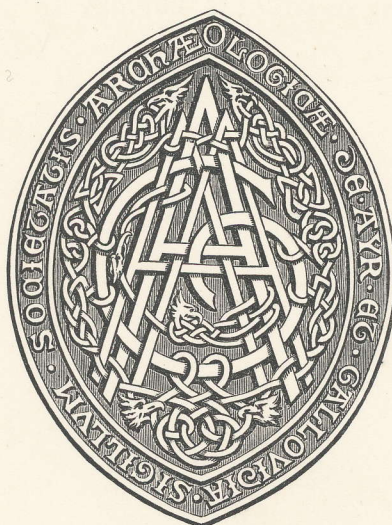


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IX.

SELECTIONS FROM SOME PAPERS IN POSSESSION OF THE COUNTESS OF STAIR.¹

THE Hamiltons of Bargany, to whom the most of these Letters are addressed, were descended from Sir John Hamilton of Lettrick, natural son of John, 1st Marquis of Hamilton; he obtained a legitimation under the Great Seal, 22nd December, in 1600. Sir John's son was created a Peer by Charles I., with the title of Lord Bargany, 1639. He accompanied the Duke of Hamilton in his unfortunate expedition into England 1648, having raised a regiment. He was taken prisoner and detained for a year. In 1651 he assisted in the levies raised for his Majesty's restoration. After the defeat of the army in England he was again prisoner, carried to London, and imprisoned in the Tower for a year. Cromwell excepted him out of his Act of Grace and Pardon, April 1654. He died 1658. His son, the second Lord Bargany, who was obnoxious to the ministers of Charles II., was imprisoned in Blackness Castle in 1679, and from there removed to Edinburgh, where he was served with an indictment for High Treason; this indictment was not brought to a trial for want of witnesses; he was later released. In 1689 he entered heartily into the Revolution, and raised a regiment of 600 foot for the public service. He died 25th May 1693, and was succeeded by his second son William, as third Lord. The third Lord Bargany took the oaths and his seat in Parliament 9th May 1695. He exerted himself in opposition to the Treaty of Union, and died about 1712. His son James succeeded him as fourth Lord Bargany, being born 1710; and dying unmarried at Edinburgh, March 28th, 1736, was buried in the Abbey Church of Holyroodhouse.

¹ In cases where the superscription is wanting I have filled it in from internal evidence.

I.

[Warrant to randir Dumbartan, 1597.]

Rex.

Capitane, constable, and keipares of our castell of Dumbartane we greit you wele. It is our will and we command you that upoun the sicht heiroye rander and deliver our said castell of Dumbartane with the hail invintioun artailzerie plenissing and sic uther materiallis and thingis as propirlye belangis thairto contenit in the inventar maid at your ressait thairof, To our trusty servitour Schir Patrik Murray, gentilman of our chalmer, to be usit be him according to our directioun gevin thairanent as ye will ansuer to us upoun your offices and obedience, keipand thir presentis for your warrant. Subscrivit with our hand at Halyruidhous the day of Januar 1597.

JAMES R.

Mr. E. JOHNSTOUN, *Secretar.*

II.

[James, 1st Duke of Hamilton,¹ to John, 1st Lord Bargany.²]

My Lord—I came heere with an intent to come for Scotland imediatly according to the comande of the Comittee of Estates, but the Comittee that is in this towne desired me to make some stay here first. I have written to my cousin My Lord Glencarne³ more at large and touching some particulars (wherewith he will acquaint you) which he hath heard from one or both of my brothers, your concurrence and assistance in the same I doubt not of, since it concerns your obliged cousin and humble servant,

HAMILTON.

NEWCASTLE, the 23rd July 1646.

ffor my louing cousin, My Lord Bargeny.

¹ James, 1st Duke of Hamilton, was born 19th June 1606. He commanded the Scotch army which invaded England for the relief of the king in 1648. His forces were defeated at Preston, and he surrendered to Lambert at Uttoxeter, 25th August 1648. He was tried in February, and beheaded 9th March, 1649.

² John, 1st Lord Bargany, was son of Sir

John Hamilton of Lettrick: he was created a peer of Scotland by the title of Lord Bargany, in 1639. He died April 1658.

³ William, 9th Earl of Glencairn, born about 1610, was appointed by Charles II. High Chancellor for Scotland for life, 19th January 1661; he died 30th May 1664.

III.

[Duke of Hamilton to Lord Bargany.]

Cousing—Contrarie to my expectation the busines consarning my brother and the other 5 Lord, will come to a tryell on Munday, which tyes my stay in town till then, for they say if I goe I desert them, which I never will.

You shall then heare from me, till then you are weall att home, wherby you have infinitly oblidged, your most affectionatt and faithfull cousing,

HAMILTON.

HOLROUDHS 30, att 2 a klok.

For my cousin My Lord Bargeny.

IV.

Whereas the Lord Burgenny was taken prisoner by the forces under Lt. Generall Cromwell att the routing of the Scottish Army; and had a passe under my hand and seale for his going into Scotland for a month from the date therof, I doe heerby discharge the said Lord from any further clayme unto him as a prisoner by the army under my command. Hee engaging himself nott to take uppe armes any more against the Parliament of England and giving satisfaction to the Parliament of Scotland. Given under my hand and seale in Queen streete the 17th day of March 1648.

T. FAIRFAX.¹

To all whom these may concerne.

V.

[Hugh Peters² to John, 1st Lord Bargany.]

My Lord—I had yours, and have done what you desired and more, for if you pay £150 unto Major Wade at Berwick you shall there fynd your freedome under the Generall's hand and seale, which you may beleive it a

¹ Sir Thomas Fairfax, afterwards Lord Fairfax, Parliamentary General.

² Hugh Peters, born 1599. Educated at Cambridge, expelled for irregular behaviour;

afterwards went on the stage. Joined the Independents, went to America. Returned to London beginning of the Rebellion; was an active promoter of the King's death. Afterwards tried and executed as a Regicide in 1660.

great curtesy and that mony muit goe to poore maymed souldiers and widdowes. I have no more but to tell you your wisdome in Scotland will be to be quiet, and so ought we here to study peace. Let me heare from your Lordship how all matters are. I have striven to save my Lord Duke,¹ but his escape out of Windsor tooke his head of. Agaynst which I hav given him counsell. I am my Lord yours, HU. PETERS.

22 March 48.

For the Honourable the Lord Burgany, ny Barwick.

VI.

[Passe for the Lord Burgenny, 30th 9br., 1648.]

Suffer the bearer hereof the Lord Burgenny to passe uppon his parole to the towne of Barwick upon Twidd without interuption, hee haveing ingaged himselfe that within one monthe after the date hereof he will render himselfe prisoner to the Commander in Cheife of the fforces att Barwick. Given under my hand and seale the 29th day of November 1648.

To all officers and souldiers under my command. T. FAIRFAX.

Sir—Whereas my Lord Burgenny is ordered by the Generall to surrender himself a prisoner to the Commander in Cheife att Barwicke, I am ordered by the Governor of this garrison to desire you, in your securing him as a prisoner, to use him with all se vill respect as becomes a man of his quality, being confident you will doe it. I subscribe myself, Sir, yours to serve you,

P. HOBHOUSE.

NEWCASTLE, 18th of Decr. 1648.

VII.

Gentlemen—Uppon the earnest desire off the Lord Bargany and his ladie, the Commissioners have thought fitt to respitt the sale of his mooveables and plenishinge until the 26th instant, at which time I perceive they themselves intend to buy them; the mean time I make bould to sollicit

¹ My Lord Duke,—James, 1st Duke of Hamilton.

for and in theyr behalfe that you would use them ffavourabley, and iff you can with conveniencie (as I conceive you may) I doe desire iff they buy theyr mooveables (iff it exceed nott ffiftie pounds st.) that it may passe with you as part of the ladies ffifth, in doeinge off all which I thinck you will doe the Commonwealth noe prejudice, and her a very great ffavour, and it shall be taken as an exceedinge great obligation putt upon, Gentm. your affectionate ffriend to serve you, WM. WELCH, *Secr.* 1652.

LEITH, 3 *August* 1652.

For my worthy Friends
Capt. Greene and Lt. Smith
these are.

VIII.

[William,¹ Duke of Hamilton, to John,² 2nd Lord Bargany.]

HA: 19 Sepbr. 1673.

Nevoy—I dout not bot befor this you have heard of the sitting of our Parl., and the comeing doun of the Duke of Lauderdale the nixt month therto, is the admiration and surprise of everybody. It has put me in some dout as to my journey to London, which I did intend the weeke after the nixt; many yet persuads me to continew it. I desir your advise and what you intend if I go. I have written to Cassillis³ to know if he continews his resolution of goeing. My nevoy Carmichael⁴ resolves to go if I do, and wee

¹ William, Duke of Hamilton, was Lord William Douglas, eldest son of William 1st Marquis of Douglas by his 2nd wife Lady Mary Gordon, 3rd daughter of George, 1st Marquis of Huntly. He was born 24th December 1634, created Earl of Selkirk 1646. He married Anne, Duchess of Hamilton, eldest surviving daughter of James, 1st Duke of Hamilton. In consequence of a petition from the Duchess he was created Duke of Hamilton for life. He distinguished himself in the Parliament of 1673 by his opposition to Lauderdale, and died at Holyroodhouse 18th April 1694.

² John, 2nd Lord Bargany, son of 1st Lord by his marriage with Lady Jean Douglas, 2nd daughter of William 1st Marquis of Douglas. He was imprisoned in Blackness Castle 1679,

and from thence removed to Edinburgh, where he was served with an indictment for high treason. This indictment was not brought to trial for want of evidence. Lord Bargany entered heartily into the Revolution, and raised a regiment of 600 men for the public service, 1689. He died 25th May 1693.

³ Cassillis—John, 7th Earl of Cassillis. He was the single person in the Parliament 1670 who voted against the Act for punishing conventicles. He died 23rd July 1701.

⁴ Carmichael—John, Lord Carmichael, son of William, Master of Carmichael, by Lady Grizel Douglas, 3rd daughter of William, 1st Marquis of Douglas; he was created Earl of Hyndford, 1701, and died 1710.

thinke to take my coach, and hire the coachman in Glasgow and his horses. I am not perfectly well of the seatike yett, tho' I am much better, and hopes a weeke will make me so well as I may adventure on this jorney which is yet to be determened by your affect. unkle,

HAMILTON.

For My Lord Bargeny.

IX.

[Sir George Mackenzie¹ to John, 2nd Lord Bargany.]

My Lord—You know that the processe against you was non of my contrivance having been commanded by a privat letter from his Majestie to hear witnesses and by a publict to insist in it. After which I concerned my selfe in it with ane equall care not to neglect my dutie to the king if you wer guiltie nor to wrong you if innocent, both which wer fit for me having been your old acquaintance and being now King's Advocat. Nor am I therfor dissatisfied that the King has released you, bot not having seen the letter I can giv you no account of what the officers of Stat will command mee in that affaire, whose advyse I follow strictlie in it. Only I assur you that I know nothing of any new citation and that you need expect no surprysall nor injustice, and which is better unkyndnesse, from your Lo. humble servt.,

GEO. MACKENZIE.

For the Lord Bargaine.

X.

[G. Burnet,² Bishop of Salisbury, to John, 2nd Lord Bargany.]

My Lord—As soon as I had the honour of your Lop.'s letter, I lost no time, but gave the king an account of it the very day in which I had it, which was yesterday. The king was much touched with the sense of that barbarous usage that your Lop. met with some years agoe; and upon the offer that you make of serving in Ireland he commanded me to thank you for it and to assure you that if he made any use of Scottish forces towards

¹ Sir George Mackenzie of Rosehaugh, a celebrated lawyer, born at Dundee 1636, appointed King's Advocate 1677. Died at London, May 2nd, 1692.

² Gilbert Burnet, born at Edinburgh Sept. 18th, 1643. He was made Bishop of Salisbury by King William III.; was the author of various works, and died 17th March 1715.

the reduceing of Ireland he would employ your Lop. in it. This is that which I had in commands from the king to let you know, to which I can only adde that I am my Lord your Lop.'s most humble servant,

GIL. SARUM.

WHITHALL, *the 2d of Aprile.*

XI.

[2nd Lord Bargany.]

EDINBURGH, *8th Janay.* 1685.

Sir—I thought fitt to acquaint you that as soone I can be dispatched by the Lords of the secrett comitty, I am to come with the comission (which relates to the inclosed proclamation) for the shire of Aire, wherein Craigie, Blaire, Colean and your provost of Aire are with me, wee are by the comission ordained to meet the 15th instant, whereof I desire you will acquaint them, butt the instructions not being yett ready I know not if I shall be able to be at Aire so soone, the comission bears ane ample power of justiciary besides the taking the oaths and methods contain'd in the proclamation, so that I am affraid wee have a tedious and trublsome task of it, but for the greater ease I have proposed and the passes to be given the people are a printing, and I believe above 20,000 will be brought along seing thay are to be given gratis so much I thought fitt to tell you, and that you wold consider how the lists of the inhabitants of these pariches may be had where the ministers are absent and have removed out of feare, and that if you think fitt send to the heritors of Dally and other parochs where ther is no ministers that they make ready exact lists. I hope to gett Carletoun added to the comission (seing Cragie is at London) to help us; also I pray have exact rols of the whole heritors, lifrenters, wodsetters, etc., for you know how much time was spent the last circuit upon these rols which much retarded the Lords' business. I pray write to Mr. Abercromby, minister of Maybole, to gett upp the exact list of his parish from the heritors, for his parish will be the first in Carriet will be fallen about, and if you have another send him the inclosed proclamation and order him to read it at his church as prescribed, so I rest your affectionat freind,

BARGANY.

XII.

[James, 4th Duke of Hamilton,¹ to William, 3rd Lord Bargany.²]

HOLLYROODHOUS, *May 25, 1702.*

My Lord—I was hopefull to have found you heer, since you could not be ignorant that the Parleament was design'd to have meet to-morow, but now since ther is a new adjurnment to the 9 of June, so that all the members may have tyme to come upp, I hope your Lo. will not fail making all the hast you can hither; it will be nesarie you were heer some days before it sitt down. I send this letter to you under Sir Charles Hay of Parke's cover, not knowing wether it will find you at your own hous or in Irland, whither I have desired him to further it to you: I have also written to Rickarton Craig to make all the hast over he can, but in cace my letter should miss him, and that this has the good luck to find you, I desir you may comunicat this to him and bring him alongest with you; but don't be retarded by him, for its better to have one than want both: so I earnestly intreat you to make hast which will verie much oblide yor Lop. most affectionat kinsman and servant,

HAMILTON.

XIII.

[James, 4th Duke of Hamilton, to William, 3rd Lord Bargany.]

LONDON, *May 11th, 1708.*

My dear Lord—I am perswaded you'l be glad to hear from myself that I intend to see you soon in Scotland, I belive I may be at Edinburgh soon after this reaches your hands. I intreat you may not ingage your self any way as to our election of our peers till I see yow: which at meeting you'l be convinc't of the reasonableness of this advice from your most affectionat cussine and humble servant,

HAMILTON.

For My Lord Bargany.

¹ James, 4th Duke of Hamilton, born 11th April 1658, was a great opponent of the Act of Union with England. He was killed in a duel with Charles, Lord Mohun, in Hyde Park, on Saturday, 15th November 1712, in the 55th year of his age.

² William, 3rd Lord Bargany, was 2nd son of 2nd Lord by his marriage with Lady Margaret Cunningham, 2nd daughter of William, 9th Earl of Glencairn, High Chancellor of Scotland. He exerted himself in opposition to the Treaty of Union with England, and died about 1712.

XIV.

[George Hamilton,¹ 1st Earl of Orkney, to William, 3rd Lord Bargany.]

My Lord—I know my brother Hamilton has write to yr Lop. and I hope you will follow his advice, for I must confess I can not doute of His being sincerly your Lop.'s freend, since I had a letter from him recommending to me some freend of your Lop. and I must say he did it with that earnestness that I am convinced his esteem for yr Lop. is very great and I hope he will convince you how ready I am to oblidge all my freends, particularly one to whom I have the honour to be relaited to, soe I hope my Lord you will depend upon me in every thing I can serve your Lop. Her Majesty has been soe good as to give me leave to be absent from my command in order to my atteening to be one of the Sixteen Peers, so I must depend upon the favoure of my freends amongst whom I hope I may ranke yr Lop. I have ever endevoured to serve all my countrymen, and without vanity I believe I may say I have helped to provide as many younger Brothers as any man in this kingdome, it is the first favoure I have asked of my countrymen, I hope they wont refuse it me ; and now I must earnestly sollicite yr Lop. for yr voat, which obligatione can never be forgot by him who is with great truth, my Lord your Lop.'s most obedient and most humble servant, ORKNEY.

EDR. 28th May 1708.

XV.

[C. Morris to John Hamilton² of Bargany.]

Dear Sr—Yesterday Lords Killmarnock, Cromartie, and Balmerino were tryed in the most solemn manner in Westminster Hall before a very full assembly of Peers ; who being all dressd in their Robes, with the Lord High Steward at their Head, made a most grand awfull appearance, which was sweetend by the ladies on each side shining in the galleries.

If it be true that Forms in general are dull and impertinent yet here

¹ George Hamilton, 5th son of William and Anne, Duke and Duchess of Hamilton. Served in the Army and became Field Marshal of the Forces ; he was also Colonel of the Royal Scots

Regiment of Foot, and a Knight of the Thistle ; he died 1737.

² John Hamilton, 2nd son of Sir Robert Dalrymple and Joanna Hamilton, born 1715 ; died 1796.

they appeared with peculiar dignity; as a firm guard of the life and property of a peer of Realm, and a bulwark against arbitrary power in a Sovereign.

The ladies as I am told upon surveying the whole Peerage together saw nothing particularly eligible in their persons, though they allow the sound of the Titles, as they were calld after each other, to be peculiarly charming. They appeard highly delighted with the opening of the scene, and so pleasd and so gratefull for being admitted, that the pretty things looked as if they should be glad to see all their Lordships tryed in the same manner.

Whilst the three Prisoners below regarded them with countenances, which meant to say, like the Frogs in the Fable, to the children, though this may be play to you, 'tis death to us.

Upon their being severally demanded whether they were guilty or not, the Lords Killmarnock and Cromartie pleaded guilty: But Lord Balmerino desird to know whether, if he provd a defect in the form of his Indictment, it would not be in his favour. And being desird by the Lord High Steward to state his objection, He said that whereas it was alledgd in his Indictment that he had been on the 10nth of Novr. last at Carlisle, he had been at that time in another place.

To this the Lord High Steward told him that if he could prove that he was not there at all it might acquit him of the charge. Lord Balmerino then pleaded *not guilty*. After which several prisoners were examined who swore to Ld Balmerino's having been at the Head of a Troop of Horse, and to have enterd Carlisle with drums trumpets and fifes playing before him, upon which his Lordship remarking the falsity of the evidence, said, I doe aver we had no drums at all when we entered Carlisle—which was in effect to get rid of the drums and to own the Rebellion. The rest in my next. The post is going. All three found guilty. Hopes of pardon for one or both of Lords Killmarnock and Cromartie, but none for Lord Balmerino, yours and

W. C. MORRIS.

To John Hamilton, Esqre. of Bargany.

The foregoing papers are printed by permission of Lady Stair.

HEW DALRYMPLE.

