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The Government of Scotland under the Covenanters



THE GOVERNMENT OF SCOTLAND UNDER THE COVENANTERS 1637-1651

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PREFACE

This volume attempts to do two things. Firstly, it provides a description and analysis of the evolution and structure of the system of committee government established by the covenanters. Secondly, it provides calendars of the registers of some of the committees, as sources for the general history of the period, as illustrations of the working of the committee system, and as samples showing the type of information that can be found in such registers. Only a small proportion of the surviving committee records (for which see Appendix o) can be calendared in this volume, but it is hoped that it may act as a guide to these records and to the system that produced them, and in these ways encourage use of the records by other researchers. They contain a great wealth of information relating to many aspects of Scottish history in an age of revolutionary change. Most obviously they are of central importance in writing the political and administrative history of the period, but they also contain a great deal of information valuable to constitutional, legal, social, family and local historians.

In spite of the riches they have to offer these committee records have been little used by historians, who have perhaps been deterred by their bulk and by the complexity of the revolutionary system of government that produced them. If this volume helps to weaken

this deterrent it will have served its purpose.

An extended introduction describes the committee structure of the covenanters' government, and the appendices are designed to supplement this guide. Each of the five calendars of committee registers is preceded by a brief introduction explaining the background to the appointment of the committee and pointing to features of particular interest in the register. Each calendar covers the entire surviving register of a committee. The selection of registers for calendaring has been governed by one overwhelming practical consideration, that of length; if a number of registers were to be fitted into the volume then obviously choice was limited to the shortest surviving registers. However, this arbitrary restriction has not prevented inclusion of a reasonably balanced selection of registers of the most important types of committee. The first two

calendars are those of registers of the Committee of Estates, which governed the country as a general executive body in the intervals between sessions of parliament. These are followed by calendars of the only two surviving registers of the Committee for Dispatches, which performed similar executive functions during sessions of parliament. Finally, the register of the Committee for Managing the Affairs of the Army illustrates the work of an executive committee established to perform specialised functions. The way in which both the Committee for Dispatches and the Committee for Managing the Affairs of the Army came to be regarded as almost equivalent to the Committee of Estates is indicated by the fact that both had their registers inserted in volumes containing registers of the latter committee.

The five calendars all illustrate the covenanting regime in its later years, when early triumphs had given way to repeated disasters; but this seeming bias in fact reflects the distribution of the surviving

registers and other papers of the committees.

The calendars of the registers, which are crown copyright records in the Scottish Record Office, appear by permission of the Controller of H.M. Stationery Office, which I gratefully acknowledge. My thanks are also due to Dr John Imrie, the Keeper of the Records of Scotland, for his encouragement in compiling this volume. I am also happy to record my gratitude to the following bodies:

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University of Aberdeen

DAVID STEVENSON

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Introduction

On 29 May 1662 the birthday of King Charles II was celebrated in Linlithgow. In the market place a fountain ran with French and Spanish wine for several hours, and confections were thrown among the people. The climax of the celebrations centred on a wooden arch decorated with pictures, statues and inscriptions recalling the years when the country had been governed by the covenanters. On the right hand side, within the arch, 'was drawn a committee of estates' with the inscription 'Act for delivering up the king', while on the left within the arch 'was drawn a commission of the kirk'. From the middle of the arch hung the doggerel (but heartfelt) litany

From covenanters with uplifted hands, From remonstrators with associate bands, From such committees as governed this nation, From kirk commissions and their protestation, Good Lord deliver us.

This elaborate construction was solemnly set on fire; all traces of the covenanting regime were burnt, revealing amidst the ashes angels holding up suitably royalist verses.¹

Many other sources confirm the sentiments symbolically enacted at Linlithgow; hatred of the revolutionary government of the covenanters singling out committees for denunciation. Patrick Gordon of Ruthven had lamented the 'new, and newer before practised formes of gouernment' of the covenanters, in which the laws were 'rolled vp in obliuion' and ordinary courts were deserted,

³ R. Wodrow, The history of the sufferings of the church of Scotland (4 vols., Glasgow, 1828), I, 320. Dislike of revolutionary committees was not confined to Scotland, and the Webh had their own version of this litany: Than prett p Committee helpd, Libera nos domine', from the power of the committee good Lord deliver us, A. H. Dodd, Studies in Snattr Wales (Cardiff, 1923), 179.

while 'the priuat committies' in each shire did as they liked, reducing the land to a miserable slavery.\(^1\) A royalist journalist rejoiced at the sweeping away at the Restoration of 'the unhallowed Names of Committees, which so long had committed our Liberties'.\(^3\) The first committees of the covenanters had been generally known as the Tables, but Walter Balcanquhal (writing in name of Charles 1) had insisted that they should rather be called Stables, as what issued from them was dung.\(^3\) The king's biographer gleefully extended this line of thought by identifying the first dung of these 'unruly Horses' as the national covenant.\(^4\)

The indiscriminate denunciation of committees was not always accurate: it had not been the Committee of Estates which had resolved to hand Charles I over to his English enemies in 1647 (as the arch at Linlithgow claimed) but parliament. But the attitude of blaming everything on committees was understandable. Committees had organised successful rebellion against the crown. Committees were identified with the years of bloody civil war which had followed, with the fining, executing and forfeiting of royalist opponents of the covenants. Committees had organised the raising of vast sums in taxes, loans and fines, unparalleled in the country's history. And revolutionary government through committees was blamed for the ultimate disgrace of conquest by the English. After quarter of a century of disasters most Scots were ready by the time of the Restoration of monarchy in 1660 to disown the revolutionary past in favour of the good old days of rule by king and council.

The main forces which moulded the structure of committee government evolved by the covenanters were political necessity and expediency, and the interaction of these forces with the traditions of the rights of the three estates and with the changing social structure of the country. The structure was not carefully planned in advance; rather it emerged and evolved under the pressure of circumstances.

¹ P. Gordon, A short abridgement of Britane's distemper, ed. J. Dunn (Spalding Club, 1844), 61.

² Mercurius Caledonius, 8-16 Jan. 1661, p. 13, quoted in J. M. Buckroyd, 'Mercurius Caledonius and its immediate successors, 1661', SHR, liv (1975), 20.

³ Balcanguhal, Large declaration, 54.

⁴ Sir William Sanderson, A compleat history of the life and raigne of King Charles (1658),

The period of revolution in Scotland (1637-51) falls into three distinct sections so far as the structure of government is concerned. In the first period (1637-41) the covenanters evolved a structure which paralleled that of the royal government, and used this to take over control of the country from the latter and push through constitutional revolution. In 1641-3 the covenanters, having forced the king to accept their control of the country, proved ready to abandon many of the institutions of revolutionary government they had evolved in favour of a return to traditional institutions - rule by king, council, officers of state and parliament. But under the old names revolution survived; parliament was free from royal control, and the majority of privy councillors and officers of state were covenanters, while the absentee king was little more than a figurehead. Nonetheless, the return to reliance on traditional institutions of government does represent an attempt at a return to normalcy after revolutionary upheaval. But under the new pressures created by the outbreak of civil war in England the compromise broke down, and in 1643-51 the covenanters reverted to reliance on committee government and parliament, thus recreating a structure parallel to and largely separate from the traditional institutional structure.

Those who began open opposition to Charles 1 in Scotland in 1637 had no master-plan to take over the government of the country. Their main intention was to force the king to change unpopular policies; but it must have been recognised from the first that this could not fail to have implications for the future government of the country. It was assumed that once the king had learnt his lesson and changed his policies he would realise the need to rule with more tact and consultation than in the past. By early 1638 his opponents were openly demanding (in the national covenant) a 'free' parliament and general assembly. The precise interpretation of this doubtless differed greatly from one covenanter to another; but it certainly was not seen by most of them as binding them to seizing control of the government of the country and imposing constitutional revolution; rather the vague demands for a 'free' parliament were intended as an assertion that in future parliament should have a greater role than previously in national affairs. But in practice the covenanters, spurred on by the intransigence of the king, were already well on the way to setting up an alternative government of the country. The king and royalists insisted that this had been their secret intention from the first. They had had 'an itching humour of having that Our Kingdome governed by a Table of their owne devising, consisting of persons of their own chusing'; there had been a great secret conspiracy to overthrow the king hatched by his Scottish and English enemies.

Certainly there had been a conspiracy; but at first it was a limited conspiracy to organise resistance to royal religious policy, although efforts were made to make this carefully planned resistance appear outwardly to be a spontaneous explosion of popular revulsion. After this stage (the July 1637 riots in Edinburgh against the new prayer book) pressure on the king was maintained by the submission of petitions expressing religious grievances. These local and sectional petitions were intended to preserve the impression of spontaneity, of men genuinely hortified at royal policy coming together without prior organisation to beg the king to think again. But though this pretence of spontaneity had obvious propaganda advantages it also had drawbacks. If pressure was to be sustained and increased in the face of Charles' refusal to make concessions some sort of public organisation and leadership was needed.

The transformation of 'spontaneous' agitation into an openly organised party came about as a result of events in October 1637. Many hundreds of petitioners or supplicants (nobles, lairds, burgesses and ministers) had gathered in Edinburgh, and they resolved that in addition to presenting large numbers of local and sectional petitions to the privy council they should all sign a general or national supplication. Clearly some sort of organisation was necessary for such a decision to have been taken, and separate, informal meetings of nobles, lairds and ministers took place; ² but the problem was how to give some cloak of legality to such organisation. Bland denials that any form of organisation existed were wearing thin. The supplicants solved the problem by a brilliant piece of opportunism. The privy council was both infuriated and terrified by the crowds of supplicants and their supporters who

Balcanquhal, Large declaration, 2. Rothes, Relation, 20-21.

surged through the streets and closes of Edinburgh, openly threatening the king's supporters. Made indiscreet by fear, two prominent privy councillors denounced the assembling of a disorderly multitude, complaining to leading supplicants that it posed a threat to the safety of the council and would further antagonise the king. Spokesmen for the supplicants replied that all present had assembled to support the national supplication and present it to the council; how else could men represent their grievances? This seemingly innocent question may well have been carefully designed to elicit the answer the two councillors then gave. Why, they said, could not a few representatives or commissioners chosen by the supplicants present their supplications to the council in an orderly manner, the rest of the supplicants returning to their homes? The supplicants had in fact already decided to dissolve their meeting in Edinburgh temporarily, to give time for the king to reply to their supplications, but they seized enthusiastically on the two councillors' advice. They used it immediately to justify summoning a great meeting of their supporters in Edinburgh on 15 November. Protests from the privy council were met by the assertion that this meeting had been authorised by leading councillors, so the supplicants could choose commissioners or representatives.

At the November meeting lairds, burgesses and ministers duly chose commissioners to negotiate with the council. One of the leading legal advisers of the supplicants, Archibald Johnston of Wariston, referred to the meeting as a 'convention . . . in effect of the hall estaites',' but in public any suggestion that the supplicants represented the three estates of the realm was carefully avoided. Yet they did push one further step in that direction. On 18 October they had asked the privy council to sanction their holding meetings in each shire to choose shire commissioners, on the pretext (as with electing national commissioners in Edinburgh) that this would help to prevent large, disorderly meetings. The council had naturally refused but the king's advocate, Sir Thomas Hope of Craighall, sympathised with the supplicants and remarked that it was customary and legal for lairds to meet annually in the shires to elect commissioners for parliaments or conventions of estates, and that

¹ A. Johnston of Wariston, Diary . . . 1632-9, ed. G. M. Paul (SHS, 1911), 272.

they could also meet for other public business.¹ Encouraged by this, the meeting held in Edinburgh in mid-November decided that local 'elections' should be held. A formal commission was drafted and copies of it distributed to be granted to commissioners for each burgh, shire and presbytery, it being claimed that the privy council thought this necessary.²

Thus the way was now clear for the transformation of the movement from a disorganised mass of individual supplicants to an organised party with elected national representatives and local branches. Over the months that followed this party organisation underwent another transformation – into a provisional government. This latter change was hastened by Charles is decision that the privy council and court of session should withdraw from Edinburgh. This was intended to punish the burgh for its support for the supplicants; instead it left their commissioners in undisputed control of the capital city of the kingdom, holding their meetings of nobles, lairds, burgesses and ministers in the rooms of the new parliament house built on the king's orders and now approaching completion.³

In retrospect some writers refer to the commissioners chosen by the supplicants in November 1637 as 'the Tables'. James Gordon described how four of each of the nobles, lairds, burgesses and ministers were chosen to meet together and negotiate with the council, new commissioners being elected from time to time to replace the old ones. They 'wer knowne under the name of the Tables, or mor commonly the Greene Tables'.4 In fact the name probably did not come into use until mid-1638.5 The term was probably used in order to denote the institutions the king's enemies were using to take over control of the country – while simultaneously trying to deny that they claimed to be anything so formal as institutions. Use of the words 'council' or 'committee' was evidently avoided at first through their connotations of officialdom and formality; the conveniently vague 'Table' or 'Tables' could be

Rothes, Relation, 17, 23-28; Baillie, Letters, i, 38-39, 41, 42; Gordon, Scots affairs, i,
 28; D. Seversson, The Southist revolution, 1637-44 (Newton Abbox, 1973), 72-73, 75-76.
 Ibid, 76; Extracts from the records of the... Lungh of Stirling, 159-1666, ed. R. Renotk (Scottish Burgh Record Society, 1887), 178-9; British Library, Sloane MS 650, foo. 324-241.

⁸ J. Row, The history of the kirk of Scotland, ed. D. Laing (Wodrow Society, 1842), 486. ⁴ Ibid., 486; Gordon, Scots affairs, i, 28.

⁵ Rothes, Relation, 135.

used of established institutions (both royalists and their opponents referred to the privy council as a Table on occasion), but it could also denote any meeting that happened to take place round a table to discuss business - or even to eat a meal. The variant 'Green Tables'2 perhaps made rather more claim to formality and official status, for covering a table with green cloth was associated both with the board of the green cloth (a committee concerned with organising the royal household during royal visits to Scotland)3 and with meetings of the Scottish parliament 4

The 'Tables' which emerged in 1637-8 were flexible bodies, constantly changing according to circumstances and needs. The usual pattern was for there to be four sectional Tables in Edinburgh - of nobles, lairds, burgesses and ministers - and a general Table which consisted of representatives of the other four. The nobles' Table usually consisted of all the noble supplicants who were in town, the other sectional Tables being representative bodies. To take a single example of this 'structure' at work, in December 1637 six or seven nobles and four each of lairds, burgesses and ministers formed a general Table, the representatives of each of the four groups keeping in touch with their particular sectional Table,5 which in turn distributed news and instructions to supporters of the movement in the shires, burghs and presbyteries.

The privy council, having inadvertently seemed to have given some encouragement to the supplicants to organise, now hastened to complain that this organisation was 'a combining and mutinous forme'. In the debates between the council and the supplicants' leaders a question which must have been in many men's minds came into the open. At one point the council believed the supplicants were claiming to be 'the representative body of the whole Estates'

¹ E.g., Gordon, Scots affairs, i, 19; J. Spalding, Memorialls of the trubles, ed. J. Stuart (2 vols., Spalding Club, 1850-1), i, 260; Stevenson, Scottish revolution, 339 n.90. ² See also Spalding, Memorialls, i, 167, 172, 177; CSPD, 1639, 225, 408.

³ D. Stevenson, 'The king's Scottish revenues and the covenanters', Historical Journal, xvii (1974), 38,

⁴ Edinburgh City Archives, Treasurers' Accounts, 1643-50, (1638-9), discharge, p. 12, (1642-3), p. 49, (1643-4), pp. 27, 29, (1644-5), p. 23, (1647-8), pp. 32, 35, (1649-50), p. 58. The royalist poet Sir William Drummond of Hawthornden adds another variant by referring to 'the Circular Tables', Works (Edinburgh, 1711), 218.

⁵ Rothes, Relation, 34. Gordon, Scots affairs, i, 38, is thus wrong in stating that the general table did not appear until February 1638.

and asked them 'If they were come as The Three Estates, or as supplicants of all ranks', a significant distinction. The supplicants denied any claim to represent the estates; but it was clear to all that that was what they really were, in fact if not in name.¹

The decisive step in turning party organisation into provisional government came in February 1638. On the 23rd 'a committee' of four each of lairds, burgesses and ministers met with the noble supplicants and decided on a band of union to tie the supplicants more closely together in the common cause.2 The result was the national covenant, first signed on 28 February by hundreds of what we can now call covenanters who had gathered in Edinburgh. Copies were quickly distributed round the country for signature, while a number of nobles and lairds were left in Edinburgh to await the king's reaction, being replaced from time to time to spread the burden of attendance: 'they relieve one another by course, as Castor and Pollux went to hell' noted an infuriated royalist.3 Money was now raised for the first time, a 'voluntary contribution' from the nobles.4 Over much of the country the orders of the privy council were now being ignored, those of the 'Tables' obeyed. Walter Balcanguhal pointed out the significance of what was happening: 'now these Protesters began to invest themselves with the supreme Ensignes and Markes of Majestie and Soveraigntie, by erecting publike Tables of advice and Councell, for ordering the affaires of the Kingdome'.5 James Gordon spelt out the change in more detail. Until this point the 'Table' had been concerned with petitioning and drawing together supplicants, acting as delegates making applications to a higher judiciary (the council). But through the national covenant the supplicants had formed a closer union or confederacy, and the Tables grew into a power of 'judicatorye co-ordinate and contradistinctive from the Councell, or any other known judicatorve established in Scottlande. This at first was thought by many a straunge and unhearde of forme of governement, and in effect imperium aedificatum in imperio'.6

In the course of 1638 the covenanters' 'state built within a state'

¹ Rothes, Relation, 34-37; Baillie, Letters, i, 26. 2 Rothes, Relation, 69.

³ Baillie, Letters, i, 463-4. ⁴ Rothes, Relation, 80-81; CSPD, 1637-8, 324, 349.

⁵ Balcanguhal, Large declaration, 54.

⁶ Gordon, Scots affairs, i, 38, corrected by reference to iii, p. xxi.

strengthened its hold upon the country. The lead was usually taken by the nobles' Table, and indeed the general Tables was frequently not a body equally representing all four sectional Tables, but simply the nobles' Table reinforced by representatives from the other three,1 Yet this does not mean that the other Tables can be dismissed as mere ciphers. They were usually willing to accept the leadership of the nobility, but nonetheless on occasion they stood up for sectional interests and points of view; and the nobles, knowing that unity was essential, were often prepared to make concessions to them. The lairds in particular were a force the nobles could not ignore; they usually outnumbered the combined strength of the nobles, burgesses and ministers in Edinburgh, and frequently Tables or meetings of commissioners of individual shires sat in Edinburgh alongside the general laird's Table. The numbers of commissioners gathered in Edinburgh fluctuated greatly, large meetings alternating with periods in which many of the local representatives returned to their homes to advance the cause at a local level. In June 1638 when negotiations were taking place with the king's representative, the marquis of Hamilton, it was decided to reduce the number of lairds in Edinburgh to 600 commissioners and assessors; about eighty burgh commissioners were also to remain there (plus Edinburgh's own representatives).2

The covenanters' own accounts of these months play down the formality of their organisation, still denying (for propaganda reasons) that they were acting as a provisional government. But regular meetings of the nobles' Table, sometimes reinforced to form a general Table, and its daily election of a president are described, as is the organising of relays of shire commissioners to attend in Edinburgh.⁸ The rotation of shire commissioners and the daily election of presidents both served a dual purpose, spreading the burden of work and involving as many individuals as possible in active participation in the movement. The success of the covenanters' organisation was bitterly admitted by Hamilton, who represented the king in the general assembly held in Glasgow in November and December 1638; 'for many monthes, only ther Tables

¹ E.g., Rothes, Relation, 110.

² Ibid., 142.

³ See ibid., 140-77; Baillie, Letters, i, 78; Stevenson, Scottish revolution, 98-99.

had been obeyed, but that the King and his Councell Table had receaved no obedience at all'.1

The covenanters had forced the king to summon both the assembly and parliament (the latter being due to meet in May 1639). But the assembly soon went far beyond the limited reforms acceptable to the king and imposed a religious revolution, abolishing bishops, establishing presbyterian government, destroying all traces of royal control over the church and cancelling innovations in worship and discipline. Demanding that the king reform his policies had been followed by seizure of control of the country. Now that control had been used to move on from demanding reform by the king to carrying it out in defiance of him. As the covenanters well knew, this meant war; and the demands of war forced them to formalise and elaborate their loose structure of Tables and commissioners.

In January 1630, shortly after the dissolution of the assembly, a meeting of covenanters in Edinburgh laid down the administrative structure that was to be established throughout the shires; the royal burghs were excluded as the covenanters ruled there through the traditional machinery of magistrates and council. Two commissioners from each shire (or one from the smallest ones) would reside in Edinburgh for three months and then be replaced, their expenses being paid by their shire. They would meet together daily to consult and send news and orders to the shires. One commissioner was to be appointed in each shire to remain there and receive orders from Edinburgh; he was to meet weekly with one commissioner from each presbytery in the shire. Each parish was to have a commissioner to execute orders passed down from above. Both presbytery and parish are here used as convenient geographical divisions for civil administration; the parish commissioner was to work in cooperation with the parish minister, and the support of the church courts of presbytery and kirk session was assumed, but they remained separate from this structure of civil government. General meetings of each shire, attended by four or five commissioners from each presbytery, were to supervise preparations for war, which included the levying of men and the valuation of rents as a basis for taxation2

¹ Gordon, Scots affairs, i, 191; see also CSPD, 1639, 80.

² Stevenson, Scottish revolution, 128-9; CSPD, 1638-9, 405-10.

This proposed structure was distinctly over-elaborate, and was perhaps never established exactly as ordered; but the general pattern that was to prevail for most of the rest of the covenanting period is here. A central 'Committee of Estates' was to sit in Edinburgh and rule through shire committees of war. Neither term was yet in use; 'Committee' was gradually replacing 'Table', but 'Committee of Estates' was probably not used until mid-1640.¹ and the same is probably also true of 'committee of war'. None-theless both now existed in essence. To the royalist John Spalding, more interested in local than national affairs, this establishment on a formal basis of shire committees was 'the first in cuming of committees that euer wes hard of in like fashioun within this kingdome, and whiche bred heirefter mekill sorrow. . . . Many evillis wrocht thir committee courtis'. '

Another feature of covenanting administration which appears much more clearly than before in 1639 is the alternation of a national executive headed by a small Table or committee with fuller meetings of the estates to consult about and decide business of special importance. Parliament was due to meet on 15 May 1630. The king, determined on a military solution, ordered that the meeting be continued or prorogued to a later date. The covenanters were willing to agree to this, as they wished to concentrate on preparations for war, but they used the excuse of the approaching parliament to give greater authority to a meeting they held on 9 May, which they described as consisting of 'the noblemen, lords of parliament, commissioners of schyres, and commissioners of burrowes for the parliament'. These members of parliament 'At the Convention' commissioned Sir Alexander Leslie as general of the covenanters' armies. Covenanting nobles, lairds and burgesses were to meet in the shires to organise defence as ordered by the general, being answerable to him and to the estates for their conduct. The general's power was not to derogate from that of 'the Committie' at Edinburgh, as he was subject to the authority of 'the counsell of estait and the supreme judicatories'.3 The commission is a strange

¹ References to the Committee of Estates in 1639 such as Spalding, *Memorialls*, i, 131 are thus anachronistic.

² Ibid., i, 123.

³ Sir William Fraser, The Melvilles, earls of Melville, and the Leslies, earls of Leven (3 vols., Edinburgh, 1890), ii, 162-4; SRO, GD.112/43/1, Breadalbane muniments, in

mixture of the explicit and the implicit. The body granting it is not parliament or the convention of estates; but the words 'parliament'. convention' and 'estates' are all worked into it. The term 'Committee of Estates' is similarly avoided, but the 'committee' and 'council of estate' (presumably the same body) appear. The covenanters are still carefully juggling with terms which they can interpret in different ways as circumstances demand. On the one hand this meeting could be claimed to be relatively informal: 'convention' need have no connotations of officialdom; on the other it could be interpreted as a full assembly of the three estates in order to give authority to its orders.

This holding back from an unambiguous claim to be one of the traditional assemblies of the estates continued throughout the following year. Thus a 'convention' met in January 1640 and authorised the imposing of a national tax, the Tenth Penny; only in retrospect did parliament dignify it with the title 'the Conventioune of the estates'. In May 1640 a commissary general was appointed. but it was evidently only in retrospect that the appointing body was described as the Committee of Estates,2 (though the term 'committee at Edinburgh appointed by the Estates' was in common use early in 1640)3. In February 1640 those resident in Edinburgh for common affairs (a term even vaguer than 'Table') summoned nobles, commissioners to parliament and gentlemen to a meeting;4 and in April a meeting of the estates re-appointed Leslie as general, subject to the 'counsell of estait', and authorised the establishment of shire councils of war.5

By 1639 (if not before) the covenanters' leaders were determined to follow up religious revolution with constitutional revolution, believing that this was necessary to protect the religious changes from an untrustworthy king, to protect themselves from his vengeance, and to rectify the drift towards centralisation and

² Ibid., 286. 3 PA.16/1/2, 3, 4. 1 APS, v, 280. 4 Aberdeen council letters, ed. L. B. Taylor, ii (Oxford, 1950), 176; HMC 26: 12th Report,

8 Fraser, Melvilles, iii, 164-7; Guthry, Memoirs, 70; James Gordon claims (in Scots affairs, iii, 148) that the covenanters themselves called this meeting a convention of estates; but they avoid the term in Leslie's commission.

bundle 'state papers, c. 1545-1639'; Gordon, Scots affairs, ii, 250-2; Spalding, Memorialls, i, 181; Stevenson, Scottish revolution, 149.

absolutism of recent generations. But it was recognised that to have credibility constitutional reform required the sanction of the supreme court of the realm, parliament, meeting with at least some show of legality – in the same way that religious reform had been delayed until it could be carried out by a general assembly meeting at the king's command (even if it had subsequently refused to dissolve on his orders). Demands that parliament meet had therefore been renewed in the June 1639 treaty of Berwick, which had ended the largely bloodless 'First Bishops' War'. The treaty was no sooner agreed than it began to collapse, with the king complaining that the covenanters were continuing to hold illegal meetings – 'tables, conventicles, and consultationes'.\(^1\)

Parliament met (as agreed in the treaty) on 31 August 1639, and a temporary compromise was reached over how to elect the Lords of the Articles, the committee which had come to dominate parliament in the king's interest. But wide-ranging demands for constitutional and other reforms eventually forced the king's commissioner, the earl of Traquair, to prorogue parliament until 2 June 1640.2 The covenanters were not vet ready to hold a parliament in direct defiance of the king, but before dispersing they protested that parliament could not legally be prorogued without its own consent, drawing up a remonstrance to the king to this effect. Further, parliament appointed representatives of each estate to await the king's reply, and to remonstrate again if it proved unsatisfactory.3 This body of commissioners has been labelled 'a Committee of Estates',4 but this is misleading; the commissioners' powers were limited to dealing with the king's reply, and in practice the covenanters' 'Committee of Estates' or 'Table' in the months ahead was not restricted in membership to the commissioners appointed by parliament. Thus in March 1640 the executive committee in Edinburgh consisted of twelve each of nobles, lairds and burgesses,5 whereas parliament had only appointed six nobles, six burgesses and ten lairds

By June 1640 the covenanters were ready to proceed with

¹ Spalding, Memorialls, i, 219-20. ² APS, v, 249-58, 593-616. ³ Ibid., 257-8.

⁴ R. S. Rait, The parliaments of Scotland (Glasgow, 1924), 375.

⁶ Ruthven correspondence, ed. W. D. Macray (Roxburghe Club, 1868), 79, calendared in CSPD, 1639-40, 577.

constitutional reform in defiance of the king, though as in the past they proved skilful in producing a smokescreen of arguments to disguise the fact that they were defying him. Charles had sent orders for a further prorogation of parliament; the covenanters rejected this on a legal technicality and then claimed that the fact that he had not sent legally binding orders for prorogation should be regarded as 'a Tacite consent' and 'presumed allowance' that parliament should meet'!

Parliament proceeded to sit from 2 to 11 June 1640 and its acts, in the words of Sir James Balfour, constituted the greatest change 'at one blow' to church and state to take place for 600 years; traditional forms of government were overthrown, monarchy was fettered with chains.2 In the absence of a royal commissioner parliament elected a president, and then proceeded to the most basic of all its reforms in an act which redefined the membership of parliament. The covenanters had long given the impression, and had sometimes specifically stated, that they acted in the name of the estates of the realm, the three estates which sat in parliament. But the traditional three estates consisted of the church, lay landlords who held land directly from the crown as tenants in chief (nobles and lairds), and the royal burghs, and this raised problems. On the presbyterian principles adopted by the Glasgow Assembly in 1638 church and state were separate powers; churchmen could not hold any civil office or sit in any civil assembly; and in any case the bishops who had sat in parliament to represent the first estate had now been abolished. The problem had been debated by the Lords of the Articles in 1639 (like most of the other reforms eventually carried out in June 1640), and the king had demanded the right to appoint fourteen commissioners to replace the bishops. Not surprisingly the covenanters refused to allow this, for the commissioners were clearly intended to form, like the bishops, a nucleus of support for the king with a dominant role in electing the Lords of the Articles. Parliament now produced a bold and simple solution by declaring that the true three estates of the realm were not church, tenants in chief (nobles and lairds) and burghs, but nobles, barons and burghs. Though technically forming a single estate the tenants in chief had

¹ APS, v, 261; Stevenson, Scottish revolution, 192-3.
² Balfour, Historical works, ii, 379 (see also ii, 429).

in practice long been divided into the nobles or greater barons, with personal rights to attend, and the shire commissioners, lesser barons or lairds, who sat by right of election. The covenanters had themselves recognised the social reality this division represented by having separate Tables of nobles and lairds as well as those of burgesses and ministers - thus constituting virtually 'the Four Estates' as one contemporary called them. The disappearance of the ministers' Table and their representation on a general Table or committee in accordance with presyterian principles (though consultations with ministers were frequently held) left civil government in the hands of three groups; and these were now declared to be the three estates. Thus by sleight of hand one estate was excluded from parliament but three remained, as tradition demanded. The 'lesser barons' were promoted to be 'the barons', an estate in their own right.2

This increase in status for 'the barons' was accompanied by a virtual doubling of their voting strength in parliament. Previously the voting unit had been the shire; each had only a single vote, though most were entitled to send two commissioners to parliament. Now it was decided that every shire commissioner or baron should have a separate vote. The change was bitterly opposed by the burgesses, whose relative voting strength was much weakened by the change,3 but it evidently had the support of the nobles, who were probably prepared to see shire voting strength increased in order to limit the power of the burgesses in a 'free' parliament. No formal act was passed sanctioning this change in voting, though it had been debated in the Articles in 1639 and was still to be causing controversy in parliament in 1641.4 Probably it was decided to avoid drawing attention to the divisions among the covenanters by debating so contentious an issue publicly, and it may have been

¹ Baillie, Letters, i, 85. 2 APS, v, 259-60.

³ SRO, GD.112/40/2, Breadalbane muniments, 8 June 1640, Glencarradale to Glenorchy (in bundle 'letters 1640-0').

⁴ E.g., Gordon, Scots affairs, iii, 72-73; Sir Thomas Hope, Diary, ed. T. Thomson (Bannatyne Club, 1843), 106, 107; British Library, Add. MS 11,045, fos. 57r, 65r-v. 70r; Historical collections, ed. J. Rushworth (8 vols., London 1659-1701), II, ii, 1009-10; Baillie, Letters, i, 389; The Nicholas papers, ed. G. F. Warner, i (Camden Society, 1886), 24.

argued that the change followed automatically from redefining 'shire commissioners' as 'barons'.

That it was the lairds who emerged as the main beneficiaries of constitutional change is hardly surprising. In the previous century they had been gradually coming to play a greater role in national affairs, freeing themselves from domination by the greater nobility. One major step in this advance had come in 1560, when many lairds had sat in the Reformation Parliament after a long period in which they had ceased to attend; now Scotland's 'Second Reformation' saw them again assert themselves in parliament.

Nobles, barons and burgesses now formed the three estates. Royalists wondered at the folly of the covenanting ministers at allowing themselves 'to be throun out of the Parliament with ther owne consent',1 especially when covenanting laymen retained places in the general assembly in the guise of elders. The limitation of membership of parliament to the redefined three estates implicitly deprived the officers of state of their right to sit ex officio, and this was made explicit the following year.2 Thus both groups of royal nominees in parliament, bishops and officials, were excluded. To prevent the king trying to pack parliament in other ways voting by proxy was banned, and no 'foreigners' (Englishmen) were to be allowed to sit, even if granted Scottish titles of nobility, unless they owned substantial amounts of land in Scotland.8

Having reformed its membership, parliament turned to changes in procedure. The referral of most business and debate to the Lords of the Articles, the full parliament doing little more than rubberstamp that committee's decisions, had long been under attack. An act now stipulated that 'all grievances and other materis That are to be handled and treated of heireftir in parliament' must be 'givine and presented in open and plaine parliament' instead of being handed to the clerk register.4 This was followed by an 'Act anent the Choosing of Committies out of everie estate', which in effect abolished the Articles. In future parliament might, if it thought it necessary, choose preparative committees or committees of articles to prepare acts and proposals for debate in the full parliament. But each estate would choose its own representatives to sit on such

¹ Gordon, Scots affairs, iii, 68, 3 Ibid., 296-7.

² APS, v, 329. 4 Ibid., 270.

committees, and the committees would only deal with matters specifically referred to them by parliament. This was 'the first positive law for committees'; a in fact, though it was only concerned with preparative committees it was to be the only general act asserting parliament's power to appoint committees. With other types of committee parliament simply proceeded to appoint without explicitly claiming any general right to do so.

Parliament had now freed itself of the types of member and procedure that had subjected it to royal control. To ensure that the king did not react by simply not summoning parliament a triennial act laid down that it must meet at least once every three years to preserve religion, administer justice, remedy grievances and suppress corruption.3 Parliament then asserted its authority as the supreme court and legislature of the kingdom by ratifying the work of the 1638 and 1639 general assemblies. 4 The two 'kingdoms' or 'swords' of church and state, ecclesiastical and civil power, might be separate and parallel in extreme presbyterian theory, and it could be argued that all that was happening here was that the state was performing its duty of supporting the church by adding civil sanction to the legislation of the kirk. But in practice lay covenanters assumed that parliament was not just parallel to but superior to the assembly; 'the civile power is keiper of both Tables'.5 Most ministers tacitly accepted this, even if it did not accord with their theories, until the later 1640s when conflict between church and state divided the covenanting movement. It has often been asserted that the fact that the general assembly met before parliament in the course of the covenanters' revolution indicates that the former body was seen as the more important of the two, that church was dominating state. In fact the opposite was true; the assembly was scheduled to meet first so that its work could subsequently be ratified by parliament.

To rule Scotland after parliament dissolved, a Committee of Estates was appointed on 8 June. A definite name had at last emerged for a central executive body after the years of vague references to Tables, committees or councils; and this body now had a fixed

¹ APS, 278-9. ² Balfour, Historical works, ii, 374.

³ APS, v, 268.

⁴ Ibid., 276-7.

⁵ A. Johnston of Wariston, Diary . . . 1639 and other papers (SHS, 1896), 76; Miscellaneous state papers, [cd. P. Yorke, earl of Hardwicke] (2 vols., London, 1778), ii, 139.

membership and a formal commission defining its powers. Invasion from England threatened; both church and state faced utter extermination. Therefore, parliament declared, the committee (of twelve nobles, three lords of session, thirteen barons, twelve burgesses, and the general officers of the army) was appointed with power to order, direct and govern the whole country, convening members of the three estates or full meetings of the estates to assist it if necessary. Though regarded as a single committee, it was to divide into two sections, one remaining in Edinburgh and the other accompanying the army.1 Royalists, predictably, reacted with horror to this emergence of an all-powerful Committee of Estates. This new body 'had the power of Kings and Parliaments engrost in ther persones and judicatorye'; it was 'in place of the King', 'a virtuall Parliament epitomised', and through it the covenanters 'chaunged the government of the State with a colour of lawe'. Moreover, it was argued, those who were really ruling the country were a few covenanting 'statesmen' hiding behind the facade of a committee to give their actions 'greater authoritye' and to delude the ordinary members who made up the majority of the committee ('thes simple ignorants') into thinking they were sharing power with the great men.2

The reforms of parliament's membership and procedures were intended to be permanent. By contrast the establishment of a Committee of Estates was seen as a temporary expedient, necessary only until a settlement with the king was reached. The same is true of the shire committees of war, which were evidently re-appointed by the Committee of Estates, leading to renewed complaints from royalists; 'evry comittye man was a petty tyrant' lamented James Gordon, confirming the old assertion of political theorists that many tyrants were worse than one.³ No register of the Committee of Estates survives for 1640-I, though many of the committee's papers appear in printed and manuscript collections. A number of them are incorporated in the one surviving register of a committee of war, that for the stewartry of Kirkcudbright from June 1640 to January 1641. This provides a vivid picture of a local committee at work, levying men and raising supplies for the army, raising taxes and

APS, v, 282-4.
² Gordon, Scots affairs, iii, 181, 182, 184, 185.
³ Ibid., 194-6.

loans, gathering silver for coining, and dealing with such overlapping categories of malefactors as non-covenanters, uncovenanters, unfriends, cold covenanters and anti-covenanters. Instructions were frequently received from the Committee of Estates in Edinburgh (on one occasion reinforced by other members of the estates). The main concern was with military affairs and ensuring that those with royalist tendencies were kept under control, but the committee also found itself being forced (with the Committee of Estates' approval) into exercising a wider jurisdiction as a local court, punishing breaches of the peace and dealing with civil cases concerning debts.1 This was part of a wider trend at both local and central levels; as traditional courts and governmental institutions collapsed or proved ineffective in the face of revolution, so the covenanters' committees found themselves trying to fill the gaps, taking over functions they had not originally been intended to perform.

After the June 1640 meeting of parliament the covenanters decided on offensive action to force the king to accept a negotiated settlement. In August they invaded and occupied much of the north of England; and once negotiations began they forced Charles to summon the English parliament to take part in the settlement. Prolonged negotiations in London were followed by a visit to Scotland by the king in the summer of 1641 in which the final touches were put to what it was hoped would be a lasting settlement. Now facing open opposition from the English parliament Charles proved willing to make most of the concessions the covenanters desired, but long disputes were caused by the covenanters' demand for an act declaring that in future all officers of state, privy councillors and lords of session should be chosen only with the approval of parliament. The king at first stubbornly resisted this attempt by the covenanters to use parliament, which they already controlled, to control the executive and judicatory; in addition to opposing such a surrender of power in Scotland, he feared any concession he made would be taken as a precedent by the English parliament. Equally the covenanters believed that it would be fatal for them to give way on the issue. Once parliament dissolved power could not be allowed

¹ Minute book kept by the war committee of the covenanters in the stewartry of Kirkcudbright, ed. J. Nicholson (Kirkcudbright, 1855).

to revert to officers of state and privy council appointed entirely by the king. Admittedly a triennial act had been passed, but before the first triennial parliament met in 1644 the king and council might attempt to undo the covenanting revolution. Eventually Charles gave way and assented to the act; had he not done so the covenanters would probably have claimed that it had the force of law even without his assent, for they had already refused to let him ratify the acts of the 1640 session of parliament, on the grounds that this was not necessary.2 Leading covenanters were appointed to many offices of state and to membership of the privy council, and a limited first move towards making the council representative of the estates was made. The covenanters demanded that leading lairds be given seats on the council, and nine (most of them members of parliament) were appointed; again the claims of the lairds to a greater part in national affairs was acknowledged, and this time a gesture was also made towards the burghs by the appointment of the provost of Edinburgh to sit on the council ex officio.3 However, the list of members of the reconstructed privy council as approved by parliament did indicate some willingness to compromise on the part of the covenanters, for the noble members included many moderates and royalists as well as convinced covenanters.

Government was to revert to king and council, and the covenanters were confident that they could make this outwardly tradtional system work in their own interests. With many covenanters
on the council and a free parliament due to meet regularly royal
ambitions for counter-revolution could be controlled, especially as
he was an absentee who, by the time he left Scotland in November
1641, had little time for Scottish affairs as civil war had broken out
in Ireland, and England seemed headed towards a similar fate. But
though the covenanters had abandoned the Committee of Estates
and shire committees of war, they did retain some committees to
sit alongside the council. A Committee for Common Burdens was
established by parliament to sort out the financial chaos left by the

¹ APS, v, 354-5.

² The covenanters did, however, agree that the 1640 acts be published in the king's name, ibid., 347, 363-4, 652.

³ Ibid., 388-9, 405-6; A collection of original letters and papers, ed. T. Carte (2 vols., London, 1739), i, 33; Guthry, Memoirs, 104 exaggerates when he writes that 'some burghers' were appointed to the council.

Bishops' Wars, completing the gathering of the covenanters' taxes and the repaying of their debts. Conservators of the Peace were appointed as parliamentary commissioners to meet with commissioners of the English parliament to prevent disputes between the kingdoms and ensure that the 1641 peace treaty was kept.2 And commissioners were appointed to continue negotiations with the English parliament over certain matters which had not been settled by the treaty.3 There were, however, in addition other, undeclared, motives behind the appointment of these commissions and committees. It seems that though the covenanters' leaders believed that they could preserve their revolution through their dominance of the privy council, they also felt it necessary to have other institutions in which they could meet formally to discuss public affairs and take action in an emergency. The council might have been reformed, but it remained the king's council, with a tradition of subservience to the crown. In both 1639 and 1641 the covenanters had demanded that the nobles and the lairds be authorised to hold annual meetings of their estates,4 just as the burgesses had the right to assemble as the convention of royal burghs. This particular attempt to justify the holding of meetings of covenanters between sessions of parliament had eventually been abandoned; but the commissions and committees set up by parliament in November 1641 could be used to serve similar purposes. Charles I realised this, and at first denounced the proposal that Conservators of the Peace be appointed as an attempt to retain the Tables;5 and a covenanter admitted that the appointment of commissioners to negotiate with the English parliament was 'not so much for the perfecting of our Treatie, as to keep correspondence in so needfull a tyme', maintaining contacts with the king's opponents in England.6

Such caution on the part of the covenanters proved wise. As England drifted into civil war, and both king and parliament appealed to Scotland for help, divisions among the covenanters grew. The more extreme believed that they could not afford to

¹ APS, v, 391-5. ² Ibid., 404. ⁸ Ibid., 404-5.

⁴ Aberdeen council letters, ii, 140-2; Edinburgh University Library, MS Dc.4.16, fo. 78r.

⁸ Ibid., fos. 82r, 95r; Memorials and letters relating to the history of Britain in the reign of Charles the First, ed. D. Dalrymple, Lord Hailes (Glasgow, 1766), 114.

⁶ Baillie, Letters, i, 397.

stand aside while the king triumphed in England, for he would then turn to restoring his power in Scotland, but many moderates believed that it was impossible to justify intervening in the English conflict to help the enemies of a king who had so recently made all the concessions the covenanters had demanded. The privy council proved deeply split on the issue, with moderate covenanters tending to side with royalist members; by contrast the Conservators of the Peace and the Committee for Common Burdens strongly favoured aiding the English parliament. After much debate and controversy these committees managed to persuade the council that all three bodies should meet together, on the pretext that it was expedient that all three give their combined authority to decision on so important a matter. The three bodies duly met on 11 and 12 May 1643, and agreed that a convention of estates should be summoned to meet in June.¹

From the meeting of the convention on 22 June 1643 to the completion of English conquest in 1651 the government of Scotland reverted to the system the covenanters had evolved by 1640-1; sessions of parliament (or the convention) alternated with 'intervals' during which power passed to a Committee of Estates, while the privy council wasted away into insignificance. At the local level, the convention revived shire committees of war,² and they (along with the magistrates and councils in the royal burghs) became the basic units of local government. There were many variations and elaborations of this system, but the basic structure survived.

Up to 1643 the covenanting movement had moved on, seemingly irresistibly, from success to success; after 1643 repeated disasters shattered it. The army of the solemn league and covenant which entered England at the beginning of 1644 failed to win the immediate victories that had been expected, and Scots attempts to dictate a peace settlement in England led to growing tension between them and their allies in the English parliament. Moreover the invasion of England provoked royalist rebellion in Scotland. Highland and Irish forces under the marquis of Montrose won an astonishing series of six successive major victories over covenanting armies in 1644-5. The covenanters were now trying to maintain large armies in 41.

¹ RPCS, 1638-43, 425-8; PA.14/I, fos. 224r-226r. ⁸ APS, VI, i. 51-57.

three kingdoms (they had sent an army to Ireland in 1642), and their desperate efforts to raise men, money and supplies to sustain the war effort over-stretched the country's resources. At the same time their administration was disrupted by a major epidemic of bubonic plague (the last experienced by Scotland). From May 1645 to March 1646 parliament and the Committee of Estates had to abandon Edinburgh while the plague raged there. For a month after Montrose's final victory at Kilsyth in August 1645 the covenanting administration virtually ceased to exist, and it was only re-established after forces from the Scottish army in England returned and routed Montrose at Philiphaugh in September. Civil war in the Highlands dragged on until 1647, and early in that year the Scottish army withdrew from England, having helped the English parliament to victory but failed to enforce a peace settlement which would protect Scotland's interests.

Bitterness and frustration at these repeated disasters deepened divisions within the covenanting movement, and this made possible an attempt at a limited counter-revolution in 1647-8. Moderate covenanters joined royalists in making a secret treaty with the king, the Engagement. In spite of the opposition of the church, the Engagers managed to win a majority in parliament, raise an army, and invade England on the king's behalf. But they were promptly defeated at Preston, and the extreme 'kirk party' covenanters then rose in arms and seized power in Scotland. This coup d'etat was given a semblance of legality by the fact that the Engagers had appointed a number of their opponents to membership of the Committee of Estates; this kirk party minority of members now assembled, declaring themselves to be the Committee of Estates and excluding from power all who had supported the Engagement, Until parliament met it was decided that these kirk party members would rule the country with the advice of members of parliament who had opposed the Engagement and of additional commissioners, two from each shire and one from each burgh. This plan for a semiformal meeting of the estates (recalling some of the meetings of 1639-40) was however soon abandoned in favour of simply appointing large numbers of new kirk party members of the Committee of Estates.2

¹ PA.II/7, fos. or-IV.

² Ibid., fos. 11r-v.

The new kirk party regime proceeded zealously to purge parliament, the committees and all public offices of Engagers. The influence of the pobility on government was notably reduced, for the majority of nobles had supported the Engagement, Clerical influence over the regime, on the other hand, increased; it had been the kirk which had taken the lead in opposing the Engagement. The result of these changes was policies markedly more radical and extreme than those pursued by the earlier covenanting regime. But the kirk party was isolated. It had only been able to seize power because the English had conveniently defeated its Engager opponents for it, and reaction against its radical policies and purging hastened the existing tendency (exemplified by the Engagement itself) for opinion to swing back towards support for the king. Irresistible further impetus to this royalist revival was provided by the execution of Charles I in England. The kirk party negotiated with the exiled Charles II, and brought him back to Scotland in 1650 after he had sworn the covenants and signed away virtually all his power. But this provoked invasion by the army of the English commonwealth. The kirk party insisted that the war was primarily a religious one, and therefore continued to exclude royalists from the army as well as from public affairs; but to most Scots the war quickly became a patriotic one to save the country from English conquest, and increasingly the monarchy became the symbol of resistance to such republican invaders.

Defeat at Dunbar in September 1650 forced the regime to abandon Edinburgh and most of Scotland south of the Forth. To most Scots this was final proof that the kirk party with its purged army of the godly could not resist the English effectively without royalist help, but at first the regime continued to resist the inevitable by maintaining its exclusive policies and treating the king almost as a prisoner. It took an attempted royalist coup d'etat, the 'Start', to force the kirk party into concessions; on 10 October the king was permitted to attend a meeting of the Committee of Estates for the first time,³ and thereafter he attended regularly, gradually coming to play a major part in its proceedings and eventually turning it into an approximation to a meeting of king and council. In December 1650 the church reluctantly agreed that, in order to save the

¹ Balfour, Historical works, iv. 116.

country from conquest, Engagers and royalists might serve in the army (provided they expressed repentance for their sins). This concession provoked schism in the church and proved to be merely the first step in the abandonment by the regime of its earlier ideals.

concession provoked schism in the church and proved to be merely the first step in the abandonment by the regime of its earlier ideals. The king's supporters now flooded into the army but were still excluded from civil office. By March 1651, however, they felt strong enough to demand further concessions. The king gained considerable support in parliament when he urged that royalists be given seats on the Committee of Estates. Some nobles went further and demanded the abolition of the committee. Since the whole noble estate had been discredited by the support most of its members had given to the Engagement, even kirk party nobles had found that their lead was no longer accepted almost automatically on committees equally representing all three estates. Their reaction was to propose that the revolutionary Committee of Estates be abandoned and that the privy council, traditionally dominated by the nobility, be restored to power.²

be restored to power.²⁸

The nobles and royalists did not get their way immediately, but after much debate a compromise was reached. As royalists had already been admitted to the army it was conceded that they might also sit on a Committee for Managing the Affairs of the Army.²⁸ As a result in April and May 1651 a largely royalist army committee sat (mainly in Perth but occasionally in Stirling), while a still essentially 'kirk party' Committee of Estates sat in Stirling – and also was largely concerned with army affairs. But though royalists had not been admitted to the Committee of Estates, the commissions which established it were becoming increasingly royalist in tone, the king's authority being referred to with increasing frequency and prominence.⁴ The following session of parliament (May-June 1651) took the final step of completely removing disabilities on royalists. Royalist nobles returned to parliament, and a new Committee of Estates dominated by royalists was appointed. The committee structure of the covenanters' government survived, but it had been infiltrated and taken over by royalists. The latter had little chance to

¹ HMC 72: Laing, i, 258-9; Mercurius Politicus, no. 38 (20-27 Feb. 1651), p. 622. ² See D. Stevenson, Revolution and counter-revolution in Scotland, 1644-51 (London,

^{1977), 199.}

³ Balfour, Historical works, iv, 273-4, 277; APS, VI, ii, 653, 656. ⁴ Rait, Parliaments, 74.

^{.}

enjoy their triumph, however; before they could begin to dismantle this abhorrent committee structure from within defeat at the battles of Inverkeithing and Worcester destroyed the regime. Scotland was a conquered country.

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In 1640-1 and 1643-51 sessions of parliament (or of the convention of estates in 1643-4) alternated with 'intervals' between sessions in which power passed to the Committee of Estates, Sessions lasted anything from a few days to several months, intervals from two weeks to almost a year.1 At first there was determination during sessions to do as much business as possible in the full parliament - a natural reaction to the stranglehold the Lords of the Articles had previously had over parliamentary proceedings. But from the first the need for some committees to meet during sessions ('session committees') was recognised, for the more real power parliament had, the more business there was for it to deal with. Committees were necessary to prepare business, to report on various subjects and recommend what action should be taken - or to take executive action themselves in routine matters. Judicial committees were needed to examine and try the regime's opponents. Large numbers of temporary committees were appointed to draft reports to be debated in parliament on specific problems and issues, some meeting only once before reporting and dissolving. Other committees sat repeatedly throughout much of a session to deal with certain types of business rather than with a single issue, and patterns began to emerge in the appointment of such committees as experience showed what was required.

Two main types of committee came to be appointed with some regularity in sessions to sift the large numbers of routine and relatively minor submissions to parliament. Committees for Bills dealt with private petitions, while Committees for Overtures were concerned with proposals relating to public affairs and suggestions for legislation.² Financial committees supervised the essential work of raising and accounting for the money needed to support the armies, and the need for continuity in this sometimes led to the same

committee sitting during a number of parliamentary sessions and the intervals between them.1 Committees for Process investigated and punished enemies of the regime, and sometimes financial and process functions were combined in a single committee as fines were a major source of revenue. By 1645 reluctance to grant too much power to a session committee had been overcome sufficiently (by considerations of practical expediency) for a general session executive committee to be appointed, the main consideration behind this innovation being the need for some compact body to supervise the conduct of war while parliament was sitting. Though usually called Committees for Dispatches, these session executive committees also appear under a bewildering variety of other names - Committee for Prosecuting the War, Committee for Burdens and Pressures, Committee for Dangers. Whatever the name the basic function was the same; to relieve parliament of responsibility for an endless stream of routine executive decisions which needed to be made promptly.2 The danger that these committees could be used as instruments through which a faction could by-pass or manipulate the full parliament was revived in 1648 when the Engagers' Committee for Dangers was given power to meet secretly and decide (in effect) whether to raise an army and make war on England. There were protests that this was contrary to the liberties of parliament and contravened the 1640 act abolishing the Lords of the Articles.3

Confusion over the names of committees is not limited to the Committee for Dispatches; sometimes it is impossible to be sure which committee precisely is being referred to. Usually this was the result of simple carelessness, but sometimes the confusion arises from a tendency to refer business to a committee that already has been established to save the trouble of appointing a new one. Thus a committee might end up performing a variety of functions with little or no logical connection between them, and be referred to by various titles according to which function was meant.

Further complexity was added to parliamentary proceedings by the fact that though parliament was unicameral with all three estates sitting together, under the covenanters the estates also met

See Appendix 5.
See Appendix 3.

³ Stevenson, Revolution and counter-revolution, 101-2; Rushworth, Historical collections IV, ii, 1049.

separately to consider all important matters before any decision was taken in the full parliament. Little is known about these separate meetings of the individual estates (normally referred to as meetings of 'the several bodies') as no records of their proceedings were kept. but scattered references make it clear that they were organised with some formality. Thus on 13 August 1641 the nobles' meeting elected the earl of Argyll as its president. In 1641, 1644 and 1645 there are references to the speaker of the barons (and on one occasion of the burghs) acting as spokesman for his estate in reporting its opinion to parliament.2 In 1646 there is mention of the clerk of the baron's estate in parliament.3 The burghs had a tradition of trying to agree in advance, through the convention of royal burghs, on how the burgesses in parliament should vote, and in 1646 the convention ruled that all burgesses in both parliament and the Committee of Estates should vote unanimously in matters concerning the burghs.4 The extent to which this was put into practice is not clear, but unanimous action by the burgesses is recorded on several occasions; thus in August 1649 nearly all the burgesses walked out of parliament in protest against an act to reduce interest rates. But there is no evidence that the other estates used their separate meetings to try to agree on unanimous action in parliament; the separate meetings of nobles and lairds reported their majority decisions to parliament, but individuals were not bound by such decisions when it came to voting.

Meetings of the full parliament, the several bodies and the many session committees required careful time-tabling. Attempts were made to establish general rules. In August 1641 it was ordered that each day the estates should meet separately from 7 a.m. to 9 a.m., parliament from 9 a.m. to 12 noon, and committees from 3 p.m. to 6 p.m. 6 On two occasions a further complication arose in that the

¹ APS, v. 624.

² Balfour, Historical works, iii, 65, 72, 177, 277 (see also iii, 99, 109, 127).

³ Correspondence of Sir Robert Kerr, first earl of Ancrum, and his son William, third earl of

Lothian, ed. D. Laing (2 vols., Edinburgh, 1875), i, 198.

Extracts from the records of the convention of royal burghs of Scotland, 1677-1711, ed.

Extracts from the records of the convention of royal burghs of Scotland, 1677-1711, ed. J. D. Marwick (Scottish Burgh Record Society, 1880), 553.

⁵ D. Stevenson, 'The financing of the cause of the covenants', SHR, li (1972), 118; Balfour, Historical works, iii, 422-3.

⁶ APS, v, 333; Baillie, Letters, i, 387, 398.

general assembly and parliament sat at the same time. In July 1641 parliament had been meeting twice a day, but decided that it would only sit in the afternoons so that members who had seats in the assembly as elders could attend its meetings in the morning. In January 1645 the arrangement was reversed. General rules about times of meeting, however, were seldom adhered to for long, as pressure of events and business made flexibility necessary. Often parliament decided at the end of each day's session on a timetable for the following day. Quite how hectic the schedule could be is suggested by the following example of a week's timetable in June 1650:

Monday 10 June

10 a.m. The several bodies.

2 p.m. Committees for Valuations, for the Exchequer, and for Fines and Process.

Tuesday 11 June

9 a.m. Parliament.

2 p.m. Committees for Dispatches, for Fines, and for Accounts.

3 p.m. Committee for Overtures.

5 p.m. Committee for the Exchequer.

Wednesday 12 June

7 a.m. Committee for Witches.

8 a.m.-12 noon. The several bodies.

2 p.m. Parliament.

Thursday 13 June

7 a.m. Committees for the Security of the Kingdom, for the Exchequer, for Fines and Process, for the Commissary General's Accounts, and for Witches.

2 p.m. The several bodies.

1 APS, v, 317, 318.

² Balfour, Historical works, iii, 258-9.

XXXVIII THE GOVERNMENT UNDER THE COVENANTERS

Friday 14 June

9 a.m. Parliament.

2 p.m. Committee for the Excise.

4 p.m. Committees for Process, for Overtures, and for the Exchequer.

Saturday 15 June

8 a.m. Committee for Conference with the Kirk.

10 a.m. Parliament.

3 p.m. Subcommittee of the Committee for the Exchequer.1

Procedure in the appointment of members of committees varied in detail. Small or temporary session committees were probably sometimes chosen in full parliament; but in the case of all the larger and more important committees parliament initially only decided how many members of each estate should be on the committee (almost invariably the same number for each estate). Next, the meetings of the 'several bodies' each chose the members for its own estate. To these three lists of members submitted by the estates parliament then added supernumeraries. The chancellor was supernumerary on all committees ex officio, and other officials were frequently added according to the functions of the committee; the commissary general would be appointed to financial committees, the general officers of the army to committees dealing with military affairs, and so on. The Committee of Estates almost always had the general officers as supernumeraries, though in practice it seems to have been assumed that only the most important of such officers were members - the lord general, lieutenants general, majors general, general of the artillery and commissary general; such less important officers as the wagon master general never appear, though the quartermaster general sat on some occasions in 1649 and 1650.2 On some occasions several lords of session appear as supernumeraries, though on others they are treated as sitting on the committee for the barons (as on the May 1648 Committee of Estates).3

3 APS, VI, ii, 69-71.

APS, VI, ii, 577-81; Balfour, Historical works, iv, 52.

² E.g., PA. 11/8, fos. 99r, 110r, 113v, 119r; PA.11/9, fos. 54r, 60v.

The purpose of these 'general supernumeraries' was clearly to provide committees with members whose services were regarded as of particular value through the offices they held or the expertise they possessed. In addition to such 'general supernumeraries' what may be called 'estate supernumeraries' are frequently appointed to Committees of Estates. These were men not chosen by their own estate, but added to the estate's list by the full parliament. Thus the March 1049 Committee of Estates consisted of twenty members chosen by each estate, to whom parliament then adjoined six barons and six burgesses as 'estate supernumeraries'; on this occasion no nobles were added, presumably because so few nobles supported the kirk party in this session (only sixteen are listed as attending parliament). General supernumeraries added by parliament consisted of the chancellor, the clerk register, the general army officers, the commissary general, three lairds and two burgesses.

An act anent the choosing of commissioners for committees pushed through parliament by the barons and burgesses in July 1644 suggests that the nobles were trying to exert undue influence over the choice of committee members from other estates. Barons and burgesses, it was enacted, would elect their own members for committees; to their lists (and that of the nobles) names might be added by the other estates in full parliament. But if any of these proposed 'estate supernumeraries' of the barons and burgesses were not members of the session of parliament then sitting, their estate was to be given twenty-four hours to consider the proposal, and could then veto it. Moreover all such proposed baron or burgess supernumeraries must be men qualified for election to parliament even if they were not members. Debate on this act was long, the nobles denouncing it as 'ane directe violatione of the liberties of parliament'; evidently they had been trying to pack committees with nominal baron and burgess members whose qualifications were not known to members of these estates in parliament.3

As this act makes clear, it was the practice in some cases to appoint men who were not members of parliament to sit on committees and commissions. This applied especially to the big interval committees. The Committee of Estates appointed in June 1640 contained many

Ibid., 124.
 Ibid., 290-1.
 APS, VI, i, 215; Balfour, Historical works, iii, 238.

such members, 1 as did most of its successors. On at least two occasions in 1641 men who were not members of parliament were appointed to sit on session committees to audit accounts, 2 but this was very unusual, and session committees after 1641 were probably limited in membership to members of parliament.

Thus many interval committees really were 'committees of estates' and not strictly 'committees of parliament' if the latter term is confined to bodies composed entirely of members of parliament. But as the 1644 act laid down, those who were not members of parliament had at least to be qualified for membership before they could sit on committees. The general officers were evidently exempt from this rule, as were the eldest sons of peers. In 1641 the batons had insisted (as part of a wider effort to limit the numbers of non-members present when parliament met) that the eldest sons of nobles no longer have the right to attend as observers. The nobles were forced to give way on this, but it was accepted that their eldest sons were qualified to sit on interval committees.³

The size of the Committee of Estates, like that of financial and other types of committee, varied greatly. The smallest Committee of Estates was that appointed in May 1648 – eight members of each estate and three supernumeraries, a total of twenty-seven. The largest was that established in June 1651 – forty-two of each estate, the general officers and five other supernumeraries, a total of about 40.4 The fluctuations in size can often be accounted for by circumstances; the 1648 committee was intended to sit for less than three weeks, was not intended to take any major decisions, and its membership was not inflated by the need to supply members for a separate Committee of Estates with the Army.

The manning of the covenanters' endless committees not surprisingly led to problems; it was a very labour-intensive system of government. It was hard at times to get members to attend parliament, as membership now entailed not only attendance at sessions

¹ See Rait, Parliaments, 376-7,

² APS, v, 355, 371-2; C. Beattie, 'The political disqualification of noblemen's heirs in

seventeenth century Scotland', SHR, lix (1980), 175.

³ Ibid., 174-5. Eldest sons of nobles tried to reclaim their places as observers in parliament in March 1648, doubtless hoping to benefit from the noble domination of the Engagers, who had a majority, but they were ordered to leave, SRO, RH.2/8/15, p.5.
⁴ APS, VI, ii, 69-71, 679-81.

which might last for months, but the probability of appointment to a variety of committees meeting both during the session and in the interval after it ended. Burgh records in the later 1640s contain many pleas by burgesses against being elected or re-elected to parliament, and there was an increasing tendency for burghs to appoint two (or more) commissioners to sit alternately, thus spreading the burden. Getting quorums for session committees was not usually a major problem provided care was taken not to appoint the same men to committees which might be required to meet simultaneously. In December 1645 the barons and burgesses succeeded in insisting (after a three-hour debate) that three nobles elected by their estate to sit on both the Committee for Dispatches and the Committee for Process should be removed from one of them; the barons and burgesses had themselves each elected one individual to sit on both committees, and they too were replaced on one of them.1 However it may be that political arguments against letting the same nobles have a finger in too many pies at the same time were as important in this case as fears of inefficiency if membership of committees overlapped too much. In early years the quorums of session committees was usually set at half total membership. provided a specified number of each estate were present. But there was much variation, and the general tendency was to reduce the proportion. Thus in 1640 and 1650 the quorums of some session committees were reduced to a third of the total, and the quorum was to be 'promiscuous', meaning that members of all three estates need not be present.2

This trend suggests increasing difficulty in assembling quorums even for session committees, but the problems experienced by interval committees were much greater. Even very large committees with proportionately small quorums, like many of the Committee of Estates, had difficulties at times. Early in 1646 it was reported that the Committee of Estates with the Army in England had ceased to meet through lack of members. Committee records contain repeated letters to absent members summoning them to attend, threats of fines and other punishment being combined with pleas as to the importance of the committees' work. Normally committee

¹ APS, VI, i, 478; Balfour, Historical works, iii, 318-19.

² E.g., APS, v, 321, VI, ii, 10, 152, 608. ³ PA.11/4, fo. 190r.

were content with fairly low attendances (provided they constituted a quorum), and on at least one occasion (in 1644) the Committee of Estates experimented with having some members attend in rotation. The convention of royal burghs was requested to draw up a rota of burgesses to attend meetings for a month at a time. Requests by committees that their quorums be reduced were common. In January and February 1644 the convention of estates agreed first that the quorum of the Committee of Estates with the Army in England should be promiscuous, and then that the same concession should apply to the main Committee of Estates in Edinburgh.2 In August 1649 when the burgesses threatened to boycott the Committee of Estates after withdrawing from parliament over the reduction in interest rates, parliament ruled that the committee's quorum should be nine promiscuously. But when the burgesses took their seats at the second meeting of the committee it declared that it would not make any decisions unless at least two burgesses were present.3

When matters of major importance were to be discussed in interval committees 'frequent' or well-frequented meetings were summoned, absent members being ordered to appear on a certain date. Such summonses could produce very large attendances. The highest recorded for the Committee of Estates occur in late 1647 and early 1648. This reflects a peak of interest in the committee as a forum of debate between conflicting factions, as the marquis of Argyll's and the duke of Hamilton's parties argued over what attitude should be adopted to the king and the English parliament. Eventually Hamilton won a majority and the Engagement with the king was negotiated. The committee's total membership was sixty-seven (including seven supernumeraries) plus the Scottish commissioners in England. Meetings on 14 October 1647 and 23, 24 and 25 February 1648 were each attended by sixty-one members.

¹ PA.11/3, fos. 6v, 13r.

² APS, VI, i, 74, 75, 83; PA.II/I, fos. II3V-II4F; PA.II/2, fos. 8V-9r.

³ APS, VI, ii, 536-7; PA.11/8, fos. 99r, 102v. In January 1651 the Committee of Estates declared that a minimum quorum mus consist of members appointed by their own estates, thus excluding supernumeraries (PA.11/10, fo. 3v), but it is not clear whether or not this reflects earlier practice.

⁴ PA.11/5, fos. 118r, 214r, 215r, 216r.

February 1650, and fifty-seven (plus Charles II) on 23 May 1651.¹
The precise powers granted to Committees of Estates differed

The precise powers granted to Committees of Estates differed from one commission to another, but as they were given full powers to govern the country there was little they could not do if it was felt necessary. Their functions were primarily executive, but they also exercised judicial powers (sentencing opponents, punishing breaches of the peace, occasionally acting in civil cases), and legislative powers; their acts were regularly ratified by the following session of parliament (as were those of conventions of estates). Sometimes specific powers and functions were denied to Committees of Estates by their commissions, decision on certain matters being reserved to parliament, or certain types of business being assigned to other interval committees. Thus it became increasingly common for routine financial functions to be granted to a Committee for Moneys2 to free the Committee of Estates from getting bogged down in the minutiae of raising money, and process functions were also sometimes hived off either to a separate committee or to the Committee for Moneys (which had a vested interest in imposing and collecting fines).

Occasionally the Committee of Estates met jointly with such more specialised interval committees to consult on matters about which the latter wished for guidance from higher authority. In March 1646 the Committee of Estates met jointly with the southern section of the Committee for Moneys and Process to decide whether the marquis of Douglas should be 'processed to death' (or merely fined) for having complied with Montrose.3 Combined meetings were also used to give added authority to debates or decisions on major issues. In November 1643 the Committee of Estates met with the Conservators of the Peace to discuss letters received from the king. Later in the same month the Committee held a joint meeting with the privy council to issue orders for the levving of forces.4 A complaint from the commission of the kirk about negotiations with royalist rebels in 1646 was rejected in a joint answer from the Committee of Estates, the Committee for Moneys and Process and the privy council,5 though it may be suspected that in this and

¹ PA.II/9, fo. 65V; PA.II/II, fo. 122V.

⁸ PA.II/4, fo. 1951; PA. I4/3, pp. 58-61.

⁵ RCGA, i, 41-42.

See Appendix 5.
 PA.II/I, fos. 54r, 64r.

some other cases what really happened was that the Committee of Estates met as usual and took a decision, but that since many of those present were also members of the privy council and other committees the decision taken was issued as a joint one in order to make it sound impressive.

The work of the Committee of Estates as recorded in its registers ranges from major policy decisions as to the conduct of war, the raising of taxes or the negotiation of treaties, down to a mass of minor routine matters. In spite of the splitting off of some specialised business to other committees, the Committee of Estates still wasted much of its time on trivia. The same is true of parliament itself; it never solved the problem of effectively separating major decision making and legislation from trivial detail. The appointment of large numbers of session committees no doubt helped, but at times one suspects that an over-elaborate committee structure was hindering and delaying decision; and at times parliament succumbed to the temptation to refer matters to committees in order to put off decisions. Certainly the many session committees failed to enable parliament to get through all the business coming before it, and consequently Committees of Estates and other interval committees were often burdened with legacies of unfinished business passed on to them by parliament. Thus in February 1646 parliament referred the answering of no fewer than 104 supplications to the Committee of Estates.1

The most immediate concern of the covenanters' system of committee government in 1639-41 and 17633-51 was (apart from brief interfludes) the harnessing of the country's resources to warfare in England, Ireland and Scotland. Time and again parliament and the Committee of Estates turned to raising more men and more money from an increasingly exhausted and impoverished country. It was, therefore, natural that the most prominent official to emerge in the new administrative structure was one who combined financial and military functions; the commissary general was a general officer of the army in charge of paying and supplying it, while in his guise of collector general he also had responsibility for collecting taxes.² In both capacities he was served by a number of assistants, the

¹ APS, VI, i, 602-6.

² See Appendix 8.

commissaries depute and collectors depute.\(^1\) As the demands of war grew so did the burdens of office, culminating in 1650 when for several months it proved impossible to persuade anyone to act as commissary general.

Financial committees and Committees of Estates aided the commissary general in his work. Army Committees of Estates accompanied the covenanters' armies both to assist and to supervise them. By far the most important of such committees was the one which entered England with the army in 1644; on occasions it was reinforced by English commissioners to form a Committee of Both Kingdoms. Most covenanting armies of any importance had committees appointed to accompany them on their campaigns, but sometimes (as with the Scottish Army in Ireland) they existed in name only and seldom if ever met.2 The covenanters insisted that these army committees were not concerned with purely military decisions, which were the concern of the commanding general and his senior officers meeting as a council of war. The Army Committees of Estates represented the political control of the state over its armed forces, and were intended to help provide supplies and to advise and help the commander, adding civil to military authority within Scotland and representing the state in negotiations or discussions with the civil power in England and Ireland. But the distinction between civil and military authority proved a difficult one to maintain in practice, especially as it was often the case that many colonels of regiments sat on army committees, and the general officers always sat on them as supernumeraries. In August 1645 it was ruled that parliament or its committees were responsible for directing the war against Montrose, but that the commanding general was responsible for the actual managing and execution of such directions, a formula which reflected the covenanters' lack of faith in their generals after repeated defeats. But the confusion of military and civil authority only made matters worse, contributing to further defeat at Kilsyth later in the same month; and the same problem probably also contributed to defeat at Dunbar in September 1650.

¹ For details of the taxes and financial administration of the covenanters see Stevenson, 'The financing of the cause of the covenants', SHR, li (1972), 89-123.

⁸ See Appendix 4. ⁸ APS, VI. i. 448.

The extent to which the covenanters' administrative structure was geared to the demands of war is of course also suggested by the name of its most important local unit, the committee of war. The institution was not so inflexible geographically as the name suggests, for small shires were frequently joined together; so too on occasion were larger shires when emergencies made this necessary. Attempts to unite some of the committees of shires in the north during the Montrose wars in 1645 probably had little real success, and the only approximation which Scotland produced to the English parliament's regional military associations was the Western Association of 1648 and 1650; and it, instead of being an instrument of central government, emerged under the control of extreme kirk party covenanters who refused any compromise with royalists and defied the state.1 Just as shire committees were sometimes amalgamated, so larger shires were sometimes divided, or areas of a shire placed under the control of the committee of a neighbouring shire, according to the needs of the moment. Little is known of the working of the shire committees in detail. The register of the Kirkcudbright committee for 1640-1 is the only one to survive, and in spite of orders from parliament many of them probably never kept formal records. Many scattered papers and orders survive in private collections, but these have not been studied and are probably insufficient to allow any systematic reconstruction of the history of the committees. The great majority of the members of the committees of war were local lairds. Sometimes a local noble or nobles dominated their proceedings, but in many areas nobles seem to have taken little part in their day to day work, perhaps because if they were active covenanters they tended to be involved in affairs at the national level.

Alongside the committees of war a number of specialised, and often temporary, local committees appear – shire committees for valuations, for levies, \$f or losses and for process. On other occasions such functions were left to the committees of war, and additional special powers were sometimes granted to them. In 1649 their members were instructed to act as justices of the peace until new

¹ See D. Stevenson, 'The covenanters' Western Association,', Ayrshire Collections (forthcoming).

⁸ See 'Minutes of the committee for loan monies and taxations of the shire of Aberdeen, 1643', ed. J. Stuart, Miscellary iii (Spalding Club, 1846), 143-52.

justices were appointed; and in 1651 committees of war were authorised to sit as councils of war with power to enforce military discipline, hanging or otherwise punishing deserters. As to officials at the local level, shire commissaries and collectors appear, and references can be found to parish commissaries, collectors, commissioners and captains; but evidence of organisation at the parish level is fragmentary.

When the covenanters took over the government of Scotland through their structure of committees, what happened to the traditional administrative and judicial structure? The covenanters had no wish to destroy the old structure: parts were taken over and allowed to continue much as before, other parts were by-passed or virtually replaced but nonetheless allowed to continue to exist nominally. Once constitutional revolution brought the covenanters control of parliament it formed a major link between the traditional and revolutionary structures, and the covenanters continued to recognise the court of session and the court of justiciary as the supreme civil and criminal courts under parliament. However, these courts were by-passed by committee courts at times, and their meetings were much disrupted both by unsettled conditions in general and by the frequent meetings of parliament, as traditionally other courts did not sit when parliament was in session.3 The privy council had almost disappeared in 1640-1, was revived in 1641-3 when the covenanters experimented with using it as their main institution of government, and then quickly declined into obscurity as the Committee of Estates took over most of its work.4 The council did continue to meet from time to time, however, and was evidently still regarded as having a role to play, for there were complaints about long sessions of parliament interrupting its meetings. In 1647 cases thus interrupted were referred to parliament's Committee for Bills. In April 1645 the Committee of Estates itself sent letters ordering absent councillors to attend as there were complaints that many people had assembled to lay business

¹ APS, VI, ii, 268. ² PA.II/IO, fo. 13v.

See D. Stevenson, 'The covenanters and the court of session', Juridical Review (1972), 227-47, and Select justiciary cases, 1624-50, ed. S. A. Gillon and J. I. Smith (3 vols., Stair Society, 1031-74).

⁴ See RPCS, 1544-1660. 5 APS, VI, ii, 25 (see also 49-52).

before it but there was no quorum of members present. I The council had lost its policy making and executive functions, but continued to act at least intermittently in a judicial capacity – though appeals had to be made to the upstart Committee of Estates to help enforce the council's decreets. I New councillors were appointed from time to time, I and the arrival of Charles I in Scotland in 1650 might have been expected to revive the council's fortunes. But though the king did summon meetings of the council (the first being on 13 August 1650 at Dunfermline) and preside in it, it was not 'king in council' but 'king in Committee of Estates' who presided over the royalist revival of 1650-1.

As to the officers of state, they were allowed to continue their routine functions unless they were supporters of the king, in which case other arrangements were made if necessary, and the same was true of lesser officials. On the orders of the king and the earl of Stirling (king's secretary) Mr James Gordon, keeper of the signet, fled with his seal in 1630 rather than serve the covenanters, whereupon they gave orders that signet letters should be authorised by the signature of one George Haldane.5 After 1641 officers of state were appointed with parliamentary approval, which solved most such problems. No attempt was made to purge lesser offices: most of the bureaucracy of deputies, clerks, macers etc. remained in office until the kirk party attempted a general purge of the ungodly in 1649. During the Bishops' Wars the covenanters had themselves collected some of the king's revenues, diverting them from the treasury to prevent them falling into the hands of their enemies. But as soon as the traditional organisation for collecting and spending such revenues fell under their control through the appointment of covenanting commissioners of the treasury and of the exchequer in 1641, they separated royal and revolutionary revenues. From 1641-51 (with a few exceptions) the king's revenues were collected

¹ PA.II/4, fos. 61v-62r, and Sir William Frascr, *The Elphinstone family book* (2 vols., Edinburgh, 1897), ii, 190-1, where the letter is wrongly said to be *from* the council.

² PA.II/8, fos. 87v-89r.

³ APS, VI, ii, 363, 364, 561.

⁴ Balfour, Historical works, iv, 90-92.

⁶ CSPD, 1639, 353; Spalding, Memorialls, i, 234-5, 260; Johnston of Wariston, Diary, 1632-9, 408; Gordon, Scots affairs, i, 126; APS, v, 267-8; HMC 8: 9th Report, 250, 260.

in the same ways as before the troubles and used exclusively for traditional purposes - though this included payment of the many fees of office and pensions Charles I granted to covenanters in

attempts to win their support.1

New offices and institutions of government only emerged under the covenanters if old ones proved inadequate or if there were new functions to be performed; and though old and new structures can be frequently seen as paralleling each other, some attempts were made to fit them together, leading to an overlapping of old and new. It was accepted that the clerk register's right of appointing clerks depute extended to appointing clerks for committees. The appointment of Archibald Primrose, the clerk of the privy council, to be clerk of the Committee of Estates in 16432 seems almost an admission that as committee had virtually replaced council he had a right to office in the former. This is the most notable of many instances in which the old administrative structure provided trained men to undertake service functions in the new. A dispute arose between the macers of the court of session and the macers of the privy council as to which had the right to act as macers to the Committee of Estates and other committees. The macers of the court of session argued that they served as macers of parliament and that this should extend to parliament's committees, but though they may have been allowed to act as macers to session committees it was decided in 1644 that all interval committees should be served by the privy council macers,3

Finally, some mention needs to be made of the relationship of the covenanters' administrative structure to that of the church. At a national level the organisation of church and state had obvious similarities. In the state the supreme, representative body, parliament, alternated with intervals in which power devolved on a Committee of Estates. In the church the general assembly alternated with intervals in which central authority lay in the hands of the commission for the public affairs of the kirk,4 though the general

¹ See Stevenson, 'The king's Scottish revenue and the covenanters', Historical Journal, xvii (1974), 17-41.

² See Appendix 7.

³ PA.11/3, fos. 17v-18r.

⁴ See D. Stevenson, 'The general assembly and the commission of the kirk, 1638-51', Records of the Scottish Church History Society, xix (1975-7), 59-79.

assembly met only once a year for a few weeks whereas parliament might have several sessions in a year. Links between the two structures (once the ministers had withdrawn from the Tables on presbyterian principles) were provided informally by the fact that many members of parliament and its committees also sat in the assembly and the commission of the kirk as elders. More formally, from time to time these central bodies of church and state appointed commissioners to discuss matters of concern to both (often called commissioners 'for the conference'), and papers and letters were often sent from one to the other with advice, complaints, or pleas for action. Formal meetings between church and state seem to have become increasingly frequent in the later 1640s as a result of the controversy over the Engagement and the rule of the kirk party (when the state was more ready to listen to the church's advice than before, and the church was more willing to give it). Just as the Committee of Estates was 'of estates' and not 'of parliament' (in that it contained men who were not members of parliament), so the commission of the kirk was not 'of the general assembly' as it contained many ministers and elders who never sat in the assembly.

One final characteristic the revolutionary committees and commissions of church and state had in common. On the arch burnt at Linlithgow in 1662 the commission of the kirk shared equally the prominence given to the Committee of Estates, for in the reaction provoked by the failure of the covenanting movement they had become equally hated as the twin instruments of revolutionary tyranny. The high hopes of replacing royal absentee absolutism with representative and consultative government had long ago ended in bitter disillusionment. Better one tyrant than many.

CONVENTIONS AND ABBREVIATIONS

Editorial Conventions

Calendaring rather than transcribing the registers was decided on both to reduce the length of the more verbose and repetitive items, and to render the registers more easily intelligible by use of modern spelling, punctuation and grammar. However, the calendars are full ones, amounting in many cases almost to a translation into modern English.

All place and personal names that appear in the registers are included in the calendars, with one exception; in those cases where the registers list the names of all the members of a committee who signed a letter or order, only the first name (usually that of the committee's president) or two names has been given in the calendar, followed by 'etc'. Virtually all names have been standardised and modernised. Forms which are particularly unusual (or are very different from the standard form used) are given in round brackets in quotation marks immediately after the standard form. In those cases in which names cannot be identified with any modern place name or surname the original form is given in quotation marks; where there is doubt as to the reading in the manuscript this is followed by (?). Additional information to aid identification of individuals (such as christian names, or the names of lairds whose territorial designations alone are given in the manuscript) is supplied in square brackets whenever possible.

Individual sessions or meetings of the committees are indicated in the calendars by the date of meeting given in **bold type** (along with the place of meeting when this is given). Dates in ordinary type followed immediately (on the same line) by the title of an item are the dates of extraneous documents (commissions, orders or letters to a committee) which have been inserted in the registers though not forming part of the committee's proceedings. In the manuscript registers the dates indicating individual meetings are almost invariably followed by sederunts, or lists of members present. These have been reduced to tabular form and placed at the end of each calendar. Where no sederunt follows the date of a meeting this has been noted in the body of the calendar.

The headings (in italies) of individual items are usually taken from (or adapted from) the marginal headings given in the registers. But in some cases the marginal headings have been replaced by new ones, where they are misleading or inappropriate. In other cases no marginal headings are given but headings have been supplied in the calendars. It has not been thought necessary to indicate in the calendar where such changes have been made.

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Balcanquhal, Large declaration

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Nicoll, Diary

J. Nicoll, A diary of public transactions, ed. D.

Nicoll, Diary

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PA Rait, Parliaments Parliamentary Records in the SRO R. S. Rait, The parliaments of Scotland (Glasgow, 1924)

RCGA

NLS

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sнs, 1892-1909)

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GLOSSARY

anent: about, concerning annualrent: yearly interest assignment: allocation of rights to

payment from a specified source band: bond, written undertaking bear: type of barley

billet: written note of quarters taken by soldiers boll: measure of volume (about 8790

cubic inches) broken men: men without masters or landlords, outlaws

carriage: behaviour caution: cautioner: surety or security given for performance of an

engagement; a person who gives such security for another chalder: measure of volume (16 bolls)

cess: assessment, tax cognition: trial of a case commanded men: soldiers separated

from their regiments to form a separate force

deal: negotiate

decreet: decree, judgement

deficients: men necessary to make up a levy, regiment or troop to full strength

dempster: the official of a court who pronounces 'doom' or sentence depute: deputy

dilate: accuse disaffected: disloyal

discharge: forbid, prohibit; exonerate; free from liability dittay: indictment, criminal charge

against a person drink money: tip, gratuity

ell: measure of length of cloth (about 37 inches) entertain: support, maintain

execute: carry out, enforce fencible person: an able bodied man aged between 16 and 60

fiar: a person with a reversionary right to a property firlot: measure of volume (1 of a

furnish: supply, equip

girnel; granary or chest for storing portioner; possessor of a small portion

meal
hackbut: type of hand gun

heritor: landed proprietor, a man with a hereditary right to his land

hochimes; bent pieces of wood slung on each side of a horse as supports for panniers

horn; horning: penal process, usually used to enforce payment of

intercommuning: communication with criminals when this is prohibited by letters of intercommuning intromit: deal with specified revenues

kist; kisted: chest; placed or stored in chests landward: the country area of a parish etc. (as opposed to

'burgh') lippie: measure of volume (1/64 of a

locality: area assigned to troops as their quarters

macer: official responsible for keeping order in a court

mails: rents
maintenance, monthly: the main tax
imposed in 1645-51

merk: 13s. 4d. Scots
party: a small body of troops
separated from a larger force

peck: measure of volume (1/16 of a boll) poind: confiscate moveable goods of land, formerly part of a larger property preses (abbreviated to pr in sederunts): president

precept: warrant, authorisation presently: immediately process: bring to trial, prosecute prorogue: adjourn

prorogue: adjourn
pursue: prosecute
recruit: to strengthen a regiment or
troop with new recruits
relict: widow

remit: transfer from one court to another rests: arrears of pay: unpaid debt or

tax; part of a sum not yet paid repair to: come to reset; resetter: receipt of stolen goods:

receiver of such goods
routmaster: officer of a troop of
cavalry

runaways: deserters scriver: scribe, clerk, secretary sensible: conscious

sod: a rough saddle of coarse cloth or skin stuffed with straw sunk: straw pad used as a saddle

Swedish feather: weapon consisting of a stake with a point at one end and a pike head at the other unquhit: deceased, the late

wadset: pledge of land as security for a debt, the rents from the land serving as interest payments on the debt

Translations of Latin terms and abbreviations

cancellarius: chancellor

clericus parliamenti: clerk of parliament

D.F.A. = de fideli administratione: oath of faithful administration while serving in an office or on a committee

ad futurum rei memoriam: as a record for the future

I.P.C. = in presentia comitiorum: in the presence of the committee I.P.D.C. = I.P.D.Com. = in presentia dominorum comitiorum: in the

presence of the lords of the committee

 $I.P.\dot{D}.P. = in$ presentia dominorum parliamenti: in the presence of the lords of parliament

sedenunt: literally 'there were sitting', a heading followed by the names of those present at a committee or court meeting; used more generally to denote a sitting or session of a court or committee



Committee of Estates

OCTOBER-NOVEMBER 1645

INTRODUCTION

The summer of 1645 saw the culmination of a long series of disasters for the covenanters. The victories of Montrose destroyed their power in much of the north, while the advance of bubonic plague forced the regime to abandon Edinburgh. On 7 August parliament ordered the combining of the main Committee of Estates with the Committee of Estates with the Army in Scotland into a single committee which would accompany the army. The advantages of this seemed clear; there would be a single authority to concentrate the covenanters' efforts against Montrose, and the abandonment of Edinburgh had already destroyed the distinction between a fixed central committee and a mobile army committee. But there were also potential dangers in such a move, as was quickly demonstrated. A week later (15 August) the covenanters were yet again overwhelmed by Montrose, at Kilsyth; and the scattering of their army now entailed the scattering of the Committee of Estates, the main organ of civil government, which accompanied it. For several weeks committee government ceased to exist as members of the committee fled in all directions.

However, leading covenanters soon began to reassemble to organize resistance to the triumphant royalists, sometimes claiming to be committees. Thus meetings are recorded at Duns and Floors on 26 and 29 August respectively, I and at Mordington on 3 September a commission was granted to commissioners to negotiate with

¹ Bodleian Library, Oxford, Carte MS 80, fos. 247, 248.

representatives of the English parliament.¹ But real recovery did not come until after forces from the Scottish army in England routed Montrose at Philiphaugh (13 September), forcing him to flee back to the Highlands. There is evidence of meetings of the Committee of Estates near Stirling on 20 September, in Perth on 21 and 26 September, and at Duns early in October.² By 14 October the committee was at 5t Andrews,³ and by 16 October (if not before) regular records of its proceedings were being kept, though no formal register was begun until the committee met at Glasgow on 21 October.

The proceedings of the committee in the following month, as calendared below, are mainly concerned with the aftermath of Kilsyth and Philiphaugh. The system of committee government is re-established and preparations are made for the forthcoming session of parliament. The forces are reorganised and efforts are made to obtain further assistance from the Scottish armies in England and Ireland, as new offensives by royalists are expected; the feared advance south by Montrose does not take place, but a brief incursion over the border by English royalists has to be dealt with. Finally much attention is given to the trial and punishment of those who had actively aided or in any way seemed to comply with Montrose, the desire for revenge and to provide for the future security of the regime being here combined with financial considerations, as fines imposed on such delinquents were a vital source of revenue.

The calendar published below begins with minutes for 16 and 17 October, followed by the register for 21 October-21 November. Minutes also survive for 21-31 October, and these have been used to supplement the beginning of the register. As on other occasions in which draft minutes of committees survive as well as formal registers, discrepancies are obvious as to who precisely attended meetings, whether there were one or two sessions a day, and even over what decisions were reached and actions taken. In some instances it is doubtless the minutes which are at fault, a clerk correcting his hastily scribbled minutes (perhaps by reference to

¹ CSPD, 1645-7, 107-8.

⁸ Ibid., 149; HM C 29: Portland, i, 276-7; Carte MS 80, fo. 244; Guthry, Memoirs, 207;

R. Blair, Life, ed. T. M'Crie (Wodrow Society, 1848), 178.

BHMC 8: 9th Report, 200.

other papers now lost) when using them to compile the register. But the complete omission on some occasions of items recorded in the minutes (as with items added to the calendar below from the 21-31 October minutes) suggests carelessness in compiling registers, and perhaps in some instances arbitrary decisions to omit items of minor importance. Thus the survival of overlapping minutes and registers provides a warning against placing too much reliance on the absolute accuracy and comprehensiveness of committee registers.

CALENDAR OF THE MINUTES AND REGISTER OF THE COMMITTEE OF ESTATES, 16 OCTOBER-21 NOVEMBER 16451

8 March 1645. Commission to the Committee of Estates. By the twenty-eighth act of the first session of this first triennial parliament a commission was granted to a Committee of Estates generally to do all and everything requisite concerning the ordering and managing of all affairs and business which might conduce to the good and peace of the kingdom and promoting of the common cause as expressed in the [solemn league and] covenant and treaties. The causes that led the first session to grant that commission not only remain but have increased, so the second session now nominates, authorises and appoints [list of members of the committee]2 to be a Committee of the Estates of parliament with the same power in all points as the former committee had, except that a separate Committee for Money, Accounts and Burdens is now being established3 and its powers excluded from those granted to the Committee of Estates. The Committee of Estates is also to have the powers granted by parliament on 20 February to a committee to value the lands and estates of forfaulted persons, to consider the validity of debts on such estates so that they could be paid, and make provision for the wives of such persons; but this to be without prejudice to the powers of the Committee for Moneys.4

It is necessary that part of this great Committee of Estates remain with the army in England, that another part remain with the army

¹ PA.12/1, minutes 16-31 October 1645; PA.11/4, fos. 131v-176v.

² For membership of the committee see pp. 57-60 below.

³ APS, VI, i, 383-5. 4 Ibid., 329-31.

within the kingdom, and that a third part stays in Edinburgh. The estates therefore nominate [members listed], the supernumeraries, and all other commissioners not on either of the army committees or commissioned to go to London to be on the committee that resides at Edinburgh (and also on the other two committees as they shall have occasion). Balmerino is to be president of the committee in Edinburgh in the absence of the lord chancellor; when both are absent the committee is to choose a president. The quorum of this committee is to be seven, there being at least one of each estate present. The Committee of Estates with the Army in England members listed is to have Argyll as president in absence of the chancellor, and is to choose its own if both are absent. Sir Adam Hepburne of Humbie is to be on this committee or any other as he shall have occasion; and its quorum is to be seven, there being at least one of each estate present. The Committee of Estates with the Army within Scotland members listed, to whom are to be added a burgess from the Committee for Moneys] is to have Crawford [-Lindsay] as its president in absence of the chancellor, and is to choose its own if both are absent. Its quorum is to be five, there being one of each estate present, and it is to meet in Perth on 14 March. The two army committees are authorised to govern the affairs of their armies (though powers granted to the Committee for Moneys are excluded) and give their best counsel and assistance in whatever may conduce to the good and safety of the armies. All three committees are to keep correspondence with each other about their proceedings and the condition of affairs. None of the committees are to negotiate about points in question between the king and the estates, or between the kingdoms, without the consent of a quorum of all three committees. If any places on a committee become vacant by death or otherwise the quorum of that committee may choose a replacement. The committees may also convene such nobles, barons or burgesses to advise and assist them as they think fit; if any matter of importance requires resolution by the estates, the committee at Edinburgh may call a meeting of parliament. Members at their first meeting are to accept their commission and give their oath for the faithful discharge of the duties entrusted to them; and they may fine members who do not attend diligently. The general officers of the armies and William Thomson (depute

to the treasurer of the army) are privileged to be present in all the committees as they have occasion; and the commissioners appointed to go to England are to have places and votes on all three committees. The commission to the committees is to last until the next session of parliament, to which they shall be answerable. The estates add this power to the commission: to exact three dollars from each noblemen, two from each baron and one from each burgess for each day's absence from the committee at the times appointed for their attendance by the committees; and the committees may depose and replace those who do not attend.³ (tr-3v)

16 October 1645. St Andrews. [no sederunt]

Mr John Keith. The committee orders that he be freed, as the Earl Marischal has become cautioner that he shall appear before parliament or the committee whenever he is called, on pain of [blank]. [PA.12/1)

Warrant to William Downie. To deliver all the papers of the committee between 13 August and 3 October to Mr James Primrose. (PA.12/I)

Lord Spynie. Order allowing him the liberty of the town of Dundee, provided he finds caution to remain within the town on pain of 2,000 merks. The provost and bailies of Dundee are to release him from the tolbooth once he has found caution. (PA.1.2/1)

Earl of Buccleuch. Order to him to deliver Lord Seton to Edinburgh Castle; and an order to the constable to receive him and keep him prisoner there. Crawford-Lindsay, I.P.C. (PA.12/I)

Irish officers. Warrant to the constable of Edinburgh Castle to carry Colonel [Manus Roe] O'Cahan ('Occan') and Major [Thomas] Laghtan ('Lachlan') to Castle Hill, and there hang them on a gibbet until they die, on 20 October. The magistrates of Edinburgh are to furnish an executioner. Crawford-Lindsay, Argyll, etc. (PA.12/I)

⁸ Printed in full in ibid., 380-3. The commission was prorogued on 10 July 1645 (ibid., 432-5), and the same day the committee with the army at Perth was reconstructed (ibid., 432). A further prorogation followed on 7 August, making some changes in membership and ordering the combining of the main and the army committees in Sociodand (ibid., 460).

Executioner. Order to the magistrates of Edinburgh to provide the constable of the castle with an executioner to execute justice on some delinquents on the committee's orders, and to attend the execution. (PA.I.2/I)

`Colonel [John] Rough ('Roche'). Warrant to him to deliver to Mr James Primrose all the papers and other things belonging to Archibald Primrose and intromitted with by him in Perth. Crawford-Lindsay I.P.D.Com. (PA.12/1)

17 October 1645. [St Andrews]

Citation. Against Andrew Ker of 'Drambrae' [Deanbrae?], Mr William Moir of Otterburn, John Moir his brother, and Francis Moir, to appear and answer for taking Gilbert [illegible] contrary to a protection given by the earl of Callander, on pain of rebellion. (PA.1.2/I)

Parliament. At its last session parliament ordered its next meeting to be at Edinburgh on the last Wednesday of November. . . . ¹ (PA.12/1)

Citations. Against Mr James Aitkenhead, to appear before the committee on 23 October; Against Robert Stewart (burgess of Linlithgow); Against Mr George Gray, George Cullen, Paul Colinson, William Petrie, George Morison and William Gray, burgesses of Aberdeen, the time to be filled in by the Earl Marischal; Against Alexander Kirkton, William Alison, Mr John Brown, William Rutherford (bailie) and William Rutherford (notaty), burgesses of Jedburgh, to appear and answer on 24 October; Against Mr Alexander Menzies, Alexander Birnie of [blamk] and Thomas Melville to appear, the time to be filled in by the Earl Marischal. [PA.12/17)

Letter to Major General [John] Middleton. Desiring that he would [not] allow any quarterings upon [Alexander Straton of] Lauriston's land, and that he give similar orders to his under officers, because of Lauriston's constant affection to the cause (PA.12/1)

Magistrates of Montrose. Letter to James Scott, Robert Petrie and George Taylor of Montrose, ordering them to accept office as magistrates [of the burgh], to which they were elected on [blank]

¹ This item is unfinished and crossed out in the draft minutes.

or were otherwise chosen. If they refuse they are to appear before the committee. (PA.12/I)

21 October 1645. Glasgow

Execution of traitors. By decreet and sentence of parliament on 5 and 11 February last Mr William Rollock, Alexander Ogilvie (younger) of Innerquharitie and Sir Philip Nisbet are forfaulted. Doom and sentence has been pronounced against them by a dempster. Having considered the sentence the committee orders that they (having been captured in rebellion with James Grahame) be brought before the committee. The said three traitors being present, the sentence was read in their hearing and the doom contained in it pronounced by John Wilson, dempster. The committee orders that Rollock be executed this afternoon at Glasgow market cross, and Ogilvie and Nisbet tomorrow afternoon at the same place, by striking off their heads from their bodies. The provost and bailies of Glasgow are to see this sentence carried out. (PAII / A. 1311)

Levies. The committee, having considered the best way to levy the proportion of horse and foot last imposed on the shires of Ayr and Renfrew, orders all that were deficient in these shires in the levy to Perth to put out the number of foot which was then imposed on them. The 120 troopers are to be raised at the expense of those who joined, capitulated with, or took protections from James Grahame, late earl of Montrose. A roll of the deficients in these shires is to be made by examining the receipts held by heritors granted by those who were ordered to receive footmen from them, or by the heritor's oaths. The shires are to meet next Friday, with Cesnok and Cowdoun as conveners, and the forces are to rendezvous at Glasgow on I November. The committees of the shires are then to bring in an account of all who are then still deficient; if they fail to do so orders will be given for quartering on the shires. Troops of horse will be sent to quarter on the deficients. (131r-y)

22 October 1645, a.m. Glasgow

The treaty at St Andrews. Having considered the report of the commissioners appointed to treat with the commissioners of the

1 APS. VI, i, 313-23 (two decreets, both dated II February).

English parliament, and read the papers given in by them and the answers of the English, the committee approves the conduct of its commissioners. All the papers and answers are to be registered in the books of the committee. (131v)

22 October 1645, p.m. [no sederunt]

Marquis of Douglas. Order that he stay in this town today, his cautioners being obliged for him as formerly. (138v)

Marquis of Douglas and Lord Johnston. Order to the commissioners appointed to consider the processes to examine them tomorrow morning concerning their carriage with the rebels (and that of other persons). (138v)

Earl of Hartfell. Order to the provost and bailies of Glasgow to imprison him in their tolbooth until the committee gives further orders. (138v)

23 October 1645. [no sederunt]

Commission anent delinquents. The committee commissions and warrants Lauderdale, Lanark, Humbie, Cowdoun, Archibald Sydserf and George Porterfield to try the behaviour of the following towards the rebels: Earl of Queensferry, Lord Lour, [Sir Alexander Carnegie of] Balnamoon, Mr Archibald Fleming (commissary of Glasgow), Sir Robert Douglas, [Mungo Stirling of] Glorat, Sir John Hay, Sir David Murray of Stanchope, Sir Alexander Murray of Blackbarronie, [William Drummond of] Riccarton (as cautioner for [Sir George Stirling of] Keir), Sir John Seton of Barnes and Archibald Stewart of Blackhall. The commissioners are to decide whether they deserve to be processed or fined, and what the pro-

¹ The proceedings of the inconclusive treaty (negotiations) at St Andrews, 14-17 October (PA.II/A, ff. 131v-138v) are not calendared as they are printed in full in Lords Journal, vii, 691-5 and many are calendared in CSPD, 1645-7, 193-5, 197-9. The English commissioners presented papers complaining at some of the actions of the Soctish army in England and demanding the withdrawal of a number of Soctish garrisons. The Scottish commissioners broke off the treaty on the pretext that the Committee of Estates had to move to Glasgow. An item relating to the marquis of Douglas is erroneously inserted just before the first paper of the treaty in PA.II/4, but has been crossed out and re-innerted at fo. 138v.

portion of their fine should be. Those who are not in town are to be sent for. 1 (145r)

24 October 1645. Glasgow

Anent the frigate and galley. The committee finds it necessary that the frigate and galley which have been kept in service on the west coast continue to be entertained at public expense. The committee for Moneys is therefore to call for accounts of what has been spent maintaining these vessels, and is to see that such expenses are paid along with whatever is necessary for their future entertainment. (138v-130r)

Fortification of Glasgow. It is necessary that the town of Glasgow be secured from the attempts of the common enemy. The committee therefore orders the provost, bailies and council to have a defensive line drawn around the town with the advice and consent of Lieutenant Colonel [William] Dick, who is hereby appointed overseer of the work. Those living within the presbytery of Glasgow are to assist in everything necessary for advancing this work. (133r)

Lieutenant Colonel [William] Dick. Order to the provost and bailies of Glasgow and the heritors of that presbytery to make provision for Dick's pay and entertainment. (PA.12/I)

Letter to the general [the earl of Leven]. While we were considering your letters and what answers to give the English parliament concerning the Scottish army in England we received information that Lord Digby and Sir Marmaduke Langdale had entered this kingdom with a body of horse and dragoons. Lieutenant General David Leslie has marched against them today with part of the horse, and he has sent orders to the country to raise all the forces they can to join him. He had ordered Major General [John] Middleton to stay here to watch James Grahame [Montrose] and Alasdair [MacColla] MacDonald, who intend to join a considerable body of foot to Digby and Langdale. We consider it best to pursue actively this latter enemy, to prevent it joining with these forces from the hills. We therefore desire you to send your cavalry towards 'Glendale' and 'Ouler' [Wooller?] unless you receive intelligence

¹ The act is headed 23 October but is registered out of place under 27 October.

from David Leslie for you and the rest to march north. Your readiness to contribute to your country's safety assures us of your care

in this. (139r)

Horse and foot of Perthshire. The committee orders the commissioners appointed for the trial of delinquents in Perthshire to assign the number of horse to be raised by the shire on those who have joined with or taken protections from the rebels. The part of the foot imposed on the part of the shire which is in the power of the rebels is to be deducted. But any horsemen already levied are not to be returned to the heritors. (1309)

Approbation to Glencairn etc. Glencairn, Cassillis and Sir William Cochrane of Cowdoun have reported on how they carried out the instructions they received when they were sent to Ireland. The

committee approves their endeavours. (139v)

Pistols. The committee allows Lanark to use fifty pairs of the pistols he now has in his hands for his own regiment. (139v)

Powder. Warrant to the provost of Glasgow to take fifty pounds weight of pistol powder from any merchant in the town for Lanark's regiment. The committee obliges itself to see that it is paid for, (130x)

James Maxwell of Innerwick. In the time of the country's necessity some noblemen agreed to buy 6,000 bolls of meal from him, and the committee now orders the commissary general or his deputes to receive this victual and employ it for public use. (139v)

Lord Drummond. Order to the constable of Edinburgh Castle to

sufficient guard around them. (139v)

Roxburgh and Selkirk. Order to the nobles, gentlemen and all fencible persons aged between sixty and sixteen to draw together with all possible diligence to march against the common enemy on the borders under the orders of Buccleuch and Lothian.

The like to Sir David Home for Berwickshire.

The like to Lord Yester and the master of Yester for Peebles-shire, (140r)

Carrick Castle. The committee thinks it necessary that some prisoners be put in the castle, and therefore orders the marquis of Argyll to

 $^{^{1}}$ The supplication of the Perthshire committee of war which led to this act is in PA.12/1.

put a garrison of twenty-four men in it to be entertained at the expense of the state. (140r)

Sir Hew Wallace of Craigie. Order to the earl of Lanark to deliver Craigie to his son, freeing him from confinement, on his son agreeing on pain of 20,000 merks that if required he will enter him into confinement again within eight days. (140r)

Prisoners in Haddington. Order to the provost and bailies of that burgh to deliver James Hamilton and [blank] Mortimer, prisoners in their tolbooth, to Sir Patrick Hepburne of Wauchton, to be disposed of and secured by him as he thinks expedient. (LAOT)

Earl of Hartfell. Warrant to transport him to Dumbarton Castle; order to the captain of the castle to receive him and keep him prisoner; and a recommendation to the lieutenant general to send a party to convey him to the castle. (140r)

Adam Hepburne. Order to the provost and bailies of Lanark to deliver him, a prisoner in their tolbooth, to Wauchton, to be dis-

posed of and secured by him. (140r)

Prisoners in Jedburgh and Selkirk. Order to the provost and bailies of the two burghs to deliver to Lothian all those held prisoner in their tolbooths for joining the rebels or being accessory to the rebellion. Lothian is to secure the persons of all the landed gentlemen among them, but with meaner persons and servants he is to act as he thinks best to keep them from joining with the rebels hereafter. He is to deliver all Irish or Ireland¹ men to John Kennedy. (140v)

[Sir James Livingstone of] Kilsyth. Order allowing him to appear before the committee tomorrow in spite of his confinement.

Letter to the Scottish commissioners in London. We understand that the committee of our army in England recently wrote to you (at the desire of parliament at Perth) to have $\pounds_5,000$ sterling paid to Thomas Cuningham (factor at Campvere) as part of the money due to him from the public. This was to have been paid out of the first money received for the army in England, it being repaid to the army in meal supplied from Scotland. We expected this to have been done by now, but today his agents have told us that he has not been

 $^{\rm 1}\,{\rm The}$ MS reads 'Irkland'; the correct reading is presumably Ireland, or perhaps Island.

paid, and have explained his necessities. In regard of his good service to the state and his sufferings we earnestly desire you to see him paid with all possible diligence.¹ (140v)

Sir Robert Spottiswoode. Warrant to transport him from Dumbarton to Glasgow. (PA.12/1)

25 October 1645. Glasgow

[Livingstone of] Kilsyth. Order that he be liberated from confinement, but that he answer to parliament or the committee for his carriage with the rebels whenever they call for him. (1411)

[Sir John] Ogilvie of Innerquharitie. In regard of a testificate about his sickness and inability the committee dispenses with his

appearance until he is again summoned. (141r)

Orders to Perthshire. All noblemen, gentlemen and others within the shire are to rise and assist Tullibardine in opposing the rebels within the shire. All who fail in this will be regarded, proceeded against and punished as enemies to the peace of the kingdom and favourers of the rebels. (1411)

House of Kilsyth. Order forbidding quartermasters, officers and troopers to receive or give billets for quartering on that house.

(141r)

Letter to the Scottish commissioners in London. We have received your letters of 8 and 14 October and the papers enclosed. We had resolved to satisfy the English parliament by ordering the Scottish army to quarter around Newark, and for this purpose David Leslie was to have marched there from here with part of the cavalry. But we have just received certain information that Digby and Langdale have invaded this kingdom 'towards' Carlisle with a considerable body of horse and dragoons, and that their numbers are being much increased by the disaffected on both sides of the border; and we also heard that James Grahame and Alasdair MacDonald were joining in Menteith with all the men they could raise, intending to march to join Digby and Langdale. David Leslie has marched today towards the borders with part of the horse, leaving Middleton here to watch

¹ Printed in full in The Journal of Thomas Cuningham of Campvere, 1640-1654, ed. E. J. Courthope (SHS, 1928), 133, and is calendared in Meikle, Correspondence, 132--1.

the rebels' movements. We desire you to represent this to parliament, and are confident that it will see the necessity for delaying our march to Newark. When the disaffection of the northern counties (especially Cumberland and Westmoreland), the fact that we do not have any considerable body of foot, and that the rebels from the hills may join them, are considered it will be clear that we could not now send our army south and leave the whole of the north of England and this kingdom naked. We have sent to our army to march north to be ready to suppress the enemy; as soon as this service is over it will march south. Represent to parliament that we expect that it will be satisfied with this delay, that it will speedily supply our army with money and clothes, and that it will send such reinforcements towards the border to secure us from further invasion and assist us as necessary (since we gave England help in her greatest extremity). We are forced to send this express so soon that we cannot answer your other papers or send you instructions for the remainder of the treaty begun at St Andrews; but they shall be sent as soon as possible.1 (1417-1427)

Act anent the maintenance of Stirling and Clackmannan. Divers persons (nobles, gentlemen, heritors, feuars, burgesses and others) have delayed payment to the collectors of the first six months' maintenance for entertainment of the army. And the committees of war and commissioners in the shires have not assisted the collectors by sending out parties to quarter on deficients according to acts of parliament and former orders. Therefore, for hastening payment in these shires, the committee orders Lieutenant [Colonel] John Cockburn (governor of Stirling) and Routmaster Harie Bruce or any other officers or commanders in the shires to send out parties of horse or foot as desired by the collectors (or by the collectors of the parishes). Or the committees of war may meet with the commissioners of shires to raise and send out parties from adjacent parts of the country to quarter on deficients or poind their goods and gear until they pay their maintenance and the penalties contained in the acts. The commissioners of the shires are to intimate this at each parish kirk in their shire so that none can pretend ignorance. If the officers or commanders fail or are remiss in this they shall be reputed and proceeded against as persons disaffected to the cause in hand,

¹ Calendared in ibid., 133.

and the penalties laid down in acts of parliament against such

persons shall be exacted without favour. (142r-v)

Letter to Major General Middleton. The lieutenant general has sent you orders to march hither, but we have received information that Alasdair MacDonald is in Lorne and James Grahame is moving eastwards. If you come here all the country behind you will be left naked. We therefore think that you should still watch the enemy in these bounds and seek to preserve the country. We have written to the lieutenant general to send you orders to this effect. (142v)

Letter to Lieutenant General Leslie. On new information of the rebels' movements [as in the previous letter] we have desired Middleton to remain and not march this way until you send him further orders. We send this bearer to tell you of this and to desire that you send orders to Middleton accordingly. We have no more to add but our hearty wishes for a happy success to your undertaking. (1429-1431)

Wool. Warrant to transport abroad twenty stones of wool, notwithstanding acts to the contrary, to John Fergusson (burgess of Ayr) as he has suffered through supplying wool to the public.

27 October 1645. Glasgow

Letter to the General. We have received your letters from Captain May, and are very sensible of your readiness to contribute to your country's safety; the dispatch of your horse after Lord Digby and Langdale is a great and very real testimony of it, and we send you the kingdom's thanks. In our letter sent with Captain Stirling we advised you to march north with the whole army as we believed the rebels in the north and south intended to join, which would have been very dangerous. But since then we have been informed of the routing, or at least retiring, of the forces in the south; therefore we think you should not march any further north with the whole force, but instead stay there until some regiments of horse come to you from here. As soon as they reach you we advise you (to satisfy the English parliament) to go and block up Newark at a distance with such a part of the foot army as can be spared from aiding

Scotland (which also requires the help of part of the Scottish army in Ireland). We had reached these decisions before we heard the news from the south lof Digby's retreatl, and have now confirmed them. We think the rebels lin the northl, having no hope of being supplied with horse from England, will be loath to come down to the Lowlands, which is the only place our horse can be useful in. Thus we will have more use for foot and less for horse. We cannot part with more than two regiments of horse until the party of foot comes hither; then the rest of the horse regiments (except for three or four which must be kept here) will be sent to England. We crave for 2,500 foot from England (either commanded men or regiments as you think fit), complete with officers loyal to this country and willing to go on this service. The lieutenant general of the horse [David Leslie] will go to England with the first regiments of horse, leaving Middleton to command the horse here. (144r-v)

Act anent some delinquents. Having considered the carriage of some persons, the committee finds and declares as follows: That when the crimes of delinquents are such as they make their whole estates and fortunes fall to the public but the committee is pleased not to process them to death, their fines shall be five years' of their whole rents according to the valuations already made. Where their estates have not been valued the committee will value them. If their fortunes consist of money or goods they shall be fined a third of their stock of money and moveable goods. Further punishment of banishment, confinement or imprisonment may be imposed as the committee thinks fit. In order to discover the rentals of liferenters or fiars their own declarations are to be taken; but if after trial it is found that any such person has concealed part of their rental or estate, he shall pay two years' rent over and above the fine. Payment of fines is to be as follows: a third immediately, a third at Candlemas next [2 February], and a third at Lammas [1 August]. (144v-145r)

Commission anent delinquents. The committee orders that the quorum of the sub-committee [appointed on 23 October] be four. (1451)

Committee for the Process. The Committee of Estates orders members of the Committee for the Process who are present here to 'those' [sic] in this commission, and appoints Burghlie for the

barons and Mr Robert Farquhar for the burghs. Any five of the committee are to be a quorum. (145r)

28 October 1645, p.m. Glasgow¹

Armour. Order to the keeper of the magazine to deliver to Lanark and Balcarres (for their regiments) 120 of the head, back and breast

pieces in the magazine at Leith. (145r)

Anent Patrick Drummond's band. A band was found by some of Major General Middleton's soldiers at Philiphaugh on Sir William Rollock, whereby Drummond (merchant in Edinburgh) is obliged to pay £200 sterling to him. The committee gives orders that Middleton use this band to get payment from Drummond, for the use of his regiment. (145v)

Major Tours. Captain John Tours appointed major of the foot in

Colonel Barclay's regiment. (145v)

[Colonel Harie] Barclay's Regiment. Order to the treasurer of the army to provide it with drums. (145v)

Callander's regiment. Warrant and commission to Lieutenant General the earl of Callander to draw together all the runaways of his regiment in the shires of Linlithgow and Stirling. (145v)

Earl of Queensberry. Having considered the report of the Committee for the Process on his carriage and dealings with James Grahame, the committee finds that he ought to be fined according to the commit-

tee's act of 27 October. (145v)

Anen runaways. The committee has considered the prejudice done to the public service, and which may be done in the present levies, by the fraud and cozenage of those who not only reset runaways but also put them out as soldiers again, as if they had not been in service before. It is therefore declared that anyone who puts out a runaway in a levy shall be obliged to put out another man as well; and the runaway shall be carried to the company he deserted to be punished according to military discipline. (145v)

Petition of some parishes in Renfreushire. The parishes of Inverkip, Greenock, Kilmacolm, Houston, Erskine, etc. have petitioned concerning their putting out of 120 men to the marquis of Argyll,

¹ The committee met twice of 28 October, though PA.II/4 gives only one sederunt – see note on sederunts below, p. 60.

in addition to the sixteen men formerly put out by Greenock. The committee declares that the 136 soldiers put out to Argyll shall be allowed to the supplicants when the next levy is raised, or will be allowed as deficients of men that they should have put out in the levy to Perth.¹ (1.46r)

Arms. Warrant to Thomas Hamilton, depute of the artillery, to receive from James Riddell, merchant, 400 muskets and bandoliers and 200 weight of powder, to be put in the magazine for use of the public, and to agree that Riddell should be paid £10 for each musket and bandolier and a merk for each weight of powder. The treasurer of the army is to pay these sums, (1467)

Commission for malignants in Perthshire. The persons named below have joined in rebellion with James Grahame, late earl of Montrose, and his complices; or have been accessory to the rebellion; or at least have been deficient in obeying public orders for suppressing the rebellion. Yet they still uplift their rents, goods and gear for their own use, to the great discouragement of the well-affected in these parts and the prejudice of the public. The committee has proof of the fidelity and ability of William Oliphant of Pitlochie, Alexander Menzies of Comrie and Thomas Menzies of Togermach. It therefore grants them full power and commission to intromit with and uplift all the mails, rents, dues, sums of money, goods, gear or anything else pertaining to Andrew Toscheoch of Monzievaird, Mr James Grahame of Monzie, Lady Monzievaird and John Robertson of Inver her spous for his interest, Robert Fleming of Moness, [blank] Grahame of [illegible], [John] Grahame fiar of Garvock and [John] Grahame fiar of Balgowan; and generally of all others who shall be found malignant and disaffected persons in the parishes of Logierait and Little Dunkeld. There are some sums of money, goods and gear pertaining to malignant and disaffected persons in the presbytery of Dunkeld (in the form of bonds, wodsets or otherwise) which might advance the public service if collected. The committee therefore also gives power to William Oliphant etc. to uplift such property. They are to have power to pursue the malignants for their rents etc. before the shire committee of war, the commissioners for trying malignants in the shire, or any other judicatory in the kingdom, and to obtain and execute decreets

¹ The petition of the parishes is in PA.12/1.

and do all other things to help obtain payment. All committees of war, colonels, commanders and other persons are to assist William Oliphant etc., who are to be answerable to parliament, its committee and the treasurer of the army. The commission is to last until cancelled by parliament or its committee. (146r-v)

Garrison of Tynemouth. Order to Sir James Lumsden and James Sword to decide what needs to be provided for the garrison; on their warrant the commissary general is to supply such necessities. The committee declares that recruiting the garrison and the regiment there will be considered along with the recruiting of the rest

of the army, (147r)

Parishes of Inverkip, Greenock and Kilmacolm. The committee has considered the petition of the parishes complaining of the hazard they are in from the rebels in Cowal, who make 'daily excursiounes upon them'. Because of this, and of how few there are in these parishes (many of them being at sea), they are not able to go out in public service with the rest of the shire without leaving their families naked and exposed to the merciless cruelty of the rebels. The committee therefore allows the men of these parishes to stay at home to keep their own bounds from the incursions of the enemy when the body of the shire is called out on public service. (147r)

Anent the trial of the estates of delinquents. There is immediate necessity for money, but the fines imposed (or to be imposed) on delinquents are not specific sums but a number of years' rent, and trial of these rents cannot be made immediately. The committee therefore orders that the delinquents' own declarations concerning their estates be taken; but with certification that if it be found that they have concealed part of their rents they shall be liable to pay two years' rent of what they have concealed over and above the five years' rent fine. (147r)

The way of payment of fines. Order that a third be paid immediately, a third at Candlemas next, and a third at Lammas next. (1471)

Letter to Sir John Sinclair of Hirdmestoun. To pay his fine of £,200 sterling to Sir John Hurry. (PA.12/1)

Passes to Sir John Hurry. (PA.12/1)

Treaty at St Andrews. Lauderdale and others who treated with the

1 The petition of the parishes is in PA.12/1.

English commissioners are to consider instructions for the Scottish commissioners in London. (PA.12/I)

29 October 1645. Glasgow

Processes. Having heard the Committee for Processes anent persons cited to appear before it and imprisoned or confined, the Committee of Estates declares that it will not release any such person without telling the former committee. (147v)

Major [James] Bickerton. The committee declares that when Dalhousie's regiment receives any pay, enough shall be added to it to pay a precept granted by the committee to the major. (147v)

[Sir Mungo Stirling of] Glorat. Having considered the report of the Committee for Processes concerning his carriage with the rebels, the Committee of Estates finds that he ought to be fined five years' rent and a third of his moveables. The Committee for Processes is to proceed accordingly. (147r)

30 October 1645. [Glasgow]

Lord Gray and Sir Alexander Leslie of Auchintoul. At the desire of Lieutenant General David Leslie the committee banishes Gray from his majesty's dominions, never to return during the troubles of this country without a warrant from the estates, on pain of death. Also at David Leslie's desire it banishes Auchintoul for life. If he is ever found within the kingdom he shall be executed, and it shall be lawful to any of the king's subjects to kill him. Warrant is given to free Gray and Auchintoul from prison so they may depart. (147v)

Sir John Hay. Report of the Committee for Processes anent Sir John Hay's carriage towards the rebels considered, and it is decided that he ought to be fined and come within the compass of the general rule. (147y)

Lord Erskine. The committee declares that it will not dispose of any fine imposed on him for joining the rebels without the advice of Lieutenant General David Leslie. (148r)

¹ This item is registered under 5 November, but is headed 29 August 1645. But the report of the Committee for Processes referred to is dated 28 October, and is endorsed with this act dated 29 October! (PA. 12/I)

Passes by Lieutenant General David Leslie. On his advice the committee declares that all who have received passes from him to come from the rebels shall be assured that they shall not suffer in their lives. Order to Leslie to give in a list of such persons. (148r)

Lieutenant General David Leslie's regiment. The committee declares that the regiment now under his command shall have a month's pay,

in money or by assignment. (148r)

Lieutenant General David Leslie. The committee has considered the good and acceptable service done by Leslie, in so fit and seasonable a time, by the overthrow of the common enemy at Philiphaugh at the height of its success and pride, thereby quickening and refreshing the sad hearts of his majesty's good and faithfull subjects; whereby he has singularly obliged the whole nation to a thankful remembrance of his service. The committee therefore orders the commissary general to pay him 50,000 merks Scots out of the first and readiest public moneys, and declares that it will provide a jewel worth 10,000 merks. The committee also will recommend parliament to give further consideration to his generous deservings. (148t)

Major General John Middleton. The committee has considered the worthy service done by Middleton against the common enemy at Philiphaugh, whereby he has deserved the thankful remembrance of the whole nation. In testimony of this the committee orders the commissary general to give him 25,000 merks out of the readiest

public moneys. (148r)

Mayor of Berwick. The committee has heard the report of some of its number appointed to hear the demands of John Sleigh, mayor of Berwick, concerning the month's means advanced by him to Colonel [Michael] Weldon's two troops as part of the garrison of Berwick. The committee finds that he had no sufficient warrant for paying the troops, and that the parliament of England, not this kingdom, should pay them. But Sleigh will be a great looser if the money is not repaid, and therefore (because of his affection and suffering in this) the general commissary is to pay him the month's means. But this is to be without prejudice to the right of the estates to seek repayment from the English parliament. (148r-v)

Lord Frendraught. The committee has considered his great

¹ Printed in full in M. Napier (ed), Memorials of Montrose and his Times (2 vols., Maitland Club, 1848-50), ii, 241.

sufferings by the burning of his corns and destroying of all his means by the common enemy, which will prevent him continuing his former faithful services to the public, though he has been appointed colonel of a regiment of horse to be levied in the north. Therefore the committee orders the commissary general to pay Frendraught £400 sterling out of the first and readiest of fines uplifted from persons to be chosen by Frendraught. (148v)

Payments by Sir John Brown. The committee allows the £60 sterling paid by William Thomson (depute to the treasurer of the army) to Brown. Thomson is also to pay Brown £18 given by him to his preacher and £20 sterling given to his surgeon to buy a chest.

(148v)

Approbation of Sir John Brown's service. The committee has considered his good service in this kingdom against the rebels by capturing and killing them, burning their houses and hanging three of them. This is approved as service worthy of grateful acknowledgement, which the estates will not be unmindful of. (148v-149r)

Sir John Brown. In thankful remembrance of Brown's good service with his dragoons against the rebels since 15 August last the committee orders the treasurer of the army to pay him £100 ster-

ling out of the readiest public moneys. (149r)

Sir John Brown's regiment. Order to the keeper of the magazine to give him 100 breast, back and head pieces and 100 pairs of pistols for his regiment. (149r)

31 October 1645. Glasgow

Commission anent the accounts of the quarterings of the army in England. It is necessary and expedient to complete the accounts of what has been received by the Scottish army in England by billeting or otherwise. The committee has frequently written letters asking that commissions be granted for this and sertling all differences according to the ninth article of the treaty, as was desired by the Scottish parliament and the commissioners of the English parliament in January 1645. Therefore the committee appoints Sir Alexander Hamilton (general of the artillery), Sir Adam Hepburne of Humbie (treasurer of that army), Major General Sir James Lumsden, Sir Harie Gibb, Sir Robert Adair, William Douglas

of Kelhead, Robert Innes (quartermaster general), Lieutenant Colonel Andrew Hamilton, James Sword and William Thomson, or any three of them; with full power and commission, by themselves or with commissioners of the English parliament, to meet when and where they think most convenient and adjust and clear the accounts of the army's intromissions in money, billets, assessments or otherwise. The commissioners are to use all lawful manner of probation by writs, witnesses and oaths of parties, doing everything necessary for fitting and clearing the accounts. (1497-v)

Colonel Hugh! Fraser. His petition heard desiring that his regiment of dragoons be turned into a regiment of horse. The committee finds this reasonable and orders the change, and Fraser is to provide the regiment with suitable horses and arms. But during the regiment's

stay in Scotland it is to serve as dragoons. (149v)

[Sir George Stirling of] Keir. Order to his chamberlain to pay John Cockburn, governor of Stirling Castle, 1,000 merks Scots out of the

readiest of Keir's rents. (149v)

Anent payment of fines. The Committee for Processes heard concerning money due by bands to persons cited before it. The Committee of Estates orders that the persons due to pay money by the bands should pay a third immediately, a third at Candlemas and a third at Lammas next. (150r)

Warrant to the Committee for Processes. To proceed against persons convened or to be convened before it according to acts made or to

be made by the Committee of Estates. (150r)

Captain Maxwell. Order to the treasurer of the army to give him a month's pay, which the other captains that came from Ireland have had. (150r)

Prisoners in Linlithgow. Warrant to Callander to call before him all the prisoners in Linlithgow tolbooth, and after examination either release them on caution or commit them to close prison as he finds

they deserve. (150r)

John Semple. Order to Sir William Cochrane to receive Semple's accounts, revise them, and report his opinion of them. He is to advance to Semple £2,000 out of the castle rents of Dumbarton towards payment of his account. Cochrane agrees to do this. (150r) Earl of Oueensberry. The Committee for Processes reports that he

has not, as he promised, brought in his rental today; and it asks for directions on how to proceed. The Committee of Estates orders Queensberry to pay 100,000 merks within ten days as part of his fine. If this is found to be more than a third of the total fine the surplus shall be allowed against the next third's payment; if it is less than a third he shall be obliged to pay the remainder of the first third when the second third is paid. If he does not pay the 100,000 merks and produce his rental within ten days he is to enter into close ward and 'receave his processe'. (150re)

Anent the regiments that are to march to England. The committee has promised immediate payment of a month's pay to the regiments of horse and dragoons which came from England for service in Scotland, in money or by assignments to fines or forfeitures. The horse regiments of the general, Lieutenant General Leslie and Major General Middleton are to march into England now, and the committee orders that their month's pay (at English rates) be assigned to them out of the forfeitures or fines imposed on Lord

Seton and Sir John Seton of Barnes. (150v).

Garrison of the house of Rothesay. A garrison is to be established in the house (belonging to Sir James Stewart, sheriff of Bute) to preserve it from the rebels and shelter his majestey's good subjects in case of necessity. The committee therefore commissions Stewart to establish a garrison of thirty men in the house, with a lieutenant and a sergeant over them, at public expense. Stewart is to govern the garrison according to the orders of the marquis of Argyll, the colonel of the shire. The garrison's entertainment is to be paid from the monthly maintenance of Bute, and anything else spent on it by Stewart is hereby declared to be a public debt. Stewart is to be responsible for the house, for the boats of Bute, for the services of the inhabitants, and for seeing that none within the isle or town [sic] of Bute shelter any rebels or their goods, or supply them with provisions. If any do so, Stewart is to seize them and send them to the nearest garrison to be punished, and is to make their goods available for public use. He shall capture or kill any rebels coming to Bute, sending prisoners to the nearest garrison to be entertained at public expense. (150v-151r)

Captain Dougal MacPherson. Order to the commissary at Inverness to put him, his under officers and his company on an equal footing

with the other officers and soldiers of that garrison, and keep them on that footing in future.¹ (151r)

Letter to the general. We have had experience of Major General [James] Holborne's faithfulness to the common cause and of his ability to discharge the place of major general of the foot in the Scottish army in England; and we have had recommendations of him from our commissioners in London (who witnessed the satisfaction he gave to the English parliament when he served it). This has made us look upon him as a person fit, for very many reasons, for that service; therefore we desire you to establish him in that place. (1517)

Lieutenant General David Leslie. In performance of an act of the Committee of Estates of [blank] a jewel worth £600 sterling has been brought from [blank] to be delivered to Leslie. The treasurer of the army is to pay [blank] for it out of the readiest public moneys.

Anent the payment of fines. So that the fines of those whom it is not thought fit to process to death may be diligently brought in for public use the committee orders delinquents to pay one third of them to Humbie within ten days of intimation of sentence to them. If they fail they shall be processed (according to the laws and acts of parliament) to the forfaulture of their estates and confinement, imprisonment or banishment. [1517]

I November 1645. Glasgow. [no sederunt]

Collectors of shires. Warrant to Mr Robert Hodge to levy six troopers within the shire of Edinburgh to assist him in collecting the monthly maintenance in the shire by poinding or quartering on deficients. Each trooper is to be paid eighteen shillings Scots a day, to be taken from deficients at the same time as their maintenance. Hodge is also to exact from each deficient twelve pennies for each pound of their proportion of the maintenance, in part payment of the double due by act of parliament. All commanders, officers and soldiers are forbidden to impede or trouble the six troopers on any pretext.

The like to the collectors of any other shires, (151V)

1 MacPherson's supplication is in PA.12/1.

3 November 1645. Glasgow

[James Maxwell of] Innerwick's victual. The committee understands that certain bags of victual brought from Innerwick which were to be transported from North Berwick to the army in England have been arrested by the bailies of the burgh. This is said to have been done as customs duties had not been paid; but previously victual transported for use of that army have been free from customs, so the committee orders the bailies to deliver the bags, and then to appear before it at St Andrews (or wherever it happens to be at the time) on [blank] November to have the matter explained and see if they have any cause of complaint. (152x)

4 November 1645. Glasgow

Mr Robert Farquhar. The committee has considered the condition of Farquhar, provost of Aberdeen, and the great burdens he lies under at present. It orders the treasurer of the army to give him 20,000 merks out of fines towards payment of the annualrent of the sums owed to him by the public, and recommends the Committee for Moneys to see him paid the rest. (1521)

Letter to the general. We wrote to you lately with Captain Hay concerning the necessity and expediency of the army marching towards Newark; and we understand that Wariston and Mr Robert Barclay (who are here today) advised the same. We therefore renew our former desire, entreating you to accelerate your march with all possible diligence, especially as Lieutenant General Leslie has gone up with the horse to assist you. We also entreat you to send down with all convenient speed the 2,500 foot for the use of this kingdom, in accordance with our former letters. We have informed our commissioners in London of this, and have desired them to see clothes, shirts, shoes and stockings provided for the army according to the enclosed note; but we do not expect you to delay your march until these supplies arrive, though we are confident that they will be supplied quickly. We have also written for the month's pay promised to the officers. We are sorry to hear of the suspicions conceived by the English parliament through some intercepted letters indicating a correspondence between some of our army and the

king's, especially the letter from Sir William Fleming to Lords Montgomery, Livingstone and Sinclair. Therefore, to remove these suspicions, we desire you to command Livingstone and Sinclair to come to parliament at St Andrews on 26 November to clear themselves.

Since writing this we have received your letter of [blank]. We do not know of a better way of easing the country people and satisfying the English parliament than that you, according to our former and renewed advice, march towards Newark. We do not think it necessary (unless you judge otherwise) that you carry the great cannon along with you. As to putting the artillery carriages in order, we are willing to do everything in our power. We wish the general of the artillery to come here as soon as he can be spared, so we can settle this and other things concerning the army with his advice. If possible he should come about the time that parliament sits. We shall send the 800 men back to Newcastle, and will endeavour to recruit that army as soon as we can. Orders have already been sent to the presbyteries to send you ministers to attend the army; we hope they will be with you shortly.

Please send this other [letter] to the commissioners in London quickly, and send them a note of such things as are necessary for the

army. (152v-153r)

Letter to the Scottish commissioners in London. We heard Wariston and Mr Robert Barclay today, and your instructions to them. We wrote formerly to the general to march towards Newark, and we have now renewed our desire, especially as Lieutenant General Leslie has gone up with some horse to assist him. We entreat you to see that our army is provided with all sorts of necessaries in this winter season, especially clothes, shirts, shoes and stockings (according to the note enclosed) and the month's pay promised when the army was before Hereford. We have written to the general about this, and have desired him to order Lords Livingstone and Sinclair to come to the parliament at St Andrews to clear themselves over their carriage concerning the letter sent to them and Lord Montgomery by Sir William Fleming. This is necessary to remove the suspicions of the English parliament. We will use all diligence to do what we have not already done concerning the instructions sent with Wariston and Barclay.

You shall deal with the parliament to secure and send down Sir James Galloway to answer for his carriage before parliament, and shall receive with this letter instructions concerning the garrisons and a copy of our letter to the general. Y (1531-V)

Instructions to the Scottish commissioners in London. You shall go on with the treaty begun at St Andrews; we sent you the proceedings

from there by express.

You shall show the English parliament that the places were possessed and garrisoned for the service of parliament and the safety and accommodation of the Scots army so long as it is employed in England for the ends expressed in the [solemn league and] covenant and the treaty.

You shall insist on the same points and arguments put forward at St Andrews, adding what your own experience of affairs there suggests.

For keeping a Scots garrison in Carlisle, press the argument about the many invasions of Scotland for that side, especially that of Digby and Langdale; they would have been in Scotland before we knew of it if the Carlisle garrison and Sir John Brown's horse regiment there had not sent us information – and they were also active 'against the grouing of that enemy'.

If the English parliament will not agree that all places now garrisoned by the Scots remain in our hands, desire to know what garrisons they think necessary for the Scottish army besides Berwick.

If parliament agrees that some places are necessary (which in reason and equity they cannot refuse) endeavour that these be Newcastle, Carlisle, Hartlepool and Tynemouth Castle.

You may agree to the removing of the garrisons of the rest of the places as you think fit, and also of that of Hartlepool.

You shall not on any terms agree to quit Newcastle, Carlisle or Tynemouth Castle. If you cannot satisfy the English parliament about them, agree that the matter should be remitted to the next session of the Scottish parliament; by the treaty the army is to be controlled by the parliaments of the two kingdoms and their committees.

You shall show the English parliament that by the treaty at St Andrews it is acknowledged that no assessment shall be laid on by

¹ Printed in full in Meikle, Correspondence, 135. The instructions mentioned to Wariston and Barclay are in PA.13/4, fos. 32r-33v.

the Scottish army, and no money raised by it. In return, it is confidently expected by Scotdand that the moneys due by the treaty will be better paid than previously, so that placing the Scottish army in a much worse condition than the other armies in England does not make it do things (that it would not otherwise do) that breed misunderstandings between the kingdoms.

For adjusting the accounts between the kingdoms, press that Scottish commissioners be given the same powers that they were given in 1641, as urged in the treaty at St Andrews, desired by the English parliament last February, and agreed to by the Scottish parliament, in accordance with the ninth article of the treaty. Otherwise many things never received by the Scottish army will be charged to it, as was found in 1641.

You shall show the English parliament that the committee has given orders for the army to march towards Newark as desired, in spite of the facts that the necessities of that army, the season of the year and the condition of Scotland were sufficient reasons to have delayed it. (1417-1449)

5 November 1645. Glasgow

Commission to the earl of Cassillis, James Kennedy (formerly of Blairquhan) and his brothers John, Mr Alexander and Hugh Kennedy and their associates did in the month of [April] last violently dispossess John Whitford of Balloch of the house of Blairquhan. They were therefore ordered by the privy council² to enter into ward in Edinburgh tolbooth, and letters of horning were issued to this effect, and for surrendering the house. At about the same time the Committee of Estates ordered that the house be delivered to Cassillis and his bailies (the ordinary judges in these parts). These orders were not obeyed so letters of treason were issued against them; and at last in July the keys of the house were given to John Malcolm, herald. By order of the committee the keys were then given to Cassillis, who gave them to John Whitford. But James Kennedy and his brothers

2 RPCS, 1544-1660, 46.

¹ The instructions are wrongly inserted in PA.II/4 under 27 October; it is noted in the margin that they are not registered in the right place, but the correct date (4 November) is not given. This has been supplied from the copy in PA.II/3/4, fos.

have continued to oppress Whitford and his friends; they have again seized possession of the house and have kept it as a 'hous of warre', associating themselves with numbers of well-armed broken men. In August parliament at Perth ordered that a commission against them be issued to Cassillis by the committee of estates. The committee has considered this remit from parliament and how disgraceful to authority, hurtful to Whitford and dangerous to the peace of the country the rebellious courses of James Kennedy and his brothers are; and it knows of their disaffection to the public cause and their complying with and following of James Grahame and 'the rest of that rebellious crew,' The committee therefore grants Cassillis and his deputes full power and commission to summon the four Kennedy brothers and all who have joined them, and to examine their carriage with James Grahame, either bringing them before the committee or taking surety for their appearance. If they refuse to obey he is to convene his majesty's lieges in arms to apprehend them. If they refuse to deliver the house on twenty-four hours' warning, or flee to any other strengths or houses, Cassillis may use all force to recover the strength and apprehend the rebels; if any of them are wounded or killed this shall not be held to be a crime by Cassillis and those helping him. His majesty's justice general shall be forbidden to proceed against them for this or for carrying hackbuts and pistols in this service. All his majesty's lieges in Ayrshire and Wigtownshire are to obey Cassillis, rising in arms by night or day to assist him, and they are forbidden to intercommune with the rebels or to help them in any way; Cassillis is to have power to hold courts to punish resetters and concealers of the rebels, and those who intercommune with them (though not to punish them in life or limb), and generally to do all things necessary to execute this commission and preserve the peace. This commission is to last until I March next, and is to be published so that none can pretend ignorance of it. (153v-155r)

Warrant to Cassillis. To call for the assistance of any troops within the bounds of his commission to help him execute it, quartering them as he thinks fit but being careful to put the burden on those who have shown most affection to the rebels by assisting, entertaining or receiving protections from them, or corresponding or conversing with them. (155v)

Earl of Cassillis. The committee declares that his expenses in executing the above commission will be paid by the public. (155v)

[Sir Humphrey Colquhoun of] Balvie. Order to him to secure the houses of Rossdhu and Douglas to keep them from the rebels until

the committee gives further orders. (155v).

Mr Patrick Pitcaim. Mr Gilbert Stewart, commissary of Dunkeld and sheriff depute of Perthshire, has joined the rebels. The committee therefore appoints Pitcairn, advocate, to discharge these two offices until further order, and recommends the sheriff of Perth to admit him to office. But the commissary court of Dunkeld is to sit in Perth because of the present troubles; and order is given to the commissary clerk to come to Perth with the register when required to do so. (156r)

Town of Dumbarton. It is necessary that the town be fortified and secured against the attempts of the common enemy. The committee therefore orders the provost, bailies and council to order the inhabitants to make fortifications round the town by the advice and direction of Harie Young, who is hereby appointed overseer of the work. Those within the presbytery of Dumbarton are to be ready to assist with men, horses and anything else as required by Young. The treasurer of the army is to send too bolls of meal to the town for the entertainment of the country people who work on the fortifications. (156r)

[Sir Alexander Carnegie of] Balnamoon. Order to him to enter in ward in Glasgow Castle within twelve hours of sight of this order. Lieutenant Colonel [William] Dick is to receive him and keep him prisoner until further order. Order to the procurators of estate to give Balnamoon his dittay. (156v)

Mr James Aitkinhead. Order to the provost and bailies of Glasgow to apprehend him and commit him to the tolbooth until further

order. (156v)

Earl of Queensberry. He has been ordered to pay 100,000 merks as part of his fine next Monday. On that day he is to show his receipt for payment from the treasurer of the army or his deputes to Lieutenant Colonel Dick; if he fails to do so Dick is to apprehend and imprison him, and the procurators of estate are to draw up and deliver his dittay to him. (156v)

6 November 1645. Glasgow

Sir John Hay. Mr Patrick Pitcairn, advocate, appears as procurator for Humbie and gives in the following receipt, desiring that it be registered in the books of the committee ad futuram rei memoriam. The committee arrees to this:

I Sir Adam Hepburne of Humbie, senator of the college of justice and treasurer of the army, grant me to have received from Mr William Hay (one of the ordinary clerks of session) in name of Sir John Hay of Landes, his father, £,500 sterling as the fine imposed on him by the Committee of Estates in Glasgow on I November. Written by Mr John Herbertson, writer in Glasgow, and signed in Glasgow 5 November 1645 before Andrew Law in Duncanlaw and George Fraser, my servitors. Hepburne, S. Hay [sic], witness, George Fraser, witness, (1569-1577)

Sir Alexander Carnegie of Balnamoon. Order to Lieutenant Colonel

Dick to free him from Glasgow Castle. (157r)

Money for the forces that are to come from Ireland. Order to the treasurer of the army or his deputes to pay Sir William Cochrane a month's pay for the 2,500 foot (divided into four regiments and a squadron) and four troops of horse (at sixty a troop with a major over the troops) according to the establishment of the army in England: That is, to the routmaster \mathcal{L}_{27} sterling; the lieutenant \mathcal{L}_{18} sterling; the corner \mathcal{L}_{12} sterling; the corporal \mathcal{L}_{63} is, od.; the trumpeter \mathcal{L}_{3} 15s. od.; each trooper \mathcal{L}_{31} ; the major commanding the troops \mathcal{L}_{18} ; the quartermaster of each troop \mathcal{L}_{6} . This is to be paid by Cochrane to the forces if they come to Scotland; if they do not, he is to repay it. Cochrane is also to be given \mathcal{L}_{600} sterling to be spent as he and Argyll think expedient on freight or other charges. (15797)

Colin Campbell. Order to pay him £300 sterling to repay what he has spent on meal and shipping on the coast, and to equip and

victual the ships as ordered by Argyll. (157v)

Sir Robert Douglas. The committee relieves him of a third of the sum owed to him by John Stewart of Coldingham. He is to assign this third to the public, along with the rights he has on the living of Coldingham, delivering these rights to the procurators of estate within twenty days. (157v)

Commission to Captain John Bayne MacNab. Warrant and commission to him to uplift and receive the rents for year and crop 1645 of [George] Drummond of Balloch, Robert Grahame of Cairnie, John Drummond of 'Dovets' and [blank] Stewart of Inverdunning, who have joined the rebels. MacNab is to use all diligence necessary for ingathering the rents, being accountable to the committee, and his commission is to last until cancelled by the committee or the treasurer of the army. The garrison of Perth is to assist him if he requests this. Hepburne, MacNab, Crawford-Lindsay, etc. (158r)

Cassillis' regiment. Order that it be recruited as formerly ordered. It is to have 400 men from the present levy in Galloway, together with all those who formerly served in it and the deficients of former levies in other shires. The men are to be brought to Glasgow and

entertained there. (158r)

Lieutenant Colonel [William] Osborne. Order to the treasurer of the army to pay him a month's means for taking the earl of Queensberry prisoner, out of the first of Queensberry's fine. (158v)

Major General [James] Holborne. Considering the good services done to the country by Holborne since August (especially at Philiphaugh), the committee orders that he be given £300 sterling from the fine or forfaulture of [Sir James Livingstone of] Kilsyth. (158v)

Payments to officers. Considering the good services done to the country since August by Harie Barclay (colonel of horse), George Milne (colonel of dragoons), Gilbert Blair (colonel of foot) and Lieutenant Colonel Lindsay (of horse), the committee orders them to have assignations of a month's means out of Kilsyth's fine. (158v)

Major General [John] Middleton. Order that he have twenty horse to attend him in his present employment, which are to be quartered

on the country as troopers. (158v)

Dundee. The committee orders the companies that Colonel Harie Barclay has brought to Glasgow, the marquis of Argyll's companies, and a troop or two of horse to be sent to Dundee to remain in garrison there. When they reach there Colonel Lyell is to march with the regiment there to Glasgow. Colonel George Milne is to command and govern the forces going to Dundee on the same conditions as Lyell commanded his regiment there. (158v)

Callander's regiment. Order that the company of foot to be levied in Peeblesshire be joined to the regiment under Captain Mure, as it was formerly. The shire committee of war is to see the company levied quickly, Callander having power to quarter on the shire if this is not done. (1591)

Balcarres' regiment. Considering the weakness of the regiment, the committee orders it to march to England with all speed; but Balcarres is to leave behind some officers to take up the recruits and

deficients. (159r)

Drummond Castle. The committee thinks fit that the castle be secured by a garrison of horse and dragoons, Middleton deciding on their numbers. Any other place in the country may be garrisoned by

the general officers as they think expedient, (150r)

Fortification of Glasgow. For the better and more speedy fortifying of Glasgow the committee thinks that all fencible persons in the presbyteries of Glasgow, Hamilton, Lanark, Paisley, Irvine and Avr on this side of Bridge of Doon report to Glasgow as follows: The presbytery of Glasgow are to begin next Monday and work until 12 o'clock on Saturday. The presbyteries of Paisley and Hamilton are to come on 17 and 24 November respectively, and work until 12 o'clock the following Saturday. Those of Irvine are to come on I December and work until Saturday 6 December at 9 o'clock. Those of Ayr are to come on Monday 8 December and work until 14 December. Those of Lanark are to begin on 15 December and work until 20 December. The whole town of Glasgow is to work constantly on Mondays and Saturdays. Those who come to Glasgow are to bring their best arms and as many spades, mattocks and shovels as they can. The captains and minister of each parish are to come along with their parishioners to encourage them. (ISOF-V)

Meal for Glasgow. Order to the treasurer of the army to advance 500 bolls of meal immediately; those working on the fortifications are to be given a peck of this meal each for five days' work. (150v)

Anent preserving Glasgow. Recommendation to those commanding forces in these parts to have a special care for preserving the town while it is being fortified; a considerable body of foot is to remain constantly in the town. (1590)

Materials for Glasgow. Order to the magistrates of Glasgow to

provide materials for the fortifications and make as many draw-bridges as necessary. (159v)

Castle of Glasgow. The castle is to be provided with ammunition, victual and coal, and thirty men are to be constantly within it.

Lieutenant Colonel [William] Dick. The committee declares that whatever is done concerning the militia of Glasgow shall not prejudice Dick's commission. (160r)

Quarterings in and around Glasgow. Having considered the great sufferings of the lieges in and around Glasgow caused by extraordinary quarterings, the committee thinks fit that a considerable part of the monthly maintenance of the shires south of the Forth be used to maintain the soldiers, so free quarters can be avoided. (16or)

Fortification of Glasgow. The committee desires Callander to give Lieutenant Colonel Dick his best directions on the matter. (160r)

Engineer. The committee finds it expedient that some engineer skilled in fortification be appointed to assist Dick in overseeing the fortification of Glasgow. (160r)

Garrisons near the hills. To prevent the infall of small parties of enemies and provide constant intelligence of the enemy's movements (so that the country does not draw together its forces unnecessarily), the committee finds it expedient that garrisons be put in some strong houses towards the hills. (160r)

7 November 1645. Glasgow

John Semple. As captain of Dumbarton Castle, he has taken on thirty soldiers above the number formerly allowed (upon the approach of the enemy and to guard the prisoners). The committee approves this, giving him warrant to keep the thirty soldiers in the castle as long as he has charge of the prisoners or the enemy are within seven or eight miles of him. (160v)

Letter to the earl of Lauderdale. Ordering him to go to London immediately to join the Scots commissioners there, because the chancellor is coming here, Balmerino is sick, and great affairs are

'growing' on the commissioners. (160v)

Letter to the Scots commissioners in London. Telling them that

Lauderdale is being sent, and leaving it to Balmerino to decide to stay there or come home as he thinks fit. (160v)

Anent maintaining garrisons. The committee has considered the best way of entertaining the garrisons and forces now to be established for defending the country. It finds it expedient:

- That each regiment or garrison has a local assignation on some shire or shires for paying its quarterings and entertainment out of the monthly maintenance of October and November 1645 only.
- 2. That each regiment appoint a collector, who must be resident within the shire, to receive what is due from each shire and heritor.
- 3. That the collectors receive rolls of what is due from each heritor from the shire committees of war or the previous collectors, and appoint a day (at least ten days after intimation is given) for bringing in the maintenance to the collector. The names of any who fail to pay are to be reported to the shire committee of war, which shall give warrant for free quarterings on the deficients (unless they have just reasons for not paying). If the shire committee and the collector fail to give up the rolls of what is due soldiers shall be quartered on them.
- 4. Every officer and soldier must pay for what he gets in meat or provisions for men and horses.
- 5. The allowance in quarters for each trooper shall be \(^2\) [a peck] of oats or corn for each horse at 6s. 8d. a peck, 2s. for straw every twenty-four hours, and 8s. a day for his own meat and drink.
- That no violence be offered to any man, woman or child, and that no horse, mare, ox, cow, sheep or fowl be taken by officers or soldiers except for money.
- 7. That any disorder or violence done by soldiers be redressed by the officers; if they do not punish offenders (after complaint and proof) the officers shall be responsible for the wrong.
- 8. That a list be set down of the money allowed for quarterings of horse, foot and dragoons.
- 9. When any difference arises between the collector of a regiment and any person or heritor in the shire the issue shall be decided by the shire committee of war.
- 10. That no officers or soldiers hinder the gathering of the maintenance of previous months on any pretext. (160v-161r)

Recruitment of foot for the army in England. Having considered the

disposal of the foot [levy] last imposed on the shires, the committee has resolved that it shall be used to recruit the army in England as follows:

The 400 men of East Lothian (or those of them who have not marched to Dundee already) are to recruit Humbie's regiment.

The 300 men of Midlothian (except such as are gone to Dundee) for the master of Yester's regiment.

The 100 men of Linlithgow for Callander's regiment.

The 600 men of the Merse to be divided equally between Callander's, Ludovick Leslie's and [Sir David Home of] Wedderburne's regiments.

The 1,000 men of Teviotdale and [Ettrick] Forrest to be divided equally between Lothian's, [Colonel Walter] Scott's and [the master of] Cranston's regiments.

The 600 men of Nithsdale and Annandale to be divided equally between Lord Kenmure's, [William Douglas of] Kelhead's and [Colonel William] Stewart's regiments.

The 200 men of Galloway and Kirkcudbright for Cassillis' regiment.

The 400 men of Ayr and Renfrew to be brought to Glasgow.

The 200 men of Clydesdale to be turned into dragoons and added to Lanark's regiment.

The 200 men of Dumbarton for Argyll's regiment.

The 100 men of Peebles for Callander's regiment. (161r-v)

Middleton's regiment of horse. Order that the troop to be raised in Stirling and Clackmannan be joined to the regiment. (161v)

[Colonel Harie] Barclay's regiment of horse. Order that the two troops of horse of Ayr and Renfrew be joined to the regiment.

Argyll's, Crawford-Lindsay's and Callander's troops. Order that twenty of the horsemen to come out of Teviotdale and [Ettrick] Forrest be joined to Crawford-Lindsay's troop; forty to Argyll's troop; and fifteen to Callander's troop. The committees of war of these shires are to give orders for bringing out these troopers, assigning each troop an area sufficient to make up these numbers. (161v)

Quarters for horse and dragoons. Order that Lord Coupar's dragoons

be quartered in Glasgow; Lanark's horse and dragoons in Clydesdale and Lennox within ten miles of Glasgow; Robert Montgomery's regiment in Ayr and Renfrew within eight or ten miles of Glasgow; Dalhousie's regiment and Callander's troop in Stirlingshire; Lord Montgomery's and [Colonel Hugh] Fraser's in Clackmannan, the West Neuk of Fife and Perthshire; [Colonel Harie] Barclay's in Kinross-shire; Kirkeudbright's around Bridge of Earn. The committee forbids any officer or soldier to exact money in their quarters or take meat, drink or anything else from the country people without paying for it. (161v–162r)

Answer to the demands of the army in Ireland given in by Captain William Drummond. Having considered the desires of the army and what Drummond has said verbally, the committee has resolved and

agreed as follows:

That 2,100 foot be divided into three regiments and a squadron, and that they (and four troops of horse with a major over them) be transported from the army in Ireland to Scotland. A month's pay on the English establishment shall be sent to them before they come.

That all those of that army who come to the service of Scotland shall be in the same condition anent their arrears as those who stay behind in Ireland. During their service here they shall be paid what is due to them. And when it pleases God that the service here be ended, they shall have the same position in that army as those left in Ireland have.

That the committee is fully confident that when the officers of the army in Ireland consider how advantageous it has been (and is) that some of their colonels remain in Scotland working to see the army is supplied, that the officers will not insist that these colonels resign. Commissions are being sent for colonels, lieutenant colonels and majors to command the 2,100 men.

That George Monro shall command the party brought over from Ireland as their major general; he shall likewise command any additional forces that may be joined to that party. And the committee does not doubt that, when the service in Scotland ends, it will be able to arrange for him to be major general of the army in Ireland; the committee obliges itself to do all in its power to bring this about. To enable him to undertake this employment in Scotland

he will be given two months' pay and assurance for payment of 10,000 merks of his arrears.¹ (162r-v)

Letter to Major General [Robert] Monro. We have considered your demands and instructions sent over with Captain Drummond, and have given answers which we hope will give you satisfaction. We have sent Argyll and Sir William Cochrane of Cowdoun to you with proposals for our service, and desire you to trust them in anything they propose concerning that army and the service, which much concerns the well-being of this kingdom and in which we expect your concurrence. (162v)

Instructions to the marquis of Argyll and Sir William Cochrane of Cowdown. You shall repair immediately to our army in Ireland and do all you can to bring over to assist us such part of our army there on such conditions as we have aereed on, with all possible dilicence.

You shall meet and agree with the English commissioners there for settling all business concerning that army.

You shall do your best to satisfy George Monro with our resolutions concerning him.

You shall deal with them and advise them to land at such places as you think fit, and take care that all necessaries are provided for them in these places.

You shall provide ships, boats and barks for transporting that army with all possible speed, paying reasonable prices for them; if any refuse the vessels may be pressed.

You shall deal and agree with Sir Francis Hamilton to come to Scotland with his regiment on the same conditions as the regiments of our army.² (162v-163r)

Committee to treat with the English commissioners in Ireland. It has been agreed by both kingdoms that a Committee of Both Kingdoms should manage the war in Ireland. The English parliament has appointed commissioners to concur with those Scotland appoints. The committee of estates therefore appoints and authorises Argyll, Major General Robert Monro and Sir William Cochrane of Cowdoun, or any two of them, to be our commissioners, with full

¹ Also in NLS, Adv. MS. 33.4.8., pp. 197-8, dated 8 November and marked as ratified and approved by the Committee of Estates 13 March 1646.

² These instructions were repeated verbatim by parliament on 4 February 1646 when they were re-issued to Argyll, Garthland and John Kennedy, APS, VI, i, 596.

power and commission to concur with the English commissioners in managing the war and settling all other things concerning the forces in Ireland. (163r)

Payments to those who went to Ireland. Order to the treasurer of the army to pay Glencairn and Cassillis £162 sterling each (being £3 a day) and Sir William Cochrane of Cowdoun £108 sterling (being £2 a day) for their expenses in going to Ireland, staying there, and returning, a total of fifty-four days. Cassillis is also to be paid £27 15s. od. sterling for freight of a boat from Ireland to Carlisle, and £22 sterling for drink money spent in that employment. (1631)

Assignments to regiments. By a former act of the committee a month's means is to be paid to the regiments recently employed in the country's service under Lieutenant General David Leslie. The committee therefore assigns: The penalty payable by the earl of Hartfell for contravening his band for good behaviour to Lanark's regiment; Lord Lour's fine to Robert Montgomery's regiment; [Sir Alexander Murray of] Blackbarronie's and [David Grahame of] Fintrie's fines to Dalhousie's regiment; Sir Thomas Thomson's fine and [William Drummond of] Riccarton's penalty for [Sir George Stirling of Keir's behaviour, or his fine, to Lord Coupar's dragoons; Sir David Murray of Stanehope's fine to Lord Montgomery's regiment; Sir John Byres of Coats' fine or forfaulture to Colonel [Hugh] Fraser's dragoons; the earl of Annandale's fine or forfaulture to Lord Kirkcudbright's regiment; Mr Archibald Fleming (commissary of Glasgow) fine or forfaulture to Lord Balcarres' regiment. These fines, penalties and forfaultures are to be uplifted and used to pay a month's means to the regiments, any surplus being paid to the treasurer of the army for public use. (163r-v)

Colonel Robert Cunningham. The committee has heard the petition of Cunningham and the officers of his regiment for payment of their arrears. Considering the good service of the regiment in England and Scotland, where most of them lost their lives at Alford and Kilsyth, the committee orders that the officers' arrears be paid out of the second term's payment of Sir Robert Douglas' fine. (163v)

Officers of Balcarres' regiment. Warrant and commission to the officers to search for and apprehend runaways from the regiment. The shire committees are to put out all the regiment's deficients. (163v)

Letter to the general. We have thought very seriously about the condition of affairs here and in England. We have decided that it is most likely to be for the good of both kingdoms (especially Scotland) that the 2,500 men demanded from the army in England be sent hither (and that the rest of the army join with the horse at Newark) until we get enough men levied here as will make up rather more than the number sent for. We find by experience that commanded men do not keep together well; and we cannot get the newly levied men so well in order in this country as we conceive they would be if they were joined to the regiments of the army in England. This has made us resolve to send back to England those of the commanded men from Newcastle that are here, and to recruit the southern regiments from the areas in which they were first levied (as you will see by the enclosed act). We desire you to send down some officers from each of these regiments to levy their recruits. We are confident that Lieutenant General Leslie, who was present at our debates and knows the position here, will have satisfied you before now of how necessary these resolutions are. We believe that footmen are chiefly necessary for service here, with a reasonable number of horse; so if all the foot sent for from England were here, all the regiments of horse here (except three) would be sent back to England. In the meantime we have ordered Balcarres' regiment to march to you. The marquis of Argyll has been instructed to go to Ireland to bring over (if possible) the men asked for from there, and to land them in Argyllshire. When the horse from here are sent back to England the army there will again be considerable (though the foot for the present be few). We hope you will take pains in this work so happily begun and go on until it be finished. We have written to our commissioners at London for clothes and shoes for all the army in England; those who are sent to Scotland are to have their share. Meanwhile we shall make all preparations here to provide for the most necessitous of them. (164r-v)

8 November 1645. Glasgow. [no sederunt]

Lord Lour. The committee releases him from his confinement in Glasgow, he obliging himself to appear before the committee at

St Andrews on 24 November under the penalties contained in his former obligation. Crawford I.P.D. Com. Lour. (164v)

Major John Menzies. Order to the keeper of the magazine to deliver to him 100 bolls of meal for the garrison of the house of Garth. (164v)

Captain William Drummond. Order to the treasurer of the army to

deliver to him £150 sterling. (164v)

Captain Marley. Order to Lanark to send Marley, now a prisoner in Glasgow tolbooth, to Berwick at the first convenient opportunity. (164v)

John Stirling of Craigharnet. Order that he be freed from Glasgow tolbooth on finding caution for £2,000 to appear before the com-

mittee whenever he is called. (164v)

John Stark. Order that he be freed from Edinburgh Castle. (164v) Sir Charles Coote ('Coutts'). Order to the treasurer of the army to provide 500 bolls of meal for Coote's garrisons in Ireland as Argyll thinks fit. (165r)

Argyll's cannon. Argyll has agreed to lend some cannon to the frigates guarding the west coast. The committee declares that if any of them are lost in that service they will either be paid for or be replaced by cannon of the same bore, weight and metal. (1651)

Anent quarters. Order that the inhabitants of the shires of Forfar, Perth, Stirling, Lanark and [blank] shall have allowed against their first seven months' maintenance whatever they can show by billet or according to act of parliament has been received from them by officers or soldiers. (165r)

Harie Grahame. Order to the constable of Edinburgh Castle to

deliver him, a prisoner in the castle, to Argyll.1 (165r)

James Grahame. Order to the treasurer of the army to deliver to Grahame, the economus of the college, 100 merks for supplying coal and candles at meetings of the committee and attending that house. (16sr)

Lieutenant Alexander Hamilton. Order to the treasurer of the army to deliver £100 sterling to Hamilton, of Sir John Brown's regiment, who brought news to the committee of the scattering of Sir Marmaduke Langdale's forces in Cumberland. (165r)

¹ Printed in full in Napier, Memorials, ii, 256.

Letter to Colonel Home. Assuring him that his garrison [Inverness] will be paid and a regiment established when the occasion offers; and desiring him to send Captain MacPherson's company here if it can be spared. (165r)

Provisions for Edinburgh Castle. Order to all committees, magistrates, gentlemen and others to supply horses to carry to the castle provisions for the garrison from any place in the country. (165v)

Prisoners in Edinburgh Castle. Warrant to the constable of the castle to entertain those of the prisoners who cannot entertain themselves, by giving them moderate allowances, which the committee will see repaid. (165v)

Letter of marque to [blank]. The ship called the [blank], of which [blank] is master, is employed by the estates for guarding the west coast and stopping supplies being sent to the enemy. The ship may encounter frigates and other vessels belonging to the enemies of these covenanted kingdoms; therefore the committee hereby warrants [blank] to provide the ship with men, victual, cannon, ammunition and other warlike equipment, for defence and to pursue such frigates and other vessels, goods or whatever else belongs to the common enemy. [blank] has hereby full warrant, power and commission to pursue, sink and destroy the common enemy, seizing their goods and making them lawful prizes. He shall receive orders from the marquis of Argyll, and shall be accountable for what he takes as others have been in this work. The commission is to last for six months, and those employed by [blank] in this service shall be allowed as part of the present levy.

The like for the ship called [blank].

The like for the galley [blank]. (165v-166r)

Lieutenant Colonel Dick. Order to the treasurer of the army to pay 500 dollars to him according to a former precept. And also to pay Captains Crawford, Maxwell and Baillie, Lieutenant Cunningham, and the relict of Lieutenant Sheill their arrears for their service in Scotdand, out of the fine or forfeiture of Sir John Dalyell [of Newtoun]. [166r]

Dollar and Muckhart. Recommendation to parliament to consider the best way to give reparation to these two parishes for the great losses they have sustained from the enemy. (166r)

Letter to the earl of Tullibardine. Enclosing a warrant to the

commanded party from Newcastle to march to Glasgow, with liberty to him not to use it if he finds the garrison secure enough without these men. (166r)

Localities for certain regiments. The committee has decided on the localities underwritten, and orders them to be collected from the shires and burghs out of their maintenance for October and November 1645, to pay the officers and soldiers specified from 10 Novemher to To December

Table of localities for the regiments:

Lord Montgomery's regiment is to have	
for one month's means	£,20,757
Colonel Fraser's regiment	12,007 10s. ood.
Lord Kirkcudbright's regiment	15,330
Lord Balcarres' regiment	7,063

Total

£,55,157 10s. ood. Which sum is to be paid as in the following roll:

Out of the shire of Mearns (two months' maintenance for October and Novem-

ber at £,1,566 monthly)	€,3,132
Shire of Angus	10,008
,, ,, Perth	8,001
,, ,, Fife	13,284
" " Kinross	288
Burgh of St Andrews	1,080
" " Dysart	540
" " Kirkcaldy	828
,, ,, Coupar	432
,, ,, Anstruther Easter	558
,, ,, Pittenweem	270
,, ,, Burntisland	288
,, ,, Crail	432
,, ,, Kinghorn	252
" " Kilrenny	54
" " Montrose	954
" " Brechin	360

44 THE GOVERNMENT UND	ER THE	COVENANTERS
Burgh of Arbroath		180
,, ,, Forfar		108
Shire of Roxburgh		11,556
,, ,, Selkirk		2,556
	Total	£55,161
Colonel Robert Montgomery's reg	iment	
to be paid a month's means Which is to be paid as follows:		£19,515
Shire of Ayr		£12,132
Burgh of Ayr		738
,, ,, Irvine		414
Shire of Renfrew		4,410
Burgh of Renfrew		180
Shire of Peebles (one month)		1,638
	Total	£19,512
Lord Coupar's regiment to be paid Which is to be paid as follows:		£9,493 10s. ood.
Town of Glasgow		1,980
Shire of Linlithgow		3,492
Town of Linlithgow		540
" " South Queensferry		115 10s. ood.
Shire of Dunbarton		2,466
Town of Dumbarton		216
,, ,, Jedburgh		324
,, ,, Peebles		180
,, ,, Selkirk		180
	Total	£,9,493 Ios. ood.

Earl of Dalhousie's regiment is to be paid And for eight men omitted

Total $\underbrace{\int_{13,143}}_{13,395}$

COMMITTEE OF ESTATE	S 1645	45
Which is to be paid as follows:		
Shire of Berwick	£.7,110	
,, ,, Peebles (one month)	1,638	
,, ,, Haddington (one month)	3,384	
Town of Haddington	648	
,, ,, Dunbar	216	
,, ,, North Berwick	72	
Burgh of Lauder	90	
From Mr Robert Hodge, collector of the		
shire of Edinburgh, by a precept drawn		
on him	202	
Total	£13,359	
Earl of Lanark's regiment to be paid	£.24,664 0	45 004
Which is to be paid as follows:	£,24,004 0	45. 000.
Shire of Lanark	£10,764	
Town of Lanark	288	
,, ,, Rutherglen	90	
Shire of Wigtown	8,748	
Town of Wigtown	270	
,, ,, Kirkcudbright	360	
" " [New] Galloway	18	
,, ,, Whithorn	90	
Shire of Haddington (one month)	3,384	
Sanquhar and Lochmaben (at £27 each		
monthly)	108	
Burgh of Culross	108	
,, ,, Dunfermline	108	
,, ,, Inverkeithing	90	

Captain Moore's troop. The troop is due £2,241 Scots as a month's means from 10 November to 10 December. This is to be paid out of the monthly maintenance for October and November of the burghs of Dumfries (£792) and Annan (£54), and by the collector of the shire of Dumfries (£,1,395). (167v)

Total £,24,732 (166r-167v)

Routmaster Blair's troop. Due £1,701, to be paid by the collector of the shire of Dumfries, 1(167V)

Earl of Moray's regiment. Due £1,770 17s. 04d., to be paid by the

burgh of Perth. (167v)

Marquis of Argyll's troop. Due £1,458 to be paid by the collector of the shire of Stirling, (168r)

Earl of Callander's troop. Due f 1,944, to be paid by the collector of the shire of Stirling. (168r)

Captain' Crawford's troop. Due £2,241, to be paid by the collector of the shire of Dumfries. (168r)

Lieutenant Colonel Mungo Murray's troop. Due £1,359, to be

paid by the collector of the shire of Dumfries. (168r)

Compliers with the rebels in the shires of Lanark, Ayr and Renfrew. The committee thinks it necessary and expedient that all in these shires who sent commissioners to James Grahame and the rebels, who sat in committees to put out men for the rebels, or took protections from them, should be tried and punished. Commission is therefore granted to Argyll, Eglinton, Glencairn, Lanark, Sir John Crawford of Kilbirnie, Sir William Cochrane of Cowdoun. [Hew] Campbell of Cesnok, George Porterfield (provost of Glasgow) and Mr Robert Barclay (provost of Irvine), or any three of them, to call before them all persons in these shires dilated or to be dilated of these crimes. Those found guilty are to be punished by fining or imprisonment (fines always exceeding one year's rent). Those who have actually been in service with the rebels are not to be punished by the commissioners, but are to be committed to prison until action is taken against them. (168r-v)

Commission for trying the duke of Hamilton's losses. To Sir Ludovick Houston of that Ilk, [blank] Porterfield of Duchal, [Robert] Pollock of that Ilk, [Patrick] Fleming of Barrochane, Mr John Walkinshaw of that Ilk, Sir William Cochrane of Cowdoun, Sir John Crawford of Kilbirnie, [William] Mure of Glanderstoun, [William] Ralstoun of that Ilk, [George] Dundas of that Ilk, and Mr George Dundas of

Maner. (168v)

Commission for trying the losses of the inhabitants of Lanarkshire. To the persons named in the previous commission. (168v)

¹ This item has been added later in the margin.

Commission for trying the losses of the inhabitants of Stirlingshire. To George Dundas of that Ilk, Sir Alexander Shaw of Sauchie, Mr George Dundas of Maner, Sir Robert Drummond of Medhoppe, Mr David Hay of Woodcockdale, Patrick Walker of 'Baldornie', Mr James Easton [of Couston], Mr Robert Bruce of Kennet ('Bennet'), Mr John Bruce of Bordie and Mr Alexander Kennedy. (168v)

Commission for trying the losses of the shire of Nithsdale and the stewarty of Annandale. To William Grierson of Bargattoun, John MacKie ('McGie') of Balmagie, Thomas Home of 'Cladome' (?), william Glendoning (provost of Kirkcudbright), John Stewart of Shambellie, John Brown younger at the bridge end of Dumfries, Alexander Gordon of Knockgray, Thomas MacLennan of Callin, John MacLennan of Borgue, Thomas Brown of Netheryett, [blank] Gordon of Grange. (168v)

15 November 1645. St Andrews

Letter to the Scottish commissioners in London. On receiving your letter of 28 October we wrote to Lauderdale to go to the army with all possible diligence to further its march, and then go to London to help you. Balmerino's illness is very grievous to us, and we have given him liberty to stay there or return to Scotland according to what is best for his health. The committee adjourned to St Andrews last night, and Captain Dunbar came to us with his letters and duplicates sent by the post. On reading of the state of affairs there and of your explanations we approve of your retaining the lord chancellor [Loudoun] there for a time. To enable you to spare him and hasten him hither (since we do, and parliament will, earnestly desire and expect his presence because of the present condition of affairs here) we have again written to Lauderdale to go to you immediately with all possible diligence.

We are informed that there are some keys to cyphers found in Lord Digby's cabinet, especially that used between him and James Grahame. We therefore send up a copy of Digby's letter found at Philiphaugh to be deciphered and returned. And hearing that some letters are found referring to this kingdom or its armies, we desire you to do your best to get copies of them and send them hither, so they can be examined and any suspicions aroused by them can be removed.

Any levies of new untrained soldiers, and the old soldiers of our army in England, will not be sufficient in winter to pursue the rebels here in the hills, so we have sent for about 2,500 men from our army in Ireland; they are little use there at this time and (with God's blessing) they may do much to end our troubles. We desire you to tell the English parliament of this and get its consent.

P.S. Since writing this we have received a letter from Major General [Robert] Monro saying that the English commissioners [in Ulster] have persuaded the officers of that army not to come to our assistance without first getting the consent of the English parliament or the Committee of Both Kingdoms. This makes us again desire you to obtain consent; the men cannot be very useful in Ireland in winter, but may be very helpful in the hills here. ¹ (1691-v)

Letter to the earl of Landerdale. We wrote to you recently, and now do so again, to hasten to join the other Scottish commissioners in London. It is necessary that the chancellor comes down to sit in parliament, and Balmerino is unable to attend to affairs through his infirmity; the weight of affairs there is great (and is growing), and the commissioners are few. We have received another letter from there pressing for your speedy arrival for the same reasons as before – which we think very powerful. Therefore we earnestly entreat you, all excuses set aside, to go there quickly, especially as we have ordered the chancellor to come here and assured the commissioners that you will join them. (169v-170r)

Letter to the general. Before your packet of 4 November from 'Darnetoun' [Darringtoun?] reached Glasgow we had moved here. Our letter sent with the post from Glasgow has fully informed you of the reasons for calling part of the army to Scotland and desiring that the rest march to Newark; and also of our resolution to strengthen these old regiments with new recruits from Scotland, so that the army may be stronger and more useful, as before. It is still our desire that you block up Newark; as the enclosed shows, parliament would willingly send more forces to join you there and, without dispute, put them all under your command. This appears to us all the more expedient as the right

1 Printed in full in Meikle, Correspondence, 138-9.

management of that business might by surrender or treaty 'draw these unhappie troubles neir to an end. Wherin wee wish that your excellency had an hand as ye had in all the paines and travell for carving on the warre till now'. But though we desire this for the good of the public service, it is far from our thoughts to press you to anything that you think prejudicial to your honour or unsatisfactory in your judgment. In everything in our power we shall contribute our utmost endeavours to encourage you in all the burdens and difficulties that you encounter daily. If you still think going to Newark with such weak forces prejudicial to your honour we must request you to stay at Newcastle for some time, to give orders to those that march south and to those that come north. You may thereby also prevent the suspicions which were beginning to arise between these kingdoms 'upon the rumor of your excellency dimitting your charge, the least thought or speach whereoff would be very greivous to us'. We wrote from Glasgow in favour of Major General Holborne to be major general in [Laurence] Crawford's place; we again recommend this, and desire to be satisfied. If you come to Newcastle, we desire that he be with the foot at Newark.

P.S. Since writing this we have seen a letter from Major General [Robert] Monro showing the great unwillingness of that army [in Ireland] to send any men to the relief of this kingdom, and desiring us not to rely on their coming. Therefore we all the more earnestly desire you to hasten up the men we asked you for. (1707-v)

Letter to the commissioners at Glasgow. We have received your letter of 12 November. But we are very unwilling (being no more than a quorum here) to dispense with resolutions taken in Glasgow by so full a number; it was then thought necessary that Argyll and Cowdoun should go to Ireland in accordance with their instructions. However, we are exceedingly loath to make them take so much trouble if the money is not ready, for without it 'ther is bot small hopes his lordship's [Argyll's] money will worke the end proposed'. You, being 'on the place', can judge better on this than we can advise at such a distance. (1711')

Letter to the earl of Callander. We have received your letter of 14 November and, having considered it, have decided that no allowance can be granted to anyone (whatever they have paid) out of the

last two months' maintenance, for there is no other way to pay the army a month's means. Therefore they [sic] are to go about raising their maintenance to avoid the inconveniences that would follow disappointing the army. As for allowances granted in what is due of the first seven months' maintenance, through quarterings or otherwise, the quartering (as we understand it) must have been between last March and 10 November. We have directed the enclosed orders to the earl of Mar to send fifty chalders of coal to Stirling Castle; and we desire you to send the enclosed warrant to the governor of the castle for the entertainment of prisoners. We shall order the treasurer of the army to provide meal for the garrison of Stirling. (1711-v)

Earl of Mar. Order to him to send fifty chalders of coal to Stirling

bridge, for use of the castle. (171v)

Prisoners in Stirling. Warrant to the governor of Stirling Castle to entertain the prisoners in the castle who cannot entertain themselves, at twelve shillings Scots a day. This will be repaid to him. (17IV)

17 November 1645. St Andrews

Provost and bailies of St Andrews. Order to them to provide rooms for the prisoners by tomorrow. The officers are to present the prisoners before the committee between 8 and 9 a.m., and the magistrates are to have guards ready to carry them to their prisons at that time. (171v)

Letter to Mr Roger Mowat. To be at the committee tomorrow.

Letter from Lauderdale, Excusing his [not] going to London; and an answer written to his letter concerning the letter of 15 November for hastening his going. (171V)

Letter to the provost and bailies of Dundee. To send 100 of Colonel

Milne's men to guard parliament if they can spare them.

The like letter to Colonel Milne. (171v)

Letter to the town of Forfar. We have received your letter about the apprehending of your provost and some others. We assure you that nothing will be lacking in securing your bounds from further attempts and insolencies of the enemy and to get the prisoners released. We have written to Major General Middleton about this; but we cannot allow you to give money or raise forces for the use of the rebels. (172r)

Provost and bailies of Dundee. Order to them to send over twelve or thirteen of their best wrights to prepare a room in the university of St Andrews to accommodate parliament at public expense; they will be paid immediately. With power to them, if the wrights are unwilling to come over, to apprehend them and bring them and their worklooms hither with a guard; and such refusers shall be punished. (172r)

18 November 1645. St Andrews. [no sederunt]

Meal from Fife. By an act of [blank] the committee ordered the heritors of Fife to deliver 3,000 bolls of meal to the commissary general at Perth and Dundee, as part of their first seven months' maintenance. The committee is informed that the commissary general's deputes have refused to take some meal from the heritors as it was not delivered by the time ordered. But it was the troubles of the country that prevented the meal being delivered in time, so the committee orders the commissary general or his deputes at Perth to receive the rest of the meal. (1721-v)

Warrant for conference with the prisoners. The provost and bailies of St Andrews are to permit the following to have access to the prisoners in St Andrews Castle:

To have access to the earl of Hartfell: [John Johnston of] Wamphray ('Wamfra'), William Oliphant of Pitlochie, John Livingstone of Grangemuir, the earl's advocates, Richard Campbell, and his two servants John Armstrong and Thomas Jackson to stay with him as they did before, Armstrong being free to go in and out to the town.

To James Ogilvie [Lord Ogilvie]: Mr John Nisbet, Mr John Ratray, Mr James Ogilvie, Alexander Miller, Dame Isobel Hamilton his mother, and [Helen] Ogilvie his spous.

To Nathaniel Gordon: Mr Robert Keith.

To William Murray: Mr Gilbert Ramsay and Captain William Murray.

To Colonel [James] Hay: [Colin Campbell] younger of Lundie,

Sir James Halket of Pitfirrane, [Peter Hay of] Blebo, Major William Murray, William Hay (son to [Sir Patrick Hay of] Pitfour), Robert Murray of Buchanty, and William Butter of Pitcullen.

To James Hamilton: Sir James Halket, [George Hamilton of] Kilbrachmonth, John Hamilton of Clattoe, Major William Murray,

and William Hay.

To Sir Robert Spottiswoode: Sir James Monypennie, the laird of 'Furd' (?), Mr John 'Shougall', Hew Scrymgeour, Mr Robert Byres, James and Martin Lentron, John Scrymgeour and David Wilson.

Access is to be limited to one visitor at a time for each prisoner. (172v-173r)

19 November 1645. St Andrews

Order anent rooms in the castle for prisoners. Order to the provost and bailies of St Andrews to put the earl of Hartfell, his son, and James Ogilvie in one of the high rooms in St Andrews Castle; Sir Robert Spottiswoode and William Murray in the other high room; Nathaniel Gordon and Colonel Hay either in the high room without a fire or in the vault with a fire, at their own choice; and [Mr Andrew] Guthry and James Hamilton in whichever room Gordon and Hay refuse. No one is to be allowed access to the prisoners without warrant from the committee, and then only between sunrise and sunset, and without arms. Any known ministers are to have access to the prisoners. (1731)

James Ogilvie's wife and mother. Warrant to them to have access to

and conference with him. (173r)

Mr John Nisbet. Warrant to him to have access to the prisoners to

consult with them anent their dittays. (1731)

Letter to Major General Middleton. Recommending to him the desires contained in the bailies of Forfar's letter and the petition of the committee of war of Forfar sent with the letter. He is to send news of the enemy's movements frequently. (1731)

Committee for Processes. The committee gives power and commission to Lord Burleigh, [Sir Thomas Hope of] Craighall, [Sir

 $^{^1}$ There is some ambiguity; 'Hartfell his son and James Ogilvie' might mean either 'Hartfell, his son', and Ogilvie, or 'Hartfell's son' and Ogilvie.

Archibald Johnston of J Wariston and James Sword, or any three of them, to prosecute the commission for trial of the process of delinquents granted at St Andrews and Glasgow. With power to appoint any of their number to examine parties and witnesses. (173Y)

William Johnston. Order to the provost and bailies of St Andrews to permit him to have as free access to his father, the earl of Hartfell, as is allowed to any others, on finding caution of 20,000 merks to appear before the committee when called for to answer any charges against him anent his carriage towards the rebels. (173)

20 November 1645. St Andrews

[Sir James Annot of] Fernie. Order to the provost and bailies of St Andrews to permit him to have access to James Ogilvie [Lord Ogilvie] in the castle. (173v)

John Wood. Order to the provost and bailies of St Andrews to permit Wood, James Ogilvie's servant, to come out and in the castle at his pleasure in the daytime, on his master's service. (173v)

William Fithie and James Law. Order to the constable of Edin-

burgh Castle to put them to liberty. (174r)

Sir Robert Spottiswoode. Order to the provost and bailies of St Andrews to permit him to go into Hartfell's chamber in the daytime, to have benefit of the fire and light for reading and writing concerning his defence. And to allow [Sir John Spottiswoode of] Darsie, the laird of 'Furd' (?), Mr John 'Shougall' and Mr Robert Byres to go in together to Sir Robert to consult with him anent his affairs, today from 12 noon to 3 p.m. and tomorrow from 10 a.m. to 2 p.m. (174r)

21 November 1645. St Andrews

Trial of malignants. The committee joins [Arthur Erskine of] Scottiscraigs, [Sir Michael Balfour of] Denmilne, [Mr Robert Meldrum of] Burghlie and James Sword to the committee for trial of malignants in Fife. (174r)

Letter to [Frederick Lyon of] Brigtoun. To convene the committee of war of Forfar to choose a constant convener until parliament sits. (174v)

Letter to Lieutenant Colonel [James] Mercer [of Aldie]. Order to him or to whoever has charge of any men of Kirkcudbright's regiment in Fife to remove their quarters from the shire according to former orders, and to appear before the committee tomorrow to give an explanation. (174t)

Letter to Major General Middleton. To give orders to remove the

horse troopers to quarters elsewhere. (174r)

Kinross-shire. Recommendation to Major General Middleton to consider the condition of the inhabitants of the shire, and relieve them of quarterings as he thinks consistent with the good of the service. (174v)

[Sir George Stirling of] Keir. Order to the provost and bailies of St Andrews to imprison him in their tolbooth until further orders.¹

(174V)

[Sir George Stirling of] Keir. The committee allows him until 10 December to bring his wife from the rebels (in whose company she

now is) to St Andrews.2 (174v)

Access to James Ogilvie Lord Ogilvie]. Order to the provost and bailies of St Andrews to permit Crawford-Lindsay, [Patrick Maule] elder of Panmure, the general of the artillery [Sir Alexander Hamilton], [William Scott of] Ardross, Patrick Maule (indweller in St Andrews) and Mr Robert Douglas, Mr William Bennet, Mr Robert Blair and Mr James Wood, ministers, to have access to and conference with Ogilvie. (174v)

William Blair of Williamstoun. The committee has heard Blair's petition concerning payment for 125 bolls and two firlots of meal which were in his girnel at Perth for use of himself, his family and his tenants; they had been harried by the enemy and did not dare keep the meal elsewhere, but it was violently taken out of the girnel for use of the soldiers of the garrison of Perth. The committee has also seen the declaration of Lieutenant Colonel [John] Rough ('Roche'), governor of the garrison, that the meal was used by the garrison through extreme necessity. The committee therefore finds it just and reasonable that the meal be paid for. Patrick Rosse, commissary depute at Perth, is to charge the garrison with the price of the meal, and give a receipt for it to Blair, who is then to be paid by the commissary general. (174v-175t)

¹ Printed in full in Napier, Memorials, ii, 256. 8 Printed in full in ibid., ii, 256.

Andrew Reid. The committee has heard the petition of Reid, burgess of Perth, concerning payment for 164 bolls and one firlot of meal which were in his girnel at Perth, received from his debtors in payment of their debts. This meal was taken from him by the officers of the earl of Moray's regiment in the garrison of Perth for use of the regiment. The committee has also seen a receipt for the meal by James Grant, major of the regiment, and James Sutherland, scriver. The committee finds it just and reasonable that Reid be paid for the meal, and therefore orders Patrick Rosse to receive the receipt from Reid and give him his own receipt, on which the commissary general is to pay Reid. (1751)

Master of Gray. The committee allows him fourteen days for seeing to his necessary business, he acting himself on pain of 40,000 merks to return to his confinement by 8 December, (175v)

Sir Alexander Gibson of Durie, clerk register. Durie appeared before the committee and complained that he lav under 'some unwarrantable surmises and misconstructions of complyance or correspondence with James Grahame and the unnaturall rebels'. He and some witnesses had been examined before the committee of Fife, and he had been cited by a messenger to appear before parliament. But he neither could nor would serve in his charge as clerk register in this next session of parliament if he was not cleared of all charges. He therefore humbly desired the Committee of Estates to take trial of his carriage so that he might be censured or acquitted according to his guilt or innocence. Whereupon the committee called before it Sir James Arnot of Fernie (preses of the committee for trying delinquents in Fife) and caused him to exhibit all dilations, depositions and cognitions, and Durie's own deposition; and having considered these at length and examined Durie concerning other matters, the committee annuls the citation for Durie to appear before parliament, and allows him to attend his service and place as clerk to parliament, (175v)

Sir William Dick [of Braid]. Warrant to him to send all packets that he cannot get transported from North Berwick to St Andrews by sea to James Stewart (bailie of Edinburgh) at Newbattle; and he is to send to Berwick all the packets he receives from Stewart. His expenses for posthorses etc. shall be repaid by the public. (1767)

James Stewart. Warrant to him to receive all packets sent to him at

Newbattle by Dick for the public, and then have them carried to James Law at Kirkcaldy; and the packets he receives from Law he is to send to Dick at North Berwick. His expenses shall be repaid by the public. (176r)

James Law. Warrant to him to receive all public packets sent to him by Stewart and have them carried by posthorses to the committee or parliament at St Andrews. He is to have all letters that come from the committee or parliament carried by posthorses to Newbattle. His expenses shall be repaid by the public. (1767)

James Sword. Warrant to Sword, bailie of St Andrews, to send all packets he receives from the committee to Elie, to be carried by sea from there to North Berwick. If it is not possible to do this promptly he is to send them overland to James Law, bailie of Kirkcaldy. His expenses shall be repaid by the public. (176r-v)

[blank], bailie of Elie. Warrant to him to send all packets from the committee or parliament to North Berwick; and all packets for the committee or parliament that come to Elie by sea are to be sent to St Andrews. His expenses shall be repaid by the public (176v)

Commission for trying the losses of the inhabitants of Kinross-shire and the parishes of Portmoak, Tullibole and Strathmiglo. To Sir William Douglas of Kirknes, Sir Michael Arnot of that Ilk, Charles Arnot fiar of that Ilk, John Lindsay of Dowhill, George Balfour of Balbirnie, [Mr Robert] Aytoun of Inchdernie, Mr James Scheves of [blank], Mr William Wardlaw of Balmule, John Seton of Lathrisk, James 'Tuxtoun' (?) of Aldie Wester ('Westaldie'), or any five of them. (176v)

Earl of Hartfell. Warrant to the provost and bailies of St Andrews to permit Crawford-Lindsay, Lord Angus, [Sir Archibald Johnston of] Wariston, [David Beatoun of] Creich, [Robert Forbes of] Rires and [Sir Michael] Balfour of Denmilne to have access to Hartfell. (176v)

Sederunts of the Committee of Estates, 16 October - 21 November 16451

						October	per										ž	November	la la				1
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Lord Forrester Lord Kirkcudbright Lord Balcarres			×	×	×				×	×	×	×						×					HAC
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BURGESSES I. Robert MacKeane (Edinburgh)																				
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ames Stewart (Edinburgh)									×	×	×									
Mr Alexander Wedderburne (Dundee) Robert Farquhar (Aberdeen)	×	×				^	×				×		×	×	×	×				
Patrick Leslie (Aberdeen) Thomas Bruce (Stirling)				×																
ohn Lepar (St Andrews) annes Sword (St Andrews)																		×	×	
ames Bell (Glasgow) George Porterfield (Glasgow) ohn Kennedy (Ayr)	×	×	×	××	×	×	×			×	×	×	×	×	×					
Richard Chapland (Haddington) David Simpson (Dysart) Ohn Law (Kirkcaldy)																			×	
Chomas McBirnie (Dumfries) Seorge Jamesone (Coupar)	×					^	×	×	×	×	×		×	×	×		×			
Ouncan Forbes (Inverness) ames Pedie (Montrose) George Gardine (Burntisland)							×	×	×	×	×	×		×	×			×	×	
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Committee of Estates

MAY 1648

INTRODUCTION

This committee can claim the distinctions of being both the smallest and the shortest-lived of all the Committees of Estates appointed by the covenanters. Parliament had approved the Engagement, and on 11 May adjourned for three weeks so that leading Engagers could return to their homes to help in levying a new army. Thus the committee was small in order to free the maximum number of Engagers to assist in the levies, and because it was only to sit for a few weeks and take no major decisions. Some prominent opponents of the Engagement were appointed members of the committee but refused to take their seats.

The committee's work was dominated by military matters: organising the raising of levies; answering questions relating to levies from shire committees of war; replacing army officers who refused to serve the Engagers; punishing active opponents of the Engagement; and negotiating for the transfer of forces from the Scottish army in Ireland to Scotland. Even amid such urgent preparations for war with England, however, the committee deals with other types of business, indicating its wider competence as a Committee of Estates. A commission is recorded in its register as an alternative to the traditional registration in the books of council and session (the register of deeds); and the committee takes action in a civil case arising from a dispute over the custody and marriage of the daughters of a dead laird.

The register ends on 27 May, and parliament reassembled on 1 June. But an order issued on 2 June contradicts the usual assumption

that the power of a Committee of Estates lapsed as soon as parliament met; parliament ordered the committee to appoint some of its members to sit on the Committee for Excise until parliament chose new members of the latter committee.¹

Calendar of the register of the committee of estates, 12-27 may $164\,8^2$

12 May 1648. Edinburgh

Commission to the Committee of Estates, John, earl of Loudoun, lord high chancellor of this kingdom, produces the commission underwritten:3 [11 May 1648] Parliament, having considered the imminent dangers to the king's peace and authority, to monarchical government, to the peace of the kingdom, and to the union between the kingdoms, has ordered the kingdom to be put in a posture of defence.4 Parliament is being adjourned until 1 June, and so that all things concerning the welfare and good government of the kingdom relating to peace and war (in case of necessity), arms levied or to be levied, and to the general condition of the kingdom may be rightly managed in the interim, it has thought fit to nominate a Committee of Estates. [members listed].5 The quorum is to be nine, provided this includes at least one member of each estate. The committee is to have power to convene when and where it thinks fit and do what it thinks necessary for defence of religion, the king's person and authority, and the promoting of the ends of the covenant. In this time of such apparent trouble it is to order and govern the whole body of the kingdom and its armies, levied or to be levied, and to consult and advise in everything that may conduce to the good and safety thereof. The committee is to have power to give orders to shires and burghs for raising horse and foot and for equipping them as prescribed by the act of parliament for putting the kingdom in a

^a Commission as in APS, VI, ii, 69-71 except for minor differences in wording and a surprising number of discrepancies as to membership. Additional acts of II why anamed the supernumerary members (though they are in fact also named in the commission), ordered that David Douglas sits as a member in the absence of Archival Sydserf, and remitted to the committee all bills handed in to parliament but not answered, jield, 87.

posture of defence. It may give orders for the quartering, mustering, marching and right regulating of the forces, and provide sustenance for them as parliament has ordered. It is to assist the collector general in bringing in the monthly maintainance, excise and other public dues, with the sole power of disposing of and distributing of all money due to the public (without prejudice to former assignments). It is to use the maintainance and the excise in the first place for maintaining the armies and garrisons, and, (once they have been paid) for other necessities concerning the public service. All precepts for payments are to be signed by at least a quorum of members present in committee, and no precepts are to be granted unless there is money to pay them. Foot regiments, garrisons, horse troops and dragoons are to be paid equally according to their strength. The committee is to have power to call before it all persons of whatever quality, degree or condition who rise in arms against the king and this present session of parliament, and to do justice on them and on others deficient in doing their duty as fully as if parliament was sitting. It may give instructions to general officers, and answer papers presented or to be presented by the commissioners of the English parliament. It may negotiate for payment of the arrears of the Scottish army in Ireland and for the disposal of that army, and may call part of it and our other friends there to Scotland for our assistance. The committee may dispose of the kingdom's forces, nominate colonels if any of those appointed by parliament refuse their charges, and call colonels before them to acknowledge the authority of parliament and the justness of its declaration, replacing those that refuse to do so. It may also give instructions to the commissioners who are to go to Ireland. It may replace members who are sick, dead, or absent for other reasons by any other members of parliament; those absent without licence or lawful excuse are to be fined according to act of parliament. In general the committee is to do all things requisite for the managing of all affairs which may advance or conduce to the good and peace of the kingdom, and its commission is to last until parliament next meets. (11-31).

All the members present give their oaths de fideli administratione.

Letter to the committee of war of Fife. The committee, considering

the loss of men sustained by Fife in the public service, is willing to give the shire all possible ease in the present levy. It is therefore given the choice of putting out 1,500 foot (as ordered by parliament), or 1,000 foot and 100 horse troopers with sufficient horses and arms. The decision on this is to be reported to the Committee of Estates or to Hamilton by 20 May. As this ease has been granted the committee is confident that the shire will be the more ready and earnest in putting out the small proportion now laid on it. Loudoun, cancellarius, I.P.D. Com. (3r)

Anent powder and muskets in Burntisland. The committee is informed that forty barrels of powder and 400 muskets and bandoliers are in Burntisland Tolbooth, belonging to Sir Adam Hepburne of Humbie and James Riddell, who have offered to sell them at the same rates given to others. The committee accepts the offer and orders that they be delivered to the magazine, and that the general of artillery receive them. It obliges itself in name of the estates to pay for them at the rates given to others. Loudoun, etc. (3v)

Warrant for bringing arms from Burntisland, The general of artillery is to arrange to bring over from Burntisland the ammunition, arms and cannon lying there, the bailies of that burgh providing the boats and the commissary general paying the costs of transport. Loudoun, cancellarius, I.P.D. Com. (3v)

Anent the entertainment of troopers. Lee, Arniston and Mr John Hay appointed to meet with Major General Middleton and think of the best way of entertaining troopers who are levied before the rendezvous, according to public orders. (3v)

Lord Ross' place of colonel, Lord Ross has refused to accept the charge of one of the colonels of foot for Avrshire and Renfrewshire to which he was named by parliament. The committee therefore orders that the whole 2,000 foot to be brought out of these shires be divided equally between the earl of Glencairn and Lord Cochrane. (3v)

Cranston to be a colonel of horse. The committee with advice of the general nominates Lord Cranston to be a colonel of horse in this present expedition. He shall have eighty horse allowed to him out of the shires or furnished some other way, like the rest of the colonels, and he is to levy 100 horse himself to make up 180 in three troops. (4r)

Arniston to be a colonel of foot. Lord Cranston, who was appointed one of the colonels of foot for the shire of Edinburgh, is now a colonel of horse, so the committee with advice of the general nominates Arniston to that regiment of foot. (4r)

Act against soldiers that sell their arms. Being informed that some of the soldiers and troopers of the standing army have sold their arms and horses 'of intentioun to gett money to tak on again' in the new levies, the committee forbids any member of the present army to sell their horses or arms or to leave their colours on pain of death. It also forbids the buying or resetting of such arms or horses and the taking in service or otherwise of any such soldiers, on pain of having to pay back double the price of the arms and horses and further punishment as obstructors of the public service. This act is to be printed and published so that none can pretend ignorance of it. (4r)

The earl of Leven's troop disposed of. Hamilton is appointed to have the troop of horse which Leven formerly had, and the earl of

Callander is to have Routmaster Fraser's troop. (4r)

Allowances to Lord Cochrane etc. \pounds_3 sterling daily allowance modified to Lord Cochrane, \pounds_2 to Garthland and \pounds_1 to Alexander Crawford for their public employment to Ireland. Their extraordinary charges in transporting forces from Ireland or otherwise will be paid immediately on presentation of their account. (4 ν)

Eodem Die [12 May 1648], p.m.

Letter to presbyteries. Order to the clerk register to send parliament's letter directed to the presbyteries to some [members] of the committees of war of the shires where the presbyteries are, to be presented by them to [the committees of war of?] the shires. (4v)

Letter to the earl of Morton. To further the levies in Orkney. As soon as that regiment can be brought to a rendezvous it is to march to Stirling to receive further orders, (4y)

Warrant for the magazine. Recommended to the general and the lieutenant general to call for the general of the artillery [Sir Alexander Hamilton] and confer with him about the condition of the magazine, and to give orders for the fixing of unfixed arms and doing everything for preserving the ammunition. They are to give

¹ Ibid., 86-87.

order to the commissary to advance money for this purpose, to think of the best way of providing arms and ammunition, and to

report on this. (4v)

Anent the levy in Clydesdale. After trial on oath of the number of men to be put out from Lanarkshire according to the proportion of the fourth man, the shire's number of foot comes only to 1,200, and its proportionate number of horse to 180. The committee thinks fit that the shire be no further burdened in this levy than for these numbers. (5r)

Divisions of Inverness-shire. Innes, Arniston and Mr John Hay to meet to consider and reform the divisions of the shire, though without diminishing the number of horse and foot ordered to be

raised from it by parliament. (5r)

Warrant for arms for the ships that guard the coast. The general of the artillery is ordered to deliver from the magazine to Captain David Brown, for use in the public service, 1,000 weight of powder, 1,500 weight of shot, 300 weight of small shot, 200 weight of match, 30 muskets, 24 long pikes and 40 swords. Loudoun, cancellarius. (5r)

John Scott made muster master general. Captain Scott, son to Sir John Scott of Scotstarvit, nominated muster master general; a

commission to this effect is to be drawn up. (5r)

16 May 1648. Edinburgh

Act for John Stewart's liberty. John Senzple, captain of Dumbarton Castle, ordered to free Stewart, after taking his parole to come and appear before the committee within eight days of his liberation. (5v)

Act to the town of Edinburgh. The provost, bailies and council of Edinburgh are ordered to pay to Bogie, the treasurer of the army, tonight or tomorrow the £40,000 Scots appointed to be paid by them in lieu of putting out 1,200 foot, their proportion of the levy. (sv)

Act anent those who do not give their oaths D.F.A. at their admission to the committees of the shires. The committee is informed that some persons nominated to shire committees of war refuse to accept their charge and will not give their oaths. So the public service is not obstructed by this, the committee orders all those nominated by

parliament to shire committees who accept the charge and take the oath to carry out their duties; and forbids those who will not accept and give their oaths from being admitted to the committees until they do so, or until parliament gives further orders.\(^1\) (5\) (y)

Act for Thomas McKie's liberty. In regard of his majesty's commission under the great seal the committee orders the provost and bailtes of Edinburgh to free McKie, a prisoner in their tolbooth, insofar as he is warded for crimes contained in the commission.

Anent the levies in Banff. Understanding that some difficulties may arise concerning the levies of Banffshire, the committee declares that the proportion of that shire (or of [James] Grant [of Freuchie's] bounds) that was in the earl of Moray's division in the former (1643) levy be now again within his division and under his command. (67)

Warrant to send the £40,000 to Ireland. Order to the treasurer of the army to receive the £40,000 Scots from the magistrates of Edinburgh, and £2,000 sterling from Mr Harie Mauld and Captain [Robert] Mayne, and to send someone with it to Portpatrick to stay with it and deliver it to Lord Cochrane, Garthland, or to any having their warrant. The major general is ordered to send ten troopers to go with the money. (6r)

Ammunition to Captain [David] Brown. The committee adds to the warrant granted to Brown for delivery of ammunition, 200 weight of musket balls, 30 swords, and 20 cannon balls for each of 16 guns. The general of the artillery is to deliver this and the other ammunition to Henry Bell. Loudoun, cancellarius, etc. (67)

Anen the laird of Kilbirnie. A supplication was presented to parliament by Sir Patrick Hamilton of Little Preston, William Butter, son to the laird of Gormock, tutors testamentar to Margaret and Jean Baillie, the only children now living of Sir Gideon Baillie of Lochend, in accordance with his nomination of tutory dated at Lochend 30 April 1640, transumpt and registered before the lords of session 13 January 1642. The supplication related that they alone had the right to the custody of the persons and estates of the two pupils, as tutors and special friends entrusted by their late father, and that they could not decide

on the education, keeping and breeding of the children until they had them in their custody and power. Charge had therefore been given to Sir John Crawford of Kilbirnie, in whose custody the pupils were, to deliver them to their tutors, or to appear before parliament or its committees at a certain day bygone to exhibit the pupils and deliver them to the supplicants or allege a reason for not doing so, under pain of rebellion and putting to the horn. Baillie of Letham and Butter appeared when called but Kilbirnie failed to do so. The Committee of Estates therefore ordered letters of horning to be issued charging Kilbirnie and his lady, Dame Magdalen Carnegie, to deliver the pupils to the supplicants within three days. (6r-v)

Decreet against Kilbirnie and his lady. They were charged to exhibit the pupils and not to remove either of them (if they were in Edinburgh) until this was done. Kilbirnie was charged by a macer on 11 May, but not only did he not exhibit them, he and his lady carried Margaret Baillie out of Edinburgh and disposed of her in marriage without knowledge or consent of her tutors. For this 'proud contempt' of parliament's authority the committee orders letters to be issued charging him and his lady to enter in ward in Edinburgh Castle (and remain prisoners there at their own expense) within three days, under pain of £100,000 Scots if they fail. To remain there until the committee gives further order. (77)

Recommendation to Glenorchy. The committee seriously recommends the colonels and committees of war of Perthshire to grant Sir Robert Campbell of Glenorchy, John Campbell fiar thereof,

Colonel James Campbell of Lawers, Alexander Menzies of Comrie and James Campbell of Clathick such ease in the present levies as their lands (which have been destroyed these years bygone) be not

laid waste by lack of tenants. (7r)

17 May 1648. Edinburgh

£2,000 advanced by Harie Mauld. Mr Harie Mauld (keeper of the signet) and Captain [Robert] Mayne have, out of their affection to the public service, paid to the commissary general £2,000 sterling for bringing forces from Ireland. This is to be repaid with interest

out of the first of the new excise (May 1648-May 1649). All rests of the former excise are also to be used for this purpose, and all granting of precepts on the old or new excise is forbidden until they are fully paid. Loudoun, cancellarius, etc. (7v)

Raising of money. Bogie, Innes and Archibald Sydserf are appointed to consider Sir James Stewart's accounts and Robert Lockhart's bill, and to report on Tuesday their opinion of how money can be got most quickly out of these accounts and the bill. (yv)

Letters to army officers. Letters written to Lieutenant General David Leslie, Lord Montgomery, Major [General] Holborne, the earls of Dunfermline and Kellie, Sir John Brown, and Lords Balcarres and Elcho to return a positive answer to the committee as to whether or not they will accept their charges. (7v)

Act anent Kilravock's regiment. The officers of the garrison of Inverness, Colonel [Robert] Innes of that Ilk and Colonel Fraser ordered (so long as they remain in these bounds) to direct parties of their regiments to assist (Hugh Rose of] Kilravock in 'listing' his regiment, as they shall be required by him, and not to fail at their highest peril. (8r)

Letter written in favour of Kilravock to the commanders named in the act. (8r)

19 May 1648. Edinburgh

Act anent the shire of Edinburgh. Parliament has appointed Balmerino to be one of the colonels of the shire of Edinburgh for the present levy, with Colinton to replace him if he did not accept the charge. Balmerino has been several times desired to accept but has not done so. The committee therefore orders Colinton to go about this levy as one of the colonels of the shire. He had undertaken previously to raise and furnish 200 troopers with sufficient arms and horses by 31 May, and the committee with advice of the general now declares that it will accept this in lieu of 600 foot from his division. Loudoun, cancellarius, etc. (8r)

Act for arms to Henry Bell. Order to the general of the artillery to deliver from the magazine to Henry Bell two ship carriages and 200 weight of match. Loudoun, etc. (8v)

Fraser's troop to Callander. The committee with advice of the general orders Callander to have the troop that has been commanded for the past year by Routmaster Fraser. Loudoun, etc. (8v)

Order that parliament's letter to the presbyteries be printed. (8v) Robert Montgomery's troop. Colonel Robert Montgomery has quit

the charge to which he was appointed by parliament to be a colonel of horse in the present expedition. The committee therefore with advice of the general appoints Lord Montgomery to command the troop which his brother Robert has had this year bygone. (8v)

Lord Cranston. Licutenant Colonel Gilbert Ker has quit the employment to which he was named by parliament to be a colonel of horse in this present expedition. Eighty horse were assigned to him out of Roxburghshire and Selkirkshire, and the committee with the advice of the general orders that Lord Cranston have these horse. The committees of the shires are to deliver them to him. (8v)

Ramsay to have Ker's troop. The committee with advice of the general nominates Major Alexander Ramsay to be a colonel to horse in this present expedition; Captain George Simpson is to be his major and Routmaster John Carmichael his routmaster. They are to have the troop that belonged to Gilbert Ker, and the eighty horse which were appointed to Colonel Robert Montgomery out of Ayrshire and Renfrewshire. They are themselves to make the troop up to the strength of 180 horse. (9r)

Recommended to the general to write to the officers about whose acceptance of their charges there is any doubt so they may give

a positive answer; to report to the next meeting. (9r)

Act anent some prisoners in Burntisland. A supplication to the committee by the provost and bailies of Burntisland relates that they have warded Lieutenant Thomas Hunter and John Thomson in their tolbooth in obedience to letters of caption at the instance of Archibald Tod, provost of Edinburgh, to apprehend Thomson, and at the instance of John Peter and others to apprehend Hunter. The supplicants have only one wardhouse in their tolbooth, and cannot keep these prisoners securely in it, 'they being so troublesome and unreully' – especially Thomson who set fire to the wardhouse 'under silence and cloud of nyght' and almost escaped with Hunter. The supplicants lie at a passage [across the Firth of Forth] and are often burdened with keeping prisoners coming from the north, and

now they have no safe wardhouse. They therefore humbly crave for a warrant to transport the two prisoners to Edinburgh Tolbooth, and for a warrant to the provost and bailies of Edinburgh to receive them. On consideration the committee grants the warrants requested. (9r-v)

23 May 1648. Edinburgh

Warrant to the general to quarter on deficients. Recommendation to Hamilton to give orders to some forces of horse and foot to draw together and quarter on the town of Glasgow or other places which do not bring their proportions of the present levy to the rendezvous as ordered by the act of parliament or the shire committees of war, until they put out their proportion. (oy)

Citation against the town of Glasgow. The committee is informed that notwithstanding the orders of parliament for the present levy and the general's orders to the magistrates of Glasgow to raise their proportion of foot and bring it to the rendezvous on Hamilton Moor, the magistrates have so far neglected these orders that they have not so much as enrolled or cast the proportion of men to be put out. For this contempt the committee orders messengers to pass and charge the provost, bailies and council to appear before the committee on Saturday next at 10 a.m., under pain of rebellion and being put to the horn. (ov-tor)

Letter from the parliament of England. Produced and read, being addressed to Loudoun as chancellor and president of parliament, to be communicated to the parliament of Scotland. Letter dated Westminster 15 May 1648 acknowledging receipt of the Scottish parliament's letter of [26] April and an enclosed paper of desires, and stating that England's resolutions will be signified to the Scottish parliament by the English commissioners in Scotland. (10r)

Letter to the English commissioners. The Scottish parliament sent to the English parliament on 26 April some desires which they conceived necessary for the good of religion, the king and these kingdoms, asking for an immediate reply. Today we have received a letter stating that any resolutions taken on our desires will be

¹ Printed in full in *Lords journal*, x, 259-60. The committee register wrongly dates the letter 20 April; see APS, VI, ii, 45.

communicated to us by you. This is all the return we have got, and thereforewe desire that you let us know what you have to communicate to us. Crawford-Lindsay, I.P.D. Com. (10r-v)

Letter to the Committee of Dumfriesshire. We have seen your letter to Hamilton and return this answer. About the persons named for your shire committee giving their oaths D.F.A., we judge this necessary for every person now on the shire committees, and we send enclosed an act about this. Concerning Buccleuch's division within your shire; since he formerly had part of his levies out of that shire and that by the act of posture the divisions are continued as they were formerly, we find no power in us to alter these divisions. As you desire we hereby warrant you to admit to your committee John Irvine younger of 'Osbranfatt' (?), William French of Frenchland, Hew Scott of Beddokholme, John Crichton, James Murray of 'Riveill' (?), James Menzies of Enoch and James Stirling of 'Breichill' (?), they being persons qualified to sit by the act of parliament. We recommend the general to take the best course for regulating quarterings of troops, and you may be confident that in this or any other thing that may encourage you to go on in the service you will find the real concurrence and assistance of your affectionate friends, Callander, etc. (10v)

Letter to the earl of Tullibardine. Hamilton has acquainted us with the account you gave him of the proceedings of that shire. We are very sensible of your affection and forwardness in the service, and desire you to thank them in our name. As for the houses of Blair of Atholl and Garth, when your lordships give us satisfaction about how to secure them (which we find ourselves obliged to do for the peace of the country) and of the persons who are to be sureties for them, we shall give you satisfaction about them. For the other point of your desire, about the Atholl men, you may assure them from us that the passes granted to them by the major general will be inviolably kept. Callander, etc. (111)

Letter to the committee of Dumfriesshire. The committee is informed that the earl of Buccleuch's lands within the shire bear a greater burden in quartering of forces than should fall on them according to the valuation, and parliament ordered that quarterings should be proportional to the valuation. Ordering of quarterings is the duty of the shire committees, and we therefore desire vou to take immediate

steps to see that the forces in your shire be laid on proportionately according to the rents. This is seriously recommended to you, and a special account of your action will be required. Crawford-Lindsay, I.P.D. Com. (111)

Recommendation to the committee of Dumfriesshire as in the

preceding letter. (11v)

Warrant for 5,000 merks to the general of the artillery. To be paid by the commissary general or any having his orders, and to be employed in fixing the arms in the magazine. This is to be paid forthwith out of the readiest public moneys in the commissary's hands. Hamilton, etc. (11V)

Philorth made colonel in place of the master of Forbes. Forbes has been called before the committee and asked whether he would accept his charge as colonel and go about his levies. He declared that he would not accept the charge, so the committee with advice of the general declares his place void, and nominates [Sir Alexander Fraser of] Philorth to be colonel in his place, to have the division of Aberdeenshire formerly allowed to Forbes, and to go about levying accordingly. Letter written to Philorth to this effect. (11v)

George Porterfield. The committee orders a macer to pass and charge Porterfield, burgess of Glasgow, to be at the committee at 2 p.m. tomorrow to attend its meetings according to the trust laid

on him by parliament. (11v)

David Donglas nominated to be on the committee. Because of sickness John Kennedy cannot attend the meetings of the committee. It therefore appoints Douglas, surgeon, to supply his place during his absence. I (IIV)

Citation against Colonel Scott. The committee orders a macer to charge Scott to appear before the committee immediately, as he will

be answerable at his highest peril. (12r)

Decreet against Colonel Scott. Scott was ordered by a macer to appear before the committee but contemptuously refused to do so. For his proud disobedience the committee orders a macer to order him to enter in ward in Edinburgh Tolbooth within twenty-four hours, on pain of 10,000 merks Scots and such further pains as the committee finds his contempt deserves. Hamilton, etc. (1zr)

Colonel Scott's regiment. Scott's place as colonel of a regiment of

¹ Parliament had originally ordered that Douglas replace Sydserf, ibid., 87.

foot declared void because of his contemptuous disobeying of orders.

Committee for Ireland. Crawford-Lindsay, Traquair, Lanark, Lee, Humbie and Archibald Sydserf appointed to be a committee to consider a letter produced today by Lieutenant Colonel [William] Borthwick from the army in Ireland, and to report its opinion of what answer should be returned. (12r)

24 May 1648. Edinburgh

Letter from the English commissioners. The letter, addressed to Crawford-Lindsay, produced and read as follows: We received today your letter of 23 May, and desire you to tell the committee that we have not heard from the parliament of England this week. But we are expecting daily to hear from it about your letter, and will let you know as soon as we can. Nottingham, Brian Stapylton, Robert Goodwin, William Ashurst, John Birch. (129)

Letter to Lord Cochrane and Garthland. Since you left Lieutenant Colonel Borthwick has come from Ireland with some desires from the army there. We have considered them and answered such of them as are not covered by parliament's instructions to you,2 as will appear from the enclosed copies of the desires and our answers. Thomas Marshall has returned from England, but has got no answer except that contained in the enclosed letter; from this it appears there is little hope of receiving satisfaction. Because of this we entreat you to use the greater diligence in discharging the commission entrusted to you. We have now given a call to those of the Scottish army in Ireland that are to come over, and have written to Ayrshire to provide 500 bolls of meal for them at their landing, so that the country may be kept from the disorders which the soldiers would otherwise be driven to. The price of the meal is to be allowed to them out of the first of their monthly maintenance. We have also sent orders for the providing of boats. For the better command in

¹ The army's letter and Borthwick's instructions (calendared below pp. 75-6), both dated Cartickfergus 13 May 1648, are in NLs, Adv. MS. 33.4.8, Transactions of the Scottish army in Ireland, 1642-8, pp. 156-9.

² APS, VI, II, 67-68.

Scotland of the forces coming from Ireland we send you eight blank commissions to be filled up. ¹ (12v)

[Letter to the Scottish army in Ireland. We have received your letter from Lieutenant Colonel Borthwick, and the instructions you gave him. To all of them we have returned clear and (we hope) satisfactory answers. The English parliament's answer to parliament's letter remits us for further answer to the English commissioners. Because of these delays we think that dangers are still increasing, especially as we are credibly informed that the army of secretaries has orders to march north, and has already started to do so. We therefore earnestly desire you to hasten over the assistance which you formerly nobly offered us, for the safety of this kingdom. Edinburgh, 24 May 1648. Hamilton, etc. 12

[Instructions for Lieutenant Colonel Borthwick from the officers of the Scottish army in Ireland, to be communicated to the parliament of Scotland or whoever it appoints, Carrickfergus, 13 May 1648.

- Public security should be given by parliament that in any treaties with the English our just interests and arrears be secured according to the treaty.³
- 2. Those who go from this army to Scotland should have a separate and distinct command under our own officers, subject only to the authority of the commander in chief of the army employed in this war (if there be any), or of whoever parliament or its committees or [blank] [appoints] as commander in chief of those that go from here during this service.
- When the service permits, the forces sent from this army should be returned here, shipping and other necessities being provided by Scotland.
- 4. To better enable and encourage the army a month's means for all the officers who are to go should be provided, and at least twenty shillings for each foot soldier.
 - 5. Colonel [George] Monro, with the assistance of other officers,

¹ One or more folios of the register are missing at this point. Parliament's ratification of the committee's acts (libid., 122-3) indicates that they contained letters to the officers of the army in Ireland, to Major General Robert Monro, and to the committee of war of Aryshire; and the desires of the army in Ireland and the committee's answer to them. The first of these letters and the army's desires (Borthwick's instructions) are supplied from NLS, Adv. MS. 33.4.8.

² Ibid., p. 159. 2 APS, VI, i, 180-92.

will agree to bring together a regiment of horse, and as much money as will enable them to do this should be sent; to wit, [blank] for each horseman.

6. For the better ordering of those that remain behind the major general [Robert Monro] should be commissioned to be general governor of the province of Ulster and be answerable only to the king and the Scottish parliament and its committees, during these unhappy troubles until the English parliament can sit freely. Confusion about the command in Ulster may otherwise lead to the interest of the crown of England there being destroyed by the common enemy.

7. Clothes, shoes, caps and shirts, and some money, should be provided for the part of the army that remains in Ireland.

8. A number of men should be joined with those that go to Scotland, proportionate to the three regiments and 1,400 men the army formerly sent to Scotland, and they should be commanded as part of the force from Ireland.

9. Meal, arms and ammunition should be sent here to provide for the garrisons and arm the country people, for the greater security of the countryl.¹

[Letter to the army in Ireland]... of Crawford-Lindsay to be their commander in chief under the persons above mentioned and parliament and its committees. The committee agrees to this and declares that the command shall be ordered accordingly. Lauderdale, I.P.D. Com.² (13r)

Warrant for pressing boats. Power given to Lord Cochrane, Garthland and Alexander Crawford, or any of them, to provide and hire barks and boats for transporting to Scotland of the forces that are to come from Ireland. If they find any obstruction or delay they are to press the barks or boats at reasonable rates. Callander, etc. (13t)

Blank commissions for colonels of forces that come from Ireland. The committee with the advice of the general nominates [blank] to be a

¹ NLS, Adv. MS. 33.4.8, pp. 157-9.

⁸ This fragment is the end of the committee's answer to the army in Ireland; it was agreed the forces sent by that army to Scotland would be commanded by George Monro with the rank of major general, with Crawford-Lindsuy over him as commander in chief of these forces. The latter was subordinate only to Hamilton (general) and Callander (lieutenant general). See the commissions to Crawford-Lindsuy and Monro in p.A.116. fig. 40v.

colonel of [blank] in this present expedition for religion, king and kingdom, with power to nominate all his inferior officers and to arm, train, exercise and give orders to his regiment and in general to enjoy all the privileges, powers and dues belonging to a colonel. This commission is to last until it is recalled by parliament or its committee. Loudoun, I.P.D. Com, Hamilton. (1317)

Colonel Scott's former regiment. The committee recommends the lieutenant general to order the regiment that formerly belonged to Colonel Scott to draw together to a rendezvous where he thinks fit. (137)

Sir James Stewart's accounts. The committee adds Lanark and Humbie to the committee formerly appointed for considering Stewart's accounts and [Robert] Lockhart's bill. To meet tonight and report tomorrow. (131)

Act anent Captain Henry Bell. The committee ordains letters of marque to be granted to Captains [David] Brown, Henry Bell and Robert Hall gaainst the Irish frigates, without prejudice to the rights of the admiral and the admiralty. If former acts have been made for 'ensureing' ships employed in the like service then these ships shall have the same 'assurance' at this time. (13v)

Warrant for Colonel Scott's liberty. The committee orders the provost and bailies of Edinburgh to free Scott from the tolbooth.

Pitscottie's regiment. The committee recommends the lieutenant general to order [Colonel Colin] Pitscottie's regiment to draw together in Fife as he thinks fit. (13v)

Blank commissions. The committee orders the eight blank commissions to be signed by the president of the committee and the general, and sent to Lord Cochrane. (13v)

Colonel David Barclay. The committee with advice of the general orders Barclay to have command of Captain Sharp's company of dragoons to make up his regiment. Sharp is to deliver the dragoons' arms to the magazine. (131)

26 May 1648. Edinburgh

Crawford-Lindsay to have eighty horse from Perthshire. Lieutenant General David Leslie has not accepted the charge to which he was named by parliament; the committee (as it has a duty to see that the levy is not retarded) nominates Crawford-Lindsay to command the eighty horse assigned to Leslie from Perthshire. (13v)

General to have Leslie's troop. The committee appoints the general to have the troop of horse which formerly belonged to Lieutenant

General Leslie. (14r)

Callander to have Sir John Brown's troop. The committee with advice of the general orders Callander to have the troop which formerly belonged to Sir John Brown. (14r)

Act anent the horse of Haddington. The committee with advice of the general orders the twenty horse of the shire of Haddington formerly assigned to Sir John Brown, and ten assigned to him from Berwickshire, to be given to William Borthwick, who is obliged to make up these thirty to a troop of sixty horse (of which he is to be routmaster) in Lauderdale's regiment. (14r)

Thirty horse out of Teviotdale. The committee with advice of the general orders Colonel Lockhart to have thirty of the forty horse assigned to Sir John Brown out of Roxburghshite. He is to make them up to two troops of sixty horse each, in addition to the number he is obliged to raise according to the act of parliament anent levies.

(14r)

Act anent twenty horse to Colonel Hurry. By act of parliament 4,000 merks was ordered to be given to Colonel William Hurry for making up of twenty horse. The committee now, with the advice of the general, orders Hurry to have ten horse out of the twenty assigned to Sir John Brown from Berwickshire, and ten out of the forty assigned to Brown from Roxburghshire; and it discharges the act for paying him 4,000 merks. (14r)

Turner to have Holborne's regiment. Major General Holborne has not accepted his charge in the present expedition. The committee with the advice of the general therefore nominates Major [James] Turner to be colonel of the regiment that formerly belonged to

Holburne. (14r)

Toures to have Pitscottie's regiment. Colonel [Colin] Pitscottie has not accepted his charge in the present expedition. The committee with advice of the general therefore nominates Lieutenant Colonel Toures to be colonel of the regiment that formerly belonged to Pitscottie. (14v)

Baillie to have Scott's regiment. The committee has declared Colonel Scott's place as colonel of a regiment of foot void and vacant. With the advice of the general the committee now nominates William Baillie of Letham to be colonel of that regiment. (14v)

Tents, etc. The committee, finding it necessary for the good of the present service that tents, caps, stoups and pans be provided for the forces that are to be put out by the shires, orders that heritors (and others liable in putting out men) put out with every four men six ells of harne with a cap, a tree stoup and a pan, to be carried along with them.\(\frac{1}{4}\)(14x)

Anent some garrisons in Perthshire. The committee declares that after the end of the month it will no longer entertain the garrisons of 180 men which are in Glenorchy's, Lawers' and [Sir Alexander Menzies of] Weems' bounds. The soldiers in these garrisons are to repair forthwith to their regiments. (14v)

£100 sterling to Lieutenant Colonel Borthwick. The committee appoints £100 sterling to be given to Borthwick for defraying his charges in three journeys to Ireland by public warrant, to be paid out of the readiest money provided for the forces that come from Ireland. (144)

27 May 1648. Edinburgh

Decreet against the magistrates of Glasgow. A charge was given to James Stewart (provost), Robert McKie, John Grahame, William Lightbodie (bailies), John Wallace, Gabriel Cunningham, Andrew Cunningham, John Armour, Thomas Allan, John Fleming, Robert Hamilton, Walter Bryce, James Duncan, Robert Finlay, Robert Hoggisyard, Richard Allan, Robert Wilson, David Shearer, John Auldcorn, Ninian Anderson, William Dunlop, James Hamilton

^{1. &}quot;Ham" was coare cloth, obviously for making tents, but there is some doubt as to the other items listed. They may all be utensils — cap (cup or bowl), stoup (bucket) and pan (cooking vessel); but some or all may be, under alternative meanings of the words, parts of a tent's frame. "Stoup' can mean a wooden post, and the form "tent stoup' may indicate that this is its meaning here. Similarly 'pan' can denote a horizontal root inhort. No usage of 'cap' directly relevant to a tent is known, but some meanings of cape or cope might denote parts of a tent. Parliament's ratification of the committee's act adds 'plaitis' to stoups, caps and pans, which might seem to strengthen the argument that these are all utensils; but 'plate' can also denote a horizontal timbe in the frame of a house!

vounger and Peter Johnston (councillors and burgesses), and John Spreull their clerk, to have appeared before the committee today under pain of rebellion, to answer for neglecting the orders of parliament for the present levy and for not putting out their men. Being called, [William]1 Lightbodie and Peter Johnston appeared and declared that they appeared for themselves and in name of all the other defendants. They also declared that the magistrates and council of Glasgow had not done anything in obedience to the orders for levies, and had resolved to petition against them. They then gave in a petition in name of the town. The other defendants being oftimes called and not appearing, the committee finds that none of the defendants have given obedience to the orders of parliament; notwithstanding the act of parliament and several orders they have not only not obeyed, but have kept meetings for procuring the assent of the inhabitants to papers whereby they have declared that they cannot obey. They have done what they could to obstruct the public service and (by their example) to stir up others to the like disobedience to the public resolutions now taken for religion, king and kingdom. For this the committee orders Lightbodie and Johnston to be committed to Edinburgh Tolbooth, and orders letters to be directed ordering all the rest of the defendants to enter in ward in that tolbooth by 6 p.m. on Wednesday 31 May, each of them under pain of 10,000 merks Scots. They are to remain in ward until parliament takes further course with them, (15r-v)

Dragoons to Lord Livingstone. The committee with advice of the general orders eighteen of Blair's dragoons to be given to Lord Livingstone, and the other eighteen to [Sir Robert Bruce of]

Clackmannan to help him make up his troop, (15v)

Commission by Bogie. In presence of the committee Alexander Miller, advocate, as procurator for Bogie, commissary general, appears and gives in the commission underwritten desiring that it be registered in the books of the committee to remain futuram rei memoriam. The committee thinks this desire reasonable, and orders that the commission be inserted and registered as follows: Be it known to all men that I Sir James Wemyss of Bogie, collector general of the monthly maintenance, appointed by act of parliament of [9] May,² constitute John Mutray, fiar of Glen, my deputy in

1 The MS wrongly reads 'Walter'. 2 APS, VI. ii, 50-62.

Selkirkshire with my full power and authority to take up the whole five months' maintenance, to burgh and land, provided that he make instant payment to me or my deputies. For his greater security I am content that this commission be inserted in the books of the Committee of Estates or of the council and session, and for that effect constitute Alexander Miller my procurator. Written by James Dunlop, servitor to Sir Archibald Primrose, clerk to his majesties secret council. Edinburgh 15 May 1648. Signed by Bogie and by James Oswald (his servant) and James Dunlop as witnesses. (15v-16r)

Sir Harie Gibb. The committee being sensible of the good affection and faithful endeavours of Gibb in the common cause, and his losses and sufferings for the same, modifies £2,000 sterling to be paid to him out of the readiest of the remainder of the brotherly assistance due by England to Scotland and not previously assigned by parliament or the committee. [Noted in the margin as omitted

26 May]. (16v)

Anent the registers of excise. A supplication presented by Sir Alexander Gibson of Duric, clerk register, stating that by right of his place and of an act of parliament passed yesterday [sic] the nomination of the clerk of excise belongs to him, and all former nominations are declared void.¹ But when he went today to the commission of excise James Campbell made some difficulty about delivering to him the registers of the excise. He therefore humbly desires that, by the committee's authority, the registers be delivered to him forthwith, and that the committee of excise be ordered to admit as their clerk whoever he nominates. The Committee of Estates therefore orders Campbell to deliver the registers forthwith upon highest peril. (16v)

10 June 1648.

The estates of parliament having heard and considered the acts and proceedings of the Committee of Estates abovewritten do approve of the same. Loudoun, cancellarius,

I.P.D.P.² (16v)

errors).

¹ Ibid., 71. The act of parliament is dated 11 May, so Durie's supplication must have been dated 12 May, See also ibid., 97, 109. ⁸ Ibid., 122-2, where all the committee's most important acts are listed (with a few

Date

Sederunts of the Committee of Estates, 12-27 May 1648

May

12 12 16 17 19 23 24 26 27 am pm SUPERNUMERARIES Earl of Loudoun DI Sir Alexander Gibson of Durie v 2 Sir John Wemyss of Bogie × NOBLES Duke of Hamilton 6 Marquis of Argyll Earl of Crawford-Lindsay 6 Earl of Roxburgh1 2 Earl of Lauderdale pr Earl of Traquair1 × × 3 Earl of Lanark × × Farl of Callander LORDS OF SESSION Sir Andrew Fletcher of Innerpeffer Sir Archibald Johnston of Warriston Sir Adam Hepburne of Humbie Sir James Lockhart of Lee × × BARONS Sir James Foulis of Colinton 8 Sir James Dundas of Arniston × Sir Robert Innes of that Ilk1 9 × James McDowall of Garthland1 BURGESSES Archibald Sydserf (Edinburgh)1 Sir Alexander Wedderburne (Dundee) Patrick Leslie (Aberdeen)2 0 George Bell (Linlithgow) 4 0 George Porterfield (Glasgow)1 John Kennedy (Ayr)1 0 James Robertson (St Andrews)2 Thomas McBirnie (Dumfries) William Glendoning (Kirkcudbright)1 Mr John Hay (Elgin)1 David Douglas (Edinburgh)3

Total

IO

¹ Listed in the committee register as members but not in APS.

² Listed in APS but not in the committee register.

³ Appointed 23 May in place of John Kennedy, though parliament had originally appointed him to replace Archibald Sydserf.

Committee for Dispatches

JANUARY-MARCH 1649

INTRODUCTION

This is the earliest of the two surviving registers of Committees for Dispatches. The registers are included in a register of the Committee of Estates, clearly indicating the extent to which these 'session general executive' committees had come to be regarded as the session equivalent of the interval Committees of Estates. The committee whose register is calendared below sat during the first session of parliament to be held by the kirk party regime, and its work was dominated by the aftermath of the collapse of the Engagers and the kirk party's seizure of power. Much attention was devoted to persuading or forcing royalists and Engagers to sign bands to keep the peace, and to preparing the army to face threats from two different directions; from royalist revolt (which duly materialised when MacKenzie of Pluscarden seized Inverness), and from war with England (which it was feared would result from the execution of Charles I and the decision of the kirk party to proclaim Charles 11). The committee also made efforts to retrieve arms and ammunition abandoned in England and Ireland by the Engagers.

In one sense, however, this seemingly comprehensive register of the committee's work gives a very misleading impression of its priorities. The committee's most important task lay in trying (and suggesting sentences to be imposed on) office holders according to the act of classes, I through which the kirk party sought to purge its opponents from office. Virtually no trace of this work appears in the

committee's register. To take just one example: the committee issued a summons against Sir Andrew Fletcher of Innerpeffer (an ordinary lord of session), tried him, and submitted a report on the trial to parliament.1 The recommendations of the report were accepted, and Innerpeffer was deposed from office.2 But Innerpeffer's name is not even mentioned in the committee's register. At first sight such omissions seem absurb, but logic does underly them. In matters such as this in which the committee submits reports to parliament, these reports should find a place in the records of parliament - the Committee for Dispatches is here acting as a preparative committee for the full parliament. Thus the committee's reports on Innerpeffer and other delinquents are fully recorded in parliament's own register in the decreets subsequently passed deposing them. The separate register established for the committee was, it seems, intended only to provide a record of its business when it acted without reference back to the full parliament, a register of its executive decisions and actions

calendar of the register of the committee for dispatches, 26 January-8 march 1649^3

5 January 1649. Edinburgh. Commission to the Committee for Dispatches and Public Affairs (extracted from the books of parliament by Sir William Scott of Clerkington, clerk of parliament). Parliament appoints seven members of each estate to form the committee. The quorum is to be a majority of members, provided this includes at least one member of each estate, and the chancellor and the general are to be supernumerary members. The committee is to prepare, for readier dispatch in parliament, all business concerning the army and affairs in England and Ireland, deciding what should be done in such matters. It is to meet with such of the ministry as the committee of the church shall appoint, and acquaint them with all it thinks fit. The committee is to report in writing to parliament so that the latter may consider matters further. (1r)

¹ PA.7/6/4. ² APS, VI, ii, 181-3. ⁸ PA.11/8, fos. 1r-7r.

⁴ As in APS, VI, ii, 128 except for minor differences in wording and the omission of 'and Public Affairs' from the committee's name in APS.

⁸ See p. 94 below.

24 January 1649, Edinburgh, Parliament remits to the committee to think of the best means for carrying hither the cannon, arms. ammunition and other provision belonging to this kingdom left in England either in Carlisle or Appleby; and likewise how the cannon or other artillery belonging to this kingdom but for the present in Ireland may be transported from thence. With power to the committee to take the most effectual and expeditious course therein as it shall think fit, and thereafter to report to parliament. W. Scott, cls. parl.1 (Ir)

26 January 1649, Edinburgh, Parliament refers the letter from the Scots commissioners in London dated 20 January, and the papers enclosed with it, to the committee, which is to think of the best means of securing the kingdom. With power to the committee to secure the persons and houses of those that have been in James Grahame's rebellion and in the late Engagement against England and have not submitted to the articles of agreement at Edinburgh and Stirling. The committee is to cite to appear before it all such persons as it thinks fit for signing the band and declaration for keeping the peace of the country, as mentioned in the act of parliament of this date. The committee is to report to parliament within forty-eight hours of concluding or acting anything in this matter, so parliament may act as it thinks fit. W. Scott, cls. parl.2 (Tr-v)

26 January 1649

Subcommittee anent signing the band. Remit of consideration of the persons to be cited to appear before the committee for signing the band and declaration for the peace of the country to Argyll, Cassillis, Balmerino, Wariston, Liberton, Brodie, Sir James Stewart, Alexander Jaffray and Mr Robert Barclay. (1v)

Arms in England and Ireland. The commissioners for Glasgow and Avr [George Porterfield and Hew Kennedy] to speak with the provost of Edinburgh [Sir James Stewart] about the best means for A much shorter version of this order, mentioning a list of arms which had been produced, is in APS, VI, ii, 149 under 25 January; no meeting of parliament is recorded on 24 January.

² An order to the committee to summon persons to sign the band is in ibid., 151, but the other orders are not recorded there. The band itself is at ibid., 150-1.

transporting the cannon, arms and others from England and Ireland. (Iv)

27 January 1649

Form of precept for citing those who should sign the band. In pursuance of the act of 26 January parliament has given the committee power to call before it all such persons as it thinks fit for giving surety to keep the peace and not disturb the quiet of the country. Therefore the committee hereby gives power and commission to [blank], macers or messengers of arms conjointly or severally to summon, warn and charge [blank] personally if they can be apprehended and failing thereof at their dwelling places to appear personally before the said committee on the [blank] day of [blank] next with continuation of days to give surety and sign the band and declaration for keeping the peace. With certification that if they fail they shall be esteemed as enemies and disturbers of the kingdom's peace, and be proceeded against accordingly. (1v-2r)

Crawford-Lindsay and others. Order that the earls of Crawford-Lindsay, Glencairn and Moray, [Sir Robert] Innes [of that Ilk], [Sir Robert] Innes younger [of that Ilk], [Sir Robert Grierson of] Lag, [Sir William Keith of] Ludquharne and Sir Mungo Murray be cited to appear to give surety and sign the band and declaration. Precepts

to be issued to this effect. (2r)

29 January 1649

Act ordering all officers who were in the Engagement to remove out of the garrisons. Order that no officers who were in rebellion with James Grahame [marquis of Montrose], or in the late unlawful Engagement against England or prosecuted the same within Scotland, shall be permitted to stay or have their residence within any of the garrisons of the kingdom. They are to remove themselves within forty-eight hours of publication of this order; if they fail to do so they are to be imprisoned until further course be taken against them by parliament or the committee. The governors of the said garrisons and the magistrates of the said towns [sic] are authorised to inquire about all such persons and officers, and to implement this

order, which is to be published at the market crosses of Edinburgh, Stirling, Perth, Inverness and other places needful. (2r)

Desires of Lieutenant Colonel William Murray as to things necessary for the garrison of the Blair of Atholl that for the present are wanting;

and answers of the committee:

- I. It is absolutely necessary that provision of meal, malt and salt be laid in with diligence, and girnels provided for them, together with arms and ammunition. Answer: inquiry to be made what provisions were left in the Blair by [George Campbell of] Crunan and what in Garth by Lieutenant Colonel Menzies, and recommends the marquis of Argyll to speak to the commissary general [Sir James Stewart] about providing the garrisons with what victuals, arms and ammunition shall be thought necessary.
- 2. That in respect of the times the garrison be strengthened, and that those who are sent as well as those already there be provided with clothes, for the place is very cold, the fire scarce or none at all, and they have no other in the night nor day [sic]. Answer: the garrison shall be strengthened in time as shall be thought fit, and the soldiers provided with clothes as the rest of the army is.
- 3. That the lands about the house of the earl of Atholl and others be ordered to furnish fuel to both garrisons. Answer: the lands adjacent to the garrisons 'beeing of such persons who were accessorie to the Ingagement' shall assist in furnishing fuel. (2v)

12 February 1649

Order for signing the proclamation. Those who sign the band for keeping the peace shall also sign the act proclaiming his majesty king of Great Britain, France and Ireland, with the words subjoined: 'Wee undersubscribers do acknowledge the equitie and justice of the abovewritten Proclamation, And do heirby promise our faithfull concurrence and adherence thairto, And that wee shall never come in the contrair thair of under the paine conteined in the Band subscribed by us for securing the Peace of the Countrie'. (2v)

¹ Steele, Proclamations, ii, Scottish no. 2003.

14 February 1649

Crawford-Lindsay. Balmerino, Brodie and Hew Kennedy to repair to the earl (in regard of his indisposition) with the band for keeping the peace and the proclamation, to be signed by the earl, and to report back to the committee. (3r)

Lairds of Innes. This day the lairds of Innes elder and younger appeared before the committee and signed two bands for keeping the peace, ach acting as cautioner for the other. At their desire they are given two or three days to advise about signing the proclamation. (3r)

Sir James MacDonald of Sleat. Appeared and signed the band and proclamation. As he had not a cautioner he is appointed to find one to sign the band for him this day eight days. (3r)

Earl of Moray. Appeared and signed the band, and is given three or four days to find a cautioner and advise concerning signing the proclamation. (31)

Simon MacKenzie of Lochslin ('Loslin'). Ordered to be cited to appear and sign the band and proclamation. Warrant given to a macer to this effect. (3r)

Pluscarden and others. The earl of Tullibardine, Lord Drummond, Lewis Gordon (son of the former marquis of Huntly), [James] Grant [Of Freuchie], Thomas MacKenzie of Pluscarden, Sir Thomas Urquhart of Cromarty, Rorie MacKenzie of Redeastle, Mr Alexander MacKenzie of Kilcowie, Kenneth MacKenzie of Assynt ('Assin'), Kenneth MacKenzie of Scatwell and Mr Thomas MacKenzie of Inverlael to be cited to appear and sign the band and declaration. Precepts to be issued to this effect. (1r)

16 February 1649

Earl of Glencairn. Appeared as principal, with Sir John Crawford of Kilbimie and Patrick Maxwell of Newark as cautioners, and signed the band for keeping the peace under pain of 100,000 merks Scots. He is given some time to advise about signing the proclamation. (3y)

¹ The two signed bands are in PA.12/3.

Castle of Stirling. 200 culverin ball and sixty demi-culverin ball to be sent to the castle. Warrant to be given to the keeper of the magazine to deliver them to anyone having Major General Holborne's order. (3v)

Sir Charles Erskine. Warrant given to him to mount eight cannon in Dumbarton Castle. The expense of this, up to £100 per

cannon, is to be paid by the public. (3v)

The lord general [the earl of Leven]. Recommended to see what cannon ball are in the magazine, so that they may be distributed for the public service. (3v)

Robert Halket's troop. Recommendation to the general to order Captain Halket ('Hacquet') to move his troop from Moray to Ross and assist the garrison of Inverness. If he apprehends any danger he is

to retire to Moray. (3v)

Decreet contra David Kemp, Kemp, a messenger in Aberdeen, was in arms with James Grahame and the former marquis of Huntly, and was charged to appear before parliament or the Committee of Estates by 10 January last, with continuation of days, to answer for his continued malignancy, exclaiming and railing against the covenant, the cause in hand, and the well wishers and maintainers thereof; and for reproachfully abusing the Committee of Estates. Kemp was told that if he failed to appear the troops of horse lying in Aberdeenshire would be ordered to apprehend him. On 15 January. after Kemp had been called in parliament and not appeared, his case was remitted to the committee. It has considered the charge against him, together with a testificate from the presbytery of Aberdeen of 20 December last, stating that Kemp, being summoned before the presbytery for having been in the late horrid rebellion, did in a disdainful and contemptuous manner refuse to undergo the repentance ordered, behaving proudly and obstinately. Notwithstanding any profession of repentance made after the 'revolution of affaires', his speeches and whole conduct sayour of popery and malignancy. The committee, being also informed of Kemp's lewd deportment and eminently wicked behaviour in the service of the rebels, and his malignant conduct since, order him to be discharged from his office of messenger, and recommends the Lyon King at Arms to dismiss him from that office. Warrant given to the troops of horse in Aberdeenshire to apprehend Kemp and send him hither, (3v-4r)

19 February 1649

Intelligence from England. Letter written to the lieutenant general [David Leslie] stating that letters of intelligence which have arrived today from England give the committee occasion to take some speedy course for the security of the kingdom, and his presence and advice is required. The committee desires him, all other business whatsoever laid aside, to repair to Edinburgh with haste. (4r)

23 February 1649

Concerning intelligence. Argyll, the lord advocate [Johnston of Wariston] and the provost of Edinburgh [Sir James Stewart] are to have a special care in getting intelligence, using all means and ways. (4v)

Trumpeters. The commissary general to give five pieces to the nine trumpeters who proclaimed the proclamation of the king. (4v)

Simon MacKenzie of Lochslin ('Loslin'). Appears as principal, with John MacLeod of Dunvegan as cautioner, and signs the band (under pain of 20,000 merks) and the proclamation. (4v)

23 February 1649. Edinburgh. Parliament remits to the committee consideration of the taking of Inverness by the Clankenzie, the sheriff of Cromarty [Sir Thomas Urquhart] and others. (4v)

27 February 1649. Instructions concerning the town of Inverness read in parliament as a report of the Committee for Dispatches. Parliament remits them back to the committee, with power to it to do everything it thinks fit for reducing the town. W. Scott, cls. parl.² (4v)

27 February 1649

Instructions from the committee to his excellency the earl of Leven, lord general. To repair to Inverness or send the lieutenant general [David

Leslie] thither to suppress the insurrection there.3 (5r)

Orders concerning Inverness. A letter is to be written to [Ewan Cameron of] Lochiel ('Lochyenn') directing him to join with Dougal Campbell of Inverawe and obey the orders of the lieutenant general for falling down towards Inverness. The three companies of

1 APS, VI. ii. 700. 2 Ibid., 216-17, 700. 3 Ibid., 700

Major General Holborne's regiment may join with the two companies of the marquis of Argyll's regiment for suppressing the insurrection about Inverness, as they shall receive orders from the lieutenant general. They are to behave themselves without offence in their marching and quartering. (57)

Earl Marischal. The band and proclamation to be sent to the earl, to be signed by him before the committee of war of the shire of

Aberdeen. (5r)

Commissary general. Sir James Stewart is to be allowed whatever sums of money he gives to John Simpson in Dysart for the freight of his ship to Inverness for the public service. (5r)

28 February 1649

Letter to Lochiel ('Lochyell') and his tutor. Being informed of the surprising of the town of Inverness, and that some have risen in arms and made insurrection in those parts, we thought it fit hereby to require you to appoint and raise such as are under your power and command. We have ordered Dougal Campbell of Inverawe to join and assist you with the forces he raises, to fall down towards Inverness for reducing it and suppressing the insurrection there. Receive orders from Lieutenant General David Leslie, whom we have ordered to repair thither and raise such forces as he shall find necessary. Loudoun, cancellarius, I.P.D.C. (5v)

Letter to the Earl Marischal. Parliament has appointed Lieutenant General David Leslie to repair to Inverness to reduce the town and prevent any trouble or insurrection in those parts. We entreat you to furnish him with such ammunition as you have belonging to the public as he shall desire, and to assist him in everything else. Lou-

doun, cancellarius, I.P.D.C. (5v)

Letter to Lieutenant General David Leslie. That you may be the better enabled and assisted in reducing Inverness and suppressing the insurrection according to the instructions given to the general to communicate to you, we have appointed Lochiel ('Lochyenn') to join you with Dougal Campbell of Inverawe and their forces. Two companies of Holborne's regiment are to join with two of Argyll's under your command. We doubt not but that you will take care that no wrong be done in the country by your forces. We give you

power to take off and grant pardon to such of the country people as have joined in the late insurrection, and to such officers and others as you on the place judge fit, providing the said officers have not joined with James Grahame and were not in the Engagement. We desire frequent advertisement from you. Loudoun, cancellarius, I.P.D.C. Postcript: we have written to the Earl Marischal to furnish you with such ammunition belonging to the public as you need. (6r)

Cannon balls to the castle of Stirling. 150 cannon balls of 18 lbs weight for five cannon of that weight in the castle, 30 balls of 12 lbs for one cannon, 100 balls of 9 lbs for three cannon, and 200 bullets of 3 lbs for ten cannon to be given to Major General Holborne. The keeper of the magazine to deliver them to anyone having Holborne's order. (6r)

Examination of suspects. [Sir John Sinclair of] Dunbeath, [Robert Monro of] Obsdale, Sir James Halket and Hew Kennedy are to examine [Janes] Cuthbert of Drakes and Simon MacKenzie of Lochslin concerning the business of Inverness. (6r)

4 March 1649

02

Captain MacNab. Recommendation to the lieutenant general to put Captain John 'bane' MacNab in the house of Garth with ten soldiers (whom he is to levy), and to be careful to see that the house is securely kept. To encourage MacNab he is to have a captain's pay, and his men pay according to the present establishment. [In margin]: 'The act is extracted and given out as daited the 16 Februar 1649 but should have bene given out as it is booked here'. (6v)

8 March 1640

Power to Argyll, Brodie and Alexander Jaffray. Parliament has remitted answering the letter received today from the lieutenant general to the committee. Argyll, Brodie and Jaffray to consider instructions to be given to the lieutenant general for taking off those presently in rebellion in the north and those that may join them. (6v)

Instructions to Lieutenant General David Leslie. Make the best use

you can of the proclamation of parliament and your former instructions, whereof we send you this duplicate.

Use all means to get the persons and the houses of the rebels into your power that by their exemplary punishment others may be

deterred from such pernicious enterprises.

But if you conceive this will prove a work of much time and difficulty, use all means to divide them amongst themselves. And if Colonel Fraser, [John Monro of] Lumlair and their friends (who have been formerly employed in our service and now out of weakness are misled) will be instruments to bring in and deliver Pluscarden in your hands and others of the chief ringleaders, then you shall grant them conditions as you think fit.

If this shall not prove so speedy and effectual a means to reduce the said places, you shall draw off those you think fittest upon such terms as you think fit, except such officers as were in James Grahame's rehabilion

We refer to you the security of any houses that may fall into your hands and the putting of garrisons therein. They are to be furnished with victuals out of the estates and rents of the rebels and other disaffected persons. We have caused the commissary general to send to you a warrant for 500 bolls of meal.

We give you power to demolish and dismantle such of the rebels' houses as you think not worth garrisoning and may be prejudicial to

the public hereafter.

We have ordered MacConochie of Inverawe [Dougal Campbell] to repair to Lochaber and there to draw together all the forces he can to assist you in carrying on the service. We have appointed him to obey you, and you shall make such use of him and any forces that he shall bring with him as you shall think fit if the rebels should flee to the hills. $(6v-7\tau)$

Sederunts of the Committee for Dispatches, 26 January-8 March 1649

	January				Fe	ebrua		March					
Date	26	27	29	12	14	16	19	23	27	28	4	8	
SUPERNUMERARIES Earl of Loudoun (chancellor) Earl of Leven (general)	pr	pr ×	pr ×		pr	pr	pr	pr ×	pr	pr	pr	pr	11
NOBLES Marquis of Argyll Earl of Sutherland Earl of Eglinton Earl of Castlinis Earl of Castlinis Earl of Buccleuch Lord Aphuthnot Lord Balmerino Lord Burleigh	× × × ×	× × × × ×	× × × × ×	pr × ×	××××	×	×××	× × × ×	×××××	×××	××××	× × × ×	12 11 9 9 6 10 2
COMMISSIONIBS OF SHIRES SIK Archibald Johnston of Wariston (Edinburgh) Alexander Brodie of that Ilk (Moray) Alexander Brodie of that Ilk (Moray) Six Thomas Ruthven of Freeland (Perth) Six Thomas Ruthven of Freeland (Perth) Six Gorge Warnshame of Liberton Six William Cunningham of Cunninghamhead (Ayr) Six George Maxwell of Nether Pollock Hew Campled of Cemok (Ayr) ³	× × × ×	× × ×	××××	××××	× × × ×	× ×	× × × ×	× × × ×	× × × ×	× × ×	× × × ×	× × ×	12 9 5 7 11 7 6
COMMISSIONERS OF BURGHS Sir James Stewart (Edinburgh) Alexander Jaffray (Aberdeen) George Porterfield (Glasgow) James Sword (St Andrews) Hew Kennedy (Ayr) Mr Robert Barday (Irvine) Mr Bobert Cunningham (Kinghorn) Mr James Campbell (Dumbarton) ¹	×××	×××	××××	××××	×	××××	× × ×	×××××	×××××	××××	× × ×	× × ×	3 11 9 7 9 10 0
Total	16	16	18	II	14	12	12	20	19	13	16	15	

¹ Not listed in the committee's commission as members, but they appear in the sederunt for 8 March.

Committee for Dispatches

MAY-AUGUST 1649

INTRODUCTION

Like the register of the Committee for Dispatches which sat earlier in 1649 (calendared above), this register is mainly concerned with military affairs. Fears of immediate war with England or royalist revolts had receded, but worry about the plots of royalist exiles in Holland remained. Efforts to recover the arms and ammunition the Engagers had left in England and Ireland continue, and appear to dominate the committee's business - or at least that part of its business that is reflected in the register, for (as with the earlier register) it is clear that many matters considered by the committee and reported on to parliament have been omitted.

CALENDAR OF THE REGISTER OF THE COMMITTEE FOR DISPATCHES, 24 MAY-I AUGUST 16491

23 May 1649. Edinburgh. Commission to the Committee for Dispatches and Public Affairs.2

The quorum of the committee is to be nine members, provided this includes at least two members of each estate.3 The committee is to consider and prepare, for the readier dispatch of parliament, all business concerning the army now in Scotland and affairs in England, Holland, Ireland, or any other part abroad, deciding what

¹ PA.II/8, fos. 93r-98v.

² As in APS, VI, ii, 179 except for minor differences in wording and the omission of 'and Public Affairs' from the committee's name in APS.

³ For the committee's members see below p. 104.

should be done in such matters. It is to have power to arrange the quarterings of soldiers, and to dispose of troops and companies until parliament gives further orders. It is to meet with such of the ministry as the commissioners of the general assembly shall appoint. and acquaint them with all it thinks fit. The committee is to report in writing to parliament so the latter may consider matters further and do as it thinks fit. (03r)

24 May 16491

Act ordaining the troops not to be slow in their march or to exact moneys. The troops of the kingdom are on their march to their quarters and localities. The committee, considering the great prejudice the kingdom sustains in their passing by the slowness of their march and their stopping at places at their pleasure, orders all routmasters and other officers of troops to march towards the places they have orders to quarter in. They are to march at least twenty miles a day, and they are not to quarter for two nights at one place. They are forbidden to exact any money or to take free quarters without leaving billets behind them. No officer or soldier is to disobey these orders, under the highest pains contained in former acts. (93v)

[Sir Andrew Ker of] Greenheid's officers. The committee orders Sir James Stewart, commissary general, to pay the officers of Greenheid's two companies of foot the pay due to them from the time they had their first public rendezvous (which shall be certified by a signed declaration by Greenheid). (93v)

Sutherland, Arbuthnot and Freeland added to the committee by parliament.2 (93v)

9 June 1649

Foot of Galloway. The committee orders the fifty-four foot which are levied in Galloway, with a lieutenant, ensign and two sergeants, to be quartered in that shire and the stewartry of Kirkcudbright in

¹ Probably 24 May, altered from 25 May; but possibly vice versa.

² APS, VI, ii, 386, only mentions Sutherland, and dates his addition to the committee 31 May.

such places as the quartermaster general (with advice of the commissioners of the shire and stewartry) shall appoint. The footmen and officers are to be paid out of the maintenance of the shire and stewartry according to a roll of the men by name and surname under the oaths of the officers, which is to be given in to the commissary general. Payment is to begin fifteen days after the time at which they were brought together at a public rendezvous, as attested by the committee of war of the shire or stewartry in which they were raised. (93v-94r)

14 June 1649

Foot of Aberdeenshire. The committee orders that the company of foot levied in Aberdeenshire for Lord Arbuthnot's regiment be quartered in Old Aberdeen and the landward areas of that parish. It is to be entertained out of the maintenance of that shire. (944)

14 June 1649. Edinburgh. Parliament adds Cassillis, Brodie, Liberton and Alexander Jaffray to the committee. (94r)

14 June 1649. Edinburgh. Parliament gives the committee power to do as it thinks fit for bringing home the arms and ammunition belonging to the kingdom from Carlisle.² (04r)

20 June 1649

Instructions to Lieutenant Colonel William Ker of Newtown. You are to repair to Sir Arthur Hesilrige and desire him to give assurance that he will deliver all the arms, cannon and ammunition belonging to this kingdom which were left in Carlisle when it surrendered, according to the list and undertaking signed by Lieutenant General Cromwell.⁸ You are also to deal with Hesilrige to deliver the cannon belonging to this kingdom now in Appleby. If Hesilrige prefers to retain the ammunition left in Carlisle, but undertakes instead to send a similar quantity to Scotland [from Newcastle], you are to get his assurance that this will be transported to Leith by [blank] or some other convenient time. Loudoun, cancellarius, I.P.D. Com. (947-v)

¹ Ibid., 414. 2 Ibid., 732.

³ A copy of Cromwell's agreement (dated 13 October 1648) is in PA.11/7, fo. 148r-v.

Letter to Sir Arthur Hesilrige. Parliament has by its former letters desired you to deliver the arms and ammunition belonging to this kingdom left in Carlisle at its surrender, according to the enclosed list and undertaking. Not receiving any answer parliament did not press you any further, as you were in London. But now, hearing of your return, the committee has thought fit to send this gentleman, Ker of Newtoun, to you for this purpose, and for transporting the cannon left in Appleby. Loudoun, cancellarius. (94v)

Ker of Newtoun. The committee orders the commissary general to pay Ker £20 sterling forthwith, for paying his charges and expenses in his employment to Hesilrige. (04v)

22 June 1649

Instructions to Sir Robert Adair [of Kinhilt] and the sheriff of Galloway [Andrew Agnew of Lochnaw]. You are to go to Ireland to receive the arms, cannon and ammunition belonging to this kingdom which are in Carrickfergus or Belfast, and either have them transported to Scotland or leave them in the custody of such as you think fit until further orders from here. You are to send intelligence of the state of affairs in Ireland frequently, and at least one of you is to return as soon as is convenient to give us an account thereof. You are to do everything you can there that may be for the good of the kingdom. Loudoun cancellarius, I.P.D. Com. (95t)

Letters to the governors of Carickfergus and Belfast. The cannon etc. belonging to this kingdom which are at present in the the garrisons you command were formerly ordered to be sent to Scotland. We now think fit in regard of the changes which have taken place in these parts [in Ulster] to appoint these two gentlemen (Kinhilt and Lochnaw) to go to you to receive the cannon etc. Therefore we desire you to deliver them; being confident of your performance hereof, we rest your affectionate friends. Loudoun, cancellarius, LP.D. Com. (951)

Garrison of Perth.¹ The committee orders that the garrison,

¹ On 14 June Argyll had told parliament that he had undertaken to see that the
garrison was provided with fourteen days pay. Parliament had remitted the mate
to the Committee for Dispatches. The commissary general appeared before the
latter and promised to make this payment, ibld., 412. This is not recorded in the
committee register – and evidently the payment had not been made.

because of its present necessity, be paid its arrears for last May out of the first and readiest meal belonging to the public; but this is to be without prejudice to the victual ordered to be sent to Bair of Atholl. The committee warrants the commissary general and the keepers of the said meal to deliver it to Colonel Colin Pitscottie or anyone having his orders with all speed. Burleigh and Freeland are seriously recommended to see this done. (957-v)

26 June 1649

Commission to the Lord Chancellor. The committee has been ordered by parliament to secure the peace of the kingdom in such ways as it thinks necessary. By a proclamation of 6 December 16481 the Committee of Estates ordered all officers and gentlemen who were not in Scotland and had been accessory to the late Engagement against England to appear before parliament or the Committee of Estates within a given time of their return, to give surety for the peace of the kingdom; if they failed to do so they would be held to be enemies and disturbers of the peace. The Committee for Dispatches is informed that a number of such gentlemen have returned to Scotland but failed to appear and find caution. It is also informed that some of these gentlemen have been sent by the enemies of this kingdom as emissaries, and that they are very active in labouring by secret misinformation and other wicked practices to disturb the peace and involve the kingdom in new troubles. The committee thinks itself obliged to prevent the evils that may follow on this and to provide for the safety of the kingdom by all means. It considers that dealing with those who have returned or shall return to disturb the peace may be managed more conveniently by a few than by many, and therefore it authorises Loudoun (and any two of this committee or of the Committee of Estates whom he chooses) to take course for securing the peace in relation to such persons, or to other persons who have been enjoined by act of parliament2 to find caution but have not done so. He and those he chooses to help him are to have power to issue warrants for apprehending and committing to safe custody and prison of such of these persons as they

¹ PA.II/7, fo. 98r-v; Steele, Proclamations, ii, Sc. 1996. ² APS, VI, ii, 150-1; Steele, Proclamations, ii, Sc. 2002.

think fit, and to give orders to officers of troops and regiments (and others as they think fit) to concur with and assist them. All magistrates of burghs and other judges are to obey their orders.

William Gordon, The committee has considered the supplication of William Gordon of Netherbuckie, remitted to it by parliament. The supplication states that although Gordon was brought very low in his estate and means by the late troubles, and most of the men on his ground (which was but one plough of land) had perished by sea, being seafaring men, the committee of war of Banffshire had imposed on him in the levies as many men as in 1644. Gordon therefore desires that a warrant be granted for taking up a new list of fencible men on his land, and that he might be burdened with levies according to it. The committee has also considered a testimonial of the supplicant's good carriage and sufferings for the cause, signed by several honest ministers and others in the bounds in which he lives, and the notoriety of the supplicant's losses. It therefore orders the committee of Banffshire to take up a new list of Gordon's fencible men and to burden him accordingly in all subsequent levies; but the shire must make up elsewhere for the deduction in levies allowed to Gordon. (96r)

13 July 1649

Act for William Barton. A ship came from Holland with William Barton in Aberdeen as its skipper. The Committee of Estates ordered the magistrates of Aberdeen to imprison him, and by an act of I June parliament authorised the provost and bailies to try and examine him (and all the merchants, mariners and their servants who came home in the bark in May last) as to what gentlemen or others came from the Low countries in the bark. The magistrates of Aberdeen have reported to parliament, who have remitted the report to the Committee for Dispatches with power to determine therein as it thinks fit. The committee orders the magistrates to free Barton from their tolbooth once he finds caution (to be acted in the town's books) to appear before parliament or its committee when

¹ Details of the case are omitted as they are recorded at APS, VI, ii, 390. It was suspected that Barton had carried royalist agents and arms to Scotland.

called to answer whatever charges may be made against him (95r-v)

14 July 1649

Instructions to Lieutenant Colonel William Ker of Newtoun, You are to repair to Sir Arthur Hesilrige and desire him according to Cromwell's undertaking (two duplicates of which have been sent to him) and his own letter to Loudoun to deliver to you the ordnance, arms and ammunition belonging to this kingdom which were left in Carlisle. If instead he delivers to you at Newcastle the same number and quantity of arms and ammunition, you shall then desire him to provide you with a sufficient ship or vessel to transport them to Leith, with a convoy. If he refuses you are to find a bark with a convoy to carry them to Leith. If you cannot do this inform parliament or the Committee of Estates so that they may do as they think fit. If Hesilrige delivers the arms at Carlisle, inform parliament or the Committee of Estates so they can give orders for transporting them. You are also to get an order from Hesilrige for delivering to you the cannon left at Carlisle, which you are to make arrangements to transport to Scotland when the arms and ammunition are brought from there, Loudoun, cancellarius, I.P.D. Com. (971)

Letter to Sir Arthur Hesilrige. We communicated your letter of 29 June, in which you promised to deliver the ordnance etc. [left at Carlisle]¹, to parliament, which remitted answering it to this committee. It has commanded me to tell you that it has ordered this gentleman, Ker of Newtoun, to repair to you to receive the ordnance etc. according to Cromwell's undertaking and your own letter. The committee desires that, after so long a time, you deliver them to him without further delay; or, if you think fit, deliver to him the same quantity of arms and ammunition at Newcastle, and that in this case you provide him with a ship and convoy to transport them to Leith. Loudoun, cancellarius. (97-v)

Warrant to Hew Kennedy. Order to Kennedy (son of the late provost of Ayr, John Kennedy) to deliver 100 bolls of the meal which was formerly ordered to be carried to Carrickfergus, to anyone having Argyll's warrant in Glasgow. It is to be carried

¹ The top line of the folio is lost through trimming.

from there to Skipness Castle, to be stored for use of the public.

97V)

Warrant to Hew Kennedy. Order to Kennedy to put 100 bolls of the meal which he had been charged to carry to Ireland into Dumbarton Castle, the governor of the castle giving him a receipt and agreeing to make the meal available to the public. The remainder of the said meal (apart from that sent to Skipness) is to be carried to Stirling Castle to be stored. It is to be counted as part of the 400 bolls of meal which parliament ordered to be carried there. (ory)

Order to [blank] McAdam. The committee orders McAdam to march with forty of the soldiers under his command to Dumbarton Castle and deliver them to the governor, to help him keep the castle. McAdam is to leave the other ten of his soldiers with a sergeant at Whithorn, to guard the port there as ordered by the committee of war of Wigtownshire. (97y)

20 July 1649

Ker of Newtoun. The committee allows Ker forty shillings sterling per day during his employment to receive the arms and ammunition in England. The commissary general is to advance him \pounds_2 0 sterling immediately. Loudoun, cancellarius, LP.D. Com. (98t)

1 August 1649

Letter from Lieutenant Colonel Ker of Newtoun. Encloses a list signed by Hesilrige stating what arms, ordnance and ammunition are to be received at Carlisle. Parliament has remitted this to the committee. (98r)

Ammunition in Carlisle. The committee, in pursuance of parliament's act for transporting the arms etc., appoints Lieutenant Henry Douglas¹ to repair to Carlisle to receive the said ordnance, arms and ammunition, and to attend the transporting of them to Dumfries, where they are to be left until further order is given. Letters are to

³ Douglas had presented a supplication to parliament stating that he had looked after the arms at Carlisle for five months, and parliament had referred him to the committee, APS, VI, II, 414.

be written to the committees of Dumfries and Kirkcudbright, and to the governor of Carlisle, in manner following. 1 (98r)

Letter to the committee of war of Dumfriesshire. This gentleman is authorised to repair to Carlisle to receive the arms etc. left there. The committee requires you to provide him with eighty sufficient horses to go with him to Carlisle and transport the arms etc. to Dumfries. You will be answerable to parliament if you fail in this. Loudoun, cancellarius, I.P.D. Com. (98r)

Letter to Colonel Fitch, governor of Carlisle. [This gentleman is authorised to receive the arms etc. left in]² Carlisle, according to the order he will communicate to you. The committee has commanded me to desire you to be pleased to deliver them, and to see to his speedy dispatch with your best assistance in safely transporting them. Parliament will take this as respect shown by you to this nation. Loudoun, cancellarius, (08v)

Instructions to Lieutement Henry Douglas. You are to repair to the committees of Dumfriesshire and Kirkcudbright and deliver to them the letter from this committee. You are to desire them with all diligence to furnish you with eighty horses to go with you to Carlisle to transport the arms etc. At Carlisle you are to repair to Colonel Fitch, the governor, and give him our letter. Show him Hesilrige's order, and give it to him on receipt of the arms. You are then to desire his help in conveying the arms to Scotland, and are to transport them with all possible speed to Dumfries, where you are to leave them until further orders be given. You are to go about prosecuting these orders speedily. Loudoun, cancellarius, I.P.D. Com. (089)

Letter to Lieutenant Henry Douglas. Enclosing the above instructions and ordering him to go speedily about prosecuting them. (98v)

Henry Douglas. The committee allows Douglas twenty shillings daily during his employment on the above service, and orders the commissary general to pay him £10 sterling immediately in advance. Loudoun, cancellarius, I.P.D. Com. (68y)

¹ The letter to the committee of Kirkcudbright is not in the register; probably it was a duplicate of that to the Dumfriesshire committee.

² The top line and a half of the folio is lost through trimming.

Total

Sederunts of the Committee for Dispatches, 24 May-I August 1649

	-			_							
	May 24	0		June		26		July 14		Aug.	
	24	9	14	20	22	20	13	14	20	1	
SUPERNUMERARIES											
Earl of Loudoun (chancellor) Earl of Leven (general)	pr		pr	pr	pr	pr	pr	pr	pr	pr	9
NOBLES											
Marquis of Argyll Earl of Buccleuch	×	pr	×	×	×	×	×	×	×	×	10
Earl of Lothian Lord Borthwick		×	×	×			×	×	×	×	7
Lord Burleigh	×		×	×	×				×	×	6
Earl of Sutherland ¹ Lord Arbuthnor ¹		×	×	×	×	×	×	×	×	×	7
Earl of Cassillis		^		×	^	×	×	×	^	×	5
COMMISSIONERS OF SHIRES											
Sir John Wauchope of Niddrie (Edinburgh)	×		×		×						3
Sir Arthur Erskine of Scottiscraig (Fife) Sir Robert Adair of Kinhilt (Wigtown) Sir James Hope of Hopetoun (Stirling)	×	×	×	×	×	×	×	×	×	×	5
William Sandilands of Hilderstoun (Linlithgow)		×	×								2
Sir Andrew Ker of Greenheid (Roxburgh)	×	×	×	×	X	×		×		×	2 7 8 5 5 4
Hew Campbell of Cesnok (Ayr) Sir Thomas Ruthven of Freeland ¹ (Perth)	×	×	×	×	×	×	×	×	×	×	9
Alexander Brodie of that Ilk1 (Moray)					×	×	×	×	×		5
George Winrahame of Libertons (Edinburgh) John Swinton of that Ilks (Berwick)				×			×	×	×	×	4
Sir John Cheisly* (Lanark)				×							1
COMMISSIONERS OF BURGHS											
Sir James Stewart (Edinburgh)		×	×		×	×			×		5
George Porterfield (Glasgow)	×			×	×	×	×	×	×	×	5 4 9
Mr Robert Barclay (Irvine) Patrick Rosse (Perth)		×		×	×	×	X	×	×	×	1
James Sword (St Andrews) John Boswell (Kinghorn)	×									×	2
Hew Kennedy (Ayr)	×	×	×	×	×	×	×	×	×		9
Alexander Jaffraya (Aberdeen)	24				×	×	×	×			4
Patrick Leslie ³ (Aberdeen) James Lentron ² (St Andrews)	×					×					I
John Grahames (Glasgow)						X					1

¹ Added by parliament 24 May, see above p. 96.

14 11 13 17 13 13 13 14 14 15

² Added by parliament 14 June, see above p. 90.

⁹ Only known as members from the sederunts. Lentron and Grahame were 'alternative' members of parliament for St. Andrews and Glasgow (commissioned to sit for these burghs in the absence of Sword and Porterfield), and the same arrangement may have been held to extend to the committee. Partick Lealie is not known to have sat in this session of parliament, and he may appear in one sederunt simply through clerical error (for Patrick Rosse?).

Committee for Managing the Affairs of the Army

APRIL-MAY 1651

INTRODUCTION

The appointment of this committee marks a stage in the transformation of the 'kirk party' regime into a royalist regime in 1650-1. Defeat at Dunbar, followed by the abandonment of Edinburgh and much of Scotland south of the Forth to the English invaders, had already made royalist demands that they be allowed to serve in the army irresistible. By March 1651 they had moved on to demand a part in civil government, but parliament, though increasingly royalist in sympathy, refused them places on the Committee of Estates. It was, however, conceded that those royalists who (through making token repentance for past sins) were qualified to serve in the army might also serve on a special committee for the affairs of the army. It was held that this went no further than previous concessions, as royalists would still have their role confined to military matters while a Committee of Estates was entrusted with civil government; but in the circumstances of the time the raising and supplying of forces to resist English conquest was the first priority of civil government. Thus in practice (if not theory) royalists now had a share, through a committee paralleling some of the work of the Committee of Estates, in ruling the country,

On 25 March parliament resolved that a Committee for Managing the Affairs of the Army be established to sit during the approaching interval between sessions of parliament, and that some of those disqualified from taking any part in public affairs be admitted to it as members.\(^1\) The commission of the kirk had been consulted and had given limited and grudging approval to the plan,\(^2\) but discussion of the powers and membership of the committee led to prolonged conflict. Led by Loudoun (the chancellor), Argyll, Cassillis, Lothian (the king's secretary) and Lord Burleigh (the president of parliament), the leaders of the kirk party protested that the limitations demanded by the kirk were being ignored, and that the king was disregarding his oaths and deserting his 'friends' who had brought him back to Scotland from exile; by supporting the royalists he was supporting those who had led his father to disaster.\(^3\) It was eventually agreed that twenty-four members of each estate shouldsit on the committee,\(^4\) though in fact twenty-five were appointed.

Thus when parliament adjourned power was awkwardly divided between two committees notably different in political complexion. In the Committee of Estates the kirk party hung onto power, though the king now attended the committee's meetings and the kirk party leaders showed an increasing tendency to adopt royalist policies in an effort to gain royal favour and thus continue to exclude their royalist rivals from power. In the Committee for Managing the Affairs of the Army an increasingly openly royalist majority sought both to supply the army and to manoeuvre for political advantage. Both committees were primarily concerned with the organizing of resistance to the English, but for much of the time each seems to have tried to ignore the other's existence, the army committee usually sitting in Perth while the Committee of Estates met in Stirling. Needless to say this was not the most efficient method of preparing for war. However, though the origins of the Committee for Managing the Affairs of the army might lie in political expediency, its register does indicate that it showed considerable energy and initiative, doing everything possible to hasten the levving of men and the raising of money and supplies for the army. The committee operated in a world created by the battle of Dunbar in September 1650, since which much of the country had been in enemy hands. The confused mass of orders about levies and supplies which the committee sought to enforce nearly all dated from after the battle, though there is an almost superstitious reluctance to refer directly to

¹ APS, VI, ii, 652; Balfour, Historical Works, iv, 273. ² RCGA, iii, 356-8.

³ Balfour, Historical works, iv, 274-5, 277. ⁴ Ibid., 277; APS, VI, ii, 654.

the battle; it is only mentioned once, other references always being to events since 'September 1650'. The practical work of supplying the army dominates the committee's register, but traces of the political controversies which surround its appointment appear. Efforts are made to reassure the commission of the kirk as to the committee's devotion to the cause of the kirk and respect for ecclesiastical authority. Attempts to score propaganda points emerge in implicit and explicit references to past failures to supply the army adequately in the face of English invasion, these being blamed on the kirk party regime. The message is clearly that it is the royalists who really stand for the national interest - and that the committee is the body which is doing most to defend the kingdom. On several occasions the committee exaggerates its own authority by referring to itself as a 'Committee of Estates' for the army; this was not part of its official title, the whole point of confining royalists to the army committee having been to exclude them from the Committee of Estates. It may be, however, that too much significance should not be read into this claim to be a Committee of Estates; it is possible that it is simply the result of clerical error, for its register is unusually careless in detail. But it seems surprising that such an important error should have been overlooked, and the fact that the volume used for the register was subsequently used to register the proceedings of a later Committee of Estates may be another indication that royalists regarded the Committee for Managing the Affairs of the Army as a Committee of Estates in all but name.

CALENDAR OF THE REGISTER OF THE COMMITTEE FOR MANAGING THE AFFAIRS OF THE ARMY, I APRIL-22 $\text{MAY } \textbf{1651}^{\textbf{1}}$

1 April 1651. Perth

Commission to the Committee appointed for Managing the Affairs of the Army, 28 March 1651.³ The king and parliament are very sensible of the dangerous and distressed condition of the kingdom, and are most desirous according to the law of God and nature to use all lawful and necessary means to defend religion, his majesty's

¹ PA.II/II, fos. Ir-45V.

⁸ Printed in full in APS, VI, ii, 654-5.

person and royal authority, and the laws and liberties of the kingdom against an army of sectaries who most unjustly and perfidiously, contrary to the solemn league and covenant, have invaded this kingdom and are destroying it. Considering that there are forces raised, and to be raised, for the relief and safety of the kingdom, it has been decided to appoint a committee of able and qualified persons to order and manage the affairs of the army, accountable only to the king and parliament [members listed]. The quorum of the committee is to be eleven, provided this includes at least two members of each estate. The committee is to meet when and where it thinks fit, and has power to provide victual, arms, ammunition and all materials, and to give orders for carrying them (without laving taxations on the country). The prices of the victual etc., the cost of transporting them, and money spent on intelligence shall be paid by the Committee for Moneys and Accounts out of the readiest public dues on warrant from the Committee for Managing the Army (without prejudice to former assignments). When public dues fail and money cannot be had, the committee may borrow money, on public security or on the private security of members, the sums borrowed being public debts of the kingdom. The committee is to have power to call to account all who have charge of ammunition, victual and other provisions, so it may know what condition they are in, and may dispose of such provisions for the use of the army. It is to have power to use all lawful and ordinary means speedily to raise and draw together the levies imposed or to be imposed, and (with advice and consent of the general officers), to give orders for their march and appoint rendezvous. It may apprehend and try those who correspond with or give intelligence to the enemy, though such persons are to have the right of defending themselves before the Committee of Estates or parliament. The committee may call to account all officers who have levied men or had orders to do so since I September 1650, and to punish according to former acts of parliament and the Committee of Estates all who have taken or shall take money for horses, men, arms or any other provisions relating to the levies and forces, or who have not supplied horses, men or arms and cannot account for them satis-

¹ See pp. 168-73 below. A list of members dated 29 March adds 'Maitland' to the commissioners of shires in error, APS, VI, ii, 656.

factorily; but the committee is not to inflict capital punishment. Fines imposed on those found guilty shall be delivered to the commissary general. The committee is not to have power of command over the army, except for giving their advice on such matters when the general officers or the council of war desire it. (Ir-2r)

Commission read in presence of the king and the commissioners present. The latter accept their commission, give their oaths de fideli administratione, and choose Crawford[-Lindsay] to be their

president.1 (2r)

Letters to absent members of the committee. Letters ordered to be written to all members who are not in town to come here immediately. The letters are to be presented to the committee for signing at seven o'clock tomorrow morning. (2r)

Act for warning those that are in town. Order to the macers to warn all members of the committee who are in town to be present at the

meeting at seven o'clock tomorrow morning. (2r)

The king and committee think fit that letters be written to the commissioners of the general assembly to tell them of their sitting and of their resolutions in prosecution of the public service. Hamilton, Lauderdale, Tofts, Cavers, Sir John Smith and John Boswell are to draft the letter and report tomorrow. (2r)

Subcommittee for provision of the army. Cochrane, Keith, Lee, Skirling and John Boswell ordered to meet with the commissary general [Sir John Smith] to take a survey of the present state of all public provision of victuals and money for the use of the army; and they are to hear the desires of the officers of the garrison of Stirling.² They are to report tomorrow. (2v)

Letters to the general of the artillery [James Wemyss] and the commissary of the artillery [John Kniblo]. Ordering them to be here on Thursday next to give an account of the condition of the magazine and the train of artillery. (2v)

Letter to Humbie. Ordering him to come here with all diligence to give an account of what meal he has provided in the north. (2v)

¹ See pp. 168-73 for the members present who took the oath. This register is unusual in recording all members taking the oath on first taking their seat. These entries have been omitted from the calendar. The register usually refers to the earl as 'Carwford', and only occasionally as 'Crawford-Lindsay', though he uses the latter form in signing his name.

² Remitted to the committee by parliament, APS, VI, ii, 657.

Letter to the committee of war of Forfar, Ordering it to provide horses with sacks and other equipment necessary for carrying 1,500 bolls of meal from Montrose to Dundee, where it is all to be by next Wednesday night. The carrying of this letter is entrusted to the commissioner for the burgh of Forfar. (2v)

Quartermaster general [William Stewart], Order to a macer to warn him to be present at the committee tomorrow, and to bring with him the muster rolls and give an account of the localities of the

regiments and forces. (2v)

Letters to be written to the shires to give an account of their diligence in putting out levies, (2v)

2 April 1651, a.m. Perth

The letters which were ordered to be written to absent members of the committee signed and dispatched. (3r)

The report of the macers. Andrew Hainshaw and Alexander Maxwell, macers, report that they had warned all the members

that are in town to be present at this meeting. They had also warned the quartermaster general to come with his rolls. (3r)

Subcommittee. The subcommittee reports about the letters to the commission of the kirk and to Lieutenant General David Leslie. The committee agrees to and signs the following letters, and orders Balcarres, Tofts and David Wilkie to deliver the letter to the commissioners. (3r)

Letter to the commission of the general assembly. We have thought fit to send Balcarres etc. to you to tell you of our resolutions in managing the trust laid on us, in order to prevent misunderstandings about our acting in public affairs though some of us have lain under incapacity and censures. We find the work very difficult, and the country much impoverished. Victuals and all necessities are hard to get. But we shall try to be diligent, by God's grace, in pursuing the ends of the solemn league and covenant, in defending and serving his majesty (according to the covenants), and in maintaining the liberty of our hitherto unconquered country. We desire the help of your prayers. Hamilton, Crawford, etc.1 (3r)

1 Printed in full in RCGA, iii, 163-4. The letter was presented to the commission by Balcarres and Tofts on 4 April; it replied expressing its dissatisfaction that some members of the committee did not meet its qualifications, ibid., 368, 370.

Letter to Lieutenant General David Leslie. We have been appointed to give his majesty the best advice in matters relating to the army, and have thought fit at our first meeting to tell you of this, and we desire to receive from you information as to the present condition of the forces and garrisons so we may be able to do our duty better and provide (so far as we can) for all wants. We have heard today from Lieutenant General Middleton that all or most of the northern forces may, if it is thought fit, [be brought] to Stirling by or soon after 10 April. We desire you to send his majesty your advice either for hastening them here (all or in part), or for keeping them north of the Tay until enough victual is provided around Stirling for their entertainment. If there is anything about which you desire our advice or assistance you may be confident of receiving it from your assured friends. On information that Major General [Edward] Massey's regiment is much weakened by long duty in keeping some ports on the coast, his majesty (having now taken command of the army at parliament's desire)1 has ordered Dunfermline's regiment to keep these ports, and Massey's has been ordered to take over the former quarters of Dunfermline's. (3v)

Subcommittee anent the levies. Cochrane, Lee and John Boswell are ordered to meet with the Committee for Grievances to see how far it has proceeded in the trial of officers who have taken money for their levies. They are to consider what should be written to the shires for further trials of such officers, and report. (3v)

Act for the levies² called for. Ordered that Mr David Hay and Mr Thomas Henderson bring to the committee copies of all acts and orders of parliament and the Committee of Estates concerning levies. (xv)

Apprehension of intelligencers. The committee humbly desires his majesty to give order that any person suspected of keeping intelligence with the enemy be apprehended and brought before the committee. (3v)

The committee adds Hamilton, Crawford, Home, Lauderdale and Tofts to the committee considering the provision of the army. It is to meet this afternoon and report what it thinks fit to be done. (3v)

Pay to the officers of the garrison of Stirling. On a reference from parliament a precept is directed to the commissary general to pay

£6,000 Scots to the officers out of the £,10 which was ordered to be advanced by Fife and the part of Perthshire which is in [Colonel James Mercer of Aldie's division. They are also to be paid as much from the maintenance and excise due by the town of Glasgow as will, with the £6,000, amount to two months' pay. (4r)

Order for carriages for cannon. Order to John Scott to provide and make carriages for two brass cannon newly cast at Stirling by James Monteith. A letter is written to the town of Dundee to pay Scott the 2,400 merks formerly ordered to be paid to him. (4r)

2 April 1651, p.m. Perth

Act for buying victual, Because of the present lack of provision for the army the members of the committee willingly offer to engage their private fortunes for providing 10,000 bolls of meal and 6,000 bolls of oats, peas, beans and bear. Some members are to be employed to go to the shires to buy whatever victual they can get upon this security. Commissions to this effect are to be passed tomorrow. (4r)

Excise of Glasgow. Order to all persons who have intromitted with the past maintenance or excise of Glasgow to pay it to the commis-

sary general or anyone having his order, (4r)

3 April 1651. Perth

Commission for buying of victual. Charles R. The king and committee have considered the present sad condition of the kingdom, and that the preservation of religion, king and kingdom depends on the provisioning of the army. If the army be drawn together here there is no possible means for its subsistence; there is no victual in the magazines for the old regiments, and many of the new ones have already used their forty days' provisions. It has been decided that the members of the committee shall engage their private fortunes to raise 10,000 bolls of meal and 6,000 bolls of oats, peas, beans and bear. So that this may be done quickly his majesty and the committee give full power and commission to Cochrane, Lee, Colinton, Whitslaid, Lamberton, Archibald Sydserf and Sir Alexander Wedderburne, or any two of them, to go to the shires of Angus,

Kincardine, Aberdeen and Banff, and the burghs of Dundee, Montrose, Forfar, Brechin and Arbroath, and discover what victual is in these places, in girnels or elsewhere, and deal with the owners of victual to sell it for public use, with security for payment either from this committee or from all or any member or members of this committee. If the owners are willing to sell the commissioners have power to make agreements with them; and his majesty and the committee hereby ratify and approve any such agreement in advance. The commissioners are also to have power to arrest and secure victual whose owners refuse to sell it, with power to 'mak oppin doores' and to raise all the horses in these shires to carry the victuals they buy or seize, and the victual at present at Montrose, through the shires to Dundee. They are to use the forces stationed in the shires to raise horses and secure the victual whose owners refuse to sell; all officers and soldiers in the shires are to obey the commissioners' orders. They are to send his majesty and the committee accounts of their proceedings from time to time, especially if any who have victual refuse to sell or hinder the execution of this commission, so that further orders can be given about such opposers of the public service. (4v-sr)

Order for the deficients of Ángus. Letter sent to the committee of war of Angus requiring it to put out the deficients of Carnegie's and Spynie's regiments, and recommending it to take action to equip

their officers as other shires have done. (sr)

Order to Mr James Cheyne. To go along with Cochrane and the other commissioners employed to go north, to write whatever papers they need. (5r)

For carrying of letters. Order to the burghs in Angus to send posts with such letters as Cochrane etc. send to his majesty and the

committee. (5r)

Letter to Lieutenant General Middleton. A letter sent telling him of the sitting of the committee and desiring him, during his stay in the north, to assist Cochrane etc. (5r)

4 April 1651. Perth

Commission to buy victual. Charles R. The king and committee understand that Alexander Bower of Dundee is employed in

raising the forty days' loan in the shires of Elgin, Nairn, Inverness, Caithness, Cromarty and Sutherland, and to uplift the eight months' maintenance from these shires from 1 October 1650. They find it necessary for the public service that all diligence be used in raising the loan and maintenance, and therefore give power to Bower and William Marshall, writer, or either of them, to uplift the loan, as much of it as possible in money (according to Bower's former instructions). Further, the committee's members having resolved to employ their private fortunes as security in raising victual for the army, the king and committee authorise Bower and Marshall or either of them to buy whatever meal, bear, oats, peas and beans can be had in these shires; with power to press barks and boats for carrying the victual and maintenance, they being accountable to the commissary general. [With the same powers as granted to Cochrane etc. in their commission of 3 April, except that raising horses is not mentionedl. Hamilton, Crawford, etc. (5r-v)

Act for reducing weak regiments. The public service is greatly prejudiced by the weakness of many regiments and by the fact that in spite of this they retain all their officers; maintaining the latter is a great burden. Therefore it is ordered that these weak regiments be reduced as follows. No captain or officer of a company is to be allowed unless the company is at least seventy strong; companies weaker than this are to be amalgamated with others. Any regiment of foot that is not at least 300 strong (or any regiment of horse not over 200 strong) is to be commanded by a lieutenant colonel; and any regiment not over 150 strong by a major. The general officers and the colonels are to make a survey of the regiments and see that this order is obeyed. The giving of quarters to officers of horse or foot not conforming to this act is forbidden. (6r)

Letter sent to Lieutenant General Leslie with a copy of this act, asking for his advice on how to implement it speedily. (6r)

Order for horses to carry ammunition. Order to Mr Robert Hodge, wagon master general, or his deputes and under officers to go to the colonels of foot of the new regiments and require from them and their under officers an account of the three horses and two men with hochimes, sods and sunks for carrying ammunition; every company in every regiment is supposed to have them. Hodge etc. are to see the horses, men and equipment and make sure that they

are suitable; a list is to be made of them, with the names of the men and the quality of the horses and equipment. The colonels and their under officers are to be required to keep them in good condition until the march of the army, so they may then receive the ammunition which is to be carried. Hodge etc. are to submit an account of their diligence in writing by 16 April. Hodge, his lieutenant, fifteen sergeants and one scriver are to have quarters assigned to them by the quartermaster general like other officers. Hamilton, Crawford etc. (6r-v)

Several letters written today to gentlemen in the shires of Perth and Fife to come here with all possible diligence to advise the committee on some things concerning the public service. (6v)

5 April 1651. Perth

Order for some English prisoners. Order to those who have the English prisoners taken at the Isle of May to deliver them to Lord Angus or anyone having his order, to be kept by them until the king's pleasure is known. (6v)

Commissions to provide victual. Commission to Crawford-Lindsay and Lundie to deal with the gentlemen in Fife to supply victual for the army on the private security of this committee or any of its members. They are to report on Wednesday next. (6v)

Order to provide arms. Commission to Lauderdale, Balcarres, Skirling and Sir Alexander Wedderburne or any of them to go to Dundee, discover what arms and ammunition are in the town, and bargain about their prices on the private security of any member of the committee. Those who refuse to sell are to have their arms etc. secured and arrested. They are to report back to the committee. (6v)

A similar commission passed to Newburgh and Ardross for the coastal towns of Fife east of Wemyss, and to Kellie and Bogie for Dysart, Kirkcaldy, Kinghorn and Burntisland, (7r)

Order for bringing ammunition from Strathbogie. Letter sent to Lieutenant General Middleton desiring him to give orders for bringing the sixteen hundred weight of powder and four field pieces which are lying at Strathbogie to the army. He is to order the shires to carry them from shire to shire. (7rt)

Letter to Lieutenant General Leslie. Thanking him for his diligence

and telling him of the committee's proceedings in providing money and victual for the army. They have written to Sir Charles Erskine to discover the condition of the garrison of Dumbarton and what supplies have been raised from the country for it, and assuring him that the northland forces would not march without orders from the king and the general officers; they would not cross the Tay without first informing Erskine. (7τ)

Letters to be sent to the shires north of the Forth. Fife, Perth and Angus are to report by 15 April; Kincardine, Aberdeen, Clackmannan and Argyllshire by 22 April, and the rest by 1 May.

(7r)

Letter to the shires north of the Forth. The king and committee have surveyed the provisions for the army which is now being drawn together to the fields. They have found that the provisions are not sufficient for its subsistence; they have therefore been forced to engage their personal estates and fortunes to buy victual, and the same pressing necessity requires the speedy bringing up a month's maintenance and the twenty days' loan ordered by the recent act of parliament.1 We require you immediately to supply victual or money for this maintenance (in accordance with parliament's orders). The victual is to be sent with all possible speed to Stirling, and the money to the commissary general or his deputes. We also require you to give us an account of what forces have been raised in your shire as levies or recruits since September 1650 and the names of the officers they were delivered to. The strength of their regiments or recruits may then be checked to see if they correspond to the numbers of men delivered to the officers. If you fail to give us this account by 15 April we will assume that the numbers of men you put out is the same as the number of effective men the officers have. It was ordered that each colonel bring out with each foot company three horses, two men, sods and sunks (or hochimes) for carrying ammunition; these are now to be put out if this has not already been done, and an account of their numbers, and the names of the men and of the officers they were given to is to be sent to us. (7r-v)

Letter to the king. We find from the commissary of the artillery [John Kniblo] that there is a need for 20,000 lb weight of lead; and

we are informed that this may be had in Glasgow through James Monteith, who is now in Stirling. We desire that you and the Committee of Estates deal with Monteith, or provide the lead in some other way. There are some arms and ammunition belonging to you and the kingdom on Bute, which should be transported to wherever you order; we desire that such orders be given, and that a member of the train of artillery be sent to take charge of them. We are informed that some powder and other provisions necessary for the army have come to Bute in a little bark belonging to the enemy; how this has been disposed of we do not know, but we have told you about it so you can deal with those who have it so it may be acquired for the army on public or private security, and be transported with the other arms and ammunition on the island. Hamilton, Crawford, etc. (ry)

Letter to Sir Charles Erskine. We have been considering the garrisons of the kingdom, and require you on sight of this to send us an account of the condition of the garrison of Dumbarton and of what money, victual etc. has been raised from the country or has been taken off boats that pass that way. This account must be sent by 15 April, and we also require an account of what arms, cannon and ammunition are in the castle, and what has been raised for it since last September. Send the enclosed letter with a reliable bearer to the committee of war of Argyllshire. Hamilton, Crawford, etc. (8t)

Letter to the committee of war of Argyllshire. We find we have no account from your shire of what diligence has been used in putting out your two regiments. Most shires have their regiments nearly ready, and we require you to use all possible diligence in putting out your regiments, and to send us an account of your progress by 15 April. Hamilton, Crawford, etc. (87)

"Act concerning the security to be given for victual. It has been decided that members of the committee should engage their private securities and fortunes to provide victual and other necessities for the army. Some may be unwilling to accept this security for fear that the debts shall be declared public debts, leaving them to seek satisfaction from the public. The committee, being free of any such thoughts and desiring that the integrity of its intentions may be known, declares upon its honour that the security it or any of its members shall give shall not be turned into public debts. Creditors

will have the same legal rights as anyone has for private bargains. (8r-v)

The committee orders Galloway, Humbie, Tofts and Keith to deal with the gentlemen of Perthshire to supply victual upon the private security of all or any of the committee. (8v)

10 April 1651. Perth

A letter presented from Lord Cochrane and the other commissioners employed to provide victual for the army, stating that the earl of Southesk and his friends had undertaken, in name of the shire of Angus, to supply immediately 4,000 bolls of victual meal on the public security of the committee, and to deliver this at Dundee and Arbroath on 17 April. On this news a letter was written to Cochrane etc. thanking them and desiring them to prosecute their commission in Aberdeenshire. They are also to require from the earl of Errol and the Earl Marischal £10 of the £15 raised for the loan of each trooper, and to send this to the commissary general. (8v)

Band for the 4,000 bolls of meal from Angus. The committee has considered the agreement between Cochrane, Lee, Colinton, Lamberton, Sir Alexander Wedderburne and Archibald Sydserf on the one hand, and the earls of Southesk and Ethie, Lord Carnegie and others (having a commission from the shire and committee of war of Forfar) on the other, dated Forfar 8 April; and also an act of the committee of war of the same date. By these it is agreed that 4,000 bolls of meal shall be provided at Dundee or Arbroath before 20 April. The committee of war gave Southesk etc. power to conclude a contract, but declared that those who delivered their meal at Arbroath would have to accept the 'sea hazard' of it to the harbour of Dundee. Cochrane etc. obliged the Committee for the Army to give public security to the committee of the shire of Forfar, in name of the heritors, liferenters, inhabitants and other suppliers of the meal, for payment to them of f 10 10s. od. Scots per boll by Martinmas next; if it is not paid by then annualrent at ordinary rates will be payable on this debt. The Committee for the Army hereby ratifies this agreement and obliges the estates of the kingdom to make payment for the victual. Hamilton, Crawford, etc. (8v-9v)

Letter to Southesk. Thanking him for his cooperation and acknowledging his service to king and kingdom in agreeing to supply victual, (ov)

Letter to the committee of Forfar, Thanking it for its concurrence in supplying meal, and asking to be careful to see it carried to Dundee. (ov)

Report from Fife about victual, Crawford reports that, in accordance with the commission given to him and Lundie, he had negotiated with the shire of Fife. It has willingly offered to furnish 3,000 bolls of meal and 1,000 bolls of oats, peas, bear and beans, and to deliver this to Stirling, half by 17 April and half by 25 April. The committee declares itself satisfied with Crawford's diligence and by the offer made by the shire; it orders that a letter be written thanking the shire and that security be given to it for payment, (ov)

Letters to the earl of Errol and the Earl Marischal, Their two regiments are to stay in the shires in which they were levied for a short time, to be trained and exercised, until Middleton comes forward with the rest of the forces; they can then all come up together. But the regiments are not to exact any money from their quarters in the interim. Errol and Marischal are requested to assist in supplying victual from that shire [Aberdeenshire], and are to pay to Lord Cochrane and the other commissioners £ 10 of the £,15 the country paid for the loan money of their troops. (10r)

Letters to the committees of war of Kincardine, Aberdeen and Banff. Telling them of the stay of the two regiments there and desiring them to quarter them conveniently for training and exercising; but the burden of supporting them is to be made as equal throughout the shire as possible. Only food and drink, not money, is to be given to them (10r)

Letter to Lieutenant General Middleton. The king and the Committee of Estates are now at Stirling. We hear from there that the enemy is now 'making for action', and that the forces here are not sufficient for any great service until those in the north come up. We therefore desire you to use all possible diligence in bringing up the northern forces and their provisions. You are to be especially careful that as you come you raise all the horses to carry with you the provisions of your forces. We have ordered the regiments in Aberdeenshire to be training and exercising their men until you come there; they are

then to receive your orders for their march. We have done all that was possible in so few days to provide for the army. Finding no victual in magazines and no money to buy it with, we resolved to engage our private fortunes and estates. On this security we have obtained victual from Fife and Angus. [Details of amounts and dates of delivery as given in previous items.] We are now dealing with Perthshire, and some of our number have gone to the Mearns and Aberdeen for the same purpose. We desire to hear from you of your movements, numbers and provisions, so the king may give such orders as are necessary. The provisions that are to be carried along with your forces (as much as possible is to be brought) are to be taken to Dundee to be carried by water to Perth; we will then arrange for carrying them to Stifling. (107-v)

Letter to Lieutenant General Leslie. We are much surprised at the straits and wants of that garrison [Stirling]. We have done what we could in the few days since we were appointed to provide for the army. Finding no provisions in magazines and no money we have engaged our private fortunes. [Details of action taken as in above letter to Middleton.] But all this will not supply your present wants in that garrison, so we have sent 300 bolls of meal from here which will reach you on Sunday. By the roll you sent us the number in the garrison will amount to about 2,000 foot for the fields, and we recommend to you that no more meal be given out except for men who are present there. As for what you propose concerning reducing weak regiments, we will consult the king. We have desired Middleton to make all possible haste in bringing up the northern forces and their provisions; when we hear of his progress we will let you know, so that he can receive orders from the king or you for crossing the Tay. Hamilton, etc. (10v)

Letter to the earl of Leven. Desiring him to send men instructed to bargain with this committee about the price of such victual as he has in this shire, on the private security of any members of the committee that he chooses. (10v)

11 April 1651. Perth

Act anent the quartering of the army. The kingdom is half possessed and destroyed by the enemy; the other half is exhausted and eaten

up by the most insupportable burdens of levies and quarterings these last seven months. Most of the levies have been raised from the country in 'dry money' at exorbitant rates, and not at all used for recruiting the army; this has necessitated the raising of greater levies than before. The quartering and burden of entertaining this army being raised throughout the winter, in money and otherwise, have been for as great a number as if the levies really had been lifted and added to the army; and many regiments which did get their proportion of the levy are, nonetheless, little or no stronger than in September last, before the levy was ordered. The king and the committee are very conscious of these heavy pressures on the people, and wish to do what they can for their relief and ease. Therefore, in accordance with the ordinance of 20 March,1 they order that no quarters be given to any officer or soldier who is not actually present in the locality; and the quarters are to be for meat and drink only, not money. No money is to be exacted or paid for 'the staff's dry quarters' or on any other pretext. All officers and soldiers are to see that this order is obeyed; any officer who transgresses or who, upon complaint against any men under his command, fails to make reparation of double what was taken, shall be cashiered as an oppressor of the poor, unworthy of serving king and country. The king and committee are informed that some soldiers who have been oppressing the country are selling their horses and arms and running away now that the enemy is ready for action. The buying of arms or horses from soldiers or troopers is therefore forbidden, as is the reset of any that run away from the colours, on pain of being liable to the same penalties as the soldiers themselves. All nobles, heritors, gentlemen and other good subjects are to apprehend all whom they find selling arms or running away, and to present them to the shire committee of war to be punished. The committees are to intimate this act speedily to the parishes in their shires, and are to try transgressors. They are to report to the king so that he can take action which will show his sympathy for the burdens of the people and his detestation of all such base actions. This is to be published at the market cross of the head burgh of each shire so that none can pretend to be ignorant of it. (III-v)

¹ This appears in ibid., 649 under 21 March, but Balfour, Historical works, iv, 268 records it as being passed on 20 March.

Letter to the committee of war of Fife. We have heard from Crawford and Lundie, and then from your own commissioners, how readily you have (notwithstanding all your former great burdens) agreed to supply 4,000 bolls of victual. We return you hearty thanks for this testimony of your consciousness of the distressed condition of the kingdom. Supplying this victual, together with your former burdens, may lead to great necessity in the shire, so we assure you that if this happens we will supply you with whatever victual we have to spare beyond what is necessary for the army. As for easing the shire of some of the regiments that are quartered on it, we shall explain this to the king and the general officers, and we are very hopeful that they will give you satisfaction. (11V-12t)

Letter to the governor of [Inch] Garvie.\(^1\) We have received your letter of 9 April, and we are very conscious of your care in preserving that place. We desire you to continue, and will do what we can to provide you with supplies. We have sent John Boswell to see that the twenty days' further loan ordered for the soldiers be paid by the places from which your men were raised. He is to give us an account of the condition of the place and of what arms, ammunition, provisions etc. are in it or necessary for it. On his return we shall take

action for providing for that place. (12r)

Letter to John Boswell. We understand that you were formerly employed to provision [Inch] Garvie, and we now desire you to go there again. You are to see that the twenty days' loan is paid to the people in that house, and to bring us an account of the condition of the place – what arms, ammunition, provisions etc. are in it, and what are necessary for it. Meanwhile see that it lacks no necessities. (122)

Letter to Colin Campbell. Desiring him to come here and reach agreement with the committee for a quantity of lead which he has lying by him and some of his neighbours. He is to receive private security for it, and is to ensure that it is secured for public use. He is also to attend this committee's meetings as he is a member. (12t)

Ammunition in Bute. A blank commission issued to John Kniblo, commissary of the artillery, to transport certain arms and ammunition from Bute to Dumbarton Castle, along with certain other arms, ammunition, surgeon's chests and other military things which

¹ The titles of these two items have erroneously been reversed in the register.

were in a frigate there. A letter is written to the shire [of Bute] to this effect. (12v)

Contract for musket and pistol ball. Agreement with James Monteith, pewterer and burgess of Edinburgh, whereby he obliges himself to provide 30,000 lbs. weight of lead (26,000 lbs. in musket ball and 4,000 lbs. in pistol ball) and deliver it to the general of the artillery in Stirling, sufficiently cast and 'kisted' as follows: 20,000 lbs. within fifteen days, and 10,000 lbs. by 10 May. The committee obliges itself to pay £20 Scots for each 100 lbs. weight. Of this £4,000 is to be paid immediately, and the other £2,000 when delivery is completed. The committee also declares that it will take action to get him paid whatever is justly owing to him by the kingdom. Crawford-Lindsay, LP.D. Com. James Monteith. (120)

Precept to James Monteith. Warrant to Sir John Smith, commissary general, to pay Monteith for musket ball [detailed as above] £4,000 immediately out of the readiest of the £10 to be put out of the loan of the troopers of Perthshire, and the other £2,000 on completion of delivery. Hamilton, Crawford, etc. (129-131)

12 April 1651. Perth

Order for carrying meal to Dunfermline. Colonel [Harie] Mauld's regiment is quartered in Dunfermline, but the town is unable to entertain it. The committee therefore orders the commissary general to give order that 100 bolls of the readiest meal lying at Newburgh or Perth be sent to the regiment, and another 100 bolls every ten days. The presbytery of Dunfermline is to send horses to Newburgh on Monday to carry the meal; if it fails to do this (now and every ten days) the regiment is to quarter on the presbytery. Hamilton, Crawford, etc. (131)

Letter to Lieutenant General Leslie. We have had no small difficulty in providing meal from the shires. Some of it has arrived here, but we now find greater difficulty in getting it carried. The presbytery of Dunblane has failed [to provide horses], and the rest of this shire has borne a great burden all this winter. We have therefore resolved to draw together the three horse ordered for each foot company of the last levies and to use them for carrying meal to Stirling. Because they will have to quarter on the way, we desire that the parishes of

Auchterarder and Blackford be freed from all local quarterings, and be assigned to these horses. We desire you to order the officers of the foot regiments of Perth, Angus, Fife and Mearns to send their three horses for each company to the wagon master general or his deputies as they shall ask for them (with the two baggage men for every three horses). We desire also that the places and parishes near this side of Stirling be spared from heavy quarterings if possible, and that all horses that may be spared around Stirling be sent further north to places in Perthishire which are less burdened. The quarters in this shire should be made as equal as possible, no exemptions being granted, for we are daily petitioned with heavy complaints about inequalities and exemptions. The parish of Muthill in particlar complains that it has both horse and foot quartered on it unequally. (131-v)

Letter to the committee of war of Forfar. We renew our thanks for your agreement to provide 4,000 bolls of meal, and expect you to be careful to see it delivered at Dundee. We have heard at length Sir James Ogilvie's report from you. It is our judgment that the proportions of meal for the forty days' loan be decided according to the valuations for] the maintenance, that being the most just not qual way. We require you to send the account of your levies by [blank] April; it must detail each man (by name and surname) that you have put out since last September, which officers they were delivered to, which officers got men and which got money for men, and a note of the receipts you have from officers. As to the disorders committed by soldiers in your quarters, we have passed an act which we now send you and require you to enforce. (13Y)

A letter of credence sent with the duke of Hamilton and the earl of Lauderdale to the king. (13V)

17 April 1651. Perth

Letter to Lieutenant General Leslie. Many of our members are absent, some (by public order) attending the king at Dunfermline, some at Stirling with the committee there, others employed through the country to buy provisions. Because of this there has been no quorum of the committee for the past few days, so your letters of 12 and 13 April could not be answered sooner. It is now

resolved that some of our numbers shall go to you at Stirling to tell you how careful we have been in this short time to provide for the army, notwithstanding the many obstructions we have met with. That garrison [Stirling] and other places of the kind did not have twenty four hours' provision in them when we were appointed, and there was no money to buy anything. But it is our resolution, so long as we have credit or fortune, to engage all for the relief of the kingdom and the prosecution of this service (which we think cannot be so well done if we now leave this place). The service necessitates our stay here, as will be more fully explained by those we are sending to you; they will tell you what we have done and what we intend to do. The presbytery of Dunblane, being exempted from advancing 700 bolls of meal, undertook instead to send here 3,000 horses for carrying meal to Stirling. The meal is here ready, and we desire you to see that the horses not yet sent come here speedily to carry it: if necessary parties should be sent to quarter on those who have failed to supply horses until they do so. Hamilton, Crawford, etc. (IAT)

Crawford, Galloway, Tofts and the commissary general ordered to negotiate with the commissioners of Perth for victual for the

army, (14v)

Glencaim, Colinton and James Sword ordered to speak with Sir Charles Erskine about the condition of Dumbarton Castle, and to report what they think should be done for securing and providing for it. (144)

18 April 1651. Perth

Order for some pistols. Order to Captain [Quentin] Hamilton of Barncleugh, captain of the castle of Avondale ('Erendaill'), to deliver immediately to the duke of Hamilton all the pistols (with their cases and other furniture) which are in the castle or within his power and command. Crawford, Glencairn, etc. (14v)

Letter to the committee of war of Kincardine. We have heard from Lord Cochrane etc. and from your own commissioner, [John Grahame of] Craigie, how ready you have been (notwithstanding former burdens) to offer 1,000 bolls of meal. We thank you for this, and grant you security for payment as agreed. Because dangers and

wants are more pressing than ever we entreat you to use all possible diligence for speedy delivery of the meal. We have considered the desires given in in your name by Craigie, and our answers follow. We have given orders that no officer should quarter parties of soldiers on your shire on any pretext of deficiency [in supplying levies etc.] without first reporting to the shire committee, which is to meet at least twice a week. Acts have already been passed by the king and committee about quarterings, and we send you copies of them; to help you enforce them we give you permission to call before you and muster the forces that are (or shall be) quartered in the shire. If any money has been raised since the act of parliament for the use of parties of soldiers which were sent out of the shire for a time, this is to be repaid. As to the officers' entertainment of meat and drink, tell them that we require them to be as sparing as possible, this being a time when the country is almost exhausted with burdens. Both officers and soldiers should be content with merely enough for subsistence. If any officer is exorbitant in the allowances claimed for his diet action should be taken to punish him. The forces that come from the north should not be burdensome to the country, for they are ordered to bring along their own provisions. As for your baggage horses, two months' maintenance and twenty days' loan, we find them either authorised by parliament (so we have no power to meddle with them) or not within the terms of our commission, as your commissioner will explain. The account you sent us of the former levy does not correspond with what our letter required. We therefore desire that, with all possible diligence, you send a more detailed account, especially as to what numbers of effective men you put out, their names and surnames, who they were delivered to, what money was taken instead of men or horses, and who by. Make our orders known to the officers concerned and order them to obey. Hamilton, Crawford, etc. (14v-15v)

Act for 1,000 bolls of meal from the Mearus. The committee has considered the contract agreed upon between Cochrane, Lee and Lamberton on the one hand, and Lord Arbuthnot, Lord Halkerton, Sir Alexander Carnegie of Pittarow, Sir Robert Grahame of Morphie, William Rait of Halgrein, John Grahame of Craigie, Colonel Harie Barclay of Knox, Thomas Allardyce (tutor of that Ilk), Arthur Straton of Snadon and others commissioned by the

shire of Kincardine and its committee of war on the other, dated Inverbervie 10 April: and also an act of the committee of war of the same date. By these it is agreed that 1,000 bolls of meal shall be supplied at Montrose before 26 April. Those who deliver it to Montrose are to bear the sea hazard of it to Dundee, Cochrane etc. obliged the Committee for the Army to give public security to the committee for the shire of Kincardine, in name of the heritors, liferenters, inhabitants and other suppliers of the meal, for payment to them of f 10 10s, od. Scots per boll by Martinmas next; if it is not paid by then interest at ordinary rates will be payable on the debt. The Committee for the Army hereby ratifies this contract and obliges the estates of the kingdom to make payment for the victual. Hamilton, Crawford, etc. (15v-16r)

Order for the maintenance of the parrison of Dumbarton, Order to Sir Charles Erskine to uplift from the parishes of Eastwood, Mearns, Renfrew, Inchinnan ('Auschinnan') and Kilbarchan and the town of Glasgow, 100 bolls of meal and fifty bolls of malt for use of the garrison. This will be allowed to them out of the arrears of their monthly maintenance, Colonel Colin Campbell and all other officers of forces lying there are to assist Erskine in this. Hamilton. Crawford, etc. (16v)

Order for ammunition in Glasgow. Order to Sir Charles Erskine to seize all the ammunition and arms that he can find in Glasgow and keep them in Dumbarton Castle for public use. Hamilton, Crawford, etc. (16v)

Orders anent the ammunition horses. By an order of 10 February last1 it was declared that in this present levy each company of foot was to have (besides the full number of soldiers) three horses for carrying ammunition, and two baggage men to attend these horses. The committee recommends Lieutenant General Middleton to ensure that these horses and men are brought up with the forces from the north, that they be delivered to Mr Robert Hodge, the wagon master general, and that each horse is provided with hochimes, sods and sunks and is worth at least f,50 Scots. The colonels of foot in the levy are to be responsible for delivering them; those who fail shall be liable to pay twice the value of the horses. Hodge is to bring the horses and men with all diligence to be quartered in the

¹ There is no such order under this date in PA.TI/TO.

parishes of Auchterarder and Blackford, which are ordered to be quarters for them and for Hodge's inferior officers. Hodge is to report to the committee by 1 May. Those who fail to put out the horses and men are to be quartered on. Hamilton, Crawford, etc. (16v-17r)

Gunners in North Queensferry. Order that each of the six gunners taken on there and at Inverkeithing by Major General Massey have

four pounds of meal daily during their service. (17r)

Letters to the general of the artillery and the commissary of the artillery. To come here next Tuesday to give an account of the condition of the artillery train and of what arms, ammunition, etc. are in the commissary's hands. The latter is also to give an account of how they have been employed and to whom they have been given out since last September, and of what was in the magazine at that time.

18 April 1651. Perth

Glencairn chosen preses in absence of Crawford. (17r)

Meal for Stirling. Ît is absolutely essential that 2,000 bolls of meal be carried to Stirling immediately. 1,400 horses are therefore to be sent at once from adjacent parishes. The collector and clerk of the shire are to decide on the numbers to come from each parish. These orders are to be sent out now, so the horses may be here tomorrow to take the meal. Major Colville is to send a party of his regiment to the parishes to quarter on the commissioner of the parish and on those who fail to put out horses, until they are sent out. (17t)

Commission to Hamilton, Home, Niddrie and the commissary general. To stay in this town and see to the sending of the 2,000 bolls of meal to Stirling, with power to give all necessary orders and to order forces to quarter on those who do not send horses on time. (1717)

James Monteith's order for ball. Monteith is employed by the king and estates to cast musket and pistol ball. For this he is to buy in the burghs such lead as he needs. The committee orders burgh magistrates and all others concerned to assist him. If any refuse to sell their lead at ordinary rates for ready money, the magistrates are to seize it and give it to Monteith. He is to pay for it in ready money

at the rates lead was sold for in the past. Hamilton, Atholl, etc. (17v)

Letter to John Leslie in Burntisland. We are informed that there are

Letter to John Leslie in Burntisland. We are informed that there are quantities of lead lying in that town. We desire you to deliver them to James Monteith, who is to cast them into musket ball for use of that garrison and other forces lying on the coast. Security for

payment will be given to the owners. (17v)

Letter to Lord Drummond. The earl of Atholl tells us that, though a levy of horse was ordered from the Highlands, he has raised more footmen (over and above his proportion) than the number of horse to be raised in Atholl would amount to. He has petitioned that these extra footmen be accepted in place of horsemen. We have resolved to consult the king about this, but in the meantime you are not to try to raise the earl's proportion of horse from him. (17v)

Letter to Lieutenant General Leslie. As promised in our last letter, we have chosen Glencairn and Galloway to tell you how careful we have been to provide for the army, what progress we have made,

and how necessary our stay here has been. (17v)

Instructions to Glencairn and Galloway. To go tomorrow to Lieutenant General Leslie and tell him how careful we have been, in the short time we have had, to provide for the army on our own private credit, there being no victual, no money, and no power given to this committee to raise money. Tell him of what the shires have done to raise meal, and of the 2,000 bolls of meal now being sent to Stirling; and what we have done to provide arms and ammunition, and for the artillery train. Show him how necessary it is that we stay here to provide victual, and desire him to tell you what he thinks it necessary for us to do to assist the public service. (181)

23 April 1651, a.m. Perth

Lauderdale chosen preses. (18v)

Letter to the commission of the kirk. By your letter of 4 April we find that you are dissatisfied with parliament's nomination, as members of this committee, of some persons who are not qualified as you desire. We have not the power to reject any parliament has named; if we had, we would willingly satisfy you. We have no purpose but to employ ourselves in defence of religion, king and kingdom, and

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there is nothing that we desire more than the concurrence of the kirk in this. Hamilton, Glencairn, etc. 1 (18r-v)

Act forbidding the transport of victual. Some persons 'respecting more thair aiun particular and greedy avarice than the publict good' intend to transport victual abroad from harbours in the north, contrary to many acts of parliament when victual is at the present price. This will deprive the army of provision, and may lead to famine. [The committee] therefore forbids all such exports, and orders the magistrates of the royal burghs and burghs of barony and the heritors of the seaports of Dundee, Arbroath, Montrose, Stonehaven, Aberdeen, Newburgh, Peterhead, Fraserburgh, Banff, Speymouth, Inverness, Cromarty, Sutherland and Caithness to take bands and caution from anyone wishing to embark victual on ships or barks. They are to undertake not to transport the victual abroad. or to any part of Scotland which is in the enemy's power, on pain of £,40 Scots for every boll exported. Such bands and caution are to be taken for victual already embarked, as well as for victual to be embarked. Magistrates and heritors who fail to enforce this act are themselves to be liable to the same penalty; they are to have power to arrest ships and boats and to take their sails until band and caution are given. This is to be proclaimed at the seaports so that none can pretend to be ignorant of it.2 (18v-19r)

Order for pikes. Order to John Kniblo, commissary of the artillery, to deliver to Major General Massey eighty pikes and sixty swords

from the public magazine. (19r)

Letter to Alexander Cunningham in Crail. Order to deliver to Major General Massey sixteen carbines and forty six cases of pistols. The committee will procure a warrant for payment or give public security as Cunningham wishes. (10r)

Middleton's approbation. Lieutenant General Middleton appears and reports his diligence in raising and bringing up the forces of the northland shires. The committee finds that he has discharged his trust with much ability and faithfulness, and that the bringing up such a considerable number of men (notwithstanding all the diffi-

¹ Printed in full in RCGA, iii, 40r-2. The commission's letter of 4 April is at ibid., 367-9, and its answer to this letter at ibid., 402.

^a This appears in Steele, *Proclamations*, ii, Scottish no. 2067 wrongly described as a proclamation of the Committee of Estates; the text fails to specify the issuing body.

culties and obstructions he met with) for relief of the kingdom deserves to be taken special notice of. The committee thanks him, and recommends the king and parliament to consider what his extraordinary services deserve. (19r)

Act anent the reducing of regiments. Recommended to Lieutenant General Leslie to forbear from reducing regiments in obedience to the act passed by this committee until the king signifies his pleasure. (19r-v)

Approbation of the subcommittee. Those members of the committee who were desired to stay in town three days ago to hasten provisions to the army, did, upon a letter from the king explaining the necessity and wants of the garrison of Burntisland, by themselves (there not being a quorum of the committee) order the sending of 100 bolls of the meal being supplied by Fife to Burntisland. They ald did this as they feared that delay might be hazardous. They also gave order for carrying to Dundee such military commodities as came from a ship lying at Crail. The committee finds that giving these orders was good and acceptable service to the country, and it therefore ratifies and approves them. (199)

23 April 1651, p.m. Perth

Letter to the king. Lieutenant General Middleton has come this far on his way to give you an account of his diligence in bringing up the forces of the northland shires, and to know your pleasure concerning them. They have come as far as Angus and the Mearns. Having heard his relation of his employments, we have thanked him and now recommend him to you for this extraordinary service. We have sent Lauderdale and Ormiston to give you an account of our proceedings, and they are to call such of our number as are there to join them and to wait on you and give their advice and assistance as you and the general officers call for it. The army now being drawing to the fields, we humbly recommend to you for the good of the service that Middleton have a regiment of horse assigned to him at once; and that you take into your royal consideration Colonel [Jonas] van Druscke, Colonel [William] Hurry and Colonel John Home, who are gentlemen of undoubted ability and affection to the service, to be employed as colonels of horse. It is

necessary that more general officers be named for the foot who are now drawing together, and we humbly suggest Colonel John Hamilton and Colonel Thomas Dalyell (when he has satisfied the church, which he is doing) as persons most fit to command the foot as majors general. Your majesty will hear our desires about this more fully from those we are sending to you. Hamilton, Glencairn, etc. (19v-20r)

Letter from Lieutenant General Leslie, dated Stirling 21 April, read to the committee and ordered to be recorded in its books. Having understood from the noble bearers [of your letter] of your great diligence, I must acknowledge Scotland, the army and I, your humble servant, to be much encouraged and obliged by it (especially when I consider the difficulties and scarcity of the time). I shall now desire no more than your presence here when circumstances allow, and that I may incur no danger by your act for reducing regiments. David Leslie. (2017)

Letter to Lieutenair General Leslie. We have heard an account from Glencairn and Galloway of their visit to you. As you desire we have chosen Lauderdale and Orbiston to go to Stirling. They are to call such of our number as are there to join them, to give you their best advice and assistance when you ask for them. We are consulting the king about the reduction of regiments, and have passed an act for you to forbear implementing the former act until he signifies his pleasure; copies of the acts are enclosed. We will continue to do all we can in the public service. Hamilton, Glencairn, etc. (207-v)

The committee appoints the parishes of Forgandenny, Inchture and Rossie as the quarters of the Caithness regiment. (20v)

Reformed officers. By acts of parliament and the Committee of Estates the parishes of Alyth ('Ellight') Kirkmichael, Rattray, Blair[gowrie], Bendochy ('Bennethie'), Kinloch and Clunie were appointed for the entertainment of some reformed officers. The committee therefore orders that these parishes pay these officers their allowances as ordered by these acts. (20v)

24 April 1651. Perth

Letter to the town of Dundee. We understand that, by public orders, you made some private transactions for providing carriages for six

pieces of cannon, that you were to have paid John Scott £1,600 for the carriages, and that you had the cannon in your own keeping for assurance of your payment.\(^1\) We wrote to you formerly to pay him promptly. Now the army is drawing together, and these are the only cannon which are to go along with it. We therefore again entreat you to deliver the money forthwith to John Scott, who is entrusted with making the carriages. We hope that you, who have given so many proofs of your affection to the king's service, will not now be found wanting when so much depends on this service. Therefore we expect that you will cheerfully pay the money; we have done our duty and will be free of any blame if you do not. (20v-21T)

Letter to Colonel John Innes. We are informed that there are two brass fielding pieces in the house of Bog [of Gight], and sixteen hundred weight of powder there or at Strathbogie. It is necessary that they be brought here, so we require you immediately to call out as many horses from the country as are necessary for carrying the arms and powder and send them to Aberdeen. Let us know

when they reach there, (21r)

Letter to [James] Grant [of Freuchie]. We expected to see your regiment here before now, and we require you to bring up all the forces under your command with all possible diligence. Take care that they be sufficiently armed and provided for according to the act of parliament, with forty days' meal and the twenty days' more subsequently ordered. But the raising of the twenty days' loan is not to be a reason for delaying your march; you are to march at once with the forty days' loan and money for the other twenty days', and victual will be provided for these days. We are confident of your care and diligence in this important business.

These last three letters are all signed Hamilton, Crawford, etc.

(2Ir)

Act for bringing in 2,000 horse to carry meal to Stirling and ordering the commissary general to speak to Mr Robert Preston and the clerk of the commistee to see this done. The meal is to be carried on Monday, Tuesday, Wednesday and Thursday next. (217)

Letter to the marquis of Argyll. We have used all possible means to

 $^{^{\}rm 1}$ The text is obviously garbled here; presumably it should read that Scott had the cannon in his keeping.

provide the army with arms and ammunition, but have found no considerable quantities of it in the kingdom. We understand that there are thirty barrels of powder with some firelocks, muskets and match which were in the ship which was brought to Bute by Captain Mure and that they are now in your possession. We entreat you to send them in for the use of the army by immediately ordering them to be delivered to John Kniblo. We are willing either to pay what you gave for it, or to give whatever other satisfaction you desire. Hamilton, Crawford, etc. (21v)

25 April 1651. Perth

Letters to Archibald Sydserf, Sir Alexander Wedderburne, Patrick Thomson, Andrew Glen, Robert Bell, etc. The carrying out of the work of defending religion, king and kingdom depends greatly on the active prosecution of our commission. But we find ourselves being interrupted in our duty by the non-attendance of the burgesses who are on the commission leading to the lack of a quorum. We therefore, for our own exoneration, entreat you to come here next Monday prepared to sit and join with us in this service. Hamilton, Crawford, etc. (21v)

Lette to Lieutenant General Leslie. Being informed of the scarcity of musket ball we agreed with James Monteith to supply 30,000 weight of musket and pistol ball. Finding no money in cash and no possibility of getting any to pay him or for other purposes, we were forced to call for the £10 which were to be put out with every trooper and are now in the hands of the colonels. Rothes and Balcarres paid in their proportions, and this was used to supply the officers of the Stirling garrison. The £10 raised by the colonels of Perthshire is assigned to paying Monteith, and we have written to [Colonel James Mercer of] Aldie to pay his proportion; but we have not even received an answer. There is no other way apart from this to get money, and the lead is absolutely necessary. We therefore entreat you to call for Aldie and (by putting him under arrest or other means) make him pay it immediately to Monteith. Hamilton, Crawford, etc. (221)

Muster of the earl of Sutherland's regiment. Commission to Colinton, Keith or either of them to muster the regiment and any others that come up with it. They are to report the regiment's strength to the committee so that it can be quartered proportionately on the

parishes of Errol and 'Carrik'. (22r)

Mosse examined. Commission to Glencairn and Humbie or either of them to examine [John] Mosse or any other person now in prison or suspected of keeping intelligence and correspondence with the enemy, and report to the committee. The magistrates of Perth are to produce the prisoners to be examined. (22r)

26 April 1651. Perth

Letter to Marischal and Errol. We wrote formerly ordering you to deliver to Lord Cochrane the £10 raised as the loan for each of your troopers, but we have not heard of this being done and public necessities are still increasing. Therefore we again desire you, if you want to avoid blame, to pay the £10 to the commissary general (unless it is already paid to Cochrane), setting aside all excuses. Other colonels have paid, and we do not expect you to be wanting; delay is as good as denial, and if you do not pay speedily the business will lie heavily on you. (221-v)

Letters to Lords Ogilvie and Drummond and [Sir Robert] Innes [of that Ilk]. The £10 raised for the loan of each trooper was ordered to be gathered by the colonels and paid to the commissary general. We require you to send the money to him forthwith, expecting your speedy obedience and an account of what you have done. (22v)

Act for the house of Rothesay. Recommendation to the sheriff of Bute [Sir James Stewart] to repair and fortify the house, and to order the country people to carry out such work as he thinks fit. To entertain those employed to keep the house he may use the arrears of monthly maintenance due from the shire (burgh and landward) and from his own lands of Cumbrae since last September, except for any already assigned elsewhere. The three barrels of powder now in his possession are to be kept in the house. Hamilton, Glencairn, etc. (22v)

Letter to the king. A letter from the king dated from his court at Stirling 25 April¹ read to the committee, and its answer returned as follows. Most Sacred Sovereign. We have just now received your ¹The minutes of the Committee of Estates record that on 24 April it was resolved that the king should write to the Committee for Managing the Affairs of the Army to hasten up provisions. Pa.7/24. 6.1 LILL.

orders. We shall not presume to give you any advice contrary to what you have resolved on in drawing your forces together, being confident that those who advised it see better than we do how the forces shall be entertained. We have already given you an account of the condition in which we found your magazine at Stirling: that garrison had used not only all that was in it, but also 1,100 bolls provided for Lord Spynie's, Colonel [Harie] Mauld's and Colonel [Henry] Sinclair's regiments, 'so that we fund that place so much worse than nothing'. We now have these three regiments, the earl of Kellie's (and the earl says it has used all its forty days' provisions) and some others (which 'pretend' to be in almost the same condition) to maintain. All the provisions we can possibly send to Stirling are used as soon as they arrive. We know that the season is fit for action, and we wish that during the past seven months provision had been made for it. All that we could find (at our entry to this trust) to be due from the shires in public dues not yet paid will not maintain your army for even ten days, and collection cannot be completed this month. We have no power to raise any money but what is voluntarily given or we can borrow by engaging our own persons and fortunes. We have done this most willingly, but have not been so successful as we wished, being hindered by lack of time, by the limits on our powers, and by the withdrawing from the committee of some of the most eminent of its members (men who, having been witnesses of the scarcities for the past eight months, would certainly know the best ways of dealing with them). But nothing shall prevent us from doing our duty in serving you and our country. We hope, God willing, by about Saturday next, to have about 6,000 bolls of meal, oats and peas at Stirling, and we are now again sending some of our number north to hasten the sending of provisions. We were informed that you had already given orders for carrying to Stirling the arms and ammunition at Elie which were sent to Scotland by Sir John MacLean ('McClier')1 but, as you command, we will also send orders to that effect. We expect you to consult with the Committee of Estates (or whoever

¹ For arms sent to Scotland by Sir John 'Maclier' or MacLean see J. N. M. Maclean, 'Montrose's preparations for the invasion of Scotland, and royalist missions to Sweden, 1649-1651', in Studies in diplomatic history in memory of D. B. Horne, ed. R. M. Hatton and M. S. Anderson (London, 1970), 20-31. See also Pa.7/7/120.

else you think fit) about of how that gentleman can be paid for them, and also about satisfying the Dutch merchant for the materials lately come from Holland, which five or six days ago at your command we ordered to be carried to Stirling. We shall do what we can to assist the general of the artillery [James Wemyss] in equipping his train, but parliament has left us little to do, having given him the best assignments in the kingdom for \$\int 2.000 sterling. We have already written twice to Dundee about mounting the cannon you mention, and will write again today to make your pleasure known to them. The regiments from the north are coming up daily, but there is no one here to give them orders for their march, and we desire you to appoint someone to give them your orders. Many things occur in your service that cannot be done without money. but we have no power to raise any from the country and have already extended our own credit to the full for providing victual though we have been limited by the fact that some eminent members of the committee have withdrawn from this service. We humbly entreat you to consult the Committee of Estates about providing money, Hamilton, Glencairn, etc. (23r-v)

28 April 1651. Perth

Glencairn chosen preses. (23v)

Letter to the committee of war of Fife. We have received an account from the keepers of the magazine at Stirling, from which we find that by 26 April only 900 and odd bolls of meal and 200 and odd bolls of peas had arrived from Fife. So not more than 1,200 of the 4,000 bolls due by your agreement with us has been delivered. We earnestly entreat you to hasten up the rest with all possible speed, for it is impossible to draw together the forces until that victual is in the magazine. We are very hopeful that all the victual due from Angus will be in the magazine by next Saturday. We must also entreat you to send the spades, shovels and mattocks which are at Crail to Stirling, where there is great need for them for the garrison and for 'drawing the line of the leaguer'. Postscript: we also remind you that the three horses for carrying ammunition and two men from each foot company in the two regiments raised in your shire are not yet sent out. (23v-24rt)

Pass to Robert Foulis, merchant in Edinburgh, and George

Livingstone, servant, to go to Edinburgh. (24r)

Commission for trial of intelligencers. Lauderdale and such other members of the committee as are about the court are to try persons suspected of giving intelligence to the enemy. They are to call before them for examination those who have been apprehended, and report to the committee from time to time, (24y)

William Downie. The committee has heard the supplication of Downie, writer in Edinburgh, desiring that he and his cautioners be freed from the band granted by them (on Lieutenant General Middleton's directions) to appear before the Committee of Estates or any other committee sitting at Perth to answer charges relating to his obstructing the present levy. The committee find that Downie has fulfilled his band and orders that it be given back to him, provided that he acts himself to remain within this town and to appear before the committee whenever required, on pain of £1,000 Scots. 1 (27v)

29 April 1651. Perth

Letter to [Sir Robert] Innes [of that Ilk]. The condition of the country and the motion of the enemy towards Stirling has necessitated the immediate calling together of all the forces. Your troops are at present employed in Ross raising a troop for [John Innes of] Leuchars, but through an agreement with Middleton all the gentlemen of Ross are coming out with their best horses. We therefore order you to march here at once with your regiment. When it and these other forces from Ross get here we will arrange for your regiment to be made up. (24v)

Letter to Colonel [Harie] Mauld. We have heard a petition from Kincardineshire asking that it be no longer troubled for its forty days' provisions, as they have already given satisfaction for them. We expect that you will not further trouble the shire, as you had agreed not to until the business was tried at Stirling. We have now tried it, and hope to give you satisfaction; you are not to quarter on anyone for their provisions. The shire also complains that you have

 $^{^{1}}$ The act is registered under 30 April but marked as omitted on 28 April, so it has been included in the calendar under the latter date.

quartered on men whose tenants and servants (whom they had sent out to the army) had deserted, demanding other men in their place. We desire you not to quarter on any for such runaways until you have first complained to the shire committee of war; if you do not get justice there this committee or the Committee of Estates will see that you get satisfaction. The shire states that it has given you fifty-four ammunition and baggage horses, a great many more than the proportion of other shires, and it therefore desires that its twenty days' meal for your regiment may be received by you at Montrose. We willingly agree to this as the shire has given more baggage horses than others and has been very willing to do all its duties (especially in giving freely 1,000 bolls of meal). We will have 200 bolls of meal carried to Stirling for the use of your regiment; it will be put in a room by itself and the key will be given to whoever you order to take charge of it. (Signed like previous letters.) (24v)

Letter to the committee of war of Kincardineshire. We have received your desires presented by Colonel [Alexander] Ramsay relating to disputes between Colonel Mauld and you about the twenty and forty days' provisions and runaways. We enclose a copy of our letter to Mauld containing our answers. We are very conscious of your readiness to contribute for relief of this distressed kingdom.

Hamilton, Glencairn, (25r)

Letter to Lieutenant General Leslie. The committee thinks it necessary to take as much care in transporting the victual agreed for in the north as is taken in bargaining for it. Fearing that there may be delays in his we have now employed Glencairn, Findlater, Colinton and Archibald Sydserf to go north to hasten up victual already agreed for, and to bargain for as much more as can be got. In case of contrary winds or enemy ships lying on the coast it will be necessary to raise all the horses in the area to carry it by land; but now that all the forces are being called out of that country it will be hard to raise the horses. We therefore desire you to choose thirty-two of the worst mounted troopers of the old regiments with two corporals, and order them to march to Angus to await the orders of our commissioners. Hamilton, Galloway, etc. (251)

Letter to Lord Balmerino and [William Grahame of] Claverhouse. The committee is providing meal for the army, and finds it necessary that boats be provided to carry it from Aberdeen to Dundee.

We understand that some men living on your lands have boats, and we desire you to see that any such boats are sent to Aberdeen immediately. The commissary general's deputes will give your men the same satisfaction for freight as others get. Hamilton, Glencairn, etc. (25r-v)

Letter to the marguis of Argyll. We have given orders for bringing up the forces raised in the northern shires, but we find that the service is much retarded by the fact that the men due from your lands in Lochaber have not come out. Neighbouring Highlanders. fearing incursions from Lochaber, are unwilling to come out while the Lochaber men stay at home; and the latter (we are told by letters from [James] Grant [of Freuchie]) have gathered together and have already made incursions on his and other men's lands. Thus the army will be deprived not only of your men, but of others whose stay at home is caused by fear of (and the example of) your men. The shires have now given us accounts of their diligence in raising levies; but there is still no account from Argyllshire, though we wrote asking for one. We earnestly entreat you to take immediate action to raise and send out all your men from that shire, the Highlands and Lochaber. We expect an account from you of this, as we are obliged to and for our exoneration, Hamilton, Glencairn, etc. (25v)

Act for the levies of Moray. It was formerly ordered that three horses with sacks and sods for carrying ammunition and two baggage men be put out with each foot company in the present levy. But the committee understands that neither the horses nor the men have been put out with the sheriff of Moray's [Thomas Dunbar of Westfield's] regiment. It therefore orders him or any of his officers authorised by him to go at once to Moray and raise the horses and men, quartering on deficients. The sheriff is to give an account of what he has done and deliver the horses and men to the wagon master general [Robert Hodge] by [blank] May. (25v-26r)

Compliers with the enemy. Alexander Clerk, sergeant in Captain Oliphant's company, and John Baillie, baxter, were apprehended and incarcerated in Burntisland for compliance with and giving intelligence to the enemy. They have been sent here with their depositions to be examined by this committee. There not being a quorum of the committee in town when they arrived to give a

warrant to the provost and bailies of Perth to incarcerate him in their prison, Glencairn as preses of the committee gave a warrant. The committee ratifies and approves his conduct. (26r)

30 April 1651. Perth

Letter to [Sir Robert] Innes [of that Ilk]. We have received your letter of 26 April about the levy of Leuchar's troop in Ross. But before it arrived we and the Lieutenant General [Middleton] had sent ordering you to march with your regiment without delaying to raise that troop, as the gentlemen of Ross are (by their bands and assurances to Middleton) to come out with the best of their horse. We are very ill satisfied that public orders should meet with any opposition, but the present necessity forces us to renew our desire to you to march at once. The king will take action about both Leuchar's troop and any disorders committed in Ross. Hamilton, Glencairn, etc. (26r)

Carriage of a surgeon's chest. Order to the bailies of Montrose to provide three horses and carry a surgeon's chest of medicaments lying there (belonging to Richard Wyseman) to Arbroath. The bailies of Arbroath are to provide horses to carry it to Dundee; and the Dundee magistrates are to transport it to Perth. This is to be done with all diligence. (26v)

Sutherland's regiment. Order to the commissary general to deliver to the earl of Sutherland's regiment two pounds of meal a day for 250 soldiers. He is to receive security for payment from the lieutenant colonel in the earl's name. The officers of the regiment are to have meat and drink where they are quartered in the parish of

Gask. (26v)

Act against runaways. 'The committee of estates entrusted by his sacred majestie and estates of parliament for manageing the affaires of the armie' has considered the great prejudice to the public service that arises from the baseness of a number of soldiers who run away from their colours, notwithstanding former acts against them and their resetters. Religion, the king's person and authority, and the preservation of Scotland and all Scots men from slavery and ruin are being fought for. The committee therefore orders that all such unworthy and base actions by runaways and their resetters be

strictly punished. The committees of war in each shire are to be diligent in trying, apprehending and punishing them according to former acts. Those guilty of reset are to be sent to this committee for punishment (26v)

Orders to the colonels. It is necessary to have an exact account of the deficients and runaways. All the colonels of the levy are therefore ordered to give in immediately an account of the numbers assigned to them and the names of the deficients and runaways, (26v)

Allowance to prisoners. Order to the commissary general to give two pounds of meal daily each to John Baillie and Alexander Clerk, prisoners in the tolbooth of Perth, during their stay there. The prisoners are to be sent with their depositions to Stirling to the general officers, to be proceeded against by a council of war. (27r)

Arms for Sutherland's regiment. Order to Alexander Bower to deliver to the officers of the regiment eighty muskets with bandoliers. The lieutenant colonel and two captains of the Strathnaver men are to give a band to pay the commissary general for them within a month. Bower is to hire a boat to carry the arms to Perth. Hamilton, Glencairn, etc. (27r)

Letter to the king. Our members who were, by your warrant, employed in the north to provide victual are now returned. It is necessary that all care be used in hastening up the victual already agreed for, and in bargaining with the shires beyond the Spey for whatever can be got there. We have therefore commissioned Findlater, Carnegie, Colinton, Archibald Sydserf and Alexander Bower, and others appointed to join with them in each shire, to go north. We thereby offer you the commission to sign, as the other one was. We humbly desire you to write to Findlater and Carnegie to go on this service, for their assistance may be of very great use. Hamilton, Glencairn, etc. (27r)

Letter to Lieutenant General David Leslie. Before receiving your letter of 26 April the committee, fearing that the forty days' provisions of Lord Spynie's, the master of Gray's and Colonel Sinclair's regiments were nearly spent, wrote to the shires for putting out the twenty days' further loan ordered by king and parliament for entertaining the regiments. Until that loan is spent we do not think the public magazine should entertain them; and the colonels should be answerable for their twenty days' loan. We are doing all in our

power to provide arms, but we find very great scarcity of them in the kingdom. Therefore we think more care should be taken in preserving the arms already furnished to soldiers – especially as we are informed by John Kniblo that the soldiers and officers in Stirling are selling their muskets at five merks each. Reports from the shires indicate that all the levies since last September have been supplied with arms by the shires, so we think the officers of these regiments should be answerable for the arms they have received (though arms lost in the service shall be replaced from the magazine). Hamilton, Glencaim, etc. (271-v)

1 May 1651. Perth

Commissioners to attend the meal. The committee is informed that there is a great loss of meal between the delivery of it at Perth and the receipt of it at Stirling, caused by the carriers taking out quantities of it on the way. When the carriers come from their parishes no man of trust comes with them to be responsible for them. Therefore it is ordered that when any horse come from a parish to carry meal, the commisssioner of the parish shall also come, or send some discreet man, with the carriers to see them loaded, note the weight of every load of meal, and be responsible for seeing that the same weight is delivered at Stirling. If a commissioner fails to come (or to send a man in his place) and there is any loss of meal through the miscarriage of the carriers, the commissioner will be charged with the loss. Parties sent out to summon horses to Perth shall warn the parish commissioners of this. Any carrier found taking out meal and not delivering the correct weight to Stirling shall be punished as a stealer of public meal. (28r)

Act allowing the collectors of the shires to stay at home. Ordered that the collectors of the northern shires stay in their shires to help raise provisions, in spite of any former orders for coming along with the

forces going to the fields. (28r)

Act of approbation to Alexander Bower. He has given an account of his diligence in carrying out the instructions the king gave him from Aberdeen for raising and bringing in public dues from the shires north of the Spey. The committee approves his conduct and thanks him. (28r)

Richard Wyseman, surgeon general. Order to him to go to the regiments he and his mates are to serve in and get attestations from the colonels that they are to serve in these regiments. The committee will provide chests for them. (281)

Public accounts. Order to Sir John Smith, commissary general, to prepare accounts of his intromissions up to 1 April last. (28v)

I, William Downie, writer, in conformity with an act of the committee of 28 April, oblige myself to remain in Perth and appear before it (or any of its members appointed by it) to answer charges relating to obstructing this levy, on pain of £1,000 Scots. (28v)

2 May 1651. Perth

Letter to Sir John Brown. We have examined Alexander Clerk and John Baillie, who were sent here by you, and decided that they should be punished by a council of war. We think such a council the competent judges as their faults are complying with and taking service with the enemy, and running away from their colours. We therefore send them back to you for trial, and desire that they may be tried at once and not kept in prison where they will either starve or eat the soldiers' meal. (28v)

Warrant to the magistrates of Perth to carry the two prisoners mentioned above to Burntisland and deliver them to Sir John

Brown and Major General [John] Leslie. (28v)

Letter to the earl of Atholl. We are using all possible diligence to hasten up meal to the army, and for this reason orders have been given to raise all the horse of this shire. We find no horses are sent out by Atholl, and therefore desire you to give orders and send the number of horses due to Perth, to carry meal to Stirling. We have sent several orders previously; if they still do not come the blame shall lie on you. (28v-29r)

Commission to Lauderdale, etc. Lauderdale, Balcarres, Humbie, Tofts, Ormiston, Mr John Cowan and Duncan Nairn, or any two of them, to go to Stirling and find out how all the victual sent there by this committee has been used. They are to decide how it should be distributed in future, and for this purpose they may muster all the regiments and forces in the garrison of Stirling which are to have any of the meal. No meal is to be given out of the magazine in

future except on the committee's or the commissary general's orders. They are also to investigate the forty and twenty days' loans of the new foot regiments, seeing that they are all provided with them. They are to have power to examine [blank] Henderson and [Andrew] Mean who are in prison in Stirling, and any others suspected of keeping intelligence with the enemy, committing them to ward if there is evidence of their guilt. They are to send accounts of their proceedings to the committee frequently. (291)

Commission to Tofts, Niddrie and the commissary general, or any two of them. To give orders for bringing in all the deficients of the horse that were ordered to come and carry meal to Stirling, giving new orders for hastening in horse when necessary. (207)

Warrant to apprehend Walter Young, merchant in Edinburgh. (201)

Commission to the earl of Findlater, etc. Charles R. It is necessary to hasten up the meal already agreed on from Forfar, Kincardine and Aberdeen, and to provide more meal from the shires of Banff, Elgin, Nairn, Inverness, Ross, Cromarty, Sutherland and Caithness. The king and the Committee of Estates entrusted with the Managing of the Army therefore commissions Findlater, Carnegie, Colinton, Archibald Sydserf and Alexander Bower, or any one or more of them, and also the following in the shires specified: In the shire of Forfar, the earl of Ethie, [Sir Alexander Carnegie of] Balnamoon and Sir James Ogilvie. In the shire of Kincardine, [Sir Alexander Carnegie of Pittarow, [Sir Robert Grahame of] Morphie and [John] Barclay of Johnston. In the shires of Aberdeen and Banff, [Sir Alexander Fraser of] Philorth, [John] Udnie [of that Ilk], [Sir Alexander Abercrombie of Birkinboig younger, Sir Patrick Leslie and Sir Robert Farquhar. In the shires of Elgin, Nairn, Forres, Inverness, Ross, Cromarty, Sutherland and Caithness, [Simon Fraser of Inverallochy, [Simon MacKenzie of Lochslin, [John] Grant of Moyness, [Sir John] MacKenzie of Tarbet, [Robert Gray of Skibo, James Gibson of Muldare, Commissary Grav, [Sir James] Sinclair of Mey, [Sir James Sinclair of] Murkill, and John Forbes of Inverness.

The commissioners are, by themselves or with the help of those named for each shire (who may act in their own or neighbouring shires), to see that the meal already agreed on with some shires is

delivered with all possible diligence, according to the agreements. They are given power to hire boats and barks at reasonable rates for carrying it and, in case of refusal, to press all boats, barks and vessels. If through contrary winds or the enemy being on the coast the victual cannot be brought immediately by sea without danger. they are to raise all the horse of the area with sods and sacks to carry the meal here. They are to inquire about all the meal in the shires, and deal with the owners to sell it on the security of this committee or the private security of all or any members of it. Any such agreements made with owners will be ratified and approved by the committee. If any of those having victual refuse to sell it, the commissioners have power to arrest and seize it, and to make use of the forces against such refusers and for raising horses. They can quarter forces on those deficient in putting out horses, arresting their persons and forcing them to do their duty. Committees of war, sheriffs, magistrates and all officers and soldiers are to obey the commissioners' orders. The commissioners are also to use their authority to assist in the raising of such meal and other dues as were imposed on the northern shires by public authority but have not been paid. They are to send frequent reports to the committee. Given at Perth 30 April and signed by the king at Dunfermline, [blank] May 1651, Hamilton, Marischal, etc. (20v-30r)

Instructions to the above named commissioners.

I. To manage the business entrusted to you the best way you can; it is left to you as you find necessary to use the best means for carrying the victual by land.

2. If the meal be carried by land it must be taken to a seaport where the commissary general's deputes have sacks to change for the carriers' sacks, or shall give some other satisfaction to the owners

for their sacks, according to their worth.

3. As you go through Montrose, or at Aberdeen, speak with the merchants to see if they have any meal and if they can be persuaded to take bear which is to come from Moray and Ross in exchange for it, getting five or six firlots of bear for one boll [i.e., four firlots] of meal, they bearing the sea hazard; or at some other odds, the public bearing the sea hazard.

4. Take special note of any ships or barks being loaded with victual at any harbour within the bounds of your commission, and

put the proclamation anent transporting victual into effect, seizing victual or apprehending its owners if they refuse to obey it.

5. Give your best assistance to the committees of war and the officers of regiments in punishing runaways with all the rigour of former acts.

6. The victual, money or whatever else you raise is to be entrusted to the commissary general or his deputes or (in their absence or failure to act) you may employ some other suitable men.

7. Make use of the best and most secure places in the seaports to store the meal until it is transported.

8. Call the commissary general's deputes, collectors or any other persons entrusted with raising public dues, and give them orders for paying the freight of boats and barks, for providing sacks, or for paying any other necessary expenses.

9. By act of parliament all exemptions are forbidden, so uplift all

public dues without regard to former exemptions.

10. Require the committees of war to give a full account of this levy and all other levies since I September last; of the numbers of horse and foot put out; the names of the men; or what money was given in place of men; and of the names of the officers who received the men and money.

11. Require the committees of war to see that three ammunition horses, with sacks and sods and two baggage men, are provided for each company of foot in the present levy. The committees are to give accounts of how many horses or what sums of money they have given out, and to whom.

12. Discover what arms and ammunition are in any of the towns in the north, and agree on prices for them on our security, which we will renew in our own names if desired. Transport the arms you buy; any who refuse to sell their arms and ammunition are to have them seized and arrested, and we are to be informed.

13. Make sure that the 5,000 bolls of meal formerly imposed on Aberdeenshire, and the 2,000 bolls imposed on Banffshire be immediately delivered and sent up.¹

14. Urge the shires north of the Spey to pay the eight months' maintenance imposed on them in place of their meal.² according to

¹ See PA.11/10, fo. 12r-v.

² By the letter mentioned in APS, VI, ii, 655?

the act of parliament sent enclosed. Urge all the shires to pay the other maintenance and public dues contained in that act but not paid.

15. Take trial, from the committees of war or otherwise, of what sums have been uplifted by the officers of this levy for forty days'

loan, transport money, or any other cause.

16. In the shires north of the Spey call not only for the eight months' maintenance but also for the thirty days' loan imposed by act of parliament in June or July last for the levies put out at that time,¹ which in these shires (excluding Orkney) will amount to £20,000 or more.

17. Receive the eight months' maintenance as follows: Three months' in money (with allowance for what Alexander Bower has already received) and the rest in victual. Take meal in the first place, good oats next, and bear for the rest. The price of the bear and meal already agreed with [Sir Alexander Sutherland of] Duffus in name of the shires of Elgin and Nairn is 'eight punds overhead'.

18. Take victual in the same 'spaces' for the forty days' loan.

19. Over and above the eight months' maintenance there is ordered by act of parliament² in March last a month's more to be paid in money. You are to uplift this.

20. The twenty days' loan for the foot regiments is to be provided

now and sent up.

21. Help to ensure that the bands taken by Alexander Bower for payment of £4,000 by certain persons in the north are kept, the money being paid to the commissary general's deputes.

22. Use all possible diligence to see that if victual cannot be conveniently carried to Dundee by sea, it be carried to Aberdeen and from there either be sent by land or by sea in open boats.

23. Take accounts from all collectors and commissaries depute of their intromissions.

24. Command the commissary general's troop to do as you order.

25. Manage the business concerning Banff to the best advantage of the public, either by enforcing the first contract or by making another agreement. (30v-31v)

2 APS, VI, ii, 643, 652.

¹ The thirty days' loan for shires north of the Spey is mentioned at PA.II/IO, fos. 12V-13r.

7 May 1651. Stirling

Letter to the committee of war of Perthshire. Charles R. We took your voluntary agreement to lend 4,000 bolls of meal, bear and oats as a very great testimony of your affection and readiness to act to relieve this distressed kingdom. We expected that it would have been stored at Stirling by now, as agreed, but from the accounts of the keepers of the magazine we find that up to today only 290 bolls of oats and bear and 135 bolls of meal have arrived, and we enclose a list of the names of those that sent it. We have therefore sent Humbie, one of our members, to wait on you and entreat you to use all possible diligence to send the remainder to Stirling, as the whole army of foot is to be drawn together to a leaguer as soon as is convenient. The meal due from your shire for the last month's maintenance imposed by the last session of parliament is to be stored in Burntisland for the garrison there; any assignments granted by the commissary general to others are void. (32r)

Letters to the committees of war of the shires of Angus, Mearns, Aberdeen and Banff. The king has resolved to draw all his forces together to a leaguer immediately. He requires that all possible diligence be used in hastening up all the victual contracted for between this committee and the shire. Commissioners have been sent to you for this reason but we have decided to represent to you again the positive necessity for using your utmost endeavours to send up not only what is due by agreement with us but also what was formerly owing and what is due to the regiments of that shire. No time or means should be omitted by you, as you care for the king's commands, the preservation of the kingdom and the safety of the army. (32r)

Letter to Lord Cochrane and Lee. We expected to be with you in Perth tomorrow, but public affairs will keep us here until Friday. We send this bearer to let you know of this and to desire you to stay at Perth, where we will be (God willing) on Friday next by 2 p.m. In the mean time we entreat you to hasten up all the meal you can from Forfar and Mearns to Perth, and then to here; it is thought expedient and necessary that all the foot draw together to a leaguer as soon as is convenient. (327)

Letter to the committee of war of Fife. Charles R. Order to the shire

to deliver immediately to Mr Robert Hodge, wagon master general, or his deputes three sufficient horses for carrying ammunition, with sods and sunks and two men, for every foot company of the two regiments raised in that shire. If this is not done action will be taken to ensure that the service is not damaged. (32v)

The committee orders the regiments underwritten within the garrison of Stirling to be mustered by the following persons:

Regiments Lieutenant General Holborne's [Sir Alexander Sutherland of] Duffus' John Lindsay of Edzell's Sir Alexander Strachan of Thornton's [Colonel Colin] Pitscottie's Master of Lovat's [Rory] MacLeod [of Dunyegan's] The garrison Earl of Crawford-Lindsay's Lord Spynie's

Master of Grav's Henry Sinclair's Sir George Preston's Harie Mauld's [Robert] Douglas's Earl of Atholl's

[James Wemyss'] (general of artillery) Lord Drummond's

[James Campbell of] Lawers' James Wood of Balbigno's [George] Buchanan [of that Ilk's] To be mustered by Fernie

Bogie John Boswell Niddrie

Ardross Stobbs Skirling

Ormiston Tofts

David Wilkie Duncan Nairn Lee

Mr John Cowan John Mylne [blank]

James Sword James Rucheid Sheriff of Teviotdale

[Sir William Douglas of Cavers] Earl of Dalhousie

[blank]

John Kniblo (32v)

9 May 1651. Stirling

Letter to Lord Cochrane and Lee. For many reasons we have ordered the managing of the affairs of the army to be at Stirling. But it is necessary that some of our number be at Perth to hasten victual up to Stirling, and to receive and send letters from here to the northern shires. We therefore desire you to stay at Perth until eight days after

next Tuesday to see to these tasks. (32v-33r)

Commission to Cochrane and Lee. The king and committee have ordered Cochrane, Lee and Sir John Smith of Grottal, commissary general, to stay in Perth for hastening up victual, with power to them (or any other members of the committee who are in Perth) to use all possible means to hasten up victual. They are to press horses in Perthshire or elsewhere for carrying it, and give orders for parties to quarter in case of refusal. (331)

A committee appointed to consider recruiting the king's regiment, and to think of the best way of using levies from south of the

Forth for Major General Montgomery's regiment. (33r)

The committee recommends the Committee for Moneys to provide ammunition, and in particular desires it to speak to Argyll, who has got some of the king's ammunition and arms, for which he has spent some money, and to give him satisfaction. (312)

Warrant to examine Walter Young.1 (33r)

13 May 1651, a.m. Perth

Act in favour of Sir John Smith, commissary general. He has delivered 200 bolls of meal to the master of Caithness' regiment, 108 bolls to Sutherland's, 100 to the master of Banff's and 128 bolls to [David Ross of] Balnagowan's, on bands for repayment from the officers. The committee allows this; but it orders that before he gives out any more meal to the regiments all the officers must give him a signed statement of the strength of the regiment, and renew their bands for repayment of any meal they are getting in place of their forty days' loan before 1 June. (33v)

Order to the committee of war of Perthshire. The committee for the army orders it to stay in town and continue to meet until it gives an account of its twenty days' loan, the month's maintenance which should have been paid in meal, and of the rest of the 5,000 bolls of meal. Any member of the committee of war who leaves town will have all the forces of the shire quartered on him. Tofts, Keith and the

 $^{^{1}}$ The warrant has not been inserted in the register, a blank half page having been left for it.

commissary general are to inform the committee of war of this. (33v)

'The Committee of estates for the affaires of the armie' orders the parties of Colonel Mauld's regiment that are now lying in the Mearns to leave the shire at once. The shire is to pay immediately to Mauld the £976 due by it. If it does not pay Mauld may leave a party of not more than thirty foot and one officer to quarter on those deficient in paying the officers' and soldiers' transport money and forty days' pay. (33v)

The committee orders Colonel Mauld to deliver to John Grahame of Craigie in name of the shire of Kincardine the shire's band for the

forty days' loan. (33v)

Shire of Kincardine. The committee has heard Colonel Mauld, Lord Arbuthnot, Morphie, Pittarow and Craigie about the number of foot in this present levy. The committee finds that the shire in putting out 540 foot for Mauld's regiment has exceeded the proportion required of it in former levies. The deficients of these 540 foot are to be put out by 22 May, and Mauld is to give the clerk of the shire a list of them. If any fail to put out deficients on time orders shall be given for quartering on them; but Mauld is not to trouble the shire about putting out more foot until the king and this committee gives orders to do so. (347)

Some acts omitted this day booked the following day. (34r)

Absolvitor to Lord Arbuthnot.* The committee understood that in some transactions in the shire of Kincardine for the forty days' loan of its regiment, some persons (in name of the shire) bargained with some merchants for meal for the loan at £12 Scots [a boll]; but they have raised from the heritors fourteen bolls [sic, for £14] for each boll, thereby burdening the country unnecessarily with thirty [sic, for forty] shillings Scots more for each boll. The committee therefore ordered messengers at arms to charge Arbuthnot, Pittarow and Morphie (the person accused of thus abusing the country) to appear today to answer these charges. They have done so, along with Colonel Mauld, who had informed against them. Both sides were heard at length. The defendants declared that £1 sic, for £21

The humble desires of the committee of Kincardineshire are at PA.7/8/31/1.

² This act is registered under 14 May but is marked as omitted on 13 May. The three acts which follow it (also under 14 May) are evidently the other acts omitted under

¹³ May, and are therefore also calendared under the latter date.

was imposed as a penalty on those who had not paid their proportion on time; about £100 was raised in this way, and was used to pay the collector and to pay interest on money advanced. The committee therefore absolves the defendants. (37r)

Colonel Mauld and Kincardineshire. The committee declares that the thirty-four baggage horses put out by the shire shall be allowed to it in any further levy. The colonel is to be responsible for keeping

them for the use of the army. (37r)

Colonel Mauld. The committee has heard him on what action should be taken about runaways from his regiment. He is ordered to act as the king, Committee of Estates or this committee have ordered, or shall order. (37r)

Colonel Mauld. Order that no money be exacted from his proper lands for any charges laid on the shire to pay the expenses of the

shire in taking proceedings against him. (37r)

Letter to the northern shires in favour of the general of the artillery. King and Parliament have, to hasten the providing of the train of artillery, ofteded the shires to pay certain sums from their monthly maintenance to the general of artillery. Kincardineshire is ordered to pay £1,339. The money must be paid at once, and we desire you to see that this is done; orders have been given for quartering on deficients, but we are confident that you will avoid this by prompt obedience. Similar letters written to Aberdeenshire (for £5,588), Elgin (for £1,608), Banff (for £1,669), Nairn (for £413) and Inverness (for £1,381). (344)

Shire of Forfar. The committee has considered the desires presented on behalf of the shire that, because of the great burdens it has been subjected to, Major Dochtie, Captain Buchan and Routmaster Shaw who are now quartered in the shire may be removed; that when forces are quartered in the shire they be not directed to any particular place (over-burdening it more than others), it being left to the committee of the shire to assign them quarters; and that action be taken to entertain runaways when they are apprehended, to decide what shall be given to those who apprehend them, and to decide how resetters should be punished. Having heard [Keith of] Kirktonhill in name of the shire the committee recommends their desires to the king to be answered with the advice of the general officers. (345-v)

Shire of Forfar. The committee, having heard some desires of the shire, replies as follows. The twenty days' dry quarters in money demanded for the officers and soldiers that were at the 'infall' on Linlithgow is contrary to many acts against the exacting of money for any party while it is absent unless it has an order for payment from the king and Committee of Estates. The quartering of any soldiers on pretext of deficiency or runaways is also forbidden until the committee of the shire is informed who the deficients or resetters of runaways are. Soldiers of the regiments that were dispersed at Dunbar are not to be enlisted for other regiments, as they still belong to their old ones. (34v)

13 May 1651, p.m. Perth

Order that the underwritten letter be delivered to the commission of the church sitting at Perth by Crawford, Lauderdale, Humbie, Tofts and Sir John Smith. (34v)

Letter to the commission of the church. We are greatly troubled at your dissatisfaction at some of our members not being (as you think) qualified as you desired. It is not in our power to remedy this, and it is a great discouragement to us. We find that certain eminent persons are, on this pretext, reluctant to join us. Parliament has desired the repeal of the act of classes, and we desire you to retrum a clear and positive answer to parliament's question about it, 'for breaking doune that partition which now seperats and divydes us in our deuties'. Whatever your resolution is we will submit to it; but many of us will choose to risk death 'with the marke of infamie' still on us rather than delay action against the common enemy when summoned by king and parliament. Hamilton, Crawford, etc. 1 (35t)

14 May 1651. Perth

Insurance for barks. The committee agrees to insure the barks and boats ordered to transport victual from the north. If any of them are lost in this service their value shall be a public debt payable to the owners. Hamilton, Crawford, etc. (35v)

1 RCGA, iii, 405-7.

Warrant to Captain Patrick Murray (Lord Drummond's regiment). To quarter in the parishes of Madderty and Fowlis [Wester], exacting

meat and drink but not money. (35v)

Orders for Lord Drummond. To order two parties from his regiment, each of twenty horse under a corporal or quartermaster, to quarter on those in Perthshire who have not paid their forty and twenty days' loans, the last month's maintenance imposed by parliament, or any other public dues, according to the list given in by Mr Robert Preston, the collector of the shire. (35v)

Letter to the committee of war of the shire of Angus. The king finds it necessary that the foot be now drawn together in a leaguer south of the Forth. If the meal which should be advanced by the shires is not brought up at once these forces may have to disband again. We therefore require you to send up the remainder of your forty days' loan and last month's maintenance to Dundee by sea, and to send by land the 1,000 bolls of meal stored at Montrose by Kincardineshire; send horses to carry it to Dundee next Monday. (3 sy)

Order to Lord Ogilvie's regiment. To quarter on deficients in Angus, receiving a list of their names from the committee of war; and to quarter on members of the committee if it fails to give you a list

until it does so. (35v)

Letter to the committee of Kincardineshire. A similar letter [to that sent to Angus] ordering the sending of their twenty days' loan, and the remainder of the 1,000 bolls of meal to be advanced by that shire by agreement, over land to Dundee; and informing the committee of war of the order sent to Angus about the meal at Montrose. With a similar order [to that given to Lord Ogilvie's regiment] to the Earl Marischal's regiment to quarter on deficients. (367)

Letter to the committee of Aberdeenshire. Å similar letter for sending the remainder of the forty and twenty days' loans to Stirling, it having been already advanced out of the public magazine to your regiments. It is to store the rest of its first and second 5,000 bolls of meal at places agreed with the commissioners. And a similar order to the earl of Errol's regiment to quarter on deficients. (36r)

Letter to the earl of Findlater and the other commissioners in the north.
We have sent orders today to the shires of Forfar and Mearns to
bring in the twenty days' loan, the last month's maintenance, and

the remainder of the 4,000 bolls of victual; and similarly for the shire of Mearns Isicl. Orders have been sent to the officers of the regiments of horse in these shires to quarter on deficients, or on members of the committees if they neglect this service. The king has drawn the foot together to a leaguer south of the Forth, Most of the horse will be called up to Stirling shortly, and then all the forces will be entertained from the public magazine. This will quickly use up all the victual which the shires of Perth, Fife, Forfar and Mearns supply. As yet no victual has arrived from the north not even the first forty days' loan which should have been brought by the forces raised there. Aberdeenshire owes 1.160 bolls of this loan, and none of the loan has been brought from any other northern shire. We entreat you to use your utmost power to collect and transport all that is due from the shires you have been sent to. You are to use the forces ordered to accompany you, or parties from any regiments lying there, to quarter on deficients. The main work is now to provide meal for the army; even if both we and you do our best the task will be hard enough. The winds stop the boats from coming, and every journey is so uncertain (and the amount they carry so little) that we think the transport of victual by open boats will not be sufficient to entertain the army. We therefore desire you to send some of the barks that are lying at Fraserburgh or thereabouts with the first fair wind - but not too many are to be risked at one time, because the enemy's ships are on the coast. A considerable amount must be risked in barks, or the victual is in effect lost. Hasten your agreements with the other shires to get victual. Let us know from time to time what is to be expected, and how quickly. To encourage the owners of barks and boats we have sent orders for insuring them. For the safe and speedy passage of the barks it will be necessary to hire some boats of six or eight oars each and send two with each bark to tow it 'about to Tay' or any other harbours. Hamilton, Crawford, etc. (36r-v)

Letter to John Aikman. To transport the meal that is lying at Arbroath to Dundee with all speed. Lord Ogilvie is ordered to quarter on deficients. The magistrates of Arbroath are ordered to assist you in providing boats to tow barks 'about to Tay'. The commissary general's deputes will pay for the boats. (36v)

The like letter to James Pedie at Montrose. (36v)

15 May 1651. Perth

Act in favour of Glencairn, Lord Cochrane and [Sir John Crawford of] Kilbinie. They have complained that money is raised from their lands by the officers of Lord Erskine's regiment. The committee finds the raising of any money by officers or soldiers to be contrary to former acts, and therefore forbids the officers of that or any other regiment to raise money for 'cess or assisting quarters' from the lands of Glencairn etc. in Renfrewshire. Any money already raised is to be repaid, and officers who have or shall raise money contrary to this order are to appear before the committee on [blank]. Hamilton, Crawford etc. (37v)

William Orr. Order to [blank] Love in Muredykis to deliver immediately all the money he has collected by way of cess for the English forces to William Orr in Locheid. If he fails he will be proceeded against as one who has served the public enemy. (379)

Precept to the Committee for Moneys in favour for Sir John Smith. The commissary general has, at the desire of the committee, supplied 200 pikes and 200 miskets for use of the army. We therefore require you to pay him for the muskets at £9 each and the pikes at £3 each, out of the first and readiest of any excise (except that on wines) that has been or shall be raised. Hamilton, Crawford, etc. (37v)

Town of Arbroath. A supplication was presented by John Auchterlony in name of the town to the committee of war of the shire of Forfar, stating that the town had borne the burden of quartering the northland regiments on their march south. The Committee for the Army commands that the former order for quartering the English foot and horse in the presbytery of Brechin be enforced and that Arbroath be freed from them. (38t)

Helen Grahame. The committee seriously recommends the condition of Helen Grahame, relict, portioner of Kirkton of Liff, to the committee of war of Angus so she may be granted some ease in her monthly maintenance and other public dues. (38)

Letter to the town of Dundee. Ordering the payment with all speed of the money due to John Scott for mounting the two cannon there. And a letter to Scott requiring him to send the cannon to Perth with all possible speed, (38r)

16 May 1651. Perth

Letter to the commission of the church. The Committees of Estates and for Moneys have decided that the best way of raising money is a voluntary loan. The committees appointed for public affairs are to begin, and encourage others by setting a good example. We heartily agree with these decisions and will willingly lend according to our abilities. We entreat you to recommend the ministers of each presbytery to exhort their parishioners to lend; copies of the act are being sent to the moderators of presbyteries. Crawford, Galloway etc. 2 (38r)

The like letter to the provincial assembly in Perth. (38r)

Letter to the committee of war of Aberdeenshire. We sent an order to Colonel Innes to transport two field pieces and sixteen hundred weight of powder from the Bog to the Means, so they can be brought here. He has replied that you must give the order for providing horses to carry them. We therefore desire you to give the necessary orders. (38v)

Letter to Colonel Innes, governor of Bog. We have received your letter of 13 May, and have written to the committee of Aberdeen. You are to take the carriages off the great pieces and put the field

pieces on them. (38v)

Letter to the earl of Findlater, etc. We are informed of the distressed condition of the marquis of Huntly's lands of Aboyne and Hunthall in Aberdeenshire, and of his lands of Auchindoun, Glenrinnes, Strathavon and Glenlivet – that they are almost totally wasted through the last quartering there of Lieutenant General [Middleton]. The lands are altogether unable to supply their proportion of the meal last undertaken to be paid for use of the army from the shires of Aberdeen and Banff. We therefore desire you to order the receivers of the meal in these shires to dispense with that due from these lands. Crawford, Galloway, etc. (38v)

Instructions for the marquis of Huntly. When he arrives in Aberdeen he is to assist our commissioners there in collecting the remainder of the forty days' loan (which is 1,760 bolls), and in arranging quarterines to raise the remainder of the 10,000 bolls of meal undertaken

¹ PA.12/7, minutes of 9 and 13 May; PA.7/24, fo. 121r.

² The letter is mentioned at RCGA, iii, 432-4 but not printed.

by Aberdeenshire. If the wind and weather prevent it being sent by sea it is to be sent by land with all diligence. Take similar action for the loan of Banffshire, for the first 2,000 bolls of meal, and for bringing in any meal that shall now be agreed on. Arrange for horses for carrying the ammunition and cannon from Bog. Crawford, Galloway, etc. (38v)

Letter to the bailies of Dysart. We are informed that notwithstanding the agreement that was made with the baxters of your town for baking biscuit for the army they delay doing it. We require you at your highest peril to put them to it; otherwise whatever the sad consequences are, they will be laid at your door. Send an account

of your diligence immediately. (39r)

Letter to James Pedie, burgess of Montrose. About the committee's desire in a former letter to him about sending meal lying at Montrose by land to Dundee if there is not fair weather to send it by sea. Also informing him of the orders to Lord Ogilvie. He is to accompany the meal when transported and see to its storage, and send an account of his actions with all diligence. (301)

The like letter renewed to John Aikman for transporting the

meal at Arbroath to Dundee. (39r)

Colonel Innes' regiment. Order to quarter and stay in Aberdeenshire until further orders, exacting only meat and drink for its quarters. (39r)

Lord Kintail's and the master of Lovat's regiments. Order to march next Monday, as commanded by Middleton. The soldiers are to entertain themselves on their forty days' loan, and pay for whatever entertainment they have already had. (39r)

Boats for Kintail's regiment. These are to require you [sic] to send two boats to Inchyra next Monday, 19 May, in the morning to

transport the regiment over the water. (39r)

Major General Montgomery. The committee forbids the officers of Montgomery's regiment to exact more in quartering than they have done in the last fifteen days; that is, quarters for 300 common troopers, for thirteen officers for each troop, and for twenty-four staff officers, making a total of 415. Any officers or soldiers above that number who have recently joined the regiment will be entertained like the rest on informing the committee. (39r)

Act in favour of the earl of Abercorn and [John Wallace of] Ferguslie.

Their complaint about money raised on their lands by the officers of Lord Erskine's regiment heard. [Answered in same terms as the complaint of Glencairn, etc. on 15 May.] (39v)

Commission to Lord Cochrane and Lee. To reach agreement with the committee of war of Perthshire about their lending (on public or private security) of such meal as can be had. Whatever is agreed

shall be approved by this committee. (39v)

16 May 1651. Perth. Report about Walter Young. We the undersigned have, according to a warrant granted by the king, examined Young, merchant burgess of Edinburgh (now a prisoner in Perth) about his compliance and keeping correspondence with the enemy. We find that he should be freed on finding caution of £10,000 Scots to remain in the burgh of Perth and appear before the committee when summoned. We order the magistrates of Perth to free him when he finds caution. Cochrane, Lee, Sir John Smith. (39V)

Band of caution for Walter Young. Young's procurator appears and assets that the following band be registered in the committee's books; this is agreed to. Band by Young as principal and Alexander Rankin and William Sharp as cautioners [in terms in accordance with the above act]. Signed by the principal and cautioners, and by Henry Chape, James Dunlop, H. Chap and H. [?] Brown as

witnesses. (40r)

17 May 1651. Stirling. Letter to the Committee of the Army at Perth. Charles R. We find that all the victual here will not be sufficient to enteretain the army now being brought together for six days. Therefore we require you forthwith to seize the readiest meal you can find, whoever's hands it is in, and see it carried here with all diligence by night and day. We authorise you to give assurances in our name that it will either be paid for out of the victual coming from the north, or public or private security (as the owners' desire) shall be given for it. (40r)

20 May 1651. Stirling

Conference with the commission of the church. A paper was given in by Mr Robert Douglas and others from the commission of the church, desiring a conference on the letter delivered to the commission on 14 May from the committee. The committee appoints Hamilton, Marischal, Glencairn, Lauderdale, Durie, Preston, Harden, Ormiston, David Wilkie, Mr John Cowan, John Auchter-lony and John Boswell, with Crawford-Lindsay as supernumerary, to meet and confer with the brethren from the commission. They are to meet first at 7 a.m. tomorrow in the provost of Stirling's lodging. ³ (40v)

Letter to Lord Cochrane and Lee. We approve your care and diligence in providing and hastening up meal, and thank you for it. But the necessity of the army is still increasing, and we must desire you to stay there for another eight days, until Thursday 27 May, which is the time we and the king have decided on for your stay

there. Hamilton, Crawford, etc. (40v)

Shire of Angus. The king and committee commission Lieutenant General Leslie to try the complaint given in by [John] Scrymgeour of Kirkton in name of the shire against the soldiers of the master of Forbes' and [blank] Stewart's regiments, who refuse to repay to the shire the money they raised for the ten days' provision of corn and straw for the time they were at Linlithgow – in spite of Leslie's express orders. Leslie is also to try the wrong done by the master of Banff's major to Mr Alexander Seton of Thornton. (41r)

Subcommittee for surgeons. Glencairn, Humbie, Skirling, Keith, John Auchterlony and James Sword, or any three of them, are to meet tomorrow at 7 a.m. in Humbie's house. They are to consider the best way of providing the army with surgeons, and of equipping them with chests and medicaments. They are to consider also how to supply the army with shoes, pikes, lances and swedish feathers, and anything else for the good of the army, and report their opinions. (41r)

Subcommittee for the train of artillery and bills. The same persons named above are to consider how to provide the surgeon general, and think of some way of getting ox carts and other necessities for carrying the cannon and train. They are also to consider and give their opinion on the bills presented to the committee today. (41r)

21 May 1651. Stirling

Cannon at Dundee. Order to the magistrates of Dundee to have the

1 See ibid., 426, 429.

six cannon and carriages which are lying there carried to Perth with

all possible diligence. (41r)

Order to Lieutenant General Leslie. The Committee of Estates for the Affairs of the Army commands Leslie to order the colonels of horse to pay the commissary general the £ to allowed for the forty days' loan of each trooper. Those who delay paying are to be cashiered. The colonels that are in town are to be ordered to make payment at once, and orders are to be sent to those that are absent to pay within six days. (41v)

Forty days' provision of Aberdeenshire. The king and the Committee of Estates for the Affairs of the Army orders the committee of war of Aberdeenshire to deliver quickly the forty days' provision to the

officers of the regiments raised there. (41v)

Letter to the committee of war of Aberdeenshire. Orders from the king and the Committee of Estates required the shires to advance forty days' provision to the officers as well as the soldiers raised in the present levy. We are informed that your shire has not yet paid this to the officers of Colonel George Keith's regiment, and as a result many of them are unable to subsist. We therefore require you to deliver quickly to them what they have not received. Hamilton, Crawford, etc. (41v)

The like letters written to Aberdeenshire in favour of [Walter Forbes of] Tolquhon's and [William Gordon of] Rothiemay's

regiments. (41v)

Citation against Stewart. A warrant passed and given to a macer to require Quartermaster General [William] Stewart to be at this committee tomorrow, on some complaints given in about extraordinary and unequal quarterings. (41v)

22 May 1651. Stirling

Letter to the earl of Ethie and Lord Lour. The necessities of the army for want of meal are so great that we are loath to express them. Having tried all possible means to get victual by sea we are now forced to make use of carriage by land. We entreat you to use all possible diligence to get the meal at Brechin and Montrose carried by land to Perth. We are sending Ormiston and John Auchterlony,

two of our number, to assist you as you direct, in accordance with their instructions. (42r)

Instructions to Ormision and John Auchterlony, who are to go to Angus and the Mearns to hasten up meal by land.

- I. Report to Ethie, [Sir Alexander Carnegie of] Balnamoon and [James Ogilvie of] Newgrange, deliver the letter to them, and urge that all the horses in the shire of Forfar be employed with sacks and sods to carry meal from Brechin and Montrose to Perth.
- 2. Send the other order to Kincardineshire for carrying the meal at Stonehaven to Brechin.
- 3. As you pass through Dundee order the sending up of any meal there, by land or water.
- Order the meal in Arbroath to be hastened up by sea, or by land if the barks are not already there.
- 5. Stay in or near Brechin and Montrose until you see the horses come in and the meal sent off.
- The Earl Marischal's officers in Mearns (and Lord Ogilvie's in Forfar) will provide parties to quarter on any who refuse or delay to send their horses.
- 7. Call for John Aikman at Arbroath, for the meal and to give an account of the deficients there.
- 8. Call for James Brown at Brechin. He is ordered to attend the meal there; if he is not there appoint someone in his place.
 9. Expect to be stored in Brechin 800 or 900 bolls of meal from
- the western parts of Aberdeenshire.

 10. Let our commissioners in Aberdeenshire know that there is an
- extreme necessity for sending all the meal they can to Brechin.
- 11. Call for James Pedie, Robert Beaty younger and Robert Smith at Montrose, who will tell you of any meal there. (42r-v)

Letter to Lord Ogilvie. We expected more diligence from you in sending meal from Montrose by land, so we have sent Ormiston and John Auchterlony to wait in these places and see that all the horse in the shire of Forfar come to Brechin and Montrose with sacks and sods for carrying meal to Perth. We require you to send out parties to all the parishes of the shire to bring in all the horses from these places – and from Arbroath, if there are any there. We entreat you to give orders that Ormiston and Auchterlony be obeyed. (42v)

Orders for carrying meal overland from Stonehaven. The Committee of Estates for the Affairs of the Army understands that there are 600 bolls of meal for the army lying at Stonehaven. It therefore orders the parishes of Dunnottar, Fetteresso, Kinneff and Glenbervie to supply horses immediately to carry the meal to Brechin. The sheriff of the Mearns [the Earl Marischal?] is to see this order obeyed promptly. (42v)

Letter to Finilater and the other commissioners in the north. We have received your letters of 11, 17 and 19 May from Aberdeen, and again thank you for your diligence. It is necessary to hasten up the meal by land, and not risk the danger of the sea passage. We have ordered [Sir Robert] Innes [of that Ilk] to supply you with parties of horse to enforce your (and the committee of war's) orders. We again and again desire you to hasten up meal, or the army will be in very great necessity. All the boats from the places you mention have already received orders to go north. The meal must be sent to Brechin, and we have sent Ormiston and John Auchterlony to see it carried from there to Perth. We desire you to keep in touch with them, and to put into effect your agreement with Robert Beatie for exchanging meal for bear; the meal is to be sent here with all speed. The officers of Aberdeenshire deny receiving most of the ammunition horses. (4317)

Orders to [Sir Robert] Innes [of that Ilk]. Go north with your troops and order them to supply parties of horse to quarter on deficients in Aberdeenshire and obey the orders of our commissioners there, who are authorised to send meal by land. [447]

Orders to [Sir Robert] Innes [of that Ilk]. Call for an account from the shires underwritten of the following horses and men, and see that they are speedily sent out to the army:

Resting by Aberdeenshire for its three regiments: 48 men, 72 horses.

- By the master of Banff: 16 men, 24 horses.
- By Elgin and Nairn for the sheriff of Moray's [Thomas Dunbar of Westfield's] regiment: 12 men, 18 horses.
- By Fraser and the town of Inverness: 12 men, 18 horses.
- By the names of Ross and Monro: 12 men, 18 horses.
- By Sutherland: 12 men, 18 horses.
- By Caithness: 16 men, 24 horses.

By [James] Grant [of Freuchie]: 12 men, 18 horses,

By Lord Kintail: 16 men, 24 horses. (43r) Commission to [Sir Robert] Innes [of that Ilk]. Notwithstanding former orders to the shires of Elgin, Nairn, Inverness and Ross that the nobles, gentlemen and heritors come out and join in the present service, and that they were obliged to Lieutenant General Middleton to have come out before now, none of them have vet come out. The king and committee therefore orders them to come immediately on sight of this, with their best horses and arms and forty days' provisions, under the command of Innes (who has a commission from the king). Innes is to go about bringing them out immediately, proceeding against deficients according to former orders. (43r-v)

Letter to the marguis of Huntly. The king has warranted you to bring out the nobles, gentlemen and heritors of Aberdeenshire and Banffshire. The army is now drawn together, and both its necessities and the season of the year require it to go to the fields quickly. We therefore desire you to use all possible diligence in bringing them out, with their best horses and arms and forty days' provision; and you are to come along with them. We urge you to assist our commissioners there, especially in carrying meal over land to Brechin.

(43V)

Dumbartonshire. Because of the great suffering of the shire in entertaining three regiments of horse, the committee recommends Lieutenant General Leslie to remove Colonel Erskine's regiment. Those who stay in the shire are to be put out to grass, having an allowance of only a lippie of oats every twenty-four hours. (43v)

Warrant for carrying meal to Dunbar's regiment. Order to the parish of Newburgh to carry to Stirling thirty bolls of meal bought by

Colonel Robert Dunbar for his regiment. (44r)

Ministers of the regiments. £,5 sterling is to be given to each of the ministers who are now with the army for their entertainment, and the same to ministers who come up to attend regiments which lack ministers. During their stay with the army the ministers are to have allowance according to the Scots establishment. The Committee for Moneys is recommended to see them paid, and the colonels are to provide for their accommodation in their quarters. (44r)

Quarters in Angus. The king and committee forbid the shire of

Angus to give further quarters to Major Dochtie, Major Shaw and Captain Buchan, or to their servants or horses. Dochtie is to join himself to the duke of Buckingham's troop and be entertained as one of that troop. (44r)

Sir Patrick Hay of Pitfour. Orders to Lieutenant Colonel Cunningham with his two gentlemen and three footmen (having six horses) and Mr Clappan and his servant, who have been quartered on Hay's lands for six weeks or more, to move at once and quarter in the

parishes of Fowlis [Wester] and Madderty. (44r)

Powder for the Bass. Five hundred weight of powder were delivered to Mr James Anderson, servitor to [John Hepburne of] Wauchton, to be sent to the Bass for defending it, upon a band to get it accepted as a public debt. As the state owes him much greater sums of money (for biscuit received from him) the committee orders Lord Angus, the commissary general, Alexander Nisbet (or whoever else has the band) to deliver it to Anderson to be cancelled; but Wauchton is first to give the commissary general a band to deduct the price of the powder from the first of the money owing to Wauchton for the biscuit. (44t)

Meal for the Bass. Order to the commissary general to deliver to Wauchton for the Bass 100 bolls of meal and forty bolls of bear, malt or wheat, according to which he can most easily spare without

prejudice to the army's provisions. (44v)

Coals for the Bass. Order to all masters or owners of coal heuchs (or others having charge of them) to supply coals for the Bass to anyone sent to buy them, giving him precedence over others waiting at the heuchs to buy coals. They will be paid for at ordinary rates.

The committee orders that letters as follows be sent to the shires of Angus, Stirling, Clackmannan, Perth and Dumbarton: (44v)

Letter to the committee of war of Angus. By several acts of king and parliament all nobles, gentlemen and heritors are ordered to come out with their best horses and arms. We now require you in the king's name to give orders at once to all such persons in your shire to be in readiness with arms, horses and forty days' provisions to come out on twenty-four hours' notice. Those who fail will be proceeded against as enemies of religion, the king's honour and just

¹ Wauchton's desires concerning the Bass are at PA.7/8/33/2.

power, and the liberty of this ancient kingdom. Hamilton, Crawford etc. (44v)

Letter to the committee of war of Kincardineshire. Charles R. Ensure that all nobles, gentlemen and heritors are ready to come out on twenty-four hours' notice with their best horses and arms and forty days' provisions under the command of the Earl Marischal. (45f)

Commission for fortifying the Bass. Charles R. To [John Hepburne of] Wauchton and such officers, soldiers or others he has (or shall have) in the Bass, to keep, fortify and maintain it. They are to take whatever advantage they can of the common enemy by seizing their persons, ships, vessels and goods, and pursuing them in all hostile manner. (457)

Letter to Lord Cochrane and Lee. We have received your letter of 21 May with your memorandum. We have already done most of what you ask. As for the rest: Humbie and Sir John Smith have already provided written assurances for the owners of the 400 bolls of beans – read them and send them to the merchants in Dundee. If the lords on whom proportions of meal are laid will not willingly send it we shall assign their proportions to regiments and use them and their quartermasters to raise it. Sir Alexander Wedderburne will see to the voluntary loan in Dundee. Mr John Drummond is made collector of the whole loan. Sir John Smith will send to Dysart to carry up the 300 bolls of peas. We have sent Ormiston and John Auchterlony to Brechin and Montrose to see to the sending up of meal by land from there and from Arbroath and Stonehaven. We thank you for your dilience. (4sr)

A letter written to David Simpson of Monturpie and Thomas Calderwood giving them power to seize 300 bolls of Holland peas lying at Dysart belonging to [blank] Bontoun, merchant in Edinburgh. The committee will arrange to pay for them. (45v)

¹ Drummond's account for the loan is in PA.12/8.

Sederunts of the Committee for Managing the Affairs of the Army, 1 April-22 May 1651

											A	pril
	1	2	2	3	4	5	10	TT	12	17	18	18
		am	pm	-		-				-,		pm
King Charles 11											aiii	biii
King Charles II	×	×	×	×	×							
NOBLES												
Duke of Hamilton	×	×	×	×	×	×	×	×	×	×	×	
Marquis of Douglas	^	^	^	^	^	^	_	~	_		×	×
Marquis of Argyll												
Earl of Crawford	pr	pr	DE	×	pr	×	pr	pr	pr	DI	pr	
Earl of Errol	Pr	br	Pr		P.		Pr	Pr	Par	Par	Par	
Earl Marischal												
Earl of Rothes							×	×	×			
Earl of Eglinton												
Earl of Glencairn Earl of Cassillis										×	×	pr
Earl of Cassilis Earl of Atholl	×	×	×	×								
Earl of Linlithgow	×	×	×	×								×
Earl of Home		×	×	×	×	×	×	×	×	×	×	×
Earl of Dunfermline			^	^	^	^	^	^	^	^	^	^
Earl of Roxburgh												
Earl of Kellie												
Earl of Buccleuch												
Earl of Galloway					×	×	×	×	×	×	×	×
Earl of Lauderdale Earl of Lothian	×	×	×	×	×	×		×	×			
Earl of Dalhousie												
Lord Newburgh	×	×	×	×	×	×	×	×	×			
Lord Spynie	×		×	×	×	×	×	×	×			
Lord Balcarres	×	×	×	^								
Lord Cochrane	ŷ	Ŷ	ŵ	×								

												Ma	y							
23 am	23 pm	24	25	26	28	29	30	I	2	7	9		I3 pm	14	15	16	20	21	22	
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Sederunts of the Committee for Managing the Affairs of the Army, 1 April-22 May 1651

											A	oril	
	I	2	2	3	4	5	IO	II	12	17	18	18	
		am	$_{\mathrm{pm}}$								am	pm	
BARONS													
Sir Adam Hepburne of Humbie			×	×	×	×	×	×	×				
Sir John Wauchope of Niddrie	×		×		×	×	×	×	×		×	X	
Robert Hepburne of Keith	×	×	×				×						
Sir James Foulis of Colinton									×	×	×	×	
Sir Alexander Belshes of Tofts	×	×	×				×	×	×	×	×	X	
John Renton of Lamberton	×	×	×	×									
Sir David Crichton of Lugtoun	×	×	×	×	×	×							
William Elliot of Stobbs	×												
Sir William Scott of Harden													
Sir Patrick Hamilton of Little Preston													
Walter Scott of Whitslaid													
William Douglas of Kelhead													
Sir John Wemyss of Bogie													
Sir Alexander Strachan of Thorneton							×						
David Beaton of Creich							×	×	×				
George Campbell of Lundie	×	×		×	×	×		×					
Sir James Lockhart of Lee	×	×	×	×									
John Colquhoun of Luss	×	×											
Robert Fergusson of Craigdarroch Sir William Scott of Ardross	×	×	×		×	×	×		×	×	×	×	
John Cockburn of Ormiston													
Sir James Murray of Skirling	×	×	×	×	×								
Sir William Douglas of Cavers ¹	- 2	^	^	^	^								
Sir Alexander Gibson of Durie	_								×				
Sir lames Arnot of Fernie							×	×	^				
on james rather of retine							^	^					

¹Or possibly Sir Thomas Ker of Cavers

23 am	23 pm	24	25	26	28	29	30	I	2	7	9	13 am		14	15	16	20	21	22	
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×	×		×	×							_						×	×	×	

Total

Sederunts of the Committee for Managing the Affairs of the Army, 1 April-22 May 1651

April

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BURGESSES												
Sir John Smith (Edinburgh) Archibald Sydserf (Edinburgh) John Mylne (Queensferry)	×	×	×	×	×	×		×		×	×	×
David Wilkie							×	×	×			
John Scott (Rutherglen?)	×	×	×	×	×	×		×	×	×	×	×
Patrick Thomson (Peebles) Mr John Cowan (Stirling)								^	^	^	^	^
Duncan Nairn												
Robert Bell (Linlithgow) James Sword (St Andrews)										×	×	
James Bell, elder (Glasgow)												
Colin Campbell (Glasgow) Hew Kennedy (Ayr)												
John Rutherford (Jedburgh)												
David Simpson (Dysart) Alexander Cunningham (Crail)							×	×				
John Auchterlony (Arbroath)								×	×	×	×	×
Peter Walker (Dunfermline) John Lindsay (Anstruther Easter)							×	×	×			
Andrew Glen (Linlithgow)												
John Burnsyde (Culross) John Boswell (Kinghorn)	×	×	×	×	×							
Sir Alexander Wedderburne (Dundee)												
Andrew Carstairs (St Andrews) Alexander Bower (Dundee)												
Alexander Dower (Dundec)												
GENERAL OFFICERS												
Lieut. Gen. David Leslie												
Lieut, Gen. John Middleton Lieut, Gen. James Holborne												
Maj, Gen, Robert Montgomery												
Maj, Gen, Sir John Brown Maj, Gen, Edward Massey												
General Leven												

23 21 22 18 17 13 18 20 19 12 13 12

	23 pm	24	25	26	28	29	30	I	2	7	9	I3 am	I3 pm	Ma I4	y 15	16	20	21	22	
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						×	×	×	×											
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14	16										×						×			

Appendices

APPENDIX I

SESSIONS OF PARLIAMENT AND THE CONVENTION OF ESTATES

The term 'session of parliament' is first used in Scotland in June 1640 (Rait, Parliaments, 341), the usage being copied from England. No consistent numbering of sessions was adopted by the 1639-41 parliament or by the 1643-4 convention; but for convenience their sessions have been numbered (in brackets) here and in other appendices. This list omits meetings of parliament in 1639-41 when the estates assembled only to prorogue or continue their meeting to a later date.

Second Parliament of Charles I, 1639-41

(Session I) 30 Aug.-14 Nov. 1639 (Lords of the Articles elected and meet to prepare legislation)

(Session 2) 2-11 June 1640 (Session 3) 15 July-17 Nov. 1641

Convention of Estates, 1643-4

(Session 1) 22 June-26 Aug. 1643

(Session 2) 3 Jan.-3 June 1644 (meetings intermittent)

First Triennial Parliament, 1644-7

Session 1 4 June-29 July 1644 Session 2 7 Jan.-8 Mar. 1645

Session 3 8-11 July 1645 (at Stirling) Session 4 24 July-7 Aug. 1645 (at Perth)

Session 5 26 Nov. 1645-4 Feb. 1646 (at St Andrews)

Session 6 3 Nov. 1646-27 Mar. 1647

Second Triennial Parliament, 1648-51

Session 1 (1)	2 Mar11 May 1048
Session I (ii)	I-10 June 1648
Session 2	4 Jan-16 Mar. 1649
Session 3	23 May-7 Aug. 1649
Session 4	7-8 Mar. 1650
Session 5	15 May-5 July 1650
Session 6	26 Nov30 Dec. 1650 (at Perth
Session 7	13-31 Mar. 1651 (at Perth)

APPENDIX 2

Session 8

PRESIDENTS OF PARLIAMENT

Traditionally the chancellor presided in parliament, but the covenanters separated the two offices (see APS, v, 328, 368-9, 419, VI, i, 287); the earl of Loudoun thus presided in sessions 1-6 of the 1648-51 through election to the office, not ex officio because he was chancellor.

23 May-6 June 1651 (at Stirling)

Second Parliament of Charles I, 1639-41

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2-11 June 1640 Lord Burleigh (APS, v, 259)

19 Nov. 1640 Lord Burleigh (APS, v, 301)

14 Jan. 1641 Lord Burleigh (APS, v, 302)

13 Apr. 1641 Lord Burleigh (APS, v, 304)

25 May 1641 Lord Burleigh (APS, v, 306)

15 July-16 Aug. 1641 Lord Burleigh (APS, v, 306)

16 Aug.-17 Nov. 1641 Lord Burleigh (APS, v, 339)
```

First Triennial Parliament, 1644-7

Tirst Trienman	1 Furitament, 1044-7
Session 1 Session 2	Earl of Lauderdale (APS, VI, i, 97) Earl of Lauderdale, president 7-10 Jan. 1645; Earl of Crawford-Lindsay, vice-president 11-17 Jan. 1645, and president 18 Jan8 March 1645 (APS, VI, i, 285-6, 288, 266)

Sessions 3-6 Earl of Crawford-Lindsay (APS, VI, i, 430)

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Second Triennial Parliament, 1648-51

Sessions 1-6 Earl of Loudoun (APS, VI, ii, 5, 89, 126, 378-9, 556, 562, 668)

Sessions 7-8 Lord Burleigh (APS, VI, ii, 640, 667)

APPENDIX 3

GENERAL EXECUTIVE COMMITTEES (COMMITTEES OF ESTATES AND FOR DISPATCHES)

Date of Commission (1638-40)

(The Table or Tables, later known as the Committee, the Council of Estate, and finally as the Committee of Estates)

Second Parliament of Charles I

(Session 1) Interval (Session 2)

8 June 1640

Committee of Estates (APS, v, 282-4)

(Session 3) Interval

Convention of Estates

(Session 1)

26 Aug. 1643

Committee of Estates (APS, VI, i, 57-59. Register 28 Aug. 1643-31 May 1644 in PA.II/I, fos. I-241)

(Session 2)

First Triennial Parliament

Session 1

Interval 26 July 1644

Committee of Estates (APS, VI, i, 211-14. Register 29 July 1644-6 Jan. 1645 in PA.11/3, fos. 2-172)

Session 2	10 Jan. 1645	Committee for Managing the War; title later changed to Committee for Dispatches (APS, VI, i, 287, 297; Balfour, Historical works, iii, 249)
Interval	8 Mar. 1645	Committee of Estates (APS, VI, i, 360-3. Register 10 Mar2 July 1645 in PA.11/4, fos. 1-127)
Session 3	8 July 1645	Committee for Managing the War (APS, VI, i, 430-1)
Interval	10 July 1645	Committee of Estates renewed (APS, VI, i, 433)
Session 4	29 July 1645	Committee for Prosecuting of the War (APS, VI, i, 442)
Interval	7 Aug. 1645	Committee of Estates prorogued (APS, VI, i, 460. Register 21 Oct21 Nov. 1645 in PA.11/4, fos. 131-76, calendared above pp. 7-60)
Session 5	1 Dec. 1645	Committee for Dispatches (APS, VI, i, 477-8)
Interval	3 Feb. 1646	Committee of Estates (APS, VI, i, 570-2. Register 27 Feb31 Mar. 1646 in PA.11/4, fos. 181-215)
Session 6	11 Nov. 1646	Committee for Burdens and Pressures (APS, VI, i, 616, 623)
Interval	20 Mar. 1647	Committee of Estates (APS, VI, i, 766-8. Register 29 Mar. 1647-29 Feb. 1648 in PA.11/5, fos. 3-221, and minutes 5 May 1647-25 Feb. 1648 in PA.12/2)

Second Triennial Parliament

Session 1 (i) 10, 17 Mar. 1648

Committee for Dangers, Remedies and Duties (APS, VI, ii. 10, 13)

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Interval	11 May 1648	Committee of Estates (APS, VI, ii, 69-71. Register 12 May-27 May 1648 in PA.11/6, fos. 1-16, calendared above pp. 62-82)
Session I (ii)	. T	C Cr / ADC NI
Interval	9 June 1648	Committee of Estates (APS, VI, ii, 102–5. Register 12 June–1 Sept. 1648 in PA.11/6, fos. 17–137; minutes 19 June–4 Sept. 1648 in PA.11/6, fos. 163–93; and register 22 Sept. 1648–2 Jan. 1649
Session 2	5 Jan. 1649	in PA.II/7. fos. I-I35) Committee for Dispatches (APS, VI, ii, 128. Register 26 Jan8 Mar. 1649 in PA.II/8, fos. I-7, calendared above pp. 84-94)
Interval	14 Mar. 1649	Committee of Estates (APS, VI, ii, 290-3. Register 19 Mar22 May 1649 in PA.11/8, fos. 11-92)
Session 3	23 May 1649	Committee for Dispatches (APS, VI, ii, 379, 386. Register 25 May-1 Aug. 1649 in PA.11/8, fos. 93-98, calendared above pp. 95-104)
Interval	7 Aug. 1649	Committee of Estates (APS, VI, ii, 536-7. Register 8 Aug27 Nov. 1649 in PA.11/8, fos. 99-202, and 4 Dec. 1649-26 Feb. 1650 in PA.11/9, fos. 1-72)
Session 4		
Interval	8 Mar. 1650	Committee of Estates; additions (APS, VI, ii, 561. Minutes 22

16 May 1650

Session 5 Interval 4 July 1650 Committee for Dispatches (APS, VI, ii, 563) Committee of Estates (APS, VI,

ii, 602. Minutes 22 July 1650-23

Jan.-15 Nov. 1650 in PA.12/5)

May 1651 in PA.7/24, fos. 1-123)

27 Nov. 1650	Committee for Military Affairs (APS, VI, ii, 608, 609. Acts and orders 2-27 Dec. 1650 in PA. 7/7/89-122)
30 Dec. 1650	Committee of Estates (APS, VI, ii, 631-3. Register 2 Jan12 Mar. 1651 in PA.II/10, fos. 1-110)
13 Mar. 1651	Committee for Military Affairs (APS, VI, ii, 643)
31 Mar. 1651	Committee of Estates (APS, VI, ii, 662-3)
?	Committee for the Affairs of the Army (APS, VI, ii, 667-8, 669)
June 1651	Committee of Estates (APS, VI, ii, 679-81. Register 7 June- 22 July 1651 in PA.II/II, fos. 48-104, and minutes 5 July-18 Aug. 1651 in PA.I2/7)
	30 Dec. 1650 13 Mar. 1651 31 Mar. 1651 ?

APPENDIX 4

ARMY COMMITTEES OF ESTATES

The Army Committees of Estates varied greatly in size and importance, from the large committee which entered England in 1644 and kept a full register of its proceedings to very small committees which probably never kept formal records. The smaller committees were frequently referred to simply as committees with armies, as if it was felt they did not really merit the title of 'Committee of Estates'. This list is restricted to committees which were intended to accompany armies, other committees on military matters being excluded. Army committees frequently continued to sit uninterrupted through successive sessions of parliament and intervals, whereas the authority of the central Committee of Estates lapsed as soon as parliament met.

Date of Commission

Committees of Estates with the main Scottish army (in England, or opposing English invasions)

(May 1639)

A Committee of some sort accompanied the army assembled on the borders in May-June 1639 (Wariston, *Diary*, 1639, passim)

8 June 1640

Committee of Estates commissioned with power to appoint an Army Committee. The latter was in existence by Aug. 1640 when the army entered England and continued to exist until the army's withdrawal in Aug. 1641

26 Aug. 1643

1641 Committee of Estates commissioned with power to appoint an Army Committee. An act of 4 Dec. 1643 divided the latter from the main Committee (PA. 11/1, fos. 100r-v). The commissions to the Committee of Estates of 26 July 1644, 8 Mar., 10 July and 7 Aug. 1645 and 3 Feb. 1646 renewed the commission to the Army Committee, which continued to exist until the army withdrew from England in Feb. 1647. The Army Committee sometimes met jointly with English commissioners, thus forming a Committee of Both Kingdoms (Register 14 Jan.-23 Nov. 1644 in PA.11/2, fos. 7-115)

fo. 64r)

9 June 1648

Committee of Estates commissioned with power to appoint an Army Committee. An act of 3 July 1648 divided the latter from the main committee (PA.11/6,

5 June 1651

Committee of Estates commissioned with power to appoint a Army Committee. An act of 30 June divided the latter from the main committee (PA.II/II. 65. 88r-v) though the Army Committee did not meet separately until after 31 July 1651 (Nicoll, Diary, 55; HMC 29: Portland, i, 610-11)

Committees of Estates with the Scottish Army in Ireland

27 July 1644 Commission for Irish Affairs

(Committee for the Army in

Ireland) (APS, VI, i, 222)

7 Nov. 1645 Scottishmembers of a Committee for Both Kingdoms for Ireland appointed. (PA.11/4, fo.

1631)

3 Feb. 1646 Committee of Estates commission names a Committee for

the Army in Ireland (APS, VI,

i, 571)

(The existence of these committees was seldom more than nominal, for they met only on the few occasions when some of their members were sent to Ireland to negotiate with the army. The committees were supposed to meet with English commissioners to form Committees of Both Kingdoms) Committees of Estates with armies acting against royalists in Scotland 1644: South

16 Apr. 1644

Committee with the Army in the South (APS, VI, i, 91-92. Act of exoneration 13 July 1644,

19 June 1644

ibid., 147-8)
Committee with Callander's
Army in the South (APS, VI, i,
113-14. The committee subsequently entered England with
Callander's army and merged
with the Committee of Estates
with the Army in England in
Sept. 1644, PA.II/3, fos. 49v50r)

1644: North

16 Apr. 1644

Committee with the Army in the North (APS, VI, i, 90-91, 92. An act of exoneration was passed 13 June 1644, ibid., 105-9, but the Committee continued to exist (at least nominally), its meetings being prorogued on 12 June and 14 July 1644, ibid., 103, 138)

19 July 1644

Committee for the Northern Business (APS, VI, i, 174-7, 179. Act of approbation 21 Feb. 1645, ibid., 339)

1644-5

13 Dec. 1644

Committee to accompany Lieutenant General Baillie's Army (PA.11/3, fos. 130v-131r)

24 Jan. 1645

Committee for assisting Lieutenant General Baillie (APS, VI, i, 297-8)

8 Mar. 1645 Committee of Estates commission names a Committee with

the Army at Perth

Ditto (ordered to merge with the main Committee of Estates

7 Aug. 1645, APS, VI, i, 460)

APPENDIX 5

FINANCIAL COMMITTEES

Only the most important general financial committees are listed, the many minor committees and sub-committees (mainly temporary) established to deal with specific problems or types of business (auditing accounts, assessing losses, valuing land, etc.) being excluded. Interval financial committees were granted powers over some matters which were denied to the Committees of Estates which sat concurrently, though in general terms the financial committees were subordinate to the Committee of Estates. On occasions on which no interval financial committee was appointed the Committee of Estates was granted full power in financial matters; such Committees of Estates are listed below in brackets. Power over the excise was often granted to separate committees, and these are listed below. A number of financial committees (like Army Committees of Estates - see Appendix 4 above) continued to sit uninterrupted through successive sessions of parliament and intervals.

Second Parliament of Charles I

(Session 1)
Interval (Session 2)
Interval 8 June 1640 (Committee of Estates)
(Session 3)
Interval 15 Nov. 1641 Committee for Comm

Committee for Common Burdens (APS, v, 391-5. Register 19 Nov. 1641-12 Nov. 1644 in PA.14/I, fos. 1-273)

Convention of Estates

(Session 1)		
Interval	26 Aug. 1643	(Committee of Estates)
(Session 2)	15 Feb. 1644	Committee for Excise (PA.11/1,
		fos. 128v-129r)
	25 May 1644	Committee for Moneys (APS, VI, i, 94)
First Triennia	l Parliament	
Session 1	11 June 1644	Committee for Borrowing Money (APS, VI, i, 101)
Interval	26 July 1644	(Committee of Estates)
	29 July 1644	Committee for Excise (APS, VI,
		i, 237-45; sat during both inter-
		vals and sessions until Feb. 1646)
Session 2	11 Jan. 1645	Committee anent Borrowing
		Money and Malignants' Rents (APS, VI, i, 288)
Interval	8 Mar. 1645	Committee for Money, Ac-
IIICI VAI	0 1viai. 1045	counts and Burdens (APS, VI, i,
		383-5)
Session 3		
Interval	10 July 1645	Committee for Money, Ac-
		counts and Burdens renewed
		(APS, VI, i, 433)
Session 4		0 1 1 1
Interval	7 Aug. 1645	Committee for Money, Ac- counts and Burdens prorogued
		(APS, VI, i, 460)
Session 5		(211 5, 41, 1, 400)
Interval	3 Feb. 1646	Committee for Money, Excise
	3	and Process (APS, VI, i, 576-70.
		Register (South) 7 Feb26
		Oct. 1646 in PA.14/3, pp. 1-380,
		and (North) 9 Mar5 June,
		12-26 Oct. 1646 in PA.14/4,

pp. 1-142)

Session 6	28 Nov. 1646	Committee for Process, Money, and Excise (APS, VI, i, 624)
	30 Jan. 1647	Committee for considering Common Burdens (APS, VI, i, 677)
Interval	9 Mar. 1647	Committee for Excise (APS, VI, i, 727-31)
	20 Mar. 1647	(Committee of Estates)
Second Trienn	ial Parliament	
Session 1 (i)	11 Mar, 1648	Committee for Excise continued (APS, VI, ii, 12)
Interval	11 May 1648 11 May 1648	(Committee of Estates) Committee for Excise (APS, VI, i, 71. Register 13 June-17 July 1648 in PA.14/5, fos. 1-21. Sat until Sept. 1648)
Session 1 (ii)		
Interval	9 June 1648 12 Oct. 1648	(Committee of Estates) Committee for Excise (PA.11/7, fos. 18v-19r)
Session 2	5 Jan. 1649	Committee for Excise pro- rogued (APS, VI, ii, 126-7)
	18 Jan. 1649	Committee for Common Burdens, Accounts, Losses and Moneys (APS, VI, ii, 141-2)
Interval	14 Mar. 1649	Committee for Moneys and Accounts [and Excise?] (APS, VI, ii, 294-6)
Session 3	23 May 1649	Committee for Moneys and Accounts [and Excise?] continued (APS, VI, ii, 379. Minutes 10 July 1649-13 July 1650 in PA. 14/6, fos. 1-55)
Interval	7 Aug. 1649	Committee for Moneys and Accounts [and Excise?] continued (APS, VI, ii, 537. Minutes – see under 23 May 1649 above)

Session 4 Interval		
Session 5	16 May 1650	Committee for Excise [and Moneys?] prorogued (APS, VI ii, 563. Minutes – see 23 Ma 1649 above)
Interval		
Session 6	19 Dec. 1650	Committee for Excise [and Money?] prorogued (APS, VI ii, 623)
Interval	30 Dec. 1650	Committee for Excise and Accounts (APS, VI, ii, 631)
Session 7 Interval Session 8		
Interval	6 June 1651	Committee for Excise and Accounts (APS, VI, ii, 685)

APPENDIX 6

SESSION GENERAL PREPARATIVE COMMITTEES

These were committees established to prepare and consider certain types of business before presentation to the full parliament. In spite of the wide variety of titles there were two main categories of business, most frequently distinguished as Bills and Overtures, or private and public business. Bills comprised supplications and petitions of all sorts, including those for ratification of property and other rights. Overtures were propositions for legislation. As the list below indicates, the two types of business were sometimes dealt with by separate committees, sometimes by a single committee. In addition to these 'general' committees large numbers of temporary preparative committees were appointed to prepare reports for parliament on specific items of business.

	MILLE	(DICES 10)
Second Parlian	Date of Commission nent of Charles I	
(Session 1)	(31 Aug. 1639)	(Lords of the Articles elected, APS, v, 253)
(Session 2)	2 June 1640	Committee for revising the papers given in to the Articles (APS, v, 262)
	3 June 1640	Committee for Overtures and Propositions (APS, v, 262)
(Session 3)	28 July 1641	Committee for Bills and Suppli- cations (APS, v, 318)
	19 Aug. 1641	Committee for revising Acts and Articles (APS, v, 333)
	11 Nov. 1641	Committee for perusing Ratifications (APS, v, 382)
First Triennia	l Parliament	
Session 1	6 June 1644	Committee for Bills and Ratifi- cations (APS, VI, i, 98)
	19 June 1644	Committee for Overtures (APS, VI, i, 114)
Session 2	11 Jan. 1645	Committee for Bills, Overtures and Ratifications (APS, VI, i, 288)
Session 3 Session 4		
Session 5	1 Dec. 1645	Committee for Bills and Ratifi- cations (APS, VI, i, 478)
Session 6	11 Nov. 1646	Committee for Bills, Ratifications and Losses (APS, VI, i, 617)

Committee for Overtures and Laws (APS, VI, ii, 10-11) Committee for Bills and Supplications (APS, VI, ii. 11)

Second Triennial Parliament
Session 1 10 Mar. 1648

10 Mar. 1648

188 TH	GOVERNMENT U	NDER THE COVENANTERS
Session 2	5 Jan. 1649	Committee for Overtures and Laws (APS, VI, ii, 128)
	5 Jan. 1649	Committee for Bills, Supplications and Ratifications (APS, VI, ii, 128-9)
	13 Mar. 1649	Committee for revising Reports and Bills (APS, VI, ii, 286)
Session 3	30 May 1649	Committee for Bills (APS, VI, ii, 384)
Session 4		,
Session 5	21 May 1650	Committee for Bills (APS, VI, ii, 566)
	23 May 1650	Committee for Overtures and Laws (APS, VI, ii, 567) (These two Committees were merged 18 June 1650, APS, VI, ii, 581)
Session 6	27 Nov. 1650	Committee for Bills (APS, VI, ii, 609)
	27 Nov. 1650	Committee for Overtures (APS, VI, ii, 609)
Session 7	13 Mar. 1651	Committee for Bills (APS, VI, ii, 642)
	13 Mar. 1651	Committee for Overtures (APS, VI, ii, 642-3)
Session 8	27 May 1651	Committee for Ratifications (APS, VI, ii, 669)

APPENDIX 7

CLERKS OF THE COMMITTEES OF ESTATES

A short chronological list of the clerks of the Committees of Estates (and a few other important committees) is followed by an alphabetical list of the clerks detailing their services. Both Sir Archibald Johnston of Wariston and the earl of Rothes are referred to as clerks to the Table or Tables in 1638 (Rothes, *Relation*, 164, 169;

Committee for Overtures (mentioned APS, VI, ii, 678) Balcanquhal, Large declaration, 239; Gordon, Scots affairs, i, 157) in the sense that they were mainly responsible for the papers produced by the Tables.

Clerks of the Committee of Estates

1640 Alexander Dickson

1640-1 Adam Hepburne of Humbie (with Robert Hepburne as his depute in Edinburgh)

1643-5 Archibald Primrose

1645-6 James Primrose 1646-8 Archibald Primrose

1648-0 Thomas Henderson

1649-51 Thomas Henderson and James Primrose

1651 Sir Archibald Primrose

Clerks of the Committee of Estates with the Army in England

1640-1 Adam Hepburne of Humbie

1643-6 James Primrose

1646-7 Thomas Henderson

Clerk of the Committee of Common Burdens

1641-4 Robert Hepburne

Clerk to the Conservators of the Peace

1642-3 Archibald Primrose

Clerks to the Scottish Commissioners in England

1640-1 Adam Blair

1641-2 James Primrose

1644-8 John Cheisly

BLAIR, ADAM

25 Sept. 1641

Act of exoneration as clerk to the Scottish commissioners for the treaty in London (APS, v, 362, see also Baillie, Letters, ii, 474-5; Meikle, Correspondence, 164) CHEISLY, SIR JOHN (knighted 1647)

c. Jan. 1644 Appointed clerk to Scottish commissioners in England

(Meikle, Correspondence, 1). Served in England until Jan. 1648 (PA.11/5, fos. 112r, 190v. Act of approbation 9 Mar. 1649, APS,

VI. ii. o)

(15 Mar. 1649) (Appointed Master of Requests, APS. VI. ii. 317)

DICKSON, ALEXANDER

Feb., Mar. 1640 Mentioned as secretary to the

committee at Edinburgh (PA.

16/1/2, 32)

HENDERSON, THOMAS

(Jan. 1644) (Secretary to the general (earl of Leven): served until 1646,

PA.II/2, fo. 46v; Terry, Papers,

ii, 496)

Paid as clerk of the Committee Nov. 1646 with the Army as well as secre-

tary to the general (Terry, Papers, ii, 561, 653)

(1647)(Secretary to the general and

Lieutenant General David Leslie,

PA.11/7, fo. 104r-v)

Paid as clerk of Committee of 1 Aug. 1648

Estates from this date to I Apr.

1649 (PA.11/8, 34r)

1 Apr. 1649 James Primrose to be joint clerk

of Committee of Estates with Henderson; admitted 10 Apr.

(PA.II/8, fos. 34r, 36r).

Henderson was dismissed from

office 6 June 1651 (APS, VI, ii, 686)

HEPBURNE, SIR ADAM, of Humbie (knighted 1641)

8 June 1640 App. clerk to the Committee of

Estates (APS, v, 284). In Aug. 1640 he accompanied the Committee of Estates with the Army into England (Guthry, Memoirs, 72). Act of approbation 15 Nov.

1641 (APS, v, 397) (13 Nov. 1641) (Appointed an ordinary Lord of

Session) (See also Appendix 8)

HEPBURNE, ROBERT

Aug. 1640 Appointed clerk of Committee of Estates in Edinburgh as de-

puty to Adam Hepburne (Guthry, Memoirs, 72). Act of approbation 15 Nov. 1641 (APS, v, 397)

15 Nov. 1641 Appointed clerk of the Committee for Common Burdens

(APS, v, 394)

PRIMROSE, SIR ARCHIBALD (knighted 1646)
(1641) (Appointed clerk

(1641) (Appointed clerk of the Privy Council, RPCS, 1638-43, xxii, 147-9, 482-3)

23 Sept. 1642 Admitted as clerk to the Con-

servators of the Peace (PA.14/2, fo. 1r)

(1643-4) (Clerk of the Convention of Estates – by right of office as

clerk of the Privy Council)
Admitted as clerk to the Com-

mittee of Estates (PA.II/I,
fos. IIV-Izr). Re-admitted 29
July 1644 (PA.II/3, fo. 6r)
Captured by Montrose Aug.
1645 and suspended from office

until his conduct had been examined; exonerated 5 March

28 Aug. 1643 continued 1646 and ordered to continue in office (PA.14/3 p. 53). Readmitted as clerk to Committee of Estates 29 Mar. 1647 (PA. 12/2). Suspended from office as an Engager, Sept. 1648, and dismissed from office 10 Mar. 1649 (APS, VI, ii, 268-70)

6 June 1651

1649 (APS, VI, ii, 268-70) Appointed clerk of the Committee of Estates (APS, VI, ii, 686; PA.II/II, fo. 50V) (Clerk Register)

sioners in London for conclud-

(1661-76)

PRIMROSE, JAMES

MES
1641-2 Clerk to the Scottish Commis-

ing the treaty (see PA.13/2 and Lords Journal, iv, 492, 555, v, 84)
Appointed clerk of the Committee of Estates with the Army in England (PA.11/1, 86v-87r).

Aug. 1645

4 Dec. 1643

Remained clerk until sometime in 1646
Returned to Scotland and acted as clerk to Committee of Estates during the suspension of his brother Archibald Primrose (he was still with army in England on 12 Aug., but was acting as clerk in Scotland by 27 Aug., PA.12/1)
Additional to the property of the proper

1 Apr. 1649

Appointed joint clerk of the Committee of Estates with Thomas Henderson; admitted to office 10 Apr. (PA.11/8, fos. 34r, 36r). Resigned before 6 June 1651 when Sir Archibald Primrose was appointed

APPENDIX 8

FINANCIAL OFFICIALS

Arranged as a brief chronological list followed by an alphabetical list of officials, as in Appendix 7.

Collectors General and Commissaries General

- 1638-40 John Smith (Collector of the Voluntary Contribution, jointly with Sir Thomas Hope of Kerse by 1640)
- 1639-40 James Murray (Commissary for the Country)
- 1640-I Sir Thomas Hope of Kerse (Collector General of the Tenth and Twentieth Pennies)
- 1640-1 Alexander Gibson, younger of Durie (Commissary General)
- 1642-4 William Thomson (Receiver General of the Public Dues)
- 1643-7 Sir Adam Hepburne of Humbie (Commissary and Collector General)
- 1647-8 Sir John Wemyss of Bogie (Commissary General)
- 1648-50 Sir James Stewart (Commissary and Collector General)
- 1650 John Denholm and John Campbell (joint Commissaries General: evidently never took office)
- 1650 Alexander Brodie of that Ilk (Commissary General: refused office)
- 1650 John Denholm (Commissary General: refused office)
- 1650-1 Sir John Smith (Commissary General)
- 1651 John Drummond (Collector of the Voluntary Loan)

Treasurers of the Excise

- 1644-8 James Stewart
- 1648 John Jossie
- 1648-50 Sir James Stewart
- 1650-1 Sir John Smith and Sir John Wauchope of Niddrie

BRODIE, ALEXANDER, of that ilk

- 15 Oct. 1650
- Appointed Commissary General and Collector General of the Maintenance (PA.7/24, fos. 36r, 232r), but refused to accept office

CAMPBELL, JOHN

(1640-1) (Acting as a commissary with the army in England, PA.11/1, fo. 91V)

(17 Nov. 1642) (Appointed Receiver Depute of the Scottish Army in Ireland,

RPCS, 1638-43, 343-5)

(1 Jan. 1644) (Appointed Commissary of the Scottish Army in Ireland, APS, VI, i, 206, but evidently was not admitted to office until Apr. 1644 or later. Served until 1648. NLS, Adv. MS. 33.4.8, pp. 77.

83, 109, 154-5; PA.15/10)

8 Aug. 1650

Appointed to act as joint Commissary General with John

Denholm (PA.12/5, minutes),
but they probably never took

office.

(9 June 1651)

(Appointed one of the Receivers
General of the king's rents,
SRO, PS.I/I16. Register of the

Privy Seal, fo. 183y)

DENHOLM, JOHN (1640-1)

(A commissary depute under Gibson of Durie with the army in England until 1 Jan. 1642; also called proviant master of the army in England, Miscellary of the Mattland Club, II, ii,

417-23; PA.6/8, 27 Nov. 1644; PA.16/2/2)

(16 Apr. 1644) (Commission as commissary to the forces for suppressing the rebellion in the North, APS, VI,

i. 88: PA.15/6)

8 Aug. 1650

Evidently already acting as Commissary General, as John Campbell is appointed to be joint Commissary with him (PA.12/5, minutes), but they probably never took office

17 Oct. 1650

Appointed Commissary General (PA.7/24, fo. 40r), but refused to accept office (APS, VI, ii, 610)

DRUMMOND, JOHN

(1644-7) (A commissary depute with the army in England, Terry, Papers, passim)

23 May 1651 Appointed Collector of the Voluntary Loan (APS, VI, ii, 667)

GIBSON, ALEXANDER, younger of Durie

13, 14 or 15 May Appointed Commissary General 1640 ratified by parliament 9 June 1640. Served until disbandment

of army 25 Aug. 1641 (APS, v, 286; PA.16/2/2; PA.6/8, 27 Nov. 1644)

(1641-9) (Clerk Register)

HEPBURNE, SIR ADAM, of Humbie

(See also Appendix 7)
17 Aug. 1643 Appointed Collector General of

the Loan and Tax (APS, VI, i,

30 Aug. 1643 Appointed Commissary General (PA.11/1, fo. 7v)

24 Nov. 1643 Commission as Treasurer of the Armies and Commissary

General (PA.11/1, fos. 66v-68r)

27 Feb. 1645 Appointed Collector General of

the Monthly Maintenance (APS, VI, i, 353-4) Resigned his offices Jan. or Feb. 1647

HOPE, SIR THOMAS, of Kerse

Mentioned as Collector of the Mar. 1640

Voluntary Contribution jointly with John Smith (PA.16/1/31) Collector General of the Tenth 1640-I and Twentieth Pennies (papers in PA.16/2/2; PA.14/1, fos. 208r,

214V)

IOSSIE, IOHN

(1643) (Depute to William Thomson,

Receiver General of Public Dues, RPCS, 1638-43, 407-9; PA.II/I,

fo. 22v)

11 May 1648 Appointed Treasurer of the Excise (APS, VI, i, 71); commission 15 June 1648 (PA.11/6, fo. 25v). Dismissed from office

MURRAY, JAMES

Commissary for the Country 1639-40 (PA.15/1)

SMITH, SIR JOHN, of Grottal (knighted 1641) Mar. 1638 Appointed Collector of the

Voluntary Contribution (Rothes,

27 Sept. 1648 (PA.11/7, fo. 3r-v)

Relation, 80-81)

Mentioned as Collector of the Mar. 1640 Voluntary Contribution jointly with Sir Thomas Hope of Kerse

(PA.16/1/31)

Appointed joint Treasurer of 1 Mar. 1650 the Excise with Wauchope of

Niddrie (PA.12/5, minutes)

3 Dec. 1650

Appointed Commissary General (APS, VI, ii, 614)

STEWART, SIR JAMES (knighted 1647 or 1648)

27 Mar. 1644

Appointed Treasurer of the Excise (PA.11/1, fo. 173r-v).

27 Sept. 1648

Excise (PA.II/I, fo. 1731-v). Dismissed or resigned May 1648 Appointed Commissary General, Collector of the Maintenance and other Public Dues, and Treasurer of the Excise (PA. 11/7, fo. 3f.); ratified 16 Mar. 1649 (APS, VI, ii, 367-8). Resigns as Treasurer of the Excise 3 Mar. 1650 (PA.IZ), minutes). Desires to resign as Commissary General 30 May 1650 (APS, VI, ii, 570); replaced 15 Oct. 1650 (PA. 7/24, fos. 36r, 232r)

THOMSON, WILLIAM (1640-1)

21 Jan. 1642

(A commissary depute with the Scottish army in England, (PA.6/8, 27 Nov. 1644)

Appointed Receiver or Receiver General of the Public Dues (PA. 14/1, fos. 18v-19r); commission 26 Jan. 1642 (ibid., fos. 26r-27r). Continued in office up to at least June 1644 (APS, VI, i, 205-7), but already was being described as a commissary depute to Hepburne of Humbie with the army in England by April 1644 (PA.11/I, fo. 197r-v) and doubtless had been regarded

as Humbie's depute since the

21 Jan. 1642 continued

latter's appointment as Commissary General in 1643. In 1642-4 Thomson also acted as receiver general and commissary of the Scottish army in Ireland (APS, VI, i, 206; RPCS, 1638-43, 343-5)

WAUCHOPE, SIR JOHN, of Niddrie

1 Mar. 1650

Appointed joint Treasurer of the Excise with Sir John Smith (PA.12/5, minutes)

WEMYSS, SIR JOHN, of Bogie 16 Feb. 1647

Appointed Commissary General and Treasurer of the Army (APS, VI. i. 608): commissions 9 Mar. 1647 and 11 May 1648 (Ibid., VI, i, 725-6, VI, ii, 74). Dismissed from office 27 Sept. 1648 (PA.11/7, fo. 3r-v)

APPENDIX o

COMMITTEE RECORDS

Nearly all the surviving records of the covenanters' committee government are contained in the parliamentary records in the SRO. Much material relating to the committees is contained in APS, but the statement that everything that 'was judged to relate to public affairs' in the registers of the Committee of Estates (PA.II) was printed in APS (J. M. Thomson, The public records of Scotland (Glasgow, 1922), 31) is completely without foundation; no use was made of the committee registers in preparing APS. A typescript inventory of all parliamentary records is available in the SRO; the main classes containing records of the covenanters' committees are listed below. Fuller details of the surviving registers of the committees listed in Appendices 3, 4 and 5 are given in these Appendices.

- Supplementary Parliamentary Warrants and Papers. PA. PA.7 7/2-8 are volumes containing papers of a variety of committees; details of their contents are obtainable from a typescript inventory in the SRO, PA.7/23/2 contains many letters and other papers relating to the 1640s formerly classified as State Papers; again a typescript list of contents is available, PA.7/24 includes many committee papers,
- including minutes of the Committee of Estates for 1650-1. Records of the Convention of Estates. PA.8/2 comprises PA 8 the charge of the loan and tax imposed in 1643.
- Registers and Minute Books of the Committee of Estates. PATT PA.II/I-II cover the years 1643-51, though there are some major gaps (as Appendix 3 indicates), PA.II/2 is a register of the Committee of Estates with the Army in England, 1643-4, and two other volumes contain records of committees which were not 'Committees of Estates' in the narrow sense of being general interval executive committees: PA.II/8 includes two registers of Committees of Dispatches; PA.II/II includes the register of the 1651 interval Committee for Managing the Affairs of the Army.
- Warrants of the Committee of Estates. PA.12/1-7 contain miscellaneous papers, including many minutes, for 1640-51.
 - Papers of the Scottish Commissioners in England. Seven volumes of letters and other papers relating to 1641-6. Many of the papers are printed in APS, Lords Journal, Commons Journal and Meikle, Correspondence, PA.13/4, 5 are copies of registers of the Committee of Both Kingdoms, which are calendared briefly in CSPD.
- Registers and Minute Books of Various Committees. Five PA.I4 of the six volumes are records of financial committees; see Appendix 5, PA,14/2 is the Proceedings of the Conservators of the Peace, 1642-3.
- Accounts. Includes the surviving accounts of the Com-PA.IS missaries General. Many of the accounts relate to the army in England, 1644-7, and are printed in Terry, Papers.
- Warrants of Various Committees and Accounts: Miscel-PA.TO laneous Army Papers. Mostly relating to the 1640s.



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Nobles and lairds are indexed under surnames. Nobles have cross references under their titles, but cross references from the territorial designations of lairds are only included if these designations are used in the text at points which are not in close proximity to other references which give surnames. Full names of lairds who are members of committees can be established by reference to the lists of sederunts at the end of each calendar.

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SCOTTISH HISTORY SOCIETY

REPORT

of the 94th Annual Meeting

The 94th Annual Meeting of the Scottish History Society was held in the Rooms of the Royal Society, George Street, Edinburgh, on Saturday, 13th December 1980, at 11.15 a.m. Professor A. A. M. Duncan, President of the Society, was in the chair.

The Report of Council was as follows:

During the past year the fifteenth volume of the Fourth Series, the Papers of Peter May, Land Surveyor, edited by Dr Ian H. Adams, has been issued to members. This record of the activities of a pioneer land surveyor and estate manager in the north-east of Scotland and Bute during the eighteenth century seems to have interested many members of the Society and has been well-received by them.

The next volume to be published by the Society will be the Autobiography of John McAdam, with selected letters, edited by Dr Janet Fyfe, McAdam was a nineteenth-century Glasgow radical who was interested in the European nationalist movements of his time, and his correspondents included Garibaldi, Mazzini and Kossuth, Production of this volume is well advanced and it is expected that it will be in the hands of members before the end of the year. This work replaces in the publication sequence Stirling Presbytery Records, edited by Dr James Kirk, which at the time of the last annual report was intended to be the volume for the current year; it will now appear as the volume for next year, Dr Kirk having kindly consented to a transposition of the volumes. Dr Kirk's volume should therefore appear in 1981, the four hundredth anniversary of the establishment of the first presbyteries in Scotland. The Council is very pleased to record its gratitude to the Hope Trust for its generosity in making a grant of £,500 to help cover the cost of publishing this volume. The Council has not accepted any new volumes during the past year for future publication, but the extensive list of works formerly accepted and now being prepared for publication should provide members with interesting and attractive volumes over the next few years.

As members are aware, the annual subscription of the Society has just risen from \pounds_5 to $\pounds 8$. What effect this will have on membership remains to be seen, but it is encouraging that so far very few formal resignations have been intimated to the Hon. Treasurer. However, some drop in numbers as a result of the subscription increase must be expected, and this makes efforts to attract new members all the more necessary. The Hon. Secretary would welcome any suggestions as to individuals who might be invited to join the Society, and he would be glad to provide copies of the Society's publicity and membership leaflet to members who are willing to pass them on to friends, or to display them at meetings or conferences. Like any Society we

need a constant trickle of new blood if we are to remain healthy! One way in which members can give very considerable financial help to the Society at no extra cost to themselves is by agreeing to sign a covenant; at current tax rates this brings the Society an extra £3:43 per member. A covenant form is attached to the subscription reminder form attached to this Report. Until this year the minimum period a covenant had to run to qualify for tax relief was seven years, but this has recently been reduced to four years. This shorter period may make covenants more attractive to some members than in the past, and the Council strongly urges all members to consider becoming 'covenanters'.

Professor A. A. M. Duncan is now due to retire from the presidency of the Society. Mts Rosalind Mitchison has been nominated by the Council to succeed him, and will be proposed to the Annual General Meeting for election.

The three members of Council due to retire by rotation are Mr Patrick Cadell, Dr T. M. Devine, and Mr J. B. S. Gilfillan. In their place the following will be proposed to the Annual Meeting for election to Council: Dr John W. M. Bannerman, Dr John F. McCaffrey, and Dr John Strawhorn.

Dr I. M. M. Macphail has retired as Auditor of the Society's accounts, and Mr John A. Smith has been appointed by Council to succeed him.

During the past year 11 members of the Society have died, 17 have resigned and 12 have been removed from membership for non-payment of subscription. Forty-eight new members have joined. The total membership, including 224 libraries, is now 774, compared with 766 in 1979.

The President proposed Professor Mitchison as his successor and this was carried by acclamation.

The Chairman of Council, Professor T. C. Smout, reviewed the Annual Report. The Hon. Treasurer presented his accounts. After some discussion from members about the publishing programme, the Report and Accounts were approved, and Dr Bannerman, Dr McCaffrey and Dr Strawhorn declared elected to membership of Council.

The President delivered an address on 'James I', after which Professor

D. E. R. Watt proposed a vote of thanks.

ABSTRACT ACCOUNT OF CHARGE AND DISCHARGE OF THE INTROMISSIONS OF THE HONORARY TREASURER for I November 1979 to 31 October 1980

GENERAL ACCOUNT

CHARGE	
. Cash in Bank at 1 November 1979:	
1. Sum at credit of Savings Account with Bank of Scotland	£7,600.00
2. Sum at credit of Current Account with Bank of Scotland	1,481.35
3. Sum at credit of Savings Account with Edinburgh Savings Bank	78-41
4. Sum at credit of Special Investment Account with Edinburgh Savings Bank	516-41
	£9,676·17
I. Subscriptions received	3,954*04
1. Past publications sold	1,233.34
7. Reprints sold	265.75
7. Royalties on Reprints	30.57
 Interest on Savings Accounts with Bank of Scotland and Edinburgh Savings Bank 	844.83
I, Income Tax Refund (1979-80)	273.68
I. Donations	725.00
x. Carnegie Trust Grant	400.00
x. Sums drawn from Bank Current Account £14,307.26	
I. Sums drawn from Bank Savings Account £6,000.00	
	C

II

VI

£,17,403·38

DISCHARGE

			£17,403·38
	Balance at credit of Special Investment Account with Edinburgh Savings Bank	549*08	7,437.08
	3. Balance at credit of Savings Account with Edinburgh Savings Bank	81-53	
	2. Balance at credit of Current Account with Bank of Scotland	56-47	
VI.	Funds at close of this account: 1. Balance at credit of Savings Account with Bank of Scotland	£6,750.00	
		£13,380·61	
IV.	Sums lodged in Bank Current Account	£14,363·73	
III.	Miscellaneous Payments		479*43
II.	Insurance Premiums		£9,443°54
	(ii) Autobiography of John McAdam Cost of printing Annual Reports, Notices and Printers' Postages, etc.		621.53
I.	Cost of publications during year (i) Papers of Peter May		£6,822·49

GLASGOW, 14 November 1980. I have examined the General Account of the Honorary Treasurer of the Scottish History Society for the year from 1 November 1979 to 31 October 1980, and I find the same to be correctly stated and sufficiently vouched.

JOHN A. SMITH
Auditor

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