no Warning from the Misconduct of their Predecessors ; they took no care to avoid treading in their Footsteps, tho’ the Ruin to which they led was so clearly and so evidently pointed out ; they fell into a Train of foolish Negotiations which disoblig’d and detach’d your best Friends from your Interests, and which gave your natural Enemies an Opportunity of retrieving all they had lost. They adopted a Maxim, my Lords, that any even the most dishonourable Peace, was preferable to a War, and by their inviolable Adherence to this Maxim, they have led you into all that Discredit,

“ I had almost said Scandal, that has come upon you from all  
 “ Quarters. This Situation, My Lords, is the more dreadful  
 “ as it is attended with no Security. We have negociated  
 “ Ourselves out of all Reputation, and tho’ we have been  
 “ doing nothing, but forming Alliances and making Treaties  
 “ for these twenty Years past, we have not at this Day one  
 “ Ally in the World, nor one Treaty that at this Time stands  
 “ us in any stead. My Lords, I appeal to Facts: Where  
 “ are your Allies? Have you receiv’d the least Assistance from  
 “ any Power in *Europe* since you enter’d into this War; or,  
 “ is there any Appearance of their declaring in your Favour?

“ Having said thus much, my Lords, upon the General  
 “ State of the Nation at this Time, I shall now trouble your  
 “ Lordships with my Opinion as to this particular Question.  
 “ And here, my Lords, I cannot help declaring, that I think  
 “ the Words of the Question are extremely proper, and  
 “ that it is very becoming your Lordship’s Wisdom and  
 “ Dignity, while you have the State of the Nation under your  
 “ Consideration, to enquire into the Particulars which this  
 “ Resolution comprehends. It consists, my Lords, of two  
 “ plain undeniable Facts, and one Consequence; therefore I  
 “ cannot see the least Grounds for supposing, with a noble  
 “ Lord who has spoken in this Debate, that our agreeing to  
 “ this Resolution can ever reflect the least Dishonour upon  
 “ the glorious Success at *Porto-Bello*, or that it is a Censure  
 “ upon the Congratulations which have been presented already  
 “ to his Majesty on that Account. My Lords, Truth will be Truth,  
 “ whatever Glosses are made to disguise it, and whatever At-  
 “ tempts are made to pervert it. The present Question contains  
 “ nothing but what every Lord must admit of. The Parts  
 “ of which it consists, are no way complicated, and must  
 “ be understood by every body who takes the Pains to con-  
 “ sider the Fact; which, my Lords, is, that if Admiral *Vernon*  
 “ had been furnish’d with a proper Body of Land-Forces,  
 “ the taking of *Porto-Bello* might have been render’d not  
 “ only more certain and infallible, but have been attended  
 “ with greater Consequences to the Nation.” My Lords,  
 “ the noble Lord who made the Motion, gave your Lordships



• no ground for thinking that he meant a Scriptural Infal-  
 • libility, such an Infallibility as the Church of *Rome* vests in  
 • her Popes, by the Words *certain* and *infallible* contain'd in  
 • this Motion; no, my Lords, as I understand the Words of  
 • the Resolution, they mean no more than that if Admiral  
 • *Vernon* had been furnished with Land-Forces, it was fifty  
 • thousand to one if he had fail'd in his Attack upon *Porto-*  
 • *Bello*; whereas, there were many Chances to one against  
 • his Success, as he was not furnish'd with them. The Words  
 • *certain* and *infallible* therefore, are here put in Opposition  
 • to the Precarioufness and Uncertainty he was under in mak-  
 • ing such an Attack with so trifling a Number. For, my  
 • Lords, give me leave to say it, had the *Spaniards* behave'd  
 • with Resolution, had they defended the Place as well as its  
 • Fortifications might have admitted of, Admiral *Vernon*  
 • could not have succeeded. And as it was, my Lords, no-  
 • thing but his own Intrepidity and good Conduct cou'd have  
 • prevented his Ships coming very indifferently off; but he  
 • acted with the Resolution that became an *English* Admiral,  
 • he said he *cou'd take the Place, and he would take it*; and,  
 • my Lords, it was owing to him, and him only, that it  
 • was taken: For it appears that his Ship did all the Damage  
 • to the *Spaniards*. Now, my Lords, can any Lord doubt,  
 • that if Admiral *Vernon* had been properly supported by a  
 • sufficient Body of Land-Forces, that he might not have at-  
 • tempted greater Matters than the taking and demolishing of  
 • *Porto Bello*?

• Having said thus much, my Lords, in Defence of the  
 • Facts contain'd in the Question, I come now to the Conse-  
 • quence which I suppose to have been that Part of the  
 • Motion that has given rise to all this Debate. This Conse-  
 • quence, my Lords, is, that the not sending Land Forces  
 • with Mr. *Vernon*, was a Piece of Mismanagement in the pro-  
 • secuting *this just and necessary War*. My Lords, who doubts  
 • that it was? A noble Lord who spoke first in the Debate,  
 • was pleas'd to say, that a great many things were necessary  
 • to be provided, in order to embark any Number of Land-  
 • Forces for so-distant a Voyage. My Lords, it is now a  
 • long

sure, they who were in the Direction of Affairs were the more inexcusable, as they brought another Year's Expenses upon the Back of the Nation, which is so little able to bear it. For, my Lords, it is there that we can most effectually distress them, it is there that their most sensible Parts lie, and it is only by attacking them there, that we can ever hope to get out of this War with Honour and Advantage.

The same noble Duke was pleased to assert, that all had been done that was to be expected on the Coast of Old Spain, where we have had a strong Squadron lying for near two Years past. All has been done, my Lords! What single Thing has been done, (except the taking a Ship or two.) that could make the *Spaniards* feel that you had a Squadron there: And, my Lords, give me leave to say, a Squadron fitted out at a vast Expence to this Nation; it consisted of more and better Ships than ever Sir *John Jennings*, who will always be remembered on those Seas to his immortal Honour, ever had the Command of. It was a stronger Fleet, my Lords, than ever was given to Sir *John Norris*, who certainly, in his Way as a Sea-Officer, is superior to any Man in *Europe*. My Lords, I think the Service upon which Mr. *Haddock* was sent deserv'd to have been committed to one of your Admirals the best and ablest Officer in his Majesty's Service; I say this, my Lords, without any Intention to reflect upon any Gentleman who has the Honour to serve his Majesty as a Sea Officer, I have a great Esteem for all, and no exceptions to any of them: But, my Lords, as our Reputation was beyond all things to be regarded, especially at the beginning of this War, I think we ought to have employed those who had Rank and Standing in the Fleet, besides Courage, which every Man is supposed to have; and this would have, perhaps, given the *Spaniards* to understand that we were in earnest, as much as any thing except some vigorous Stroke.

But, my Lords, give me leave to ask what has this great Fleet done? What return has the Nation had for all the immense Expenses she has been at in fitting it out? Has it done any thing to retrieve your Honour, any thing to revenge your

• Wrong

wrongs, any thing that may answer the great and necessary Purposes for which this War was enter'd into? No; the Trade of the Nation has suffered vastly in those very Seas where this Fleet lay. The *Spaniards* have indeed been prevented from sending out their Ships; but at the same Time they have got a great many safely home, notwithstanding the Vigilance of this Fleet of ours. Then has nothing been done, my Lords, and will any Man say that nothing was to be done? Unexperienced as I am, in naval Affairs, I could point out several things that might have been done, besides blocking their Ships up in the Bay of *Cales*.

\* And here, my Lords, I must beg your Lordships Indulgence a little if I give the House my Sentiments, with Regard to that favourite Piece of Service, I mean the blocking up the *Spanish* Fleet in the Bay of *Cales*. I know I am singular in my Opinion on that Head, and I don't expect that many Lords will be of my Way Thinking in this Particular; but, my Lords, I think it was a very useless, ill-judg'd Piece of Service. It was a Piece of Service that this Nation had much better been without. I am sorry, my Lords, that I differ with those who gave the Orders in this Respect; but I think it had been much better that the *Spanish* Fleet had sail'd. For, my Lords, if it had sail'd we could have follow'd them to *America*, perhaps overtaken them at open Sea; in any Event we must have met with them in their *West-Indies*, and then, my Lords, we could have destroyed or taken them, which would have been a brave and reasonable Piece of Service to the Nation. Nay, my Lords, if we had had a proper Land force on board, we could at the same time have made other Pushes, which could not have fail'd of being of vast Advantage to this Nation, and putting the Differences betwixt us and *Spain* upon a very short Issue.

But, my Lords, to what Purpose has this Fleet been blocking up the *Spanish* Ships all this Time in their Harbour? If I am rightly inform'd, or if I am to give any Credit to what is very publickly talk'd, that Service has been ineffectual; for the *Spanish* Ships have escap'd. So that, my Lords, we have for two Years, at a vast Expence, been

endeavouring to do what we find turns out to no manner of Account, while there were many Services which that Fleet might have perform'd, that must have put an end to the War in our Favour before this time. I know, my Lords, it is given out, that *Portmahon* was in Danger, and that our Admiral has fail'd to prevent any Surprize from that Quarter; but when I reflect upon the long time he has now been at Sea, and the Nature of the Seas where he has been lying, I doubt his Ships have been so dreadfully out of order, that he has been obliged to leave his Station. From what I have said, your Lordships may see that it is evident the War on that Quarter has been very ill manag'd, and Fortune is not to blame; for we have met with no cross Accidents, no Losses that have disabled us from performing Service that might have been solid and lasting Advantages to the Nation, besides saving the vast Sums that we have been obliged to expend. I shall not, my Lords, pretend to point out by whose Fault all this has happen'd. I know Admiral *Haddock* to be a very brave worthy Man, and one who I'm sure would, as far as the Force he had with him cou'd reach, perform any piece of Service for the Honour of his King and Country, that he was set out on: In short, my Lords, I know him to be a Man who as a Sea Officer has every good Quality, except that of great experience in great Command. For all these Reasons, my Lords, when I reflect upon the unactive State he has been in ever since he sailed from *England*; when at the same time I reflect upon the great Services which it was in his Power to have perform'd, I cannot in Charity but doubt that his Instructions bound up his Hands. There is not, my Lords, a common Sailor that won't tell you if you ask him, that fifty things might have been done to annoy the *Spaniards* upon those very Seas.

Having said thus much with regard to Admiral *Haddock*, and what has been done in the *Mediterranean*, I shall now take the liberty to make some Observations upon what a noble Duke has said in excuse for our not sending a sufficient Number of Troops to the West-Indies. His Grace

took

took notice, that when Mr. *Vernon* sail'd, the Battalions from *Ireland* had been arriv'd but two Days, and therefore that they were in a very bad Condition to be shipp'd on board for such a Voyage. It is very true, my Lords, that it must have been impracticable to have sent these Troops on board at that time. But what I would be inform'd of is, Why those Troops from *Ireland* were not sooner brought over? Can it be pretended, that it was uncertain we should enter into a War with *Spain* before that Time? My Lords, I appeal to the Papers upon your Lordships Table to prove, that, even in the Opinion of our Ministry, the War was then inevitable. I appeal to what pass'd in this very House; when several Lords, who certainly knew a great deal of what was passing at that Time, declar'd that all speaking and treating was now at an end, and that then was the Time for acting. But, my Lords, where could the Harm have been, if, upon even the Suspicion that the Nation was to enter into War, these Troops had been brought from *Ireland*? My Lords, the very Letters which *Geraldine* wrote up and down this Kingdom before he went away, don't leave us the least Room to question, but that the Ministry, long before that Time, knew that a Rupture with *Spain* was unavoidable.

My Lords, I come now to speak a little with regard to the Management of our Affairs at Land, the Element to which my Services have been mostly confin'd. And here, my Lords, give me leave to say, that I must give up all Pretensions to common Sense, if there have not been many wrong Steps taken in the Affairs of the Army, so far as appears to me, since our entering into this War. I am glad of this Opportunity of disclaiming my having any hand in such a Conduct, as I every Day observe; if they who gave the Orders reap any Honour from their Management, I shall rob them of no Share of it, and I wish them much Joy in it; but at the same Time, while that I renounce the Honour, I refuse to have any Part of the Discredit that may arise from the present Measures that are pursued. The noble Duke who spoke in the Debate, said, that he should

' have look'd upon himself as a Traitor to his Prince, if he  
 ' had advis'd him to any other Measures than what have been  
 ' pursu'd. My Lords, there the noble Duke and I widely differ;  
 ' had I had the Honour to have advis'd his Majesty, I should have  
 ' been clearly of Opinion, that a Body of 6 or 8000 Men  
 ' had been sent out with Mr. *Vernon*, and those too of the very  
 ' best Troops we have. It was owing to Mr. *Vernon's* Cou-  
 ' rage, my Lords, that he succeeded as he did, and he has  
 ' been nobly rewarded. He has, my Lords, had the very  
 ' same Reward that was bestow'd upon the late Duke of  
 ' *Marlborough* upon the Victories of *Hochstedt*, *Ramelies*, and  
 ' *Malplaquet*; and that is the Addressees of both Houses of  
 ' Parliament, and of the City of *London*, congratulating his  
 ' Majesty upon his Success. So that there cannot, my Lords,  
 ' be greater Honours done to a Subject, than what has on this  
 ' Occasion been done to that brave honest Man, Mr. *Vernon*;  
 ' that is the greatest Character that I can give any Man; and  
 ' that Character I know he deserves. But, my Lords, no Of-  
 ' ficer in the King's Service has for some Years past made so  
 ' little a Figure in his Way as this gallant Admiral has done.  
 ' I cannot say what this is owing to, but his present Glory  
 ' makes him ample Amends for all his late Obscurity. And,  
 ' my Lords, give me leave here to observe, what a vast En-  
 ' couragement it is for all his Majesty's Officers to do their  
 ' Duty, when they reflect that their Success procures them the  
 ' greatest Rewards and Honours.

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' My Lords, I am far from believing the Gentlemen of the  
 ' Navy when they tell us, that their Ships are a sufficient  
 ' Guard to our Coasts, and that we can by means of them  
 ' prevent all Invasions. I do admit, my Lords, that the  
 ' *French* may take an Opportunity to throw over 10 or

12000 Men here, and that our Ships can't prevent their Landing; but, my Lords, tho' we had sent out 10 Battalions with Mr. *Vernon*, we still had 18000 Men left to guard the Nation, and these must have been an Over-match for any Number of Men the *French* could have landed here. All the Number, my Lords, which they can throw over to this Country before our Fleet come to our Assistance are so inconsiderable, that their Landing would deserve the Name of a *Surprise* rather than of an *Invasion*.

' Let us suppose the worst, my Lords, and that we had been invaded with a greater Number, our 18000 Men must still have made Head against them, and I dare say, it could have been no difficult Thing for the Government to have rais'd Recruits, as many as they could have Occasion for.

' But, my Lords, I cannot for my Life conceive what should tempt *France* to invade you; she has at the Head of her Councils a Minister, who knows how to make Peace, and how to make War, and both equally to the Honour of this Country. If that Minister, my Lords, entertains any Designs to the Prejudice of this Nation, he will never invade us while he has us in the very Situation he could wish for. We are now paying great Fleets, great Armies; my Lords, we have been paying them for some Years past, and all to no Purpose. This plays the Game of *France*, if she has a Design to break with you, more effectually than any Invasion can do, while the Nation reaps no Advantage from the vast Expence she is at. My Lords, I am afraid we are now suffering more than if she were actually at War with us; we, from Year to Year, keep up useless Armaments by Sea and Land, which must ruin our Finances; and Finances, my Lords, are the Blood and Sinews of War.

' The noble Duke took Notice, that our agreeing to this Resolution look'd like passing a Censure upon what we had already congratulated his Majesty for. No, my Lords, I see no Reason for viewing it in that Light. It is very possible this House may approve of one Step and disapprove of the rest, and I believe there are many Precedents of it. The noble Duke likewise said, that the infamous Libels

which are daily published against the Government, are a proper Consideration for this House, when we are upon the State of the Nation. My Lords, I have Occasion to see a good many Papers wrote upon publick Affairs upon both Sides of the Question. My Opinion of them, my Lords, is, that on one Side, they are weak, scurrilous, void of Reasoning, and never can be accused of Wit. On the other Side, they are wrote with at least a Shew of Reasoning and Argument, and with Regard to good Sense and good Manners. And, my Lords, it is notorius, that in the Papers of the former, some of the greatest Characters in the Nation have been attack'd and blacken'd; so that an Enquiry of that Kind, would, I believe, come out no way in favour of those who write for the Administration.

Upon the whole, my Lords, I don't see the least Inconveniency that can attend your Lordships agreeing to the Resolution: To me it contains nothing but a plain demonstrable Fact; and all the Arguments I have heard against it have rather confirmed me in Favour of it. I see no Reason why your Lordships should be in any Pain about agreeing to a Thing that can affect but a very few, and may occasion the future Management of this War to be put upon a more sure and advantageous Footing for the Nation than it has hitherto been. I am perswaded, my Lords, that if the Thing that is censured in this Resolution had been properly provided against, we should have by this Time brought our Enemies very low, and have either oblig'd those who are neuter to be our very good Friends, or to declare themselves in such a Manner as might put us upon our Guard, and let us know what we are to expect. My Lords, I ask your Lordships Pardon for having troubled you thus long, but I thought the Importance of the Occasion required it. I shall conclude with declaring **THAT I AM FOR AGREEING TO THE MOTION.**

This Speech was the last which his Grace had an Opportunity to make while he enjoy'd any Place under the Government; for shortly after, this great Man was dismissed from all his Employments. Whether this Speech, or any of  
the



the former mentioned, had any Influence in bringing about this Event, 'tis not proper for me to determine; but the World at that time made such Conjectures, and the Publick did not fail to remark, that the Minister had made good his Threat mentioned but a few Pages ago. But whether Fame, whom no body could hinder from making Conjectures on such Occasions, was in the Right or not, we may conclude, that hitherto his Grace's Opposition to the Ministry merited the Applause of all honest Men; since, whether the Duke was right or wrong in his Notions of Government, there appeared in the whole of his Conduct so much Disinterestedness, such a tender Regard for the Person of the Sovereign, and so unfeigned a Zeal for the Interest of the Community, that even those who differ'd from him in Opinion, could not miss being charm'd with his Behaviour.

However, his Grace's Dismission happen'd at a Time which made that Event have very great Influence on the following Elections for Parliament-men. The Opposition had been struggling for near twenty Years to impress the Nation with a mean Opinion of the Minister; and they had succeeded so well, that never Minister was more hated; all Events, whether owing to him or not, had been artfully exaggerated, to increase the publick Odium against him, and the rest of his Creatures. His Grace's Dismission, just upon the Back of so zealous an Appearance for the Publick Interest, added fresh Fuel to the Clamour; since, by that Step, the Minister seem'd resolved to allow no Man to partake of his Majesty's Favour, or assist in his Councils, who would not, blindfold, follow his Dictates, and sacrifice all Sentiments of Honesty to support his wild Schemes.

As I am perswaded his Grace despised many of those concerned in the Opposition as much as the Minister, as knowing the Motives of their Opposition, tho' gilded with a specious Pretence of Zeal for the publick Good, was no better than personal Malice, and a mean selfish Ambition. He did not on this Occasion enter into their Cabals, or list himself of their Party; but at the same Time used his Interest, where he had any, to prevail with the Electors to chuse Men worthy of that

high Trust ; Men of steady, loyal and honest Principles, and independent Fortunes. These were the Qualifications he pointed out to such of the Electors as apply'd to him for Advice on that Occasion ; particularly to the City of *Edinburgh*, and several Corporations, who address'd him in Form at that Time. This moderate Behaviour of the Duke's had a much better Effect than all the Arts commonly used in Parliamentary Methods ; which he scorned, as only fit Employment for Ministerial Drudges.

The Spirit in which the Nation in general was, and the Influence of this great Man in *North Britain* had the desired Success ; a Representation was chosen, whereof the Majority was supposed Proof against all the Force of Ministerial Influence ; even the smaller Boroughs, which a Right Reverend Author terms the rotten Part of our Constitution, on this Occasion, stood out against all the Temptations of the Minister and his Tools ; and *North Britain* returned to this Parliament a greater Number of Men of independent Principles and Fortunes than they had done any Parliament since the Union.

This Parliament then open'd, the People flattered themselves that their Delivery was at hand : The Opposition thought themselves within Sight of the Enjoyment of all their Wishes : The Minister dreaded the Event ; and every one was in full Expectation of a sudden Change, and a short Time shewed they were not mistaken. The Minister found himself unable any longer to hinder the Wishes of the whole Nation, who earnestly longed for his Removal. That Event at last happen'd, and he took his Seat in the House of Lords.

The Nation's Joy was now compleat, and could admit of no Alloy, but from the Consideration of the Fickleness of their Temper. They saw their old Enemy discarded, and the Management of the Administration put into the Hands of those very Men, who had been the Scourge of the Minister, and the Idols of the People for many Years past. They saw a thorough good Understanding established in the Royal Family, a tremendous Enquiry set on Foot to bring to an Account their old Plunderers, and Peace and Unanimity reign every where ; and the Duke of *Argyle*, one of the chief

Instruments of this great Change, now more than ever their Darling, restored to all his Places, and in full Confidence with his Sovereign : In short, every Thing seemed to promise happy Days. But this Dream did not last long ; for but a few Months past before the Prospect changed, when the Nation found they had been the Bubbles of a few designing Men, who had only made the National Interest a Stalking-Horse to gratify their Ambition. They soon saw their beloved Enquiry end in nothing, and that they changed Men in Appearance but not Measures.

His Grace of *Argyle* was not among the last who found out this Truth, that none had gain'd by the Change but a few private Persons ; and as he had declared himself an Enemy to the Measures of the former Ministry, not their Persons, so when he found that the same Race was to be run over again, he shortly resign'd all his Places, resolving to withdraw from a Scene that could not miss to be disagreeable to a Man of his Disposition.

Some of the Duke's Friends blame him for this Part of his Conduct, as too rash and precipitate ; alledging, that it was his Duty to serve his Majesty as he had done formerly, tho' he could not approve of all the Measures of the Ministry, for whose Conduct he was by no Means answerable : That his Presence would be a Check upon them, and might help to keep them within some decent Bounds : How far these Arguments are conclusive I shall not pretend to determine, but his Resignation show'd a Spirit above all mean Views ; and if a contrary Conduct might have been more his Duty, yet no other Conduct could gain him so great Reputation as that last publick Step of his Life.

From this Time his Grace liv'd retir'd, and affected Privacy, seldom admitting any Conversation but those of his most intimate Friends. But this Satisfaction his Enemies envy'd him ; his Reputation, tho' removed from Court, was obnoxious to them ; and as they knew this was what he valued most, they endeavour'd, by little low Arts, to blacken that. Numbers of Jacobites had joined in the Opposition to the late Ministry, and were as full of their Professions of Zeal for Liberty, tho' their chief Design in opposing the Ministry

was to distress the Government, and give the People a mean Opinion of all Government, as knowing it was but a short Transition from no Government at all, to that they wanted to introduce, *viz.* Slavery and Arbitrary Power. The Enemies of the Duke of *Argyle*, tho' there could be nothing more improbable, endeavoured to fix this Character on His Grace; and to strengthen this Surnise, procured a Letter under the Pretender's own Hand to be address'd to him; the Purport of which I will not pretend to know; but they were disappointed in their Design, for so soon as his Grace received it, he immediately communicated it to His Majesty's Ministers.

'Tis possible that some of that deluded Party in *England*, in order to magnify their Power to the Chevalier, might be so weak as to represent his Grace in that Light, and so procure that Letter; but I am more apt to believe that the whole Affair was conducted by some Under-plotter to the last (I mean the immediate last) Ministry, by the Interposition of some of their secret Agents at Rome, with a Design to make the Duke uneasy on account of his being suspected as a Jacobite; and perhaps with a Design to represent to his Majesty his Grace's Behaviour as flowing from these Principles.

It must be own'd, that there could not be a worse judg'd Step taken by the Pretender, let the Case be supposed in what Shape they will; since such a Proceeding could answer no wise End of his, whether the Duke was or was not in his Interest; from whence I conclude, that this Letter was procured by Persons equally Enemies to the Duke and the Pretender, since 'tis impossible that any Man of Sense of that Party would give such Advice, or any Countenance or Belief to a thing so improbable, as that the Duke of *Argyle* could be in League with Jacobites, or in the Interest of a Family who had been the Scourge of his own. That a Man whose whole Life had been one continu'd Act of Opposition to the Interest of the House of *Stewart*; That a Man who publicly declared that his House had never any Breathing-time but in the Times of Liberty, should be reconciled to Slavery, and become in Love with arbitrary Power, is so absurd that a Man must be willfully blind who can give the least Ear to the meer Possibility of such a Contradiction.

HIS Grace had been for many Years seiz'd with a paralytick Disorder, which now increas'd. Whether the State of the Nation, and the Concern he had upon his Mind to see Things not directed as his honest Heart could wish, might sink too deep upon his Spirits, and increase his natural Disorder, I will not pretend to guess: But his nervous Illness daily increased, attended with a kind of Reservedness that had some of the Symptoms of a deep Melancholy. His Grace linger'd on in this Shape for some Months, still preserving all his Faculties till the third Day of *September 1743*, when this Great and Illustrious Peer departed this Life, to the great Grief of his Family and the Universal Regret of all honest Men.

I HAVE now traced this great Man from his Birth to his Grave, thro' all the Steps of his publick Life. I have omitted a great many Circumstances in his private Life which might give Beauty to the Life of any other Subject but that of the Duke of *Argyle*. But I'm perswaded the judicious Reader will excuse me, that I did not break off the Tread of those great and various Events in which his Grace was concern'd, to insert the more minute part of his Life: His publick Character was what I had principally in View; to delineate the Patriot was my chief Aim; and I hope that has furnished matter sufficient to satisfy the Enquiry of a Reader who is not to be amused with Trifles. However, I shall throw together such Facts of his Grace's private Life as have come to my knowledge.

I have already mentioned the Steps of his Non-age, and his Appearance in the World. That Fire and Liveliness of Spirit that was remarkable at that early Period, accompanied him thro' all the Stages of an advanced Age, only it's Luxuriancy was check'd by his early Acquaintance with Men and Books.

While he was yet in the Heat of Youth, the Fire of his Temper led him into some of those Excesses which the less reserved call polite Excursions, such as Women and Wine; yet even in these he never allowed himself to be hurried beyond the Bounds of Honour; keeping up still, in all the Excesses of a Court, the Dignity of his Character, and never prostituting that, to gratify any reigning Passion. It may be almost impossible for a Nobleman of Vigour and Spirit to refrain

all the polite Follies of the Age, but 'tis inexcusable to see them, in pursuit of these low Enjoyments, descend to Mean-nesses which a Porter would be ashamed of. But this was not the Case of the Duke of *Argyle*, he always acted under a Sense of his high Station.

His Grace married when he was but young, and in a great Measure left off those Excesses which his Youth had led him into. He married first *Mary*, Daughter of *John Brown Esq;* and Niece of Sir *Charles Duncomb*, Lord Mayor of *London*, in 1708. But she died without Issue, and his Grace married *Jane*, daughter of *Thomas Warburton* of *Winnington* in *Cheshire*, Esq; now Dutchess Dowager of *Argyle*. A Lady every way qualified for that Station, and a fit Consort for such a Man; and to her his Grace proved a tender and affectionate Husband. By her Grace he had four Daughters, the elder of whom married the Earl of *Dalkeith*, Son and Heir Aparent to the Duke of *Buccleugh*; the second married the Earl of *Strafford*, both in his own Life-time; and the other two remain still unmarried.

His Grace, whether he acted as a Father or a Husband, still acted consistent with himself; and as a Master it was impossible to find one more indulgent. He seldom parted with his Servants 'till old Age made them incapable, and then he provided for them in such manner as their latter Days was as comfortable as their Youth; where the Tenderness and Affection with which they were treated, made them look upon themselves rather in the Condition of Children than of Servants.

His Grace continued all his Life-time such a Chastity of Behaviour, which some ignorantly mistook for Pride and Haughtiness, from which he was entirely free, except we term that Pride which scorns to do low and mean Actions, or to debase a Character a just Sense of the Dignity of which ought to show itself impressed upon all our Actions.

His Temper was naturally facetious, to which he gave way on all proper Occasions, especially when among select Friends; and at no time observed an austere Gravity, attended with such Stiffness as commonly attends titled Ignorance, and is the constant Effect of real Pride; but always carried an open Countenance, that bespoke a Mind undisturbed with jarring Passions, and overflowing with good Nature and Humanity.

his Friendship he was constant and sincere, but delicate in Choice of them ; but when he had fixed, no Consideration Difference in Sentiments, either in Religion or Politicks, was capable to lessen it.

When Favours were asked him, he was always slow of promising ; but when he did promise, you could be no surer of what he had already given, than of what he promised. He had many Opportunities, by the great military Places he enjoy'd, to serve his Relations ; but he had more regard to Merit than to Kindred, that, and that only being the proper commendation to his Favour. As to his Relations, he was cautious in bestowing any Places upon them, lest the World should think he wanted to enrich his Family by those Places he had in his Gift, or his Interest might procure him. This Humour he carried so far, that he scorn'd to ask for any thing, even for his Blood Relations, and chose rather to purchase them Preferment by his Money than Interest. And, if I am not ill informed, some first Cousins of his were provided for in that manner ; and tho' many of his Name enjoy Places under the Government, yet I am persuaded that three Parts of four were provided for by the present Duke of *Argyle* and some other of the Ministers, without his Grace's Interposition, and this from no Dislike to his Family, but that he scorn'd to enrich them at the Expence of the Publick, or to follow the Example of other Ministers, who had amass'd princely treasure by the Sale of Places, and bestowed the most lucrative Posts in the Nation on their own Family and measures.

His Grace's Temper was naturally compassionate to all Mankind ; but to the poor Man in Distress his Heart was open, and when he met the Man of Merit in Want, his Bounty had no Bounds. He took no Pleasure in a numerous Legion of Persons suing for Places ; if the Person was justly entitled to his Favours, he frankly acquainted him if or not he could serve him ; if he had no mind to grant the Favour, he gently put him out of all Hopes, but in such a manner, as did not shock, but convinced the Party that he should not have asked. How happy would it be for many young Gentlemen, and many creditable Families, that every Nobleman

was in this way of thinking? How many would now have Bread who are starving, because they were so unhappy as to have some relation to or other Claim upon some great Man, who has beggar'd them with Friendship, and ruined them by his Promises.

His Grace, among many others, gave one Instance of his Aversion to this kind of Dealing, which I mention both to illustrate the Generosity of his Grace's Disposition, and to expose the Folly and Wickedness of many who would be thought great Men, or at least Men of Power and Importance.

A young Gentleman of *North-Britain*, liberally educated, and endued with a large Share of natural Parts, was sent up to *London* by his Father, who had several other Children, and had advanced this Son for this Expedition as much as he could spare without beggaring his Family.

He had consented to this Journey of his Son on the repeated Promises of a certain Peer of that Country to put him into a handsome Way of Bread; his Reliance on this Nobleman's Faith made him stretch a Point to furnish his Son, since he looked upon that as bestowed in order to settle him for Life.

Full of pleasing Hopes of immediate Preferment, our young Adventurer arrived at his Patron's House, who received him with open Arms, and a thousand Protestations of serving him; but several Months passed over, and nothing but promises came; Years went away in the same empty manner; every next Month promised him Happiness, but still it was as barren as the last. The young Gentleman had paid Levee to this little Statesman 'till he had exhausted all his Patrimony, and wearied all his Relations, yet still he was enjoin'd Patience, and, promised Mountains.

I think in the third or fourth Year of this Attendance, this young Gentleman was walking very melancholy in *Hyde-Park*, when he spied the Duke of *Argyle* alight from his Coach, in order to take a Walk. A Thought struck into his Head to address the Duke, tho' an utter Stranger to him, for a Place in his Grace's Disposal in the Ordinance, depending on his Humanity for Success.

He accosted his Grace, told him he was a Gentleman of his Country,



country, of such a Name and Family; that he was in low circumstances, and heard that such a small Place was now vacant, and in his Grace's Gift, therefore he took the Liberty to beg that his Grace would put him into it.

The Demand was so uncommon, that his Grace made him repeat it again before he gave any Answer; and then he said, *Mr, I know your Family very well, but don't flatter yourself with that; take for Answer, that I will not give it you.* The young Gentleman replied, *God bless your Grace, this exactly answers the Character I have heard of you.* The last Words little surprized the Duke, and he desired the young Man to explain himself; which he did by saying, that if another peer had been so honourable as to make him the same Answer upon his first Application to him, he would have been now in a Condition to live without making so odd an Application as his pressing Necessities obliged him just now to make to his Grace. His Grace recollecting some Circumstances he had formerly heard of the Connection between this young Gentleman's Family and his former Patron, was moved with the unhappy Youth's Case. After a short Pause, directed him to call at his House next Day, and in less than three Days provided for him beyond his Expectations.

The young Gentleman is since dead, but his first Patron still live; and tho' I have avoided using Names, yet there are some Circumstances in this Relation, by which he may call the particulars to Remembrance; which may make him reflect on his Conduct in that Affair, and sensible how far his Behaviour is different from that of the late Duke of *Argyle*. There Courtiers of all Classes, who fall into this Error of persuading their Friends into Ruin, to think of the Barbarity of such a Conduct, and what a Meanness of Spirit it betrays, I am perswaded they would chuse rather to follow the Example of the Duke of *Argyle*, than continue such scandalous Proceedings.

His Grace of *Argyle* was in his Family, and every where else, a great Oeconomist. The Narrowness of his Fortune, when he first set out in the World, obliged him to a prudent Conduct, in order to recover the Estate of the Family, which

the Misfortunes of his two immediate Predecessors had brought very low ; yet in this he never allowed these Circumstances to carry him to any Actions that bespoke a covetous or gripping Spirit, to retrench his Expences below the Dignity of his Station, only took Care that no Part of his Income was spent in needless Pomp, or undecent Excesses of any Kind. He paid his Tradesmen punctually every Month ; by which he was well served, and never imposed upon by long Bills ; and scorned to take the Advantage of his Peccage to keep those he dealt with for Years out of their Money. These were Privileges, tho' commonly claim'd by Men of great Rank, below the Duke of *Argyle*. His Enemies charge him with too great a Love for Money ; but if we consider the many Opportunities he had, if he had been of that Disposition, to amass a great Fortune, we shall find that he left a less Fortune behind him than many Men would have done with the same Opportunities ; if we consider that no Man can charge him with ever taking a Farthing for any Places in his Disposal ; that he never could be charged with doing a mean Thing to obtain a Place, or made any low Compliance to keep them ; if we consider the generous Manner in which he gave up his last Employments at a Period of Life when the covetous Disposition generally prevails ; I say, if we consider all these Circumstances, we shall find that Aspersions to be very ill founded, and that the contrary Disposition appears through the whole Tenour of his Life. In short, whether we consider the Duke of *Argyle* as a Husband, a Father, or a Master of a Family, as a Soldier or a Statesman ; whether we view him loaded with the Favours of a Court, or dispos'd of all these, we shall find the Character consistent throughout ; the Great and Good appears in every Circumstance of Life, universal Benevolence towards Mankind in general, and a right-temper'd Zeal for the Good of his Country in particular, appears to be the Motive of all his Actions ; and to sum up all, he lived long enough to heap up unenvied Honour to himself, but died too soon for his Country.

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