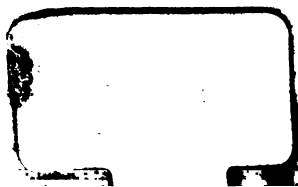


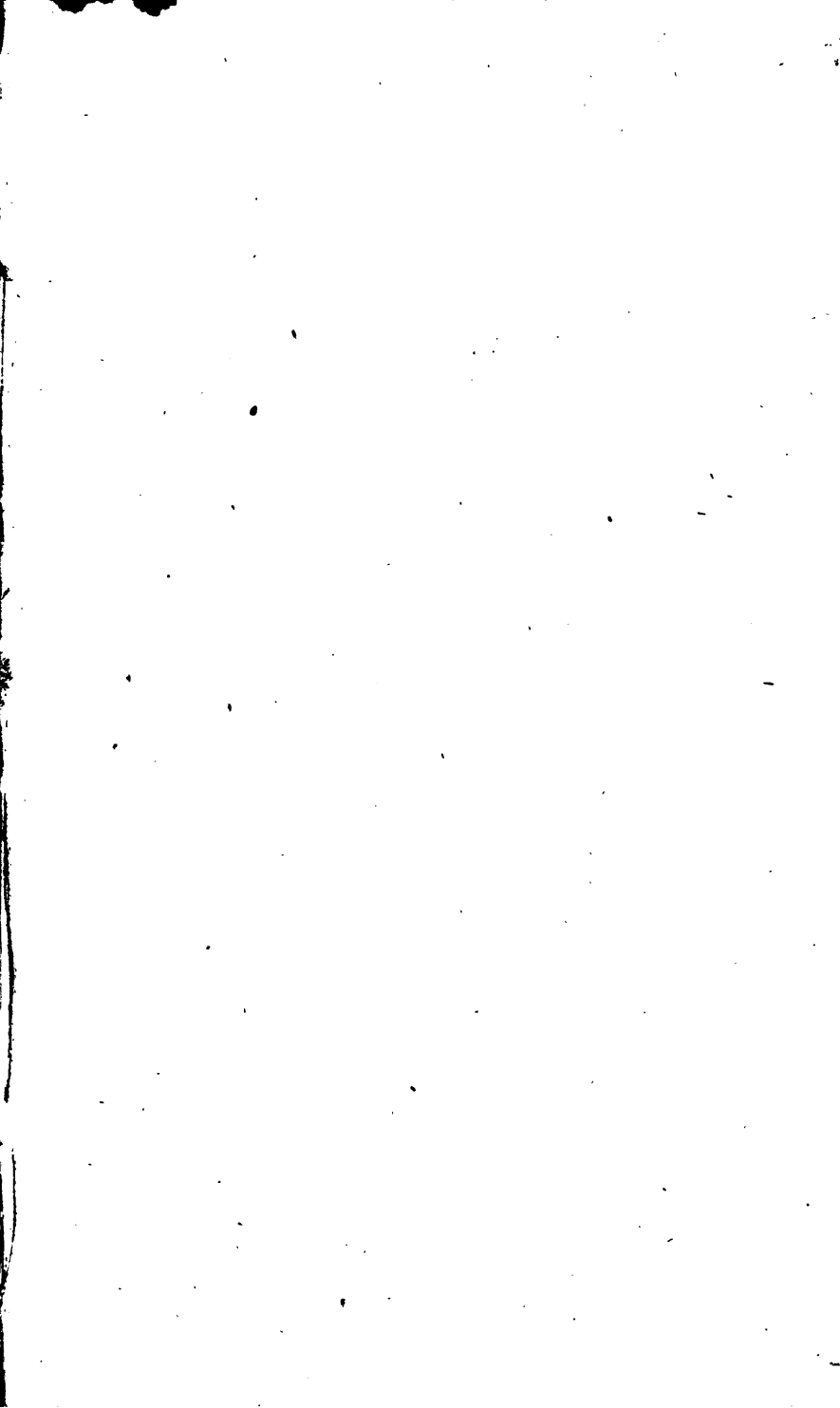
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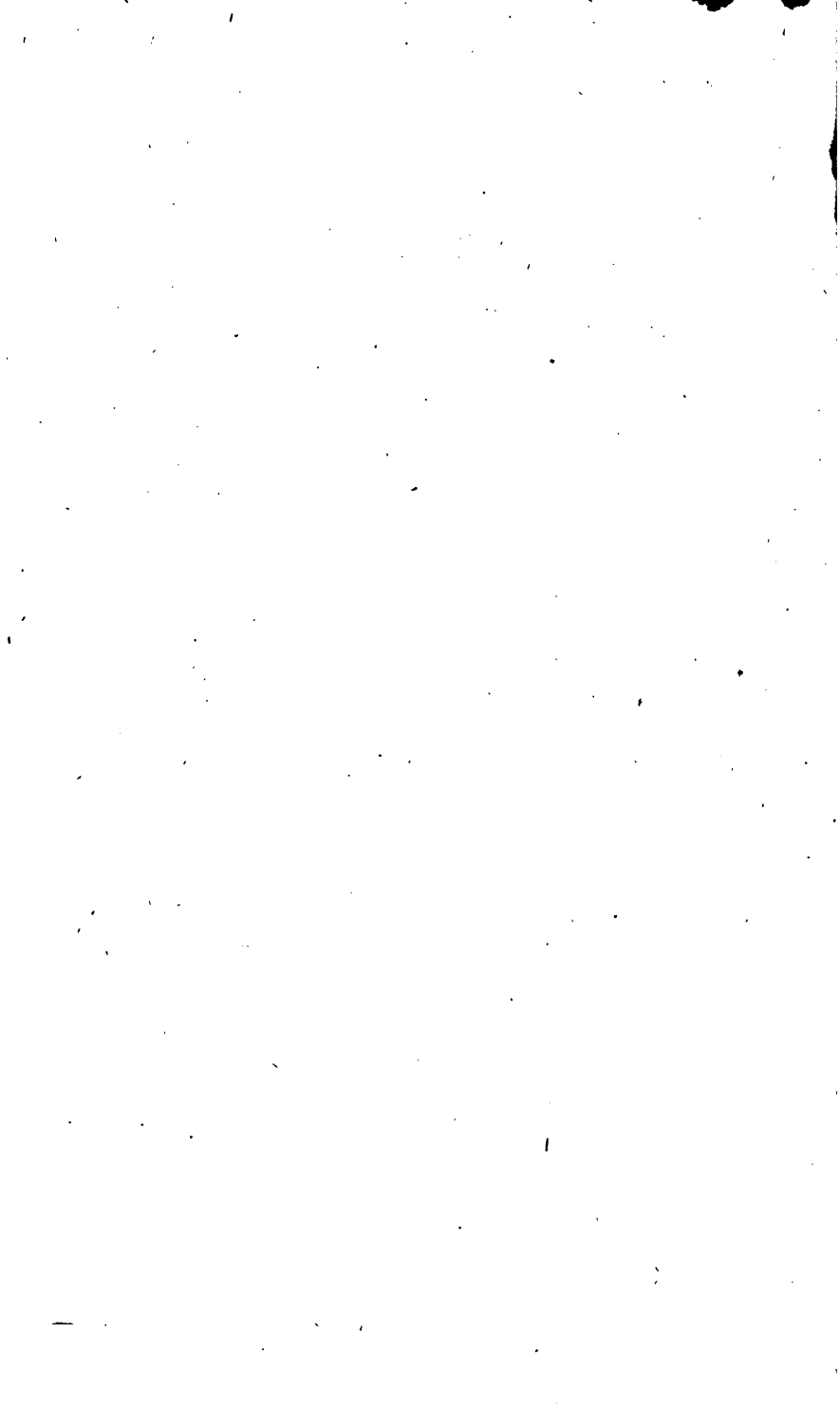


*W. Marshall* 1031.

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A N  
Historical Account  
OF THE  
CONSPIRACIES  
BY THE  
Earls of Gowry,  
AND  
*Robert Logan of Restalrig,*  
AGAINST  
King *James VI.*

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Cromarty, George Mackenzie, 1st earl of

AN  
Historical Account  
OF THE  
CONSPIRACIES  
BY THE  
Earls of Gowry,  
AND  
Robert Logan of Restalrig,  
AGAINST  
King James VI.

Of Glorious Memory.

Containing the FACTS, PROOFS and JUDGMENTS, in these CAUSES.

To which is added,

A VINDICATION of ROBERT III.  
King of Scotland, and all His DESCENDENTS,  
from the Imputation of BASTARDY.

By GEORGE Earl of Cromarty.

*Taken from Authentick Documents, yet extant  
among the National Records.*

*Curse not the KING. — For the Birds will carry the Voice; and  
that which hath Wings will tell the Matter.*

EDINBURGH:  
Printed by JAMES WATSON, One of Her Majesty's Printers.  
Sold at his Shop; and at the Shops of DAVID SCOT in the  
Parliament-Close, and GEORGE STEWART a little above  
the Cross. MDCCXIII.



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TO  
*Her Sacred Majesty*  
**Queen ANNE,**  
THE  
Most Glorious and most Excellent  
OF  
**BRITISH QUEENS;**  
And to ALL the  
**PRINCES**  
Who share in  
**Her Royal Blood:**

This dutiful PERFORMANCE,  
is humbly offered, by

**HER MAJESTY'S**

*Most Humble,  
Most Obedient,  
Most Faithful  
Subject and Servant,*

**GEORGE E. of Cromerty.**

1900

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T O

# The R E A D E R.



*SOME Church-Men, from indiscreet Zeal; and some Noblemen and Gentlemen, from Faction and Discontent (the Two main Springs of all Rebellions, Seditions and Conspiracies) did suggest and propagate most abominable Lies, against the Majesty, Honour and Person of King James the Sixth; in the Matter of Gowrie's Conspiracy, and Punishment thereof. It was of little Danger*

ger at the Time, whilst the Fact was notorious and Witnesses in Life: But the Generation of Vipers are not easily extirpated; a favourable Beam from the Royal Sun, never fails to animate them; tho' oft times, to it's own Disparagement and Hurt. Whatever may be in this Figure; yet, as to Truth in my present Subject, the malicious Designers, against the Royal Family in Scotland, did at first invent, and then foment, a most improbable Falshood; making it their Business to suggest, That Gowrie and his Brother, did never conspire against the King; but that the King did murder them both. This was invented, and clandestinely propagated by Bruce, Rollock, Durie, Melvil,  
and

# The Preface. ix

and other Presbyterian Ministers; and when ever Rebellion was rais'd or intended, that malicious Calumny was made a Handle. Thus it was in the seditious Meetings of the Years 1637, 1638, 1639, and 1640; which did produce such dire Effects, and Mischiefs, as Britain hath not yet recovered.

This mov'd me, when the Records were in my Hands, to search in the Matter of Gowrie's Conspiracy; the Result whereof, I have published in the following Papers. It was a Work, which requir'd more Industry than Skill; and I'll swear, it is free of all Invention, and claims to no Merit, but in so far as it may conduce, to vindicate the Honour

## x The Preface.

Honour of the Royal-Family, and particularly the Great King, who was therein more immediately concern'd. And I thought it my Duty, to publish it now, when such as evidently appear no Friends to the Monarchy, do vent their Spleen, either by forging or repeating what may raise Contempt on the Memories of dead Kings, and the Justice of their Parliaments; as what is reported in Gowrie's Conspiracy does loudly proclaim.

Therefore, in Vindication of the Royal Family's Honour, I have extracted these following Processes, from the authentick

Re-

# The Preface. xi

*Records; and the principal Vouchers, which  
ly in publick Custody, in the Parliament-  
House, at Edinburgh.*

*I have prefix'd, for a Preface, the Hi-  
storical Account of the Machinations of the  
Earls of Gowrie, in the Father and his Two  
Sons. And, in the next Place, I have caused  
Reprint the Vindication of the Royal Fa-  
mily, from the Stain of Bastardy, most falsely  
imputed to it : And to That, I have prefix'd  
an Apology, for Two very inconsiderable  
Things, remarked by the Author of the  
Introduction to the late Edition of Drum-  
mond's Lives of the Five King James's ;  
to*



## xii The Preface.

*to remove all the Dust, cast on the Evidences, by that Author.*

*I have put my Name to this Publication; because the Character of my Office, both in Law and in common Charity, render the Vouchers Authentick and Authoritative, even in foro judiciali.*

R O Y.

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ROYSTON, May xii. 1713.

S I R,

**H**ave been in search of these Papers, found in the Earl of Gowrie's Girdle or Belt, taken out of it after the Earl was kill'd in Perth. They consist of two Sheets fitch'd in a little Book, of near five Inches long, and three broad; full of Magical Spells and Characters, which none can understand, but those who exercise that Art. These Papers I found in Sir George Erskine of Invertilo's Cabinet, wrapt in Paper, whereon was writ, with Sir George's own Hand, *These are the Papers, which Sir Thomas Erskine, my Brother, did take out of the Earl of Gowrie's Girdle, after that he was killed in Perth: And which Papers were then deli-*

# xiv

*delivered by my Brother, Sir Thomas, to me, to be kept.*

These Papers I cannot now fall on, tho' I'm certain, I have them by me. But I declare on Faith and Honour, I did find them in Manner foresaid, and have many times shown them to others in above Sixty Years time. And therefore I desire you may put an End to the Book, and publish it.

*Your Friend,*

CROMERTY.

Directed thus:

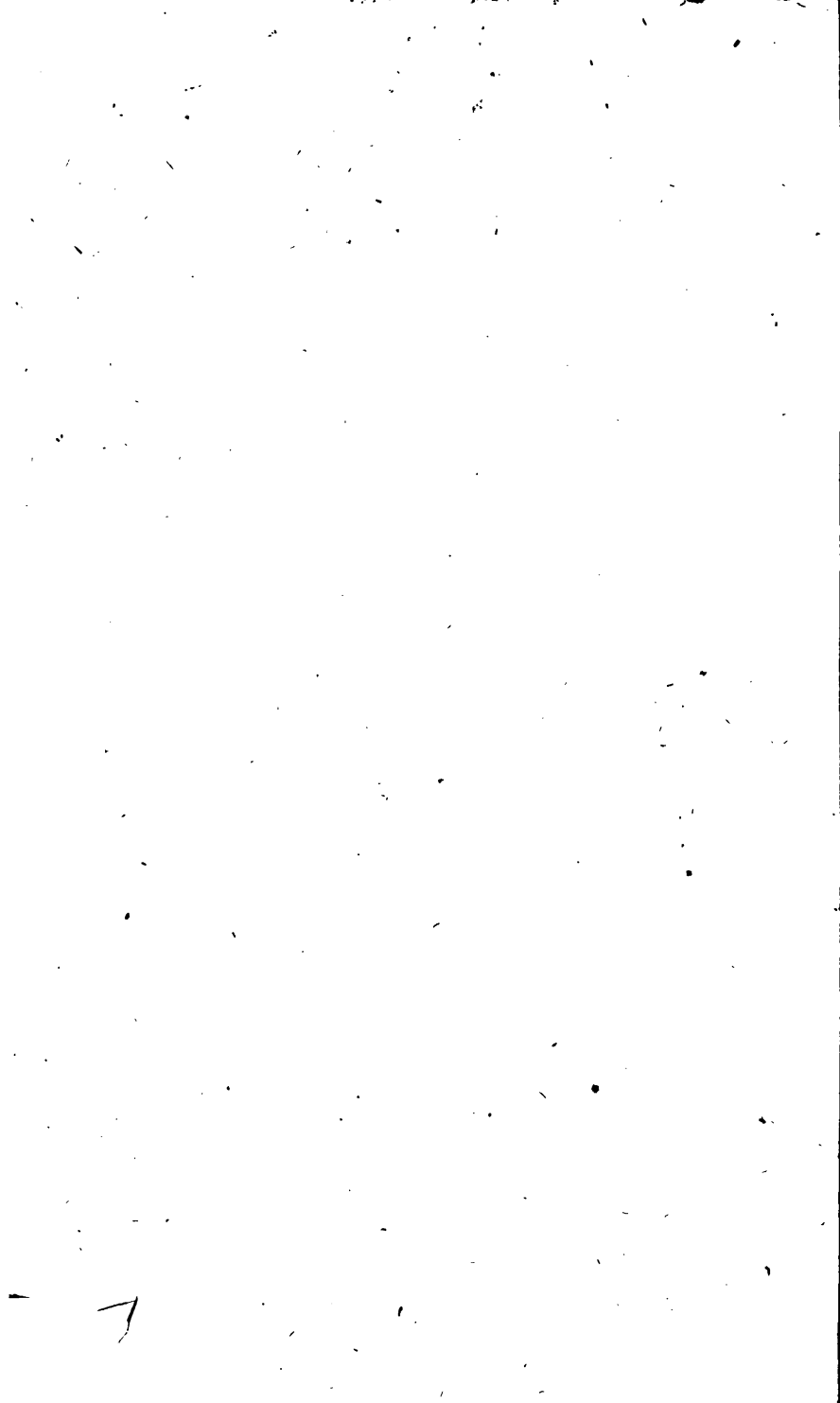
To Mr. JAMES WATSON, Printer to Her most Sacred Majesty.

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*Nota, Page 112, Line penult, and 113, Line 4. for counselling, read concealing.*

A N





A N

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Historical Account  
OF THE  
CONSPIRACIES  
OF THE  
Earls of Gowrie.

**I**T is a nauseous Employment in it self, and unpleasant enough to me; to be ripping up the Intrails of Antiquity, for discovering the putrified Corruptions of Persons, Actors of publick Mischiefs, in the Body politick.

But, as in the natural Body, Physicians are obliged, to such Dissections, neither in Hatred nor Contempt of the Defunct; but for the Profit and Advantage of the Survivers, in order to discover, prevent, and cure, the Maladies and Distempers, which did cut them off; from the

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2 *The Treasonable, Conspiracies,*

Land of the Living ; so, the same Course, and for the like End, is allowable in the politick Body.

It is an old Proverb, *That it is a scanty Kin, which hath neither Whore nor Thief in't* ; and it is difficult, to find an ancient and considerable Kindred, wherein, some one, or other, have not been Criminals.

The *Ruthvens* in *Scotland*, are of noble, and (for a long time) flourishing Family ; and who, above most of others, were blessed with the Advantage of considerable Alliances, by Marrying and giving in Marriages : So that, a very great Part of the Nobility, and Gentry, in the Nation, are descended of them, or related to them.

Shall the necessary exposing of the Distempers of that one or two, be esteem'd a Fault, or Dis-Reputation, to the whole noble and virtuous Stem ; or to any innocent Person in it ? Because the Fathers have eaten four Grapes, shall the Children's Teeth be set on edge ? The Divine Question, is a Divine Reprehension of so unjust a Judgment : How much more then, must it be so, when the Innocent are not descended of the Criminal ?

And, so it is, in my present Subject ; for, the last Earl of *Gowrie*, & his Brother Mr. *Alexander*, had no Children : Brothers and Sisters may, in a Manner, transfuse their Distempers, to one another, by Infection ; but can neither properly,

*of the Earls of Gowrie:*

3

properly, nor truly be said, to do it, by Propagation; since they are not propagated of, nor by them.

And indeed, there are not more honourable, more loyal, nor better beloved by their Country, in the Isle of *Britain*, than are these who are descended of the Family of *Gowrie*; and the Two or Three (at most) who were not so, are, but as little Patches, which raise the Beauty, and Splendor of the rest: And none can be more averse, to reflect on that Stem, than I am; having had the Honour and Happiness, to be tied in the nearest of Relations, to Two, descended of it; whom I loved far better, than I do my self.

On which Account, I do not think it impertinent, here to insert, a short Scheme of that Family; wherein I was assisted by Information from Mr. *George Crawfurd* a young Gentleman, who imployes himself worthily in drawing an Historical Account, of the Baronage of *Scotland*; and that, with such exact Scrutiny, and Veracity, as will prove a Favour, to these concern'd, and Honour to his Country; and will certainly meet, either with Reward or Ingratitude.

*Allan* the Son of *Walter*, married *Cecilia*, Daughter of *Gilbert* Earl of *Strathern*; with whom he did get the Lands of *Congask*, in *Perth-Shire*; and on whom, he did beget *Walter de Ruthven*; (this Name he did assume, from



4 *The Treasonable Conspiracies*  
 the Lands of his old Inheritance call'd *Ruthven*.)  
 His Successors, attain'd to be Sheriffs of *Perth*;  
 and were esteem'd in the first Rank of the Ba-  
 rons there; tho', they did not come to be Peers,  
 before the Reign of King *James* the Third; at  
 which time, Sir *William Ruthven* of That-Ilk \*,  
 Son and Heir of another Sir *William*, came to  
 the Title of Lord *Ruthven*. He had to his first  
 Lady *Isabel* Daughter to the Lord *Livingston* (a);  
 she was Relict of *Walter Lindsay* of *Beaufort* (b);  
 by her, he had a Son, Sir *William* his Heir ap-  
 parent, who was kill'd at *Flowden*, before his  
 Father died. This Lord *William*, had to his  
 Second Wife, *Christian*, Daughter to Sir *John*  
*Forbes* of *Pitsligo* (c), who had by her, a Son,  
 call'd also Sir *William Ruthven* of *Banden*, in  
*Perth-Shire*; and who was Ancestor to that  
 noble Person, General *Patrick Ruthven*, who  
 was created Earl of *Forth* in *Scotland*, and Earl  
 of *Bramford* in *England*, by King *Charles* the  
 First of Glorious Memory; for his great Merits  
 and Services (d).

The

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\* The Word *Ilk*, in our *Scotts* Language, denotes, that either the Person, has given the Name to the Land; or, has taken his Name from the Land: And this Practice, was one, of King *Malcolm Canemore's* wife Inventions; who finding, that Oneness in Name, was a Cause of the Clubs and Cabals, call'd Clans, in Place of these old Patronymicks, the King did encourage all, on whom he conferr'd any Title of Honour; as of Earl, Lord or Baron, to take their Denominations from the Lands erected in the Lordship, or Barony: So, to divide, and break the Clans, by loosing the Ligament of these Patronymick Names; and so, *Divide et impera*, was his Project.

of the Earls of Gowrie. 3

The said Lord *William Ruthven*, had also by *Forbes* his second Lady, two Daughters, viz. *Elizabeth*, married to *John* Earl of *Buchan*; and *Margaret*, who was first married to *William* Earl of *Errol*; and after *Errol's* Death, she was married to *Ninian* Lord *Ross*.

As is said, this *William*, first Lord *Ruthven*, had, by his first Lady, a Son, call'd *Sir William*, who was kill'd at *Flowden*, by whom he had a Son call'd *William*, Lord *Ruthven*; who married *Janet*: She was one of the Three Daughters, and Co-heiresses of *Patrick Hallyburton*, Lord *Dirkton*; whereupon, the Lord *Ruthven* did add the *Hallybarton's* Coat to his Atchievement. He was one of the first Lords who appear'd for the Reformation in *Scotland*, and was Lord Privy-Seal; he died about the Year 1556, leaving by his said Wife, *Patrick* his Successor, and *Alexander* a second Son, who was the first of the Branch of the *Ruthvens* of *Frieland*, whose Successor was created Lord *Ruthven*, by King *Charles* the Second, Anno 1651.

This *William*, the second Lord *Ruthven*, had several Daughters by his said Wife, viz. *Katharine*, married to *Colin Campbel* of *Glenurchie*, (now Earl of *Broadalbin*;) *Barbara*, married to *Patrick* Lord *Gray*; *Cecilia*, married to *Sir John Weems* of *That-Ilk*, (now Earl of *Weems*;) *Janet*, married to *John Crichton* of *Strathurd*; *Lilia*, to *David* Lord *Drummond*, (now Earl

## 6 The Treasonable Conspiracies

of Perth; ) *Margaret*, married to *James Johnston*, of *Elphinstoun* in *Lothian*; *Elizabeth*, to  
- - - - *Wood* of *Bonningtoun*; *Christian*,  
to *Mr. William Lundin* of *That-Ilk*.

As is said, the said *William's* eldest Son by *Hallyburton*, was call'd *Patrick*, Lord *Ruthven*; who was also forward in the Reformation: He fled into *England* upon the Death of *David Riccio*, and died at *Anwick*, Anno 1566. He was married on *Jean*, Daughter to *Archbald* Earl of *Angus*, who had that *Jean* by *Margaret* Daughter to *James Stuart* of *Traquair*; and the said *Patrick* Lord *Ruthven*, by his said Wife *Jean Douglas*, did leave behind him a Son called *William*, his Successor; and a second Son called *Alexander*, and two Daughters, one call'd *Isabel*, married to *James Colvil* of *Easter-Weems*: And the second Daughter, call'd *Jean*, who was first married to *Henry Stuart* Lord *Methven*, and thereafter she was married to *Andrew* Earl of *Rothes*.

This *William* Lord *Ruthven*, Son to *Patrick* Lord *Ruthven*, was one of the Lords, who, in King *James* the Sixth's Minority, did adhere to the King's Government, against his Mother Queen *Mary*; and, when King *James* did take the Government in his own Hands, Anno 1579,  
Wil-

of the Earls of Gowrie. 7

*William* Lord *Ruthven* was made High Treasurer of *Scotland*; and afterwards by Letters patent, was created Earl of *Gowrie*, on the 23d of *August* 1581. And in the Year 1582, the Kingdom being in many Factions and Distractions, he was unhappily drawn into the seditious Practice, when a considerable Number of the Lords, did, on the 23d *August* 1582, seize the King's Person at *Ruthven*-House; and, by the King's being Prisoner, made him condescend to what they pleased to propose; detaining him under that Restraint, until he made his Escape from them in Summer 1583.

Several of the Lords were banished, other<sup>s</sup> imprison'd; but the Earl of *Gowrie* was pardon'd. Yet, he keeping secret Correspondence with the banish'd Lords, and there being strong Faction at Court who were his Enemies, he was seisd at *Dundee*, and brought to Trial at *Stirling*, on the 4th of *May* 1584; where, by a Justice-Court, he was condemned and executed. This was push'd on more violently by the Faction than by the King's Inclination, who was then a Minor; this was his Fate, notwithstanding that the more obstinate Lords were pardon'd: Yet the King did very soon restore his Son to his Estate and Honour, and conferr'd several Favours on his other Children.

## 8 *The Treasonable Conspiracies*

He was married to *Dorothy Stewart*, Daughter to *Henry Lord Methven*: Which *Henry Lord Methven* was first married to *Queen Margaret*; and *Queen Margaret* dying *Anno 1539*, the *Lord Methven* married *Janet*, Daughter to the *Earl of Athole*, by whom he had this *Dorothy*, and by whom the *Earl of Gowry*, had a Son, call'd *James*; who died in *Minority*. His second Son, was *John*, who succeeded in the *Earldom*, and is the Subject of the following *Tragedy*.

His third Son, by the said *Dorothy*, was *Mr. Alexander*, who was involved with his Brother, in his treasonable Design. His fourth Son by her, was *William*, who, as surviving Heir, was cited in the Process of *Treason*. The 5th was *Patrick*, who was a *Doctor of Physick*. He had also by this *Dorothy*, seven Daughters, the first, *Margaret*, married to *John Earl of Montrose*: The 2d, *Mary*, married to the *Earl of Athole*, her Cousin-german: The 3d, *Sophia*, married to the *Duke of Lenox*: The 4th, call'd *Jean*, married to *James Lord Ogilvy*: The 5th, *Beatrix*, married to *Sir James Home of Cowdenknows*: The 6th, *Habel*, who was first married to *Sir Robert Gordon of Lochinvar*, and thereafter to *Hugh Lord Lowdon*: The 7th, *Barbara*, married to *John Weems of Pittencrief*.

The Account of this Genealogy, I owe to my good Friend *Mr. George Crawford*; and whole Vouchers, are, as marked, (a) *Carta in rotulis Jacobi 5ti*. (b) *Ibid*. (c) A Charter to

*Wil-*

of the Earls of Gowrie.

9

*William* Lord *Ruthven*, and *Christian Forbes* his Spouse, under the Great Seal, Anno (d) A Charter by *John* Earl of *Buchan*, to *William* Lord *Ruthven* in Liferent, and to *William* his Son, by *Christian Forbes*, his Spouse, Lady *Ruthven*, Anno 1527, in rotulis Jacobi 51i.

From which Genealogy, I make these Observations, 1mo, That this was an illustrious Family, whose Honour could not be sullied by two or three Criminals: But, on the contrary, the illustrious Actions perform'd by this Stem, on many Occasions, to Kings and Country, would make a sufficient Expiation for the Crimes of many more, in the just Balance of Fame.

This needs no other Proof, than a short Catalogue of the Descendants of this Family; such are, Sir *William Ruthven* kill'd at *Flodden*, Sir *William Ruthven* of *Banden*, Ancestor to the great Earl of *Forth*, *William*, who, was amongst the first and greatest Reformers of our Religion; and who was Lord Privy Seal of *Scotland*: The same *William* Earl of *Gowry*, Lord High Treasurer; who had served the King well on many Occasions; till he was insnared by evil Company. But besides these Males, take this following List of this Family's Descendants by the Daughters.

The Earls of *Buchan*; the Lords *Forbes*; the Lords *Ross*; the Family of *Glenurchy*; the Lords  
Gray

10 *The Treasonable Conspiracies*

*Gray*; the *Weemsses* of *That-Ilk*; the *Drummonds* of *Perth*; the *Johnstons* of *Elphinstoun*; the *Woods* of *Bonningtoun*; the *Crichtons* of *Strathurd*; the *Lundies* of *That-Ilk*; the *Lords Colvil*; the *Earls of Rothes*; the *Earls of Montrose*; the *Earls of Athole*; the *Duke of Lennox*; the *Earls of Airly*; the *Earls of Hume*; the *Vicount of Kenmuire*; the *Earls of Lowdon*; and the *Weemsses* of *Pittencrief*.

This Genealogy is out of my Road, and contributes nothing to my Design; I having only added it, as an Expiation for writing what may seem to be the Concern of this noble Family; since I cannot, with Truth, conceal the true Account of what concerns the Interest of Crown and Kingdom.

2do. But of the two Brothers, who were condemned for the atrocious Treason, there was never Male nor Female descended; so that, by G O D's Judgment and the Law of the Nation, they are written Nameless; and cannot possibly taint the Blood or Fame of their noble Relations, none of them being their Descendants.

3tio. I observe, That as devilish Malice did begin this Plot; so, it was propagated by the same Spirit, against an excellent Prince; yet always defeated by Divine Providence: Amongst many it hath been often suggested, by Historians and others, with a Design to embarrass the Line of the Royal Succession, that *Henry*  
Lord

of the Earls of Gowrie. II

Lord Methven had, by Margaret Queen of Scotland, and Sister to Henry the Eighth, several Children, whose Descendents were amongst the lowest of the People, in and about Perth: Yet, true it is, that the said Queen Margaret, had no Child to the King, but King James the Fifth, and another Posthume called Alexander who died an Infant: Thereafter, she married the Earl of Angus, by whom she had only one Daughter called Margaret, who was married to the Duke of Lennox, by whom, she was Mother to Henry Lord Darnely Husband to Queen Mary, and Father to King James the Sixth. And Queen Margaret, thereafter being divorced from the Earl of Angus, did marry Henry Lord Methven, by whom she left no Children: And after her Death, Henry Lord Methven (who was Son to Lord Evandale) did marry Janet, Daughter to the Earl of Athole.

The Design they had, in making Queen Margaret to have other Children to the Lord Methven, was to insinuate, that this Dorothy, who was married to William Earl of Gowry, had been a Daughter of Queen Margaret; and consequently, that John Earl of Gowry was moved to murder King James; because King James being dead, then, John Earl of Gowry would be Grandchild to Queen Margaret, and so nearest of Heir to the Crown of England, by his Grandmother Queen Margaret. Yea, so far did this Comment prevail, that People fancied several other



## 12 *The Treasonable Conspiracies*

other Children to have been left by Queen *Margaret*: And this Fable was carried on so far, that some did advance their Hatred and Contempt of the Royal Family; by supposing a Shoe-maker in *Perth*, to be one of those who descended from Queen *Margaret*: And this, the Zealots since the Revolution did piously propagate.

*Tantum Religio potuit suadere malorum* :

For, all this is a Lie, from Top to Bottom: Queen *Margaret* having left no Children who survived her, but King *James* the V. by the King; Lady *Margaret Douglas*, by the Earl of *Angus*, who was Mother to *Henry* of *Darnley* King of *Scotland*, and Father of King *James* the Sixth.

A 4th Observation from the Premises, is this, That the Persons who were most actively employ'd, in the Discovery, Witnessing and Trial of *William* Earl of *Gowrie*; and also, of his Sons, *John* and *Alexander*, were nearly related, in Blood and Interest, to the Defenders; as witness both Records and History.

In the Trial of *William* Earl of *Gowrie*, at *Stirling*, Mr. *John Graham* sitting as Justice; the King did join as Assessors in the said Process, *Gordon* of *Lochinvar*, and *Alexander* Master of *Livingston*; which *Gordon* was descended of *Isabel* Daughter to *William* Earl of *Gowrie*, descended of a Daughter of the Lord *Ruthven*; and the first Lord *Ruthven* was married to *Isabel*, a Daughter of Lord *Livingston*: Witness a Charter

of the Earls of Gowrie. 13

ter, in rotulis Jacobi 5ti. And vide Spotswood's History, page 331.

And his Jury at *Stirling* were, the Earl of *Argyle*, *Crawford*, *Montrose*, *Glencairn*, *Eglinton*, *Arran*, *Marshall*, *Lord Seton*, *Somervell*, *Down*, *Livingston*, *Drummond*, *Ogilvie*, *Oliphant* and *Murray of Tullibardin*; of which Fifteen, *Montrose*, *Livingston*, *Drummond* and *Ogilvie*, were all Descendants and Allies of the House of *Ruthven*.

And likewise in the Parliament which condemn'd *John* Earl of *Gowrie*, and his Brother *Mr. Alexander* in the Year 1600, let it be considered, that a great part of the Nobility, and many of the Gentry, which did sit in that Parliament, were descended of *Gowrie's* Family, and nearly allied to it. As also the Lords of the Articles, who did examine the Witnesses and Evidences, severals were of near Relation to the Pannel, particularly *Lennox* and *Livingston*; and the Barons and Burgesses being elected Members, not by the King and Court, but by the Barons and Burroughs; and two Bishops and four Abbots, Church-men, being also of that Number; what Ground remains for doubting their Impartiality and Veracity, in making a Report of what was asserted and sworn so publickly by the Witnesses? And all the Depositions, and written Evidences, being then Recorded, do yet remain *in publica custodia: sed qui vult decipi, decipiatur.*

## 14 *The Treasonable Conspiracies*

Our Histories and Records, contain full Accounts of the unhappy Condition wherein the Church and State of *Scotland* were plunged, during the Minority of King *James* the Sixth, and that not once or twice, but in frequent Reprises.

The chief and immediate Causes whereof were, Faction and Avarice in some of the Nobility; and the Antichristian schismatical Spirit, in a small Party of the Clergy.

The gross Errors in the Popish Church, with the Exercise of their usurp'd Power and Tyranny, in exercising a pretended Ecclesiastick Jurisdiction over Men's Consciences, and for altering and innovating the external Policy of the Church: Yea, incroaching on the Divine Legislative Power, in making their Whims and Notions, to be as obligatory as Divine Laws, and teaching for Doctrines the Traditions of Men. This Distemper coming to an intollerable Height in *Scotland*, when there was no King in that *Israel*; in the Time when their Sovereign was a Child, sent to *France*, and retained there for many Years, by becoming Queen of that Kingdom. Whereby *Scotland* continued so long under Regency.

At first, the Pressures of the *Roman* Clergy mov'd the greatest part of the Nobility, Gentry, and of the Realm, to use all legal Endeavours for a Reformation in the Church, both as to Doctrine and Discipline.

Those

Those, who mov'd first in the Reformation, induc'd thereto by Gospel Truths, did proceed therein by Christian Measures, and legal Methods.

And albeit some Writers and Historians did brand their Actings, as Rebellious, Seditious and Schismatick, most wrongously † : Yet the Preachings and Practices of the succeeding Presbyterians, (who were of a far different Kidney, from the first Reformers) did imprint an injurious Character on the primary Reformation. The Errors of the later being calumniously attributed to their Original Innocents, as is vouch'd and proved, from the authentick Records; but have been uncharitably affix'd to the Reformation it self.

This leaves it as a Duty, on the Reformed Church of *Scotland*, and every Member thereof, to vindicate that primary Reformation, from the subsequent Errors and Malignancy, of the pretending Pseudo-Reformers.

And, I wish, that the Orthodox Reformed Clergy of the Church of *Scotland*, would employ their Care and Labour, in the just Vindication of our Reformation and Reformers, from these Imputations. And this I desire with the  
greater

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† As I have endeavour'd to prove in a short Preface, which I affix'd to the Records of the first Meetings and Assemblies of the Reformers in *Scotland*; the authentick Records whereof, and of their Actings, I did preserve, and give in to the General Assembly and their Commission, where, I doubt not, they are in safe Custody.

16 *The Treasonable Conspiracies*

greater Zeal, because these Tares, are not only mixed with the good Corn of the Reformation; but (alas!) have overgrown, if not choak'd it, so far, that the Errors are too generally receiv'd, and have assum'd the Character of our Reformation; to the Scandal, not only thereof, but of the Christian Religion, as profess'd among us.

This calls loudly on those of the Communion of our Reformed Church, to vindicate the Articles of our true Reformation, from the Bastard Spawn of the Schismatick and Seditious Pretenders.

A Work worthy of many, and of the best concerned, and too heavy for a few; and much more for any one: Whether the Discovery be made of the spurious Principles, or of the consonant Practices; and that, in the Heterodoxy of the Tenets, or Falshoods of the Facts.

I have imploy'd some of my retired Hours, to evince (and I presume to demonstrate) this Truth, in one important Particular, by the following Inquiry, which may have Influence even now, in the Concerns of Church and State in *Britain*: And, what I shall assert, in Point of Fact, I do confidently affirm against all Contradictors, to be vouch'd and sustained, by authentick Records and Documents, whereby it will clearly appear, *quantum dissent erit lupinis.*

And

And, for the Generals, relating to the Beginning and Progress of the Scots Reformers, I wish that they may read the *Confession* approv'd in the Parliament of *Scotland*, Anno 1560; according to an Article of Treaty, between *Scotland*, *England* and *France*, in the Queen's Name, and by her Authority, as it is truly, and succinctly; related in *Spotiswood's* History of the Church of *Scotland*; *Lib. 3. Pag. 147. to Page 152*: As also, the Queen's Condescendence, to the Religion then establish'd; *Page 179.* and the Beginning of *Page 188*; and the Petitions of the reformed Church, *Page 190*: The Assemblies always proceeding in the Method of humble Petitioning, as in Anno 1564, *Page 192.*

I cite *Spotiswood's* History, not only because his Veracity, in Point of Fact, is avouch'd by the Records both of the Parliament, and of the Assemblies: But also, because the Presbyterian Historians, *Calderwood*, *Petrie*, and even the supposititious History of *Knox*, are consonant to *Spotiswood*, in Point of Fact.

But about the Year 1581, some hot-headed Persons, in the Church; who retaining the Name of reformed Protestants, but indeed had imbibed strongly the Popish Principles; such as, That Kings and Councils, could not be Judges of any Doctrines, preached in Pulpits, until the Assembly should first judge them; refusing the Authority of Kings and Parliaments, not only,

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in ordering Rites, and Ceremonies; but also, *quoad externam politeiam Ecclesie*: And, would, by their Synodical Authority, prescribe publick Fasts and Feasts, to be observed under severe Sanctions; assuming a Power, to call General Assemblies, and Synods, by the Ecelesiastick Authority, without Consent of the Civil, yea, *reclamante Rege*; to alter Church Government, to order and dispose of Church Benefices; and many other such Popish Principles; and, to put in Practice, what Jesuits pretended to teach, or practise; They did raise great Troubles in Church and State. *vide Spot. Hist. Anno 1580, Pag. 308, 311, 318, 319, and many others.*

The Detail of the Histories of the Church of *Scotland*, after some of their leading Members had drunk in these Popish Principles, and suited frequent Practices, thereto; so that, it might be said truly of them, and the Papists, as to many Practices, and Doctrines; *Mutato nomine, de te, fabula narratur*: Yet, that not being my present Province, I have only inserted these few Things, for Vindication of our Reformers; and indeed of the greater, and better Part of the succeeding Protestant Clergy in the Nation; who did, on many Occasions, not only dissent, but did oppose, and contradict these Antichristian Principles: And also, to illustrate and give Light into the Springs and Fountains, from whence several Plots, and among them, the Subject of this Inquiry, did arise; to which, I now proceed. In

*of the Earls of Gowrie.* 19

In the Years 1581 and 1582, the Nobility were divided in many considerable Factions: One of which Parties did take Occasion, from the Clergy's hot Representations, to assume a Pretence, for the Defence of Religion, and the Liberties of the Kingdom; and combin'd, to surprize the King's Person (he being then in Minority:) And to banish from him, all others, who were not of their Cabal; and thereby to assume the Government of the Nation, which they did put in Execution on the 23d August 1582, in the House of *Ruthven*.

In this Attempt, *William* Earl of *Gowrie* was a principal Actor; he being a bold, and pragmatick Person. About this time, there was a Meeting of the Assembly of the Church, at *Edinburgh*: The Lords, who seisd the King's Person, sent the Commendator of *Pasley* (one of their Club) to the Assembly at *Edinburgh*, to declare, That the Causes, moving them to that Enterprize, was the evident Peril of the establish'd Religion, and other Disorders in the State: And intreated, for encouraging of them, and disheartning of their Adversaries, the Assembly should approve of their Proceedings: *Si quis vult fallere Plebem, fingat Deum.*

But, the wise and good Men of the Assembly refused to concur in this Desire; until they would know from the King himself the State of the Case; and sent some of their Number to him: But, before they came, the Lords did treat the



King rudely; keeping him a Prisoner within Doors by Force. Whereupon the King, thinking it safe to temporize, and to please both the Lords who had seised his Person, and the Assembly, told them, That he believ'd, Religion was in Hazard; wherewith his own Danger was conjoin'd. On this, the Assembly did emit a Declaration, approving the Service done by these Lords, to GOD, the Kirk, and Country, in seising of the King; and appointed all the Ministers within the Realm, to declare unto their particular Flocks, the Goodness of the Action; and to advise them to concur with these Lords: But, the Lords knowing, that this could not secure them; they oblig'd the King to call a Meeting of the Estates, to meet at *Edinburgh* on the 13th of *October 1582*: To which Meeting a good Number of Members did come; but the greatest Part did not, especially the Burroughs.

This Meeting did declare, That the Lords, who seised the King on 22d *August* preceeding, had done good and necessary Service to the King and Country: And that their taking of Arms, making of Conventions, fighting, and taking of Prisoners, contracting Leagues and Bonds without his Highness's Warrant, should be reputed good Service to the King and State: And all Subjects prohibited to speak in the contrary.

They

They imprison'd or confin'd the Lords who were not of their Party, and banish'd some; and they levied Four Companies, Two of Foot and Two of Horse, to secure themselves and the King's Person in their Custody.

Things stood thus, both as to their Government and the King's Restraint, till Summer 1583. The King pretending to visit his Uncle the Earl of *March*, in the Abbacy of *St. Andrew's*, he had secretly advertis'd severals of the Nobility, who were not of the Club, to meet him there; and pretending to visit the Castle of *St. Andrew's*, he and these few Lords seis'd the Castle, and shut the Gates: None of the others entering but the Earl of *Gowrie* only, who, there immediately, did fall upon his Knees, and begged the King's Pardon; which, after some severe Reproofs for his Ingratitude, the King granted; the Country flocking with Joy, for the King's Relief, the King kept a Council in the Castle, and commanded all the rest to retire to their Homes till further Order.

From thence the King went securely to *Edinburgh*, and from thence in some Days came to *Perth*, where he emitted a Proclamation, with Consent of his Council, declaring his Seisure, to be a most treasonable Fact; yet for settling the Peace of the Country, did, at the same time, proclaim an Indemnity, upon Express Condition, That they should keep no more Convocations nor Meetings.

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But most of them did still continue in their seditious Practices; whereupon the King did confine severals of them.

The Assembly of the Church did meet at *Edinburgh* in *October*, murmuring against his Government and his Lords: Whereupon the King did call a Parliament on the 22d *May* 1584: Which Parliament, by their Act, did declare the Proceedings against the King at *Ruthven*, to be Treasonable; and ratified all Censures and Proclamations that were emitted against them; and pass'd Three solemn Acts, one for the King's Royal Power over all the Estates and Subjects of the Kingdom. 2do. An Act for securing the Privileges and Authority of Parliaments. 3tio. An Act discharging all Conventions and Assemblies, without the King's special Warrant. And likewise, an Act pass'd, rescinding and annulling the Act of the Council and Estates *Anno* 1582, which did approve the treasonable Fact at *Ruthven*.

But, what was done seditiously against the King at *Ruthven*, did extremely please the hot Party of the Clergy; in so much, that in their Sermons they publickly preach'd, That what was spoken in Pulpits ought first to be tried and judged by the Presbytery; and that neither the King nor Council could, *in prima instantia*, meddle therewith, tho' the Speeches were treasonable in exprefs Words.

The Lords of the *Ruthven* Party did animate these Church-Men, and many private and secret Cabals were kept: The Earl of *Gowrie* (a Man of an unquiet Temper) was found very busy in these Caballings, tho' he himself was pardon'd by the King. When he found himself suspected, he went to *Dundee*, giving out, that he was to go Abroad, and live out of *Scotland* for a while; and for that End conduc'd a Ship: But still he lingered, waiting for the Return of the banish'd Lords, with whom he kept a close Correspondence; whereof the King having Notice, caus'd seize him (for in the Interim the banish'd Lords had seisd the Town and Castle of *Stirling*) and carried him to *Edinburgh*, to be examin'd by the Council; where he confessed to the Earl of *Montrose*, the Lord *Down*, and Sir *Robert Melvil*, Examinators, That he did correspond with the banish'd Lords; but denied that he intended any thing against the King's Person. He was from thence carried to *Stirling*, where he petition'd the King; but the King being Minor, and govern'd by his Council, this Petition was refus'd; there being Witnesses and evident Proofs of his seditious Practices; so he was brought to Trial before the Justice-Court the 4th of *May* 1584, was condemned and sentenced to Death, and Two others of the Traffickers, viz. *Archbald Douglas*, and Mr. *John Forbes*, who were all condemned and executed.

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On this, the hot Clergy did both preach and publish scandalous Pamphlets, against the King and Government, declaring the Acts of Parliament, against the Sedition at *Ruthven*, to be repugnant to the Word of GOD; for which, some of them were banish'd; and severals voluntarily fled away. This did beget a great Friendship between the banish'd Lords and the hot Clergy; and a strict Friendship was contracted between young *Gowrie* and the seditious Clergy; one of them, call'd *Mr. Bruce*, and another *Mr. Rollock*, being his Pedagogues.

Albeit the King did, with great Benignity, restore the Earl of *Gowrie* to his Father's Honours and Estate; yet, his Two-Sons, viz. the Earl, and *Mr. Alexander*, were nursed up in such Spite and Malice against the King, by some of his Relations, but especially by the hot Clergy, that neither the King's restoring him to his Estate and Honour, conferring also other Marks of Favour and Trust on him, (and placing his Silter as the first Lady of Honour to the Queen and making his Brother *Alexander* one of his Bedchamber) could allay his Revenge; till at last, he resolv'd to bring his long design'd Purpose to Effect. For, in *August* 1600, he devis'd and contriv'd the bringing the King from *Faulkland*, to his House in *Pexth*; and there, with his Fellow Conspirators, to have murdered the King: For, on the 5th of *August*, as the King was going timely in the Morning, to

a Hunting; Mr. *Alexander Ruthven*, Brother to the Earl of *Gowrie*, came in haste from the Earl, to tell His Majesty, That his Brother the Earl had intercepted a Man, and as he supposed, a Jesuit, with a great Quantity of Gold; and that his Brother had him close in his House in *Perth*; wishing that the King might come quickly, and quietly; for he doubted not, but he would find Things worthy of His Majesty's Travel. The King mov'd some Questions; to which Mr. *Alexander* made no solid Answer; but said, That his Brother, would satisfy His Majesty in all these Things; and was very urgent with the King to haste. The King told him, That he would first hunt a little; and then he would go and dine with his Brother. So, after a short Chase, and a Buck kill'd, the King told the Duke of *Lennox*, and Earl of *Mar*, (who were with him) that he was going to *Perth*, to get a Pose; and to dine with the Earl of *Gowrie*; and that they should go along with him. Whereupon the Earl of *Mar* sent for another Horse; and the Duke of *Lennox* for his Sword, (for he had taken none with him;) So the King, accompanied by the Duke, and such Servants as were at Hunting with him; the Earl of *Mar*, after his Horse came to him, with some other Servants, following him; they came to the Earl of *Gowrie*'s House at *Perth*, before Dinner. Mr. *Alexander* was gone before, with

one Servant, to tell the Earl, of the King's coming.

The Earl, with a good number of Friends with him, did, on Foot, meet the King, a little from the House; waited upon the King into the Hall; and shortly thereafter, served up the Dinner: The Duke of *Lennox*, the Earl of *Mar*, the Earl of *Gowrie*, and others, waiting till the King had near dined; and then the Earl did carry the Nobility and other Attendants, to dine in another Room. Mr. *Alexander* staid, and told the King, That this was the fittest Time to go and see the Man, while the rest were at their Dinners; and that he would conduct His Majesty quietly to the Chamber where he was Prisoner: Sir *Thomas Erskine* offer'd to follow the King; but Mr. *Alexander* whispered him, That the King desired to be alone: And so the King and Mr. *Alexander* went up, and Mr. *Alexander* did shut the Door after them; and told the King, That he was to lead him into the Chamber, which was off the End of the Gallery. Where entring, the King seeing a Man standing alone; ask'd, If that was the Man? Nay, (said Mr. *Alexander*) there is another Business in Hand; and putting on his Hat, said to the King, *You remember how you used my Father, and now you must answer for it.* The King reply'd, What? Your Father? you know, that I was then a Minor; and it was done by the Governour and Judges.

But

But (says the King) is this your Purpose? Have you train'd me hither, to murder me? Did you learn this Lesson from Mr. *Robert Rollock* your Master? And when you have done, will not G O D punish you?

Whereupon, the Man that was standing alone, did fall a trembling; and Mr. *Alexander* himself stood in amaze; and said to the King, *Stay still then, and make no Noise; and I will go speak with my Brother, and strive to pacify him.* So, he went down a back Stair; but Mr. *Alexander* returned in a Trice, and having a loose Girdle in his Hand, he said, *By GOD! there is no Remedy, you must die.*

But the King grasping him, they wrestled a little; the King, pulling him towards the Window, which was open, cry'd loudly out, *Help, Mar, Mar, Treason, Treason!*

Several of the Lords and others, who were standing in the Court, heard the King's Voice, and knew it; some of them run towards the Stair that led up to that Chamber, but found the Door shut: Sir *Thomas Erskine* hearing the King cry out, *Treason!* did seize Earl *Gowrie* by the Gorge, and said, *Thou art the Traitor;* but *Gowrie's* Servants did quickly separate them: But one of the King's Pages, call'd *Ramsay*, knowing a back Passage which led to the Gallery, was the first who came up to the Room where the King was, whom he found struggling with Mr. *Alexander* (for the Man who was stand-



standing alone in the Chamber, had run hastily down this back Stair, so soon as Mr. *Alexander* began to struggle with the King: For this was he, who was appointed to kill the King, as will appear afterwards in the Depositions.) And, so soon as the King perceived *Ramsay*, he call'd to him: *Fy, strike the Traitor!* Whereupon *Ramsay* did stab Mr. *Alexander* thrice with his Dagger. Mr. *Alexander* rush'd out at Door, and went down the back Stair, and meeting Sir *Thomas Erskine* in it, Sir *Thomas* asked, How the King was: Mr. *Alexander* did give no direct Answer, but said, That he took GOD to witness, he was not in the Fault: Whereupon Sir *Thomas* ran him immediately through the Body, and kill'd him upon the Spot.

*Hugh Herries* a Phyfician, and a Footman nam'd *Wilson*, followed Sir *Thomas* up that back Stair: For all this while, the Duke of *Lennox*, the Earl of *Mar*, and several others, were forcing up the great Door which led to that Chamber, and which was the Door lock'd up by Mr. *Alexander*, when he brought up the King; but it was so strongly shut, that they could not get it broken up.

Sir *Thomas Erskine*, *Ramsay* and *Wilson*, who were with the King, went to defend the Entry of the back Stair, until the Fore-Door was open'd; but as they came to it, *Gowrie*, accompanied with Three or Four Servants, rush'd into the

the Chamber; *Gowrie* having a drawn Sword in each Hand; (this he ordinarily carried, being skillful in that Weapon) one of the Four, call'd out, *You have kill'd the King our Master, and will you also take our Lives?* Upon which, *Gowrie*, as astonish'd, did put the Points of his Two Swords to the Ground; and *Ramsay* immediately run him through, with a small Sword; whereupon he fell down dead.

*Gowrie's* Servants did wound both *Sir Thomas Erskine* and *Doctor Herries*; *Mr. Thomas Cranston*, one of the Earl of *Gowrie's* Servants, was also sorely wounded, and could not escape; but the others did.

By this Time, the great Door was broke open by the Lords, who were all overjoyed to see the King alive. And both the King and they, did fall upon their Knees, to give G O D Thanks; the King himself praying aloud.

Yet, the Danger was not over: For the Earl of *Gowrie* living in the Town, and being their Provost, and one who studied much for Popularity, he was beloved of them: And on this Noise, they had all taken Arms, environing the House, calling for their Provost; but one of the Baillies, and other Two Citizens, being allowed to enter, and brought to the King; when they were inform'd of the Truth of Things, they returned, and pacified the People. The King and his Followers, did take Horse immediately, and returned to *Faulkland*. *Cranston* was  
was

was taken upon the Place: And Search was made for the other Servants who were with the Earl. One of them call'd *Henry Younger*, was found dead amongst the Corn, where he was hiding himself, and probably died of the Wounds he received in the Gallery. A third of them, call'd *Craigengelt*, was taken Two Days thereafter, and imprisoned.

All this while, none did know who was the Man that was arm'd, and alone in the Chamber, when the King did enter it; and who had secretly withdrawn himself, when the King and Mr. *Alexander* were struggling, upon Sir *Thomas Erskine* and *John Ramsay's* Entry by the back Stair; and a great Reward was promised to any who would discover him. Whereupon, one *Andrew Henderson*, Chamberlain to *Gowrie*, discovered himself to the Comptroller; and upon Promise of Life, offered to inform of all that he did know, relating to that Affair; which the King, by Advice of the Lords present, did grant him.

It was observ'd by all these that were present (and mention'd in several Histories) that when the Earl of *Gowrie* was kill'd, no Blood did issue from his Body till his Clothes were taken off, and then he did bleed abundantly.

Upon the Information of *Henderson*, and other Witnesses, *Cranstoun* and *Craigengelt* were pannelled before the Justiciary at St. *Johnstoun*; and upon clear Testimonies, and on their own Confession

feſſion at the Bar (which they alſo adher'd to on the Scaffold) they were both executed: Only alledging, that they did not know of the Deſign to murder the King; but that they intended to force the King to make great Reparations for the late Earl of Gowrie's Death; and that this Earl of Gowrie was to be made a great Man. But the Jury did find them guilty for what they had done.

Informations of all this Matter were ſent by the King to his Council at *Edinburgh*; the Council immediately ordered the Miniſters of *Edinburgh* to convene the People, and give Thanks to GOD for the King's ſafe Deliverance.

But moſt of them being of that Party of the Clergy who had, publickly in their Aſſemblies, approved the treacherous Deeds committed by this Earl of Gowrie's Father and his Accomplices, when they ſeis'd the King's Perſon and made him Priſoner at *Ruthven*, did oppoſe the Order of Council, giving for their Reaſons, That nothing ought to be delivered in Pulpits which was not of Faith: So the Council and ſome of the Clergy went to the Croſs to make a publick Thankſgiving, which was perform'd with great Applauſe of the People.

In Two Days thereafter the King came to *Edinburgh*, and in Council the King made ſeveral Mortifications, in Remembrance of his Deliverance, conſerring Honours and Donations, on the Three Gentlemen who were Inſtruments  
of

of his Safety: And by Order of Council a Publick Thanksgiving was ordered to be observed in all the Churches in the Kingdom.

The Ministers of *Edinburgh*, who had refused it first, being sensible of the Truth of the Matters of Fact; the best, and the moderate amongst them, *viz.* Mr. *Walter Balcanel*, Mr. *William Watson*, Mr. *John Hall*, and Mr. *James Balfour*, were all sensible of their Faults; and for Amends, they not only observ'd the Thanksgiving in their own Churches, but went to Churches in the adjacent Diocesess, and did there publickly declare, That they were throughly perswaded of the Truth of *Gowrie's* Conspiracy; and did much regret, that they were so scrupulous, in the first Appointment of the Thanksgiving; and recommended the Deliverance to be remembred with Thankfulness. But Mr. *Robert Bruce*, and some others, of old *Gowrie's* former Club, would rather suffer in a fast Friendship to their Friends the *Ruthvens*, than keep a Fast at the King and Council's Desire; for which, and other extravagant Speeches, some of them were banished.

On account of this Treason, and several Disorders, a Parliament was indicted to meet at *Edinburgh* on the 1st of *November* that Year 1600, albeit the printed Acts bear its Meeting to be on the 15th.

Accordingly a Parliament was indited, to be holden at *Edinburgh* on the 1st of *November*

1600,

1600, and ( as is ordinary ) it was ad-  
journd to the 4th of *November*. On which  
Day, Sir *Thomas Hamilton*, King's Advocate,  
produced a Summons of Treason duly executed  
against *William Ruthven*, Brother and apparent  
Heir to *John Earl of Gowrie*; and Mr. *Alex-  
ander Ruthven* : Calling also, in the Summons,  
the Tutors and Curators of the said *William*, ( if  
he had any ) and all others, having Pretence  
or Interest in the Matter; to hear it found,  
and declared, That the said Earl of *Gowrie*, and  
Mr. *Alexander* his Brother, had committed  
Treason, in attempting to bereave his Majesty  
of his Life, at *St. Johnstoun*, on the 5th Day of  
*August* last bypast. The Summons and Execu-  
tions being read, and the Heralds and Messen-  
gers sworn to the Veracity of the Executions;  
both at their private Houses, Mercat Crosses,  
and Shoar and Peer of *Leith*, &c.

Which, are the most publick Intimations  
and Citations that can be given by the Law of  
*Scotland*: Which Citations, were given on the  
28th Day of *August* and 29th ditto, in their re-  
spective Places and Mercat Crosses, and the  
Parliament was declar'd current daily.

On the 9th Day, the said Summons and Exe-  
cutions read over again, another Summons of  
Treason was produc'd, with their Executions,  
and Verifications, made on Oath in the Face

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of the Court, against *Alexander* and *Henry Ruthvens*, Sons to *Alexander Ruthven* of *Frieland*; and against *Hugh Moncreif*, Brother to *William Moncreif* of *That-Ilk*; *Patrick Eviot*, Brother to *Colin Eviot* of *Balhouse*; to hear and see themselves decern'd, as guilty of High Treason, and Lese-Majesty, against the King, at *Perth*, the 5th Day of *August* last past.

And likewise, by Warrant from the Parliament, one *Andrew Henderson*, who was Prisoner in the Tolbooth of *Edinburgh*, on Accusation for the said Crime, was brought by the Baillie of *Edinburgh*, and sisted before the Parliament; he having receiv'd formal Summons in the Tolbooth, on the 28th of *August* last past.

The Summons being thrice called, the Executions all verified, and none of the Persons cited compearing, excepting *Andrew Henderson* the Prisoner; the King's Advocate did take Instruments: And likewise the King's Advocate did then, and there, produce before the Lords, our Sovereign Lord's Letters of Relaxation, given under his Highness Signet at *Edinburgh*; relaxing all the Persons so summoned from the Horn, and from all the Summons executed against them, at the Instance of whatsoever Persons; that so, they might have Safety and Freedom to compear: And which Relaxations were promulgated, at the Mercat Crosses of the Shires where each Person had his Abode;  
and

*of the Earls of Gowrie.* 35

and also, at the Mercat Cross of *Edinburgh*, and Shore and Peer of *Leith*. And these Executions and Relaxations, were registrated in the Records of the Shires where the Accused did reside: On which Production, the King's Advocate did take Instruments.

The Lords Commissioners in Parliament, did remit the said *Andrew Henderson* to the Tolbooth, for safe Custody, and the Parliament adjourned until the 15th Day of *November*: On which Day, the Parliament having met, the said Sir *Thomas Hamilton* Advocate, produced the said Summons of Treason, and Executions; and the Heralds and Messengers having, of new, verified the Executions upon Oath formally, &c. neither *William*, nor none for him, nor the others cited, compearing; the King's Advocate did take Instruments thereon: Only Mr. *Thomas Henryson*, one of the Commissaries of *Edinburgh*, compeared for the foresaid *Andrew Henderson*, and produc'd the Writ following, undersubscribed by the King's Advocate. *It is Our Will, and We command you, that upon sight hereof, ye delete Andrew Henderson, Chamberlain to umquhile John Earl of Gowrie, his Name, furth of the Sammons of Treason and Forjaulture, rased and executed against him, for being art, part, redd, counsel and counselling, of the late Treason conspired by the said umquhile Earl, his umquhile Brother, and Complices, against Our Person; and as you will answer to Us hereupon;*



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*keeping thir Presents for your Warrant. Subscribed with Our Hand at Holy-rood-house, the Ninth of November, 1600. Sic subscribitur, JACOBUS REX. Conform whereunto, the Advocate did delete his Name.*

The Heralds and Messengers did, at that same time, again verify upon Oath the Executions given in; and the Relaxations and Executions against *William*, and *Alexander*, and *Henry Ruthvens*, *Patrick Eviot*, and *Hugh Moncreif*; and the Parliament found the Dittay relevant: And then adjourned till the 15th Day of *November*, and remitted the Examination of the Witnesses to the Lords of the Articles, which are a Committee of Parliament, according to the constant Practice and Custom in Parliament.

*Nota*, The Lords of the Articles in that Parliament, were Two Bishops and Four Abbots, all Men of great Worth and Integrity; Four Earls, *viz. Lennox, Errol, Marischal and Marr*; Four Lords, *viz. Seton, Livingstoun, Newbottle and Fivie*; Seven Barons, and Nine Commissioners of Burrows.

On the 15th of *November*, the Parliament did again meet, and the Advocate did again call the Summons of Treason against all the forementioned Persons, ( except *Henderson* ) for enterprising the Slaughter of the King, on the 5th of *August* last past, being all Three called, and none compearing, the hail Estates did find both  
the

the Summons, Reasons and Causes therein-mentioned, relevant; and therefore admitted the same to the Advocate's Probation. Whereupon, the Advocate did produce the Letters of Horning duly executed and indorsed, against *Alexander* and *Henry Ruthvrens*, *Hugh Moncreif*, and *Patrick Eviot*; bearing, That they were denounced Rebels, and put to the Horn, for the Crimes of Treason therein-mentioned.

And the Oaths and Depositions of the Witnesses, led and adduc'd by the Advocate, for proving of the Treason against the Defenders, (taken before the Lords of Articles) *viz.* The Deposition of umquhile *Mr. Thomas Cranston*, and *George Craigengilt*, when they were executed to Death, for the foresaid Crime of Treason: And likewise, the Advocate repeated the Notoriety, with the Circumstances of the Matter of Fact, to prove the Points of the Libel; and produc'd the Depositions of all the Witnesses, which were all read, as follows.

D 3

*The*

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N. B. The Summons and Executions, are at full Length recorded in the Books of Parliament; and being all exact in the Forms required by Law, it would not only be tedious, but useless, to repeat them here; they being patent in the Records.

*The Depositions of the Witnesses, Examined in Presence of the Lords of Articles, for proving of the saids Two Summonses of Treason.*

[ Nota, That the Words are printed, as they were then written and spoke, for Exactness sake. ]

**T**HE Duke of *Lennox*, sworn and examined, Depones, That upon the Fifth Day of *August* last bypast, this Deponent, for the Time being in *Falkland* in Company with His Majesty, he saw Mr. *Alexander Ruthven* speaking with his Grace before the Stables, betwixt Six and Seven in the Morning; and shortly thereafter, His Majesty passing to the Hunting of the Buck, and having slain one in the Park of *Falkland*, His Highness spake to the Deponent, desiring him to accompany His Majesty to *Perth*, to speak to the Earl of *Gowrie*. And incontinent thereafter, this Deponent sent his Servant for an other Horse, and for a Sword, and lap on and followed his Grace: And as this Deponent overtook his Grace, Mr. *Alexander Ruthven* was speaking with His Majesty; and shortly after the

the Deponent's coming to the King, His Highness rode a-part, and spake with this Deponent, saying, Ye cannot guess, Man, what Errand I am riding for; I am going to get a Pose in *Pentb*: And Mr. *Alexander Ruthven* has informed me, that he has fund a Man, that has a Pitchard full of coined Gold, of great Sorts. And in the mean time, His Highness enquired of this Deponent, of what Humour he thought Mr. *Alexander* to be of? who answered, That he knew nothing of him, but as of an honest discreet Gentleman. And after that His Highness had declared to this Deponent, the hail Circumstances of the Man who had the said Gold, the Place where it was found, and where it was kept; this Deponent answered, I like not that, Sir; for that is not likely. And they riding beside the Bridge of *Erne*, His Majesty call'd to the Deponer, that Mr. *Alexander* desired him to keep that Matter of the Pose secret, and take no Body with Him; and then His Highness both at that time, and thereafter at *St. Johnstoun*, within the Earl of *Gowrie's* Hall, said to this Deponer, Take taint where I pass with Mr. *Alexander Ruthven*, and follow me. And as His Majesty was within a Mile to *Pearth*, after that Mr. *Alexander* had come a certain Space with His Highness, he rode away and galloped to *Pearth*, before the rest of the Company, towards his Brother's Lodging; of purpose, (as the Deponent believes,) to ad-

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vertise the Earl of *Gowrie* of His Majesty's coming there; and as His Majesty was within two Pair of Butt-langs to the Town of *Pearth*, the Earl of *Gowrie*, accompanied with diverse Persons, all on Foot; met His Highness in the Inche, and saluted Him; and immediately thereafter, His Majesty, accompanied with this Deponent, the Earl of *Marr*, *Inchaffrey*, Sir *Thomas Erskin*, Laird of *Urquhil*, *James Erskin*, *William Stuart*, Sir *Hugh Heries*, Sir *John Ramsay*, *John Murray*, *John Hamilton* of the *Grange*, and *John Graham* of *Bagowie*; past all together, in the Earl of *Gowrie*'s Hall; the said Earl of *Gowrie*, and the said Mr. *Alexander Ruthven*, being baith present with them: And after their Entry, His Majesty cry'd for a Drink, which was a long Time a-coming: And it was an Hour after His first coming, before His Majesty got His Dinner: And in the Time that His Majesty got His Desert, the Earl of *Gowrie* came to this Deponent, and to the Earl of *Mar*, and remanent Persons foresaid, and desired them to Dine, which they did, in the Hall; and when they had near hand din'd, the Earl of *Gowrie* came from His Majesty's Chamber, to the Hall, and call'd for Wine; and said, that he was directed from His Majesty's Chamber, to drink His *Scoll* \*, to my Lord Duke, and the rest of the Com-

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\* *Scoll*, the Word us'd then for drinking a Health.

*of the Earls of Gowrie.* 41

Company, which he did. And immediately after the Scoll had pass'd about, this Deponent raise from the Table, to have waited upon His Majesty, conform to His former Direction; and then the Earl of *Gowrie* said to the Deponent, That His Majesty was gone up quietly, some quiet Errand: And then, the said Earl of *Gowrie* cry'd for the Key of his Garden, and pass'd in Company with this Deponent, to the Garden, accompanied with *Lindores* and Sir *Hugh Herries*, and certain others: And shortly after their being in the Garden, Mr. *Thomas Cranston* came down to the Garden, crying, The King's Majesty is on Horse-back, and ridden through the *Inch*: And then the Earl of *Gowrie* cry'd, Horse, Horse: And the said Mr. *Thomas Cranston* answered to him, Your Horse is in Town; to whilk the Earl of *Gowrie* made him no Answer, but cry'd ay, Horse, Horse. And this Deponent and the Earl of *Gowrie*, came first out of the Garden, through the Hall to the Clofs, and came to the oute Gate; and this Deponent speird at the Porter, if the King was furth, who answered, That he was assured that His Majesty was not come furth of the Place. Then the Earl of *Gowrie* said, I am sure he is first always; stay, my Lord, drink, and I shall gang up, and get the Verity and Certainty thereof: And the said Earl of *Gowrie* passed up, and incontinent came again to the Clofs, and he affirmed to this Deponent, That the  
King's

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King's Majesty was furth at the Back-Gate, and away. Whereupon, this Deponent, the Earl of Gowrie, and Mar, and hail Company, past furth at the Fore-Gate of the Lodging; and staid before the same Gate, upon the Street; And as they were standing there, advising where to seek the King, incontinent, and in the mean Time, this Deponent heard a Voice, and said to the Earl of Mar, This is the King's Voice, that cryes, be where He will: And so they all looked up to the Lodging, and saw His Majesty looking furth of the Window, wanting His Hat; His Face being red, and an Hand gripping his Cheek and Mouth; and the King cry'd, I am murdered! Treason! My Lord Mar, Help, help! And incontinent, this Deponent, the Earl of Mar, and their Company, ran up the Stair of the Gallery-Chamber, where His Majesty was, to have relieved Him: And, as they passed up, they found the Door of the Chamber fast; and seeing a Ladder standing beside, they rasht at the Door with the Ladder, and the Steps of the Ladder brake: And syne, they send for Hammers; and notwithstanding large forcing with Hammers, they got not Entry at the said Chamber, while after the Earl of Gowrie and his Brother were both slain; that Robert Brown past about be the Back-Door, and came to His Majesty, and assured His Highness, That it was my Lord Duke and the Earl of Mar, that was stricking up the Chamber-Door; and

and the Hammer was given through the Hole of the Door of the Chamber; and they within brake the Door; and gave them Entry: And, at their first Entry, they saw the Earl of Gowrie lying dead in the Chamber, Mr. *Alexander Ruthven* being slain, and taken down the Stairs before their Entry: And at their first Entry within that Chamber where the King's Majesty was, the Deponent saw sundry Halberts and Swords striking under the Door of the Chamber, and Sides thereof, by reason the same was not clos'd Door; and knew none of the Strickers, except *Alexander Ruthven* one of the Defenders, who desired to speak with this Deponent through the Door, and speird at him, For GOD's sake tell me how my Lord of Gowrie was: To whom this Deponent answered, He is well: And the said Deponent bad *Alexander* to gang his way; and that he was an Fool; and that he would get little Thanks for that Labour: And, in the mean Time, as they were continuing to strick with Halberts under the Door, meikle *John Murray*, Servant to *Tullibardine*, was stricken throw the Legg; and how soon the said *Alexander Ruthven* had heard the said Lord Duke speak, he and his hail Complices past from the foresaid Door, and made no more Trouble thereafter thereat, and past down to the Clofs, and stood there. And saw none of the remanent Defenders present, at the doing of the violent Turns that Day, except by  
Re-



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Report, but the said *Alexander Ruthven*: But says, that he saw *Hugh Moncrief*, *Earn* and *Alexander Daithvenies*, and *Patrick Eviot*, with the Earl of *Gowrie*, at the King's Dinner that Day; and that before and thereafter, looking over the Chamber-Window, he saw *George Craisingelt* and *Alexander Ruthven*; and did see others of the Earl of *Gowrie*'s Servants, whom this Deponent knew not, standing in Arms within the Clofs: And also, saw other Persons carrying an Joist from the Town, to the Clofs of the Earl of *Gowrie*'s Lodging: And declares, That there abode fundry Persons within the said Clofs, and in the High-Street, before the said Earl's Lodging, crying and making Tumult, to the Space of Two Hours, mair next after the Death of the said Earl of *Gowrie* and his Brother.

*Sic subscribitur,*

LENNOX.

THE Earl of *Mar*, sworn and examined, depones, conform to the Lord Duke of *Lennox*'s Deposition, in all Thing substantial, except, that his Lordship saw not Mr. *Alexander Ruthven* in *Falkland*, while about Ten Hours the Day libelled, shortly before the slaying of the Buck; and also, overtook not his Majesty that Day, while His Majesty was near the Bridge of *Erne*: And, that after their Dinner, my Lord of *Mar* passed not to the Yeard, in  
Com-

Company with the Earl of *Gowrie*, but passed to a Chamber where the King dined, and saw nothing of the Joist. *Sic subscribitur.* M A R.

**A**NDREW HENDERSON, Chamberlain of *Scoon*, sworn, Depones, That he is of the Age of Thirty Eight Years, declares, That upon *Munday* at Night, the Fourth Day of *August* last bypast, this Deponent being, after Supper, in Company with the Earl of *Gowrie* and Mr. *Alexander Ruthven*, within my Lord's own Chamber; the Earl of *Gowrie* inquired at this Deponent, what he had to do to Morrow? To whom this Deponent answered, That he had to do, to ride to *Ruthven*, to speak with the Tenents. Then the Earl of *Gowrie* answered, Stay that Journey, you must ride to *Falkland*, in Company with my Brother, Mr. *Alexander*; & take *Andrew Ruthven* with you; and that ye be ready to ride be Four Hours in the Morning: And haste thou back with Answer, as my Brother orders you, by writ or otherways; and let *Andrew Ruthven* remain with my Brother. And in the Morning, after Four Hours, they rode all Three together to *Falkland*; and coming to *Falkland*, they lighted at *John Balfour's* House, and seeing that Colonel *Edmund* was there, they lodged in an *Law's* House; and the Master sent this Deponent about Seven Hours in the Morning, to see what the King's Majesty was doing; and as he was within the Place, he saw the King's Majesty

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By coming furth Mid-Clofs, booted; and then he returned back again to the Master, and said to him, Haste you, the King's Majesty is coming forth; and incontinent, the Master followed His Majesty, and spake with His Majesty for-  
anent the Equirie, and the King laid His Hand on his Shoulder, and clapped him, where they spake together, be the Space of an Quarter of an Hour. And thereafter, the Master directed this Deponent to ride to *Perth* in haste, as he lov'd the Lord *Gowrie's*, and his Honour, and advertise his Brother, that His Majesty will be there, with a few Number incontinent; and cause make His Dinner ready: Then this Deponent answered, Shall I ride presently? The Master answered, No, but stay a while, and follow the King and me, while I speak with His Majesty again: And, as His Majesty was riding through the Sloap of the Park-Dike, the Master spake to His Majesty; and immediately thereafter, the Master bad this Deponent to pass to *Saint Johnston*, with all possible Diligence, according to his former Directions: And, at this Deponent's coming to *Perth*, it was shortly after Ten Hours in the Morning, he entered in the Lord of *Gowrie's* Chamber, where he saw his Lord speak with *George Hay* and Mr. *Peter Hay*: And how soon my Lord of *Gowrie* saw this Deponent, he came aside to this Deponent, and enquired secretly, What Word he had brought from his Brother; and if he had brought

a Letter? This Deponent answered, That he had brought no Letter: What Answer then, said he, has he to me? This Deponent answered, That the Master his Brother bad tell his Lordship, That the King's Majesty would be there incontinent; and bad haste His Dinner; Then the Earl bad this Deponent to follow his Lordship to the Cabinet, and speird at Him, How His Majesty had tane with his Brother? he answered, That he was well tane with; and when he did his Courtesy, the King laid His Hand upon his Shoulder. The Earl speird, what Number of Persons was with the King at the Hunting? who answered, That he knew not well; but that there were sundry of His own with him, & some *English-men*. And then the Earl speird, what Noblemen was with him? he answered, None but my Lord Duke. And thereafter; this Deponent past to his own House in the Town, and took off his Boots, and returned to the Earl within an Hour; and how soon the Earl saw him in his Chamber, he call'd upon this Deponent, and bad him put on his Secret \*, and Plate-Sleeves: The Deponent inquired, to what Effect? The Earl answered, I have an Highland-man to take in the *Shoegate*; and then the Deponent past to his own House, and put on his Secret and Plate-Sleeves, came back again to the Earl of *Gowrie's* House: And  
about

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\* A Coat of Mail.

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about half an Hour to one, the Earl command-  
ed this Deponent, Take up my Dinner; and  
this Deponent pass, and took up the first Ser-  
vice, by reason *Charles Craignelt* was sick;  
And, in continent, the said Earl pass'd to his  
Dinner, accompanied with Mr. *John Moncreif*,  
Laird of *Pitcreif*, Mr. *James Drummond*, *A-*  
*lexander Peebles* Baron of *Findowne*. And  
shortly after the first Service was set down,  
my Lord sitting at the Table with the foresaid  
Company, *Andrew Ruthven* came in from the  
Master, and rounded to the Earl, but heard  
not what he said; and shortly after, this De-  
ponent passing down to take up the second Ser-  
vice, Mr. *Alexander Ruthven* and *William Blair*  
came in to the Earl, my Lord sitting at his  
Dinner; and how soon my Lord saw them, he  
and his hail Company rose from the Table; and  
then, this Deponent hearing my Lord on Foot,  
bid this Deponent send for his Steel-Bonnet and  
Gantlet, believing that my Lord was going to  
take the said Highland Man: And as this De-  
ponent perceiv'd my Lord passing to the *Inch*,  
and not to the *Shoegate*, he sent home his Steel-  
Bonnet, and cast his Gantlet in the Pantry, and  
thereafter followed the Earl to the *Inch*, where  
he saw the said Earl with His Majesty, the  
Duke, and the Earl of *Marr*, and came in all  
rogether to the Earl's House; and after His Ma-  
jesty had come to the Earl's House, the Master  
of *Ruthven* speir'd at this Deponent, where the  
Key

Key of the Gallery-Chamber was? Who answer'd, That he handled not that Key since the Earl came in *Scotland*. Then the Master bid this Deponent speak to Mr. *William Rynd* to give to him the said Key. And the Master passing up to the Gallery, Mr. *William Rynd* followed him, and gave to him the said Key: And thereafter, immediately after His Majesty's down-sitting to His Dinner, Mr. *Thomas Cranston* came to this Deponent, and bad him gang to the Earl of *Gowrie*; which this Deponent did. And the Earl of *Gowrie*, in the Outer-Chamber, where the King din'd, spake to this Deponent secretly, and bad him pass to the Gallery to his Brother: So he passed up, and the Earl follows him; and they being all Three together in the Gallery-Chamber, (whereof he had the Key from Mr. *William Rynd*,) the Earl said to this Deponent, Tarry still with my Brother, and do any thing he bids you. Then this Deponent came to the Master and speir'd, What will you with me, Sir? Then the Master spoke to my Lord, Let *Andrew Henryson* go into the Round of the Chamber, and I will lock him in, and take the Key of the Chamber with me: Where this Deponent abode Half an Hour or thereby, locked his allane, having his Secret, Plate-Sleeves, Sword and Whinger with him, and wanting his Steel Bonnet. And all this time, this Deponent feared some Evil to be done: That, upon this, he kneel'd and pray'd

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to GOD; and about the End of the Half Hour, Mr. *Alexander* opens the Door of the Room, and entred first within the same, having the King's Majesty by the Arm, and puts on his Hat upon his Head, draws forth this *Andrew Henderson* Deponent's Whinger; and says to the King, having the drawn Whinger in his Hand, Sir, you must be my Prisoner; remember on my Father's Death. And, as he held the Whinger to His Majesty's Breast, this Deponent threw the sament furth of Mr. *Alexander's* Hands. And the time that Mr. *Alexander* held the Whinger to His Majesty's Breast, the King was beginning to speak. The Master said, Hold your Tongue, Sir, or, by *Christ*, ye shall die. Then His Majesty answered, Mr. *Alexander*, Ye and I were very great together; and as touching your Father's Death, Man, I was but a Minor. My Council might have done any thing they pleas'd. And farther, Man, albeit ye bereave me of my Life, ye will not be King of *Scotland*; for, I have both Sons and Daughters; and there are Men in this Town and Friends that will not leave it unrevenge'd. Then Mr. *Alexander* answered, swearing with a great Oath, That it was neither His Life nor Blood that he craved. And the King said, What traiks \* albeit ye take off your Hat; and then Mr. *Alexander* took off his Hat. And the King said, What is it ye crave,  
Man,

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\* What then.

Man, and ye crave not my Life? Who answered, Sir, it is but a Promise. The King answered, What Promise? The said Mr. *Alexander* answered, For, my Lord my Brother will tell you. The King said, Fetch hither your Brother. And syne the said Mr. *Alexander* said to the King, Sir, you will not cry, nor open the Window, while I come again? And the King promis'd so to do. Then Mr. *Alexander* passed forth and locked, and passed not from the Door, as he believes. In the mean time, the King entred in Discourse with this Deponent, How came you in here, Man? And this Deponent answered, As GOD lives, I am shot in here like a Dog. The King answered, Will my Lord of *Gowrie* do me any Evil, Man? This Deponent answered, I vow to GOD, I shall die first. And then, the King bad this Deponent open the Window; and he opened the Window that looked to the Spy-Tower: And the King answered, Fy, the wrong Window, Man! And thereafter, this Deponent passing to the other Window nearest His Majesty, to open the same; before he got to the Window, Mr. *Alexander* opened the Door, and came in again, and said to His Majesty, By GOD! there is no Remedy; and then he lousps to the King, and got Him by both the Hands, having an Garter in his Hands. Then the King answered, I am a free Prince, Man; I will not be bound: So His Majesty cast loose His



Left Hand from Mr. *Alexander*; and at that same time, this Deponent draws away the Garter from Mr. *Alexander*, and His Majesty louns free from the said Mr. *Alexander*, and the said Mr. *Alexander* follows His Majesty, and with his Left Hand about His Majesty's Craig, puts his Right Neeve † in His Majesty's Mouth: So His Majesty wrestling to be quite of him, this Deponent puts his Hand out of His Majesty's Mouth. And thereafter, this Deponent did put his Left Hand over His Majesty's Left Shoulder, and pull'd up the Broad of the Window, whereunto the said Mr. *Alexander* had thrust His Majesty's Head and Shoulders; and with the Force of the drawing up of the Window, presses His Majesty's Body about, His Right Side to the Window: At which time His Majesty cries furth, Treason! Treason! So the Master said to this Deponent, Is there no Help with thee? Wo worth thee, thou Villain, we all die. So twining his Hand on the Guard of his own Sword; and, incontinent, the King's Majesty put His Hand on the Master's Hands, and stay'd him from drawing of his Sword: And this Ways they both being grasp'd together, comes furth of the Cabinet to the Chamber; and, in the mean time, this Deponent threw about the Key, then standing in the Door of the Head of the Turnpike, which entered to the Chamber, and opened the Door thereof,

† *Fist.*

thereof, to eschew \* himself, and to let His Majesty's Servants in; and how soon he opened the Door, *John Ramsay* came in at the said Door, with an Haulk on his Hand, and passed to the King's Majesty and laid about him, and drew his Whinger; and as he saw him minting with the Whinger, this Deponent passed forth at the said Door, and pass'd down the Turnpike. And, as this Deponent pass'd through the Close, and came to the Fore-gate, this Deponent saw the Earl of *Gowrie* standing before the Gate accompanied by sundry Persons, of whom he remembers none; but remembers well, that the Earl had this Deponent's Knapschaw, or Head-piece, on his Head, and two Swords drawn in his Hands: And incontinently thereafter, this Deponent pass'd to his own Lodging, where he remain'd while the King passed furth of the Town; and then the Deponent past to the Bridge and walked up and down by the space of an Hour, and returned not again to the Earl's Lodging. And the time of his Entry to his House that Night, this Deponent's Wife inquir'd at this Deponent, What Trouble was within the Place? To whom he answered, Well is me of one thing, That if I had not been there, the King had been twice sticked this Night: But wo's me for the thing that is fallen out. And this Deponent being demanded by Mr. *John Moncreif*, after his returning from *Falkland*,

E 3

Where

\* Escape.

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Where have you been with your Boots on? Answered, He had been two or three Miles beyond *Erne*, and durst not tell him the Verity, by reason the Earl of *Gowrie* had discharg'd him to tell the Errand, he sent him, to any Body. And farther, this Deponent declares, That when he saw the Earl of *Gowrie* standing with the drawn Swords before the Gate, this Deponent spoke not to the Earl, neither yet the Earl to him at that time, but he passed to his own House.

*Sic subscribitur,*

ANDREW HENDERSON.

THE Abbot of *Inchechaffrey*, sworn and examined, Depones, That, upon the 5th Day of *August* last bypast, this Deponent being in *Falkland*, about Seven Hours in the Morning, he met Mr. *Alexander Ruthven* accompanied with *Andrew Ruthven*; and, at that time, only saluted the said Mr. *Alexander Ruthven*, without any Conference farther at that time. And at that time, he saw the said Mr. *Alexander* enter in Conference with His Majesty, upon the Green, betwixt the Stables and the Park: Which Conference enduring for the space of a Quarter of an Hour, and the said Mr. *Alexander* accompanied His Majesty, while they came to the Meadow; and, at his returning from His Majesty, this Deponent desir'd Mr. *Alexander* to disjune with him, by reason his own could not

not

not be so soon prepar'd. To whom Mr. *Alexander* answered, He might not tarry, by reason His Majesty had commanded him to await upon him. And, as this Deponent passed to *Falkland*, leaving Mr. *Alexander* behind him, met his Horse with his Man, coming from *Falkland* to him, and then this Deponent, after he had disjuned in *Falkland*, he took his Journey the High-way to *Inchechaffrey*, and the Deponent being but a Mile Be-north *Stramiglo*, he's in-company'd with my Lord Duke, *Lindores*, the Laird of *Urquhill*, *John Hamilton* of the *Grange*, *Finlay Tailzies*; and Mr. *Alexander Ruthven* came by this Deponent, riding the High-way to *Perth*; then incontinent, this Deponent Horsed, and accompanied His Majesty to *Perth*, where he saw the Earl of *Gowrie* meet His Majesty in the *Inch*, and passed in Company with His Majesty, and His Noblemen and Servants, to the Earl of *Gowrie's* Lodging, where they din'd all together. And after Dinner, this Deponent being in the Chamber at the North-end of the Hall, Word past thro' the Hall, that His Majesty was passed away, and ridden towards *Falkland*, and then this Deponent, in Company with the Lord of *Mar*, and remanent present for the Time, passed to the Close, and from that to the Highstreet; and the Earl of *Gowrie* being present with them, desir'd them to stay, while he returned and advertis'd them of the Verity thereof. And incontinent the Earl of *Gowrie*

passed up the Stair, and returned back, and certify'd the Deponent and his Colleagues, of His Majesty's Departure. Then the Lord Duke, this Deponent and Remanent, cry'd for their Horses to follow the King. Then, as they were standing upon the Highstreet, they heard an Cry and a Voice; and the Duke first declar'd, I am sure, yon is His Majesty's Voice, be where He will Himself. And immediately thereafter, this Deponent saw His Majesty, looking forth of a Window of the Round, wanting His Hat, and His Face red, crying, Fy, help, my Lord *Mar*! Treason, Treason! I am murder'd! And, at that same Instant, to his Judgment, was pull'd *per Force* in at that same Window. And incontinent thereafter, this Deponent passed in haste up with the Earl of *Mar* and my Lord Duke, to the Chamber within the Gallery; where he saw, heard, and did in all Things, conform to the Earl's Deposition.

*Sic subscribitur,*

INCHECHAFFREY.

**T**HE Abbot of *Lindores*, sworn and examined, Depones conform to the Lord Duke of *Lennox*, in all things; *addendo*, That after Dinner, when Word was of His Majesty's Departure towards *Falkland*, and that they had all together come down to the Porter, and had enquir'd at him, Gif the King's Majesty was gone furth? the Porter answered, He was not  
passed

passed furth; and the Earl of *Gowrie* affirmed, That He was passed furth at the Back-gate; and the Porter said to the Earl of *Gowrie*, That cannot be, my Lord, because I have the Key of the Back-gate. And, after that His Majesty had cry'd, furth of the Window of the Round, Treason, Treason! &c. this Deponent saw *James Erskin* incontinent lay Hands on the Earl of *Gowrie* upon the High-street; and immediately *Sir Thomas Erskin* gripped the Earl of *Gowrie*: *Fy, Traitor!* this is thy Deed, thou shalt die. Then the Earl of *Gowrie* answered, I ken nothing of the Matter. Then instantly the Earl of *Gowrie's* Men, rugged the said *Sir Thomas Erskin* and *James Erskin* from the Earl of *Gowrie*; who incontinent ran the Space of Half an Pair of But-lands from them, towards *Glenurchie's* House, and drew furth his two Swords, and cry'd, I will either be at my own House or die by the Gate: And incontinently thereafter the said Earl, accompanied with Thirty Persons, or thereby, passed within the said Place, wherein His Majesty was for the time: And shortly after, the Deponent, as appear'd to him, saw a Multitude of People carrying a Joist towards the Place.

*Sic subscribitur,*

LINDORES.

**S**IR *Thomas Erskin*, of the Age of Thirty six Years, sworn, Depones, conform to the Lord

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Lord *Inchechaffrey*, and Lord of *Lindores*; *ad-  
dendo*, That immediately after this Deponent  
heard His Majesty cry furth of the Window of  
the Round, *Fy, help!* I am betray'd, they are  
murdering me! he ran with Diligence towards  
the Place, to have helped His Majesty; and be-  
fore his Entry, seeing the Earl of *Gowrie*, this  
Deponent and his Brother, gripped him by the  
Neck, and said to him, Traitor, this is thy  
Deed. Whilk Earl answered, What is the Mat-  
ter? I ken nothing. Immediately the Earl's  
Servants severed him from this Deponent and  
his Brother. And then this Deponent entred  
within the Close, he foregathered with Sir *Hugh  
Herries*, who demanded of the Deponent what  
the Matter mean't; and, in the mean time,  
the Deponent heard Sir *John Ramsay* crying out  
at the Turnpike Head, *Fy, Sir Thomas*, come up  
the Turnpike, even to the Head! And, as  
this Deponent had passed up Five Steps of the  
Turnpike; he sees and meets with Mr. *Alex-  
ander Ruthven* blooded in two Parts of his Body,  
*viz.* in his Face, and in his Neck; and inconti-  
nent, this Deponent cries to Sir *Hugh Herries*,  
and others that were with him, *Fy, this is the  
Traitor, strike him!* And incontinent he was  
stricken by them, and fell; and, as he was fal-  
len, he turn'd his Face and cry'd, *Alas!* I had  
not the Wyte of it; this Deponent being stan-  
ding above him in the Turnpike. Thereafter,  
this Deponent past to the Head of the Turnpike,  
and

and entered within the Chamber at the Head of the Gallery, where the King and Sir *John Ramsay*, was there alone present; and, at the first Meeting, this Deponent said to His Majesty, I thought your Majesty would have credited more to me, nor to have commanded me to await your Majesty at the Door, gif ye thought it not meet to have taken Men with you. Whereupon His Majesty answered to this Deponent, Alas! the Traitor deceived Me in that, as he did in the leave; for I commanded him expressly to bring you to Me, which he promised to Me, to do; and returned back, as I thought, to fetch you, but he did nothing, but steiked the Door. Shortly thereafter, Sir *Hugh Herries* followed the Deponent into the Chamber, and *George Wilson*, Servant to *James Erskin*: And immediately thereafter Mr. *Thomas Cranstoun*, with his Sword drawn in his Hand, entered within the said Chamber; and the Earl of *Gowrie* followed him within the same Chamber, with an drawn Sword in every one of his Hands, and an Knapschaw on his Head; who struck at this Deponent and his Colleagues an certain Space. Likeas, they defended them and struke again: And that same time, this Deponent was hurt in the right Hand, be Mr. *Thomas Cranstoun*; and this Deponent heard my Lord of *Gowrie* speak some Words at his Entry, but understands them not. At last, Sir *John Ramsay* gave the Earl of *Gowrie* an dead Straik;



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Straik; and then the Earl leand him to his Sword, and the Deponent saw a Man ha'd him up, whom he knew not; and how soon the Earl fell to the Ground, Mr. *Thomas Cranstoun*, and the Remanent who accompanied him, departed and passed down the Turnpike. And the Deponent remembers, that, at that time, there were more Persons in the Chamber with the Earl of *Gowrie* by Mr. *Thomas Cranstoun*, but knew nane of them, except he believes that an black Man, that was there in Company within the Chamber, was *Hugh Moncreif*, Brother to the Laird of *Moncreif*; but the Deponent knows not, well, whether or not it was *Hugh Moncreif*.

*Sic subscribitur,*

SIR THOMAS ERSKIN.

SIR *John Ramsay*, of the Age of Twenty Three Years, or thereby, sworn, Depones, That, immediately after he had din'd, the Day libelled, in the Earl of *Gowrie's* House, he took His Majesty's Haulk from *John Murray*, to the effect, the said *John* might have din'd: And the Deponent missing His Majesty, and forgathering with the Laird of *Pittencreif*, in the Earl of *Gowrie's* Hall; and demanding of *Pittencreif*, where His Majesty was? The said Laird first convoy'd the Deponent to the Chamber where the King din'd; thereafter to the Yaird, hoping that His Majesty had been there; and missing His Majesty in the Yaird, convoy'd the Deponent up to  
an

an fair Gallery, where the Deponent was never before ; where having remained a certain Space beholding the Gallery, they came both down to the Clois, where they met with Mr. *Thomas Cranstoun* in the Midst of the Clois, who said to them, That His Majesty was away upon Horseback, at the *Inch*: Whereupon this Deponent and *Pittencreif* findered ; and the Deponent passed furth of the Gate, to his Stable, to have gotten his Horse, and being standing at the Stable Door, he heard His Majesty cry, knew His Highness's Voice, but understood not what He spake ; whereupon he comes immediately within the Clois, and finding an Turnpike Door open, he enters within the samen, and runs up the Turnpike, while he comes to the Door upon the Head thereof, and hearing an Struggling and Din of Men's Feet, he ran with his hail Force at the Door of the Turnpike-Head, which enters to the Chamber at the End of the Gallery ; the Deponent having in the mean time His Haulk on his Hand, and having dung open the Door, he sees His Majesty and Mr. *Alexander Ruthven* in others Arms, striving and wrestling together, His Majesty having Mr. *Alexander's* Head under His Arm, and Mr. *Alexander* being almost on his Knees, had his Hand upon His Majesty's Face and Mouth ; and His Majesty seeing the Deponent, cry'd, *Fy !* strike him laigh, because he has an Pyne Doublet upon him. Whereupon the Deponent cast the Haulk from

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from him, and drew his Whinger, wherewith he strake the said Mr. *Alexander*, and immediately after he was striken His Majesty shot him down Stairs whereat this Deponent had entered: Thereafter, this Deponent addressses him to a Window; and looking furth thereat, and saw Sir *Thomas Erskin*, the Deponent cryed, Sir *Thomas*, come up this Turnpike, even to the Head. In this mean time His Majesty did put His Foot upon the Haulk-Leash, and held her a lang time, while the Deponent came and took her up again: And then Sir *Thomas Erskin* entered. And in the rest depones conform to Sir *Thomas Erskin* in all Points; and further says, That when the Deponent first entered within the Chamber, he saw a Man standing behind His Majesty's Back; whom he noways knew, nor remembers not what Apparelling he had on; but after that this Deponent had striken Mr. *Alexander*, he saw that Man no more.

*Sic subscribitur,*

Sir JOHN RAMSAY.

*John Graham of Urquhill*, sworn and examined, depones conform to the Lord Duke of *Lennox* and Earl of *Mar* in all things, *reddens eandem causam scientie*, adding, That this Deponent the time that he was at Dinner in the Hall, with my Lord Duke and Earl of *Mar*, he saw the King and Mr. *Alexander Ruthven* pass throw the Hall up the Turnpike, towards the Gallery:

And,

*of the Earls of Gowrie.* 63

And, as this Deponent, *John Hamilton* and others; were following; *Mr. Alexander* cry'd back, Gentlemen stay, for so it is His Highness's Will.

*Sic subscribitur,*

JOHN GRAHAM of *Urquhill*.

*John Graham* of *Balgownie*, of the Age of Fifty Years or thereby, married, depones conform to the Lord Duke in all things, adding, That this Deponent the Day libelled, after the Death of the Earl of *Gowrie* and his Brother, and hearing His Majesty report, that *Mr. Alexander* pressed to have bound His Highness's Hands with a Garter; this Deponent found a Garter at the Cheeck of the round Door among the Bent, and immediately thereafter this Deponent presented the Garter to His Highness: And at the Sight thereof, His Majesty said, That the same was the Garter wherewith *Mr. Alexander* pressed to have bound His Hands; and then, *Sir Thomas Erskin* gripped to the same Garter and said, That he would keep it, which he has yet in keeping.

*Sic subscribitur,*

JOHN GRAHAM of *Balgownie*.

*Mr. John Moncreif* depones as follows, to wit, That Day I was still present with my Lord of *Gowrie*, unto the Time I heard His Majesty cry, Treason! and saw Him put His Arm furth of the Window of the Room, and then left him; for I conceived in my Heart it was plain  
Treason,

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Treason, conspir'd against His Majesty, and was induc'd hereto, in respect of these Presumptions following: *First*, I saw the King's Majesty and umquhil Mr. *Alexander Ruthven* my Lord's Brother go furth at the Hall Door their alanes; whereas His Majesty had no Weapons, and Mr. *Alexander* had a Sword. *Next*, I saw His Majesty come in a quiet and sober Manner to the Town, wherethrough appear'd, he would have no evil Purpose in His Mind. *Item*, He said, Mr. *Alexander* riding to *Falkland* in the Morning, was obscured from me and my Brother *Hugh* where he was: And I having enquir'd of my Brother *Hugh* where he was riding to, he knew nothing thereof; so that neither he nor I could get Tryal of the same. *Item*, I having enquir'd at *Andrew Henderson* himself, who rode to *Falkland*, and returned Two Hours before him, saluted me, and answered, That he had been Two or Three Miles above the Town; and says, the said *Andrew* had another Doublet on, more than he used commonly, and was more bulksom; and, as appears, might have contain'd an Secret. *Item*, That Day being the Council Day of the Town, my Lord excused himself, in respect of his Advice. *Item*, I having pressed him to subscribe an Confirmation of an Lady's, first refused, in respect foresaid; always passed it thereafter. *Item*, my Lord tarried longer from his Dinner nor he used: And albeit *Andrew Ruthven*, who was with the Master, came

came and rounded to my Lord at the Board, he made him to misknow all things, unto the time that the said Mr. *Alexander* came himself, and then raise from the Board, and met His Majesty. *Item*, My Lord obscured altogether, that he knew of the coming of any Man, while the Master came. *Item*, Mr. *Thomas Cranston* was the first that I heard cry, The King's Majesty is away. *Item*, After my Lord Duke and my Lord *Mar*, and His Majesty's Servants were in the Close, my Lord of *Gowrie* came back again to the Hall, saying, The King was away : So that, as I thought, he would have each Man thinking so. And I thought His Majesty was not receiv'd with that hearty Complement as became. *Item*, after His Majesty's riding away, my Brother *Hugh* came to my House, and I enquiring of him what he thought of thir Matters; answered, Before GOD, so far as I can perceive, I trow, it shall kyth an plain Treason on my Lord's Part. And I speiring at him, If he knew any thing thereof? answered, He knew nothing; but he and *Henry Ruthven*, atter all things were ended, fell in Conference thereanent, and he thought Things were likely. *Lastly*, *Andrew Henderson's* Letter moves me most of all. And, upon my Salvation and Condemnation, I know no farther in this Matter; nor yet can remember of any other Circumstance or Presumption, might have induced me

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to conceive the former, which I apprehended, in manner foresaid.

*Sic subscribitur,*

Mr. JOHN MONCREIF.

**I** *Andrew Roy*, one of the Baillies of the Burgh of Perth, be thir Presents testifies upon my Conscience, and, in the Sight of GOD, as I shall answer to Him in the Great Day; That upon the Fifth Day of *August*, One Thousand and Six Hundred Years, I being in the umquhile Earl of *Gowrie's* Lodging, when His Majesty was there, saw His Majesty, after His Dinner, accompany'd with the Master of *Gowrie*, rise from the Table, and gang furth of the Chamber where He had din'd; but, to what Place, I know not; being beholding the said umquhile Earl of *Gowrie's* Entertainment of the Noblemen, in drinking of His Majesty's Scoll to them; which, His Majesty, before His rising from the Table, had commanded him to do. And after this, the Lords, *viz.* my Lord Duke, my Lord of *Mar*, my Lord *Landores*, and my Lord of *Ischechaffrey*, with sundry of His Majesty's Gentlemen and Servants, accompanied with the Earl of *Gowrie* in Person; and short space after Dinner, had missed His Majesty, and enquired where He should be; they went to the Fore-gate and speir'd at the Porter, If he saw the King go furth at the Foregate? and heard the Porter answer, That His Majesty was not  
gone

gone furth that Way. Also, that the Earl of Gowrie said to the Porter, Ye lie, Knave, He is furth ; and the Porter replied, That he should give his Head, in case His Majesty were furth. Yet, upon the Earl of Gowrie's Assurance, that His Majesty was furth to the *Inche*, the Lords issued out in haste at the Foregate, and speiring where the King was, I saw a ne ding up the Long-front Window, in the North-side of the Turret, upon the High-gate ; but who dang it up I know not. And farther, saw clearly His Majesty shut furth His Head and Arm, at the foresaid Window, and heard His Majesty crying loudly, Fy, Treason! Treason! and Murder! Help, Earl of *Mar*! Whereupon, I being very agast, and wonderfully astonish'd, at that cruel and terrible Sight, and pitiful and woful Cry, I not knowing what the Matter meant, but perceiving His Majesty in extream and great Danger, ran with all possible Diligence thro' the Streets, crying loudly, Fy, Treason, Treason against the King! For GOD's sake, all honest Men, haste and relieve the King: And commanded to ring the common Bell, that all Men might come in haste to His Majesty's Relief; and then I returned with all possible Diligence, with a great Number of the People with me, and came before the foresaid Turret and Window, where I saw His Majesty first cry out; and then I cried out, How is the King? But my Lord Duke and my Lord of *Mar* answered,



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swered, The King is well, ( Praise be to GOD. ) Then I cried again up to His Majesty, and shew His Majesty, That the Baillies and Township were then come, in all haste, to supply and relieve His Majesty : And therefore besought His Majesty to command what was His Majesty's Will, and best to be done. And then His Majesty beckoned furth His Hand to me and to the People, commanding me to cause the People retire them to their Lodgings. Which Commandment I incontinent obey'd, and commanded all manner of Men, to retire themselves to their Lodgings ; and likewise past to the Mercat-Cross, and, by open Proclamation, commanded in His Highness's Name, That all Men should retire them to their Lodgings; under the Pain of Treason, who obeyed not incontinent after my Charge. And this I testify to be of Verity, by the Faith and Truth of my Body, so far as I justly can remember. In Witness of which, I have subscribed these Presents, with my Hand at *Perth*, the Thirteenth Day of *October*, One Thousand and Six Hundred Years, before these Witnesses, *Mr. Patrick Gallowah* Minister to His Majesty, *James Drummond* of *Letchel*, *Oliver Young*, *Constantine Wallace*, *Thomas Johnston*, Baillies. *Henry Elder*, Clerk ; *Robert Anderson*, *Andrew Mowat*, and *William Jack*, Burgesses of *Perth*. Sic subscribitur, *ANDREW ROY* Baillie, with my Hand ; *Mr. Patrick Gallowah* Witness, *James Drummond*

Wit-

Witness, *Oliver Young* Baillie, Witness; *Thomas Johnston* Baillie, Witness; *Robert Anderson* Witness, *Andrew Arnolt* Witness, *William Jack* Witness, *Henry Elder* Scribe, Witness.

**R**obert Christie, Porter to umquhile *John* Earl of Gowrie, of the Age of Thirty Years, *solutus*, Depones, That he was Porter to the Earl of Gowrie the Fifth Day of *August* libelled: Sicklike, he was by the space of Five Weeks of before. And shortly after the Dinner, this Deponent saw my Lord Duke, the Earl of *Mar*, the Earl of *Gowrie*, come to the Close; and my Lord Duke speir'd at this Deponent, If His Majesty was passed furth of the Close? the Deponent answered, That He was not furth. Then the Lord of *Mar* said, Billy, tell me the Verity, if His Majesty be furth or not? And he answered, In Truth, He is not furth. The Earl of *Gowrie* looking with an angry Countenance, said, Thou lied, He is furth at the Backgate, and through the *Inche*. Then this Deponent answered, That cannot be, my Lord, for I have the Key of the Backgate, and of all the Gates of the Place. Thereafter, this Deponent heard and saw His Majesty looking furth of the Window of the Round, and crying, Treason! Treason! fy, help, my Lord of *Mar*! And incontinent, my Lord Duke, the Earl of *Mar*, and others, ran up the Stair of the Turnpike to the Gallery; And thereafter,

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the Lord of *Gowrie* came from the High-street, within the Close; having a Steel-Bonnet on his Head, and a drawn Sword in his Hand, accompanied with *Alexander* and *Hary Ruthvens*, *Patrick Eviot* and *Hugh Moncreif*, Mr. *Thomas Cranston*; all having drawn Swords in their Hands, and passed all together with my Lord up the old Turnpike; but what was done within the House and Place thereafter, knows not, but by Report: Neither saw he any Joist brought to the Place, by any of the Town, And knows no more of the Matter.

*Sic subscribitur,*

ROBERT CHRISTIE.

**A***Alexander Blair*, Younger of *Balthyk*, sworn and examined, Depones, conform to *immediate precedenti*; except, That he saw not my Lord of *Gowrie* pass with his Company, and drawn Swords, up the Turnpike: But saw *Alexander* and *Hary Ruthvens*, and *Hugh Moncreif*, come down the little Turnpike, where they and my Lord had ascended, the saids Three Persons having drawn Swords in their Hands; but saw not *Patrick Eviot* there. And this Deponent says, That after the Tumult was risen, and this Deponent pressing to enter within the Place, he was a little staid by them in the Place; but they yielded at once, and the Deponent got Entry. Likewise, he saw a Joist brought from the Town, and set up at the Wall of the Close;

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Close; but who brought the samen in, he knows not.

*Sic subscribitur,*

ALEXANDER BLAIR,  
*Appearand of Balthyik.*

**G**George Hay, Prior of *Charterhouse*, of the Age of Twenty Eight Years, or thereby; married: Depones, conform to the Lord Duke of *Lennox*, in all things, after His Majesty's Entry in *St. Johnstoun*, the Day libelled: Adding, That, that samen Day, the Deponent having ado in *St. Johnstoun* with the Earl of *Gowrie*, and speaking with him in his own Place, he saw *Andrew Henderson* come in Booted from *Falkland*, and heard the said Earl of *Gowrie* enquire of the said *Andrew*, Who was with His Majesty in *Falkland*? And thereafter, the said Earl took the said *Andrew Henderson* to the Cabinet, and, after a certain Space, the Earl coming to the Chamber, he gave this Deponent his Dispatch; saying, That he had to do that Day, and might not await of his Errand, and bad him come another Day.

*Sic subscribitur,*

GEORGE HAY.

**M**R. Peter Hay, of the Age of Thirty Years, or thereby, married; Depones conform

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to *George Hay* in all things, the Witness immediately preceeding.

*Sic subscribitur,*

PETER HAY.

**R**obert Graham of *Thorink*, sworn and examin'd, Depones, conform to the Duke of *Lennox*, after that His Majesty entered in *Perth*.

*Sic subscribitur,*

ROBERT GRAHAM.

**O**liver Young, Baillie in *Perth*, sworn and examined, Depones, That the Day libelled, this Deponent was in the Earl of *Gowrie's* Lodging, where he saw the King Dine; and after Dinner, saw the King's Majesty and Mr. *Alexander Ruthven*, pass their allanes through the Hall, and up the Turnpike; and immediately thereafter, this Deponent pass'd to his own Lodging in the Town; where he abode while the Cry and Tumult raise; and, incontinent, this Deponent running to the Place whereat His Majesty cry'd out at the Window; and commanded this Deponent, by Name, to stay the Tumult of the People; the which, this Deponent obey'd and did; and saw *Hugh Moncreif* coming furth of the Place; but his Face being bloody, and *Hary Ruthven*, one of the Defenders, at the Mouth of the Water-gate,

of the Earls of Gowrie. 73

gate, with a drawn Sword in his Hand: And knows no more in the Matter.

*Sic subscribitur,*

OLIVER YOUNG.

**J**ames Drummond of Pitcarrie, sworn and examin'd, Depones, *conformis immediate precedentis in omnibus*: Adding, That as the Depo-  
nent, immediately after the Cry raise, running to the Place libelled, he meets upon the High-  
street Alexander Ruthven one of the Defenders, having a drawn Sword in his Hand, and crying,  
Fire and Powder! And he knows no more of the Matter.

*Sic subscribitur,*

JAMES DRUMMOND.

**W**illiam Reynd Flesher in St. Johnstoun, of the Age of Thirty Years or thereby, married, Depones, That he saw within the Close of Perth, after Fray raise, Patrick Eviot and Hugh Moncreif, both bloody, having drawn Swords in their Hands.

*Sic subscribitur,*

WILLIAM REYND.

**T**homas Burges of Perth, sworn and examin'd, Depones conform to James Drummond and William Reynd; but he saw not Patrick Eviot there.

*Sic subscribitur,*

THOMAS

George

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**G** *George Wilson*, Servant to *James Erskin*, of the Age of Twenty Four Years or thereby, *solutus*, depones, conform to *Sir Thomas Erskin*, in all things; by Reason this Deponent was in Company with the said *Sir Thomas*, after the first time, that he and *James Erskin* his Brother had gripped the Earl of *Gowrie*, and were hindered from him be his Servants, and immediately thereafter, this Deponent accompanied the said *Sir Thomas Erskin* up to the Turnpike, into the Chamber where His Majesty was, where he saw, as the said *Sir Thomas* has deponed, in all things.

*Sic subscribitur,*

GEORGE WILSON.

**D** *David Reynd* *Flesher* in *Perth*, sworn and examin'd, Depones conform to *James Drummond*, and heard *Alexander Ruthven* cry for Powder; but saw not *Patrick Ewiot*.

*Sic subscribitur,*

DAVID REYND.

**G** *Illbert Hutchison* in *Perth*, of the Age of Twenty Four Years or thereby, *solutus*, depones, conform to *James Drummond* in all things, and *David Reynd*.

*Sic subscribitur,*

GILBERT HUTCHISON.

**J** *John Murray* of *Arkney*, of the Age of Fifty Eight Years or thereby, married, Depones,  
The

*of the Earls of Gowrie:* 75

The Day libelled, this Deponent came to *St. Johnston* after Dinner, where he heard His Majesty crying furth of the Window of the Round, *Fy, Treason!* my Lord of *Mar*, help! Immediately thereafter my Lord of *Mar* and the Duke ran up the broad Turnpike; and the Deponer followed them in the Close, where he saw the Lord of *Gowrie*, having an Steel-Bonnet on his Head, and Two drawn Swords, an in ilk Hand; and saw the said Earl pass up the Turnpike, accompanied with certain his Servants, having drawn Swords in their Hands; of whom he knows none.

*Sic subscribitur,*

JOHN MURRAY.

**T** *Thomas Burrell* Burges of *Perth*, sworn and examin'd, Depones, conform to *James Drummond*, adding, That the Time of the Fray this Deponent entring within the Close of the Place, he saw standing in the Close, with drawn Swords in their Hands, *Alexander* and *Harrie Ruthvens*, and *Hugh Moncreif* bleeding in his Face; and, at the same time, this Deponent saw Mr. *Thomas Cranstoun* come down the black Turnpike, and he took forth of his Hand his Sword; and heard the said *Alexander Ruthven* cry for Fire and Powder; and saw not *Patrick Eviot* there.

*Sic subscribitur,*

THOMAS BURRELL.

*Alexander*



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**A**lexander Forrest Tailor in Perth, of the Age of Forty Years or thereby, married, Depones, The Day libelled he saw George Craigen-gelt and Walter Crookshank, a Lacquey, standing in the Yeard with drawn Swords.

*Sic subscribitur,*

ALEXANDER FORREST.

**W**illiam Robertson. Notar in Perth, of the Age of Thirty Four Years or thereby, married, Depones, The Day libelled, this Deponent being within the Close of the Place, he saw the Lord of Gowrie standing in the Close, accompanied with Seven or Eight Persons, of whom he knew none; the said Earl then having an Steel-Bonnet on his Head, and an drawn Sword in ilk Hand; at the whilk Sight this Deponent being afraid, past furth of the Place, and knows no more in the Matter.

*Sic subscribitur,*

WILLIAM ROBERTSON

**R**obert Calbraith, Servant to the King's Majesty, of the Age of Thirty Years, Depones, conform to the Lord Duke of Lennox in all things, by Reason this Deponent, all that Day, was in Company with His Majesty, and after that His Majesty had cryed out at the Window, Treason! this Deponent followed the Duke and Earl

of the Earls of Gowrie. 77

Earl of Mar up the Turnpike, and depones, as they have deponed.

*Sic subscribitur,*

ROBERT CALBRAITH.

**R**obert Brown Servant to His Majesty, Depones, conform *immediate precedenti in omnibus*, because this Deponent, the time libelled, accompanied Sir *John Hamilton* to fetch the Hammers up to the Gallery; and this Deponent pass'd up the little black Turnpike, and at his first Entry within the Chamber, he saw the Earl of *Gowrie* lying dead, there being at that time in Company with His Majesty, Sir *Thomas Erskin*, Sir *Hugh Herries*, Sir *John Ramsay*, and *George Wilson*.

*Sic subscribitur,*

ROBERT BROWN.

**J**ames Bog Porter to His Majesty, sworn and examin'd, Depones, That he saw the King's Majesty, and Mr. *Alexander Ruthven* pass through the Hall, and saw that Day, *George Craigenelt* with an drawn Sword in his Hand, accompanied with certain Rascals: And, in others, depones conform to the Lord Duke and Earl of *Mar* in all things.

*Sic subscribitur,*

JAMES BOG.

*John*

**J**ohn Bog Servant to His Majesty in the Ale Cellar, sworn and examin'd, Depones, conform to James Bog.

*Sic subscribitur,*

JOHN BOG.

**A**Alexander Peebles, Burgefs of Perth, of the Age of Thirty Years or thereby, married, Depones, The Day libelled, this Deponent being within his own House foranent the Earl of Gowrie's Lodging; how soon his Mother heard the Common Bell ring, she locked the Door and held him in all the time; and saw at that time, the Earl of Gowrie enter in, at the Gate with Two drawn Swords, an in ilk Hand; and an Lacquey put an Steel Bonnet on his Head: And, an certain Space thereafter, the Deponent saw Hugh Moncreif come furth of the Place with an bloody Head, and Patrick Eviot's Man likewise blooding; and also saw Patrick Eviot come furth of the Hall: But remembers not, if he had an sword in his Hand: And saw also Alexander Rathven come forth wish an Sword drawn in his Hand.

*Sic subscribitur,*

ALEXANDER PEEBLES.

*The Sentence and Doom pronounced by the Lords and Estates of Parliament for high Treason, against John Earl of Gowrie and his Brother Mr. Alexander Ruthven.*

[To repeat the Libel and Executions, or the Libels *verbatim*, would be uselessly tedious to Readers; therefore I insert the Doom or Sentence *verbatim*, pronounced on the 15. Day of November 1600.]

**T**HE said Lords and Estates of Parliament finds, doerns and declares, That the said *umquhil* John Earl of Gowrie, and Mr. Alexander Ruthven his Brother, committed and did open and manifest Treason against our said Sovereign Lord, in all Points, Articles and Matter contain'd in the said Summons: And therefore it was given for Doom, by the Mouth of David Lindsay Dempster of Parliament, in Manner and Form as follows:

**T**His Court of Parliament shewes for Law, That the said *umquhil* John Earl of Gowrie, and *umquhil* Mr. Alexander Ruthven his Brother, committed the foresaid Crime of Treason and Leaze-Majesty in their Lifetimes, against our Sovereign Lord and His Authority Royal, in Manner at length

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*length contain'd in the said Summons: And therefore decerns and declares the Name, Memory and Dignity of the said umquhil John Earl of Gowrie, and umquhil Mr. Alexander Ruthven his Brother, to be extinguish'd, and their Arms to be cancell'd and deleted furth of the Books of Arms and Nobility; so that their Posterity shall be unhabile, and uncapable in all Time coming to bruik, possess or enjoy any Offices, Dignities, Honours, Successions, Possessions, and all Goods, Moveables and Immoveables, Rights, Titles, Hope of Succession, and others whatsoever within this Realm; and all Goods, Lands, Rents, Offices, Benefits, Honours, Dignities, Hope and Appearance of Succession, Rights, Titles, Possessions, and others Goods and Gear, moveable and immoveable, and to theirs whatsoever, whilk is any ways pertain'd to the said umquhil John Earl of Gowrie, and umquhil Mr. Alexander Ruthven his Brother; or whilk is by any Right, Title, Hope of Succession, Possession, or any other Manner of Way might have belong'd or pertain'd to them, to be confiscated, devolved in our Sovereign Lord; and to appertain to His Highness: And in all Time coming, remain in Property with His Majesty for ever. And farther, His Majesty and Estates foresaid, in Detestation of the said horrible, unnatural and vile Treason, attempted by the said umquhil John, sometime Earl of Gowrie, and umquhil Mr. Alexander Ruthven, against His Highness's own Life; Decerns, Statutes and Ordains, That the said Bodies of the saids Traitors, shall be*  
*carried*

*of the Earls of Gowrie.* 81

*carried upon Monday next, to the publick Cross of Edinburgh; and there to be Hang'd, Quarter'd and Drawn, in Presence of the hail People: And thereafter, the Heads, Quarters and Carcasses, to be affix'd upon the most patent Parts and Places of the Burroughs of Edinburgh, Perth, Dundee and Stirling. And this I give for Doom.*

Besides the personal Sentence given against the Earl of *Gowrie*, this Parliament did, by distinct Acts, disinherit and inhabilitate the Brethren, and all the Posterity of the Earl of *Gowrie*, from enjoying any Heritage, Place or Office within *Scotland*; and discharging all Persons whatsoever to move or interceed for them, under high Pains.

By another Act, the Sirname of *Ruthven* is appointed to be extinguish'd and abolish'd for ever; and such of them as were innocent of this Treason, were ordered to take other Names, and to be inserted in publick Records,

By another Act, the Fifth of *August* was appointed to be observed for Thanksgiving, Annually, and in all Time coming, for the King's Deliverance from the said Treason.

By another Act, the Lands and Estate of *Ruthven*, were annexed to the Patrimony of the Crown. And, by several other particular Acts, Sir *Thomas Erskin*, (afterwards Earl of *Kelly*,) Sir *John Ramsay*, and Sir *Hugh Herries*,

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and some others, who did most immediately preserve the King's Person, had Benefices and other Favours conferr'd upon them in Parliament.

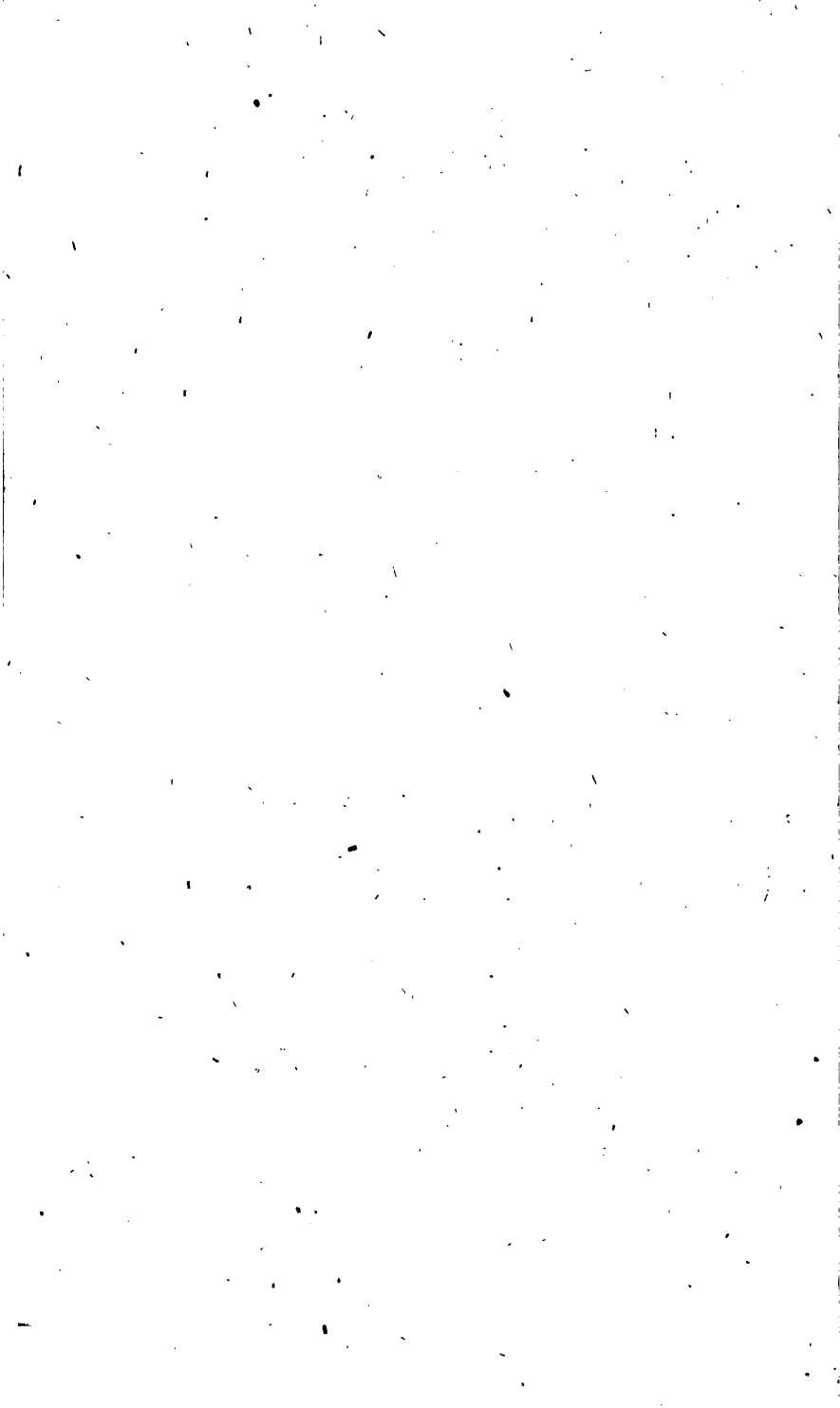
The Sentence and Doom pronounced by the Lords and Estates of Parliament, for High Treason, against *Alexander* and *Hary Ruthvens*, *Hugh Moncreif* and *Patrick Eviot*; who were Actors in the same Crime, and judged by the same Parliament, on the 15th Day of *November*. 1600.

**T**HE *sajds* Lords and Estates of Parliament, Finds, Decerns and Declares, That the *sajds* Alexander and Hary Ruthvens, Hugh Moncreif, and Patrick Eviot, and ilk one of them, committed, and did open and manifest Treason against Our Sovereign Lord in all Points, Articles, and Manner contain'd in the *sajd* Summons; and therefore, it was given for Doom by the Mouth of David Lindsay, Dempster of Parliament, in Manner and Form as follows. This Court of Parliament shows for Law, That the *sajds* Alexander Ruthven, Hary Ruthven his Brother; Sons lawful to unquhile Alexander Ruthven of Freeland; Hugh Moncreif,  
Bro-

*of the Earls of Gowrie.* 83

*Brother to William Moncreif Brother of That-  
Ilk; and Patrick Eviot, Brother to Colin  
Eviot of Balhousie; committed the Crimes  
of Treason and Lese-Majesty, against Our Sove-  
reign Lord and His Authority Royal, in Manner  
at length contain'd in the said Summons: And  
therefore, Decerns and Declares thir Persons, to  
underly the Pains of Treason and Lese-Majesty,  
and last Punishment prescrib'd by the Laws of this  
Realm; and all their Goods, moveable and im-  
moveable; as well Heritages as Offices, Benefices,  
and others whatsoever pertaining to them, or whilk  
is, might any ways belong, or appertain to them; to  
be confiscated to His Majesty, and to remain with  
His Highness in Property for ever; and their Po-  
sterity to be now, and in all Time coming, uncapable  
and unhabil to bruick and possess within this  
Realm, any Honours, Dignities, Offices, Bene-  
fices, Successions, or other Goods or Gear, moveable  
or immoveable. And this I give for Doom.*







T H E

# Process and Trial

O F

## *Robert Logan of Restalrig,*

Which is co-incident to That of the

# *Earl of Gowrie's.*

**A** S I told, in my little Preface to the Edition of the Process against the Earl of *Gowrie* for Treason, That it should owe nothing, either to Acuteness of Wit, Ornaments of Speech, to Rhetorick or Invention; but only to Industry, Truth and Plainness: So shall it be in this other Process against *Logan of Restalrig*, commonly *Lestrick*; I having the same Motive for publishing of this,

G 3

with

with exact Impartiality that I us'd in the other. My Design in both, being to vindicate the Innocence of a Dead King, and of Two Sovereign Judicatures, *viz.* Two Parliaments of *Scotland*: And to show, how plain Truth can defeat Malice and Falshood; thereby to persuade Men, to build their Reputations on the Foundation of Truth, and not on the Sand of Invention, nor on muddy patch'd up Contrivances.

As in that of *Gowrie's*, I did shortly recapitulate the Matters of Fact, from the Accounts, wherein all the Historians and Records do agree; and not on ill-natur'd Suspicion, ill-grounded Rumours, and pretended Anectodotes, which all Calumniators use as authentick Proofs. Whereas, these Kinds of secret Histories are often, and almost always Bastards, begotten by vain Fools, or malicious Calumniators.

To the Fact, I premise in this Account, That, in the Matter of *Gowrie's* Conspiracy, the Parliament, Council, and Sovereign Judicatures, on very exact Enquiry and Deliberation, have found the Treasonable Conspiracy to be true in the Facts libell'd, and plain in the Inference; albeit the Friends of the Sufferers, and some Criticks on the Government, did misrepresent the publick Justice, by private Whisperings and Insinuations; partly in Pity to a Family, whereto so many in the Nation

tion were related, fearing the groundless Shame from the Crimes of other Men: For tho' Regret should be for the mischievous Consequents of Faction in a Nation, wherein the Seditious never miss to suck out some Venom for compounding their Calumny, even from out the fairest Flowers of Justice and Truth.

And so it was, at that unhappy Time, in Scotland, wherein Church-Men did wrest the Sense of the Bible, and Laicks the Meaning of Laws; to subvert both.

Amongst which Practices, they did not omit to misrepresent the Parliaments and Councils in their Judgments, on this Subject; founding all their Assertions on forced Suspicions; whilst the Process did stand upon the most evident Probations, and more numerous than perhaps ever was found in a Treason so secretly manag'd; as I presume, any who read the former Process, and who consider the studied Darkness used in treasonable Contrivances, will think.

And albeit it be true, that *audacter calumniare aliquid adheret*, yet the Calumnies against the Government, in this Matter of Gowrie's, being founded on mere Conjectures, without Shadows of Truth, but rather Self-evident Falshood; yet after the Proofs of the Treason were divulged, the Calumnies did almost vanish; being only kept up by some of the Ecclesiastick Faction, especially by Mr. Robert Bruce,

who had been Pedagogue to the Earl of *Gowrie*, and was an hearty Enemy to the Monarchy, and a zealous Supporter of Seditions and Schism: So that the groundless Suspicion, *viz.* That it was the King who caus'd murder *Gowrie* and his Brother, did infect very few others than some Women of *Gowrie's* Relations, whose Study was to preach Imaginations, even whether they themselves believ'd them or not.

But the Body of the Nation, especially the Nobility, Gentry, Lawyers, and of the Clergy also, were sufficiently convinc'd of the villainous Treason in *Gowrie* and his few Accomplices, of the King's Innocency, and of the Parliament's and Jury's Justice.

And albeit, tho' *Virgil* said of,

---

*Fama, malum  
Mobbilitate viget, viresque acquirit eundo.*

did not hold in this Affair: For the Calumnies did find little Belief, and, in short time dwindled into Contempt; standing only on the Clashes of some Women, and a few seditious Whispers. Yet *Virgil* did truly say, That this,

*Monstrum horrendum ingens ——— est  
Tam ficti praviq; tepax, quam nuncia veri.  
Gaudens, & pariter facta atque infecta canebat.*

And some Roots of these false Reports did ly, tho' little noticed, amongst the Rubbish  
of

of their Democratick Ruines, in the Nation; and sometimes now and then, some Sparks of that dark Fire did appear in every Seditious Composition; when it was the Business of many to hatch Reflections on the Royal Family, in the Reign of King *Charles* the First; as I had Occasion sometimes to hear, when I was a Reader of Histories and Pamphlets: But with very little Impression on me; for I did never hear, either in Word nor Writ, the least Shadow of Probability in what is asserted for *Gowrie's* Vindication.

When King *Charles* the Second did honour me with the Trust of the Crown and Nation's Records; whilst, in my Duty, searching amongst them, I found what did call to my mind, that Tragical Affair of *Gowrie's* Treason and Process; and consequently, the calumnious Insinuations, which I have sometimes heard against the King's Innocence, and the Parliament's Justice: This mov'd me to a greater Animadversion to the whole of that Process in the Records; and to draw out for my private Use, what I have now expos'd to the publick View, in what is above-written; which in my humble Opinion, needs neither Commentary nor Explication; since the Vindication of King and Parliament, is so clear in the Process.

But I was of new surpris'd, and more fully satisfied by what occur'd to me thereafter, when

I was in ſearch, in the Records of a Parliament long while after that Parliament, wherein *Gowrie* was Condemned: Four Parliaments and many Years having intervee'd between *Gowrie's* Conſpiracy and this Parliament I am now to write of.

In the Parliament 1609: whiſt I was ſearching for other Matters, I did fall upon the Proceſs of Forfeiture of the Laird of *Reſtairig*; which happen'd thus.

After that the Nation, and all Nations concern'd were Hiſtorically ſatisfied, in the Matter of *Gowrie's* Treason, and Juſtneſs of his Sentence; without the leaſt Defence for his Heirs in the Tryal; who could not be preſum'd to have been ſo ſupinely negligent, in defending ſo Opulent a Fortune, and the very Maintenance of themſelves and Poſterity; had there been the leaſt Ground of Defence, nay, could they have alleviated the Hainouſneſs of the Crime; Eſpecially, the Heir being Innocent, in point of Fact, and never accused; ſo that they were *in tuto* to have ſupplicated and petition'd at leaſt; and their not doing ſo, is a ſtrong Proof of their own, as well as of the Parliament's Conviction of the Judgment given.

But in this Parliament 1609, when *Gowrie's* Affair, was almoſt buried in Oblivion; and was remov'd from Men's thoughts, as well as future Deſigns or Concerns, as to the Eſtate of *Gowrie*; or what could relate to *Gowrie*.

*of Robert Logan of Restalrig.* 91

An unfought for, and unexpected Accident occur'd which did, and doth expose that whole Affair, in a more open View (if more be needful) than it is in *Gowrie's* own Process.

In the Year 1608, the Earl of *Dunbar*, walking in his own Garden, and conversing with a Country Gentleman, who lived near the Place, falling accidentally to Discourse, on the Matter of *Gowrie's* Forfeiture; this Gentleman told the Earl, That he being lately in Company with one *Sprott*, a Notary, who lived in *Eyewoth*, who was ordinarily imployed in the Laird of *Restalrig's* Service, as a Notary and Trustee, and who was long acquainted with this Gentleman who was speaking to the Earl; told (I say) the Earl, That this *Sprott* had told him things concerning that Treason, which he had never heard before; but that he had never told it, so long as those concern'd were alive. The Earl was curious to have the Information, which the Gentleman told him, and was in short;

That unquhil *Robert Logan* of *Restalrig*, then Dead, was a Co-partner and Contriver, with the Earl of *Gowrie* and his Brother Mr. *Alexander* in all that Affair; and that *Sprott* had several Letters, yet lying by him, which he had found amongst *Restalrig's* Papers, and some Papers belonging to one, commonly call'd Laird *Bour*, the greatest Confident of any Man that *Restalrig* had, and who was also intimate with *Sprott* the Notary.

Where-



Whereupon the Earl of *Dunbar* acquainted the King's Advocate, and *Sprott* was feis'd and carried into *Edinburgh*; who, before several Lords of the Counsel, did, with great Remorse of Conscience, acknowledge,

That he knew perfectly, that *Robert Logan*, late of *Restalrig* was privy to, and upon the foreknowledge of *Gowrie's* treasonable Conspiracy: And for the greater Assurance of his Knowledge, Deponeth, That he knew, that there were diverse Letters, interchanged betwixt them, anent the treasonable purpose aforesaid, in the beginning of the Month of *July 1600*, which Letters, *James Bour*, called *Laird Bour*, Servitor to *Restalrig* ( who was employ'd Mediator betwixt them, and privy to all that *Errand* ) had in keeping; and shewed the same to *Sprott*, in the Place of *Fastcastle*.

And Deponed, That he did abstract (*i. e.* steal) quietly from *James Bour*, the principal Letter written by *Restalrig* to the Earl of *Gowrie* which *Bour* had brought back from the Earl of *Gowrie* (as was the Custom amongst them, at that Time;) and that when, *James Bour* employ'd him, *Sprott*, to look over his Papers; that he did keep the same, and that it was yet in his keeping, and was in his Chest, among his Writings; where he left it when he was taken ( and accordingly, the Letter was found there by the Sheriff Depute, who was order'd by Sir *William Hart*, Lord Justice of *Scotland*; to feise the said Chest, and search for  
this

*of Robert Logan of Restalrig.* 93

this Letter, which was found, and delivered to the King's Advocate. )

Whereupon, the King's advocate, produc'd the Summons of Treason, which was raised by Warrant under the Seals, on the 5<sup>th</sup> of *February* 1609; against all the Defenders and others concern'd, to Compear before our Sovereign Lord or his Commissioner, and the Estates of Parliament, and Justice General; on the 12<sup>th</sup> Day of *April* 1609, to Answer &c. And likewise produc'd the Verifications of the Executions, which were sworn to, by the Heralds Messengers and Witnesses, in plain Parliament: All which, are contain'd at length in the Records of Parliament; as are also, the Letters of Relaxation and Executions thereupon; relaxing *Robert Logan*, eldest Son, to umquhil *Robert Logan* the accused, from the Horn, and all Perils thereby; which Relaxations, were Registrated in Publick Records before the Day of Compearance: And then the Lord Advocate produc'd for verifying of the Dittay and Crimes, the principal Letters, and did put them in the Clerk Register's Hands (where they ly among the Publick Records;) as likewise, the Depositions of the Witnesses, taken by the Lords of the Articles, in common Form.

All which being produc'd, in Presence of his Majesty's Commissioner, and the Estates of Parliament upon the      Day of      1609  
the Defenders Cited, and not Compearing; the  
Advo-

Advocate desired the Estates Declaration, on the Relevancy; the true Extracts wherof are as follows.

**S**IR *Thomas Hamilton of Binnie* Knight, Advocate to our Sovereign Lord, in his Highness's Name, for proving of the Points of the said Summons, and Reason and Cause of Treason and Lese Majesty contain'd therein, repeated diverse missive Bills, all written and subscribed by the said Umquhil Laird of *Restalrig*. All the Depositions of the Witnesses, examined before the Lords of Articles before; and before the Lords of Secret Council, *George Sprott's* Depositions, and Conviction and Execution to the Death, for the same Cause of Treason of *Gowrie*: Together with diverse Writs and other Probations, which were presently produced, before the saids Estates, by the said Lord Advocate, in our Sovereign Lord's Name, for proving of the foresaid Summons of Treason, and the Reason and Cause of Lese Majesty contain'd therein: Of the which missive Bills and Depositions produced by the said Advocate in our Sovereign Lord's Name, for proving the said Summons of Treason and Reasons therein contain'd, against the said *Robert Logan* and his foresaids; the Tenour follows.

‘ **R**ight Honourable; Sir, My Duty, with Service remembered: Please you understand

of Robert Logan of Restalrig. 95

stand, my Lord of *Gowrie* and some others his  
Lordship's Friends and Wellwishers, who  
tenders his Lordship's Preferment, are upon  
the Resolution you know, for the Revenge of  
that Cause: And his Lordship has written to  
me anent that Purpose; whereto I will ac-  
cord in case ye will stand to, and bear a part;  
and before ye resolve, meet me and Mr *Alex-  
ander Rathuen* in the *Canongate*, on *Thursday*  
the next Week; and be as wary as ye can:  
Indeed Mr *Alexander Rathuen* spoke with me,  
four or five Days since; and I have promised  
his Lordship an Answer, within Ten Days  
at farthest. As for the purpose, how Mr.  
*Alexander Rathuen* and I has set down the  
Course, it will be a very easie done Turn;  
and not far by that Form, with the like  
Stratagem, whereof we had Conference in  
T, S. But in case you and Mr *Alexander*  
*Rathuen* forgather, because he is somewhat  
uncautious; for God's sake beware with his Rack-  
lesness as to this of *Padua*; for he told me one of  
the strangest Tales of a Nobleman of *Padua*  
that ever I heard in my Life, resembling the  
like purpose: I pray you, Sir, think nothing,  
altho' this Bearer understand of it; for he is  
the special Secretary of my Life; his Name is  
*Laird Boar*; and was old *Manderston's* Man,  
for Dead and Life, and even so now for me.  
And for my own part, he shall know of all,  
that I do in this World, so long as ever we  
live

' live together ; for I make him my Household-  
 ' Man : He is well worthy of Credit ; and re-  
 ' commend him to you. Always to the Pur-  
 ' pose I think best, for our Plot ; that we meet  
 ' all at my House of *Fastcastle* : For, I have con-  
 ' cluded with Mr *Alexander*, who I think shall  
 ' be meetest to be conveyed quietlie in a Boat  
 ' by Sea ; at which time, upon sure Advertise-  
 ' ment, I shall have the Place very quiet and  
 ' well provided ; and as I receive your An-  
 ' swer, I will post this Bearer to my Lord :  
 ' and I pray you, as you love your own Life :  
 ' (because it is not a Matter of Mowse,) be cir-  
 ' cumspect in all Things, and take no Fear,  
 ' but all shall be well. I have no will, that  
 ' either my Brother, or yet, M. N. R. My  
 ' Lord's old Pedagogue, know any thing of the  
 ' Matter, till all be done, that we would have  
 ' done ; and then I care not who gets wit, that  
 ' loves us. When ye have read, send this my  
 ' Letter back again, with the Bearer ; that I  
 ' may see it burnt my self ; for so is the Fashi-  
 ' on, in such Errands : And if you please,  
 ' write your Answer, on the Back hereof :  
 ' in case ye will take my Word, for the Credit  
 ' of the Bearer, and use all Expedition ; for the  
 ' Turn would not be long delayed. Ye know  
 ' the King's Hunting will be shortly ; and then  
 ' shall be best time, as Mr. *Alexander* has assur'd  
 ' me, that my Lord has resolv'd to interprise  
 ' that Matter : Looking for your Answer,  
 ' com-

of Robert Logan of Restalrig. 97

commits you to *Christ's* holy Protection.  
From *Fdstcastle*, the 18th Day of *July* 1600.

*Sic subscribitur,*

Your's to utter Power ready,

R E S T A L R I G.

**L** Aird *Bour*, I pray you haste you West to me about the Errand I told you; and we shall confer at length, of all things. I have received a new Letter from my Lord of *Gowrie*, concerning the Purpose that Mr. *Alexander* his Lordship's Brother spoke to me before: And I perceive, that I may have Advantage of *Dirleton*; in case his other Matter take Effect; as we hope it shall. Always I beseech you be at me, the Morn at Even; for I assur'd his Lordship's Servant, that I shall send you over the Water, within three Days with a full Resolution of all my Will, anent all Purposes; and I shall indeed recommend you and your Trustiness to his Lordship, as ye shall find an honest Recompence, for your Pains in the end. I care not for all the Land I have in this Kingdom, in case, I can grip of *Dirleton*; for I esteem it, the pleasantest Dwelling in *Scotland*. For God's Cause, keep all things Secret; that my Lord, my Brother, get no Knowledge of our Purposes; for I rather be earded quick. And so looking for you, I rest till Meeting.

From the *Canongate* the 18th Day of *July*.

H

P O S T.

## POSTSCRIPT.

I am very ill at Ease, therefore, speed you  
hither:

*Sic subscribitur,*  
Your's to power ready,

RESTALKIG.

‘ **R**ight Honourable Sir, all my hearty with  
‘ humble Service remembred, since I have  
‘ taken on Hand, to interprise with my Lord  
‘ of *Gowrie*, your special and only best Beloved :  
‘ As we have set down the Platt already; I will  
‘ request you, that you will be very circum-  
‘ spect and wise, that no Man get an Advan-  
‘ tage of us. I doubt not, but you know the  
‘ Peril to be both Life, Lands and Honour ;  
‘ in case the Matter be not wisely used. And,  
‘ for my own part, I shall have a special respect  
‘ to my Promise, that I have made to his  
‘ Lordship and Mr *Alexander* his Lordship’s  
‘ Brother ; altho the Scaffold were set up. If  
‘ I cannot come to *Falkland* the first Night, I  
‘ shall be timely in *St. Johnston* on the Morn.  
‘ Indeed, I lippeden for my Lord himself or else  
‘ Mr *Alexander* his Lordship’s Brother, at my  
‘ house of *Fastcastle*, as I wrote to them both.  
‘ Always, I repose on your Advertisement of  
‘ the precise Day, with Credit to the Bearer :  
‘ For howbeit, he be but an illie glyed old  
Carle

of Robert Logan of Restalrig. 99

Carle, I will answer for him, that he shall be very true. I pray you, Sir, read, and either burn or send again with the Bearer: For, I dare hazard my Life, and all I have else in the World, on his Message, I have such Proof of his constant Truth. So commits you to Christ's holy Protection.

From the *Canongate*, the 27th Day of  
July, 1600.

POSTSCRIPT.

I use not to write on the Back of any of my Letters, concerning this Errand.

*Sic Subscribitur,*

Your's, to all power, with humble  
Service ready,

RESTALRIG.

**M**Y Lord, my most humble Duty with Service, in most hearty manner remembered: At the Receipt of your Lordships Letter, I am so comforted; especially, at your Lordship's Purpose communicated to me therein; that I can neither utter my Joy, nor find my self able how to encounter your Lordship with due Thanks. Indeed, my Lord, at my being last in the Town, Mr. *Alexander* your Lordship's Brother, imparted somewhat of your Lordship's Intention, anent that  
H 2                      ' Matter,



‘ Matter, unto me. And, if I had not been  
 ‘ busied about some Turns of my own, I thought,  
 ‘ to have come over to St. *Johnston* and spoken  
 ‘ with your Lordship. Yet always, my Lord,  
 ‘ I beseech your Lordship, both for the Safety  
 ‘ of your Honour, Credit; and, more than that,  
 ‘ that your Life, my Life, and the Lives of  
 ‘ many others, who may, perhaps innocently  
 ‘ smart for that Turn afterwards in case it be re-  
 ‘ vealed by any; and likewise the utter wra-  
 ‘ king of our Lands and Houses, and extirpa-  
 ‘ ting of our Name; look that we be all as  
 ‘ sure as your Lordship, and I my self shall be,  
 ‘ for my own Part. And then, I doubt not  
 ‘ but with God’s Grace, we shall bring out  
 ‘ Matter to an Fine, which shall bring the  
 ‘ Contentment to us all, that ever wished for  
 ‘ the Revenge of *Machivellian* massacring of our  
 ‘ dearest Friends. I doubt not, but Mr *Alex-*  
 ‘ *ander* your Lordship’s Brother has inform’d  
 ‘ your Lordship, what Course I laid down, to  
 ‘ bring all your Co-associates, to my House of  
 ‘ *Fastcastle* by Sea; where, I should have all  
 ‘ Materials in Readiness, for their safe receiving  
 ‘ on Land and into my House: Making as it  
 ‘ were, but a manner of passing time in  
 ‘ an Boat on the Sea, in this fair Summer-tide  
 ‘ and no other Strangers to haunt my House  
 ‘ while we had concluded on the laying out  
 ‘ Plot; which is already devised by Mr. *Alex-*  
 ‘ *ander* and me. And I would wish, that you

‘ Lord

of Robert Logan of Restalrig: 101

Lordship would either come, or send Mr. *Alexander* to me; and thereafter, I would meet your Lordship in *Leith*, or quietly at *Restalrig*; where we should have prepar'd an fine hatted Kit, with Sugar and Comfeits and Wine; and thereafter confer on Matters; and the sooner we brought our Purpose to pass, it were the better, before Harvest. Let not Mr. *W. R.* your old Pedagogue ken of your coming: But rather would I, if I durst be so bold to intreat your Lordship, once to come and see my own House, where I have kept my Lord *Bothwel* in his greatest Extremities; say the King and his Council what they would: And in case GOD grant us happy Success in this Errand, I hope both to have your Lordship, and his Lordship, with many others of your Lovers and his, at a good Dinner before I die. Always I hope, that the King's Buck-Hunting at *Falkland* this Year, shall prepare some dainty Chear for us, against that Dinner, the next Year, *jocose hoc*: to animate your Lordship, at this time: But afterwards, we will have better Occasion to make merry. I protest, my Lord, before GOD, I wish nothing with a better Heart, nor to atchieve to that which your Lordship would fain attain unto; and my continual Prayer shall tend to that Effect; and with the large spending of my Lands, Goods, yea, the hazarding of my Life, shall not afray me from that, altho' the

‘ Scaffold were already set up, before I should  
 ‘ falsify my Promise to your Lordship, and  
 ‘ perswade your Lordship thereof : I trow, your  
 ‘ Lordship has an Proof of my Constancie al-  
 ‘ ready or now : But, my Lord, whereas your  
 ‘ Lordship desires, in your Letter, that I crave  
 ‘ my Lord, my Brother’s Mind anent this  
 ‘ Matter, I utterly disassent from that, that  
 ‘ he ever should be an Counsellour thereto ;  
 ‘ for in good faith, he will never help his Friend,  
 ‘ nor hurt his Foe. Your Lordship may confide  
 ‘ more, in this old Man, the Bearer hereof, my  
 ‘ Man, Laird *Bour*, than in my Brother ; for,  
 ‘ I lippen my Life and all that I have else, in  
 ‘ his Hands : And I trow, he would not spare  
 ‘ to ride to Hell’s Gate to pleasure me ; and he  
 ‘ is not beguiled of my Part to him. Always  
 ‘ my Lord, when your Lordship has read my  
 ‘ Letter, deliver it to the Bearer again, that I  
 ‘ may see it burnt, with my own Eyes : As I  
 ‘ have sent your Lordship’s Letter to your  
 ‘ Lordship again ; for so, it is the Fashion I  
 ‘ grant : And I pray your Lordship to rest fully  
 ‘ perswaded of me, and all that I have promi-  
 ‘ sed ; for I am resolved, howbeit, it were to  
 ‘ die the Morn. I must intreat your Lordship  
 ‘ to expedé *Bour*, and give him strait Directi-  
 ‘ ons, upon Pain of his Life, that he take never  
 ‘ a Wink of Sleep, until he see me again ; or  
 ‘ else he will utterly undo us. I have already  
 ‘ sent another Letter, to the Gentleman, your  
 ‘ Lord-

of Robert Logan of Restalrig. 103

‘ Lordship knows, as the Bearer will show your  
‘ Lordship, of his Answer and Forwardness  
‘ with your Lordship, and I shall shew your  
‘ Lordship farther at Meeting, when and where  
‘ your Lordship shall think it meetest. Till  
‘ which time, and ever, I commit your Lord-  
‘ ship, to the Protection of Almighty God.

From Gunn's-Green, the 29th Day of  
July, 1600.

POSTSCRIPT.

‘ Prays your Lordship hold me excused for  
‘ my unseemly Letter; which is not so well  
‘ written, as mister were; for I durst not let  
‘ any Writers ken of it; but took two sun-  
‘ dry idle Days, to do it my self. I will never  
‘ forget the good Sport that Mr. *Alexander*, your  
‘ Lordship's Brother, told me of a Nobleman  
‘ of *Padua*. It comes so oft to my Memory;  
‘ and indeed, it is Aparastur, to this purpose  
‘ we have in Hand.

Your Lordship's own sworn and bun-  
den Man, to obey and serve with  
effold and ever ready Service, to his  
utter power, to his Life's End.

*Sic subscribitur,*

RESTALRIG.

H 4

Right

‘ R ight Honourable, my hearty Duty re-  
 ‘ membred, ye know, I told you at our  
 ‘ last Meeting, in the *Canongate*, that Mr. *Alex-*  
 ‘ *ander*, my Lord of *Gowrie*’s Brother, had spo-  
 ‘ ken with me anent the Matter of our Con-  
 ‘ clusion; and for my own Part, I shall not be  
 ‘ hindmost. And finfyne, I got a Letter from  
 ‘ his Lordship’s self, for that same Purpose,  
 ‘ and upon the Receipt thereof, understanding  
 ‘ his Lordship’s Frankness and Forwardness in  
 ‘ it; GOD knows, if my Heart was not lifted  
 ‘ ten Stages. I posted this same Bearer to his  
 ‘ Lordship, to whom you may concredit all  
 ‘ your Heart in that, as well as I: For, and  
 ‘ it were my very Soul, I durst make him Mes-  
 ‘ senger thereof, I have such Experience of his  
 ‘ Truth, in many other things. He is a silly  
 ‘ old glyed Carle, but wonder Honest; and as  
 ‘ he has reported to me, his Lordship’s  
 ‘ own Answer, I think all Matters shall be con-  
 ‘ cluded at my House of *Fastcastle*; for I, and  
 ‘ Mr. *Alexander Ruthven*, concluded, That ye  
 ‘ should come with him and his Lordship,  
 ‘ and only another Man with you, being but  
 ‘ only four in Company intil one of the great  
 ‘ Fishing Boats, be Sea to my House, where  
 ‘ ye shall land als safely, as on *Leith-Shore*  
 ‘ and the House against your Lordship’s Coming  
 ‘ to be quiet; and when you are about Half a  
 ‘ Mile from Shoar, as it were passing by the  
 ‘ House

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House, to gar set forth a Waff. But for GOD's  
fake, let neither any Knowledge come to my  
Lord, my Brother's Ears, nor yet to Mr. *W. R.*  
my Lord's old Pedagogue; for my Brother is  
kittle to Shoe behind, and dare not enterprise  
for Fear; and the other will dissuade us from  
our Purpose with Reasons of Religion, which I  
can never abide. I think, there is none of a  
Noble Heart, or carries a Stomach worth a Pen-  
ny, but they would be content, and glad, to see  
an contented Revenge of *Greysteil's* Death; and  
the sooner the better his Lordship be quick; and  
bid Mr. *Alexander* remember on the Sport he  
told me of *Padua*: For I think with my self, that  
the Cogitation on that, should stimulate your  
Lordship. And, for GOD's Cause, use all  
your Courses *cum discretione*. Fail not, Sir, to  
send back again this Letter; for Mr. *Alexander*  
learn'd me that Fashion, that I may see it de-  
stroyed my self. So, till your Coming, ever  
commits you heartily to *Christ's* holy Prote-  
ction.

From *Gun's-Green*, the last Day of  
July, 1600.

The Subscription is torn away from the last  
Letter.

The Depositions of the Witnesses produced are as follows.

**M**R. *Alexander Watson*, Minister at *Col-dingham*, of the Age of Fifty Years, married, Depones, The Five Missive Letters subscribed by the Laird *Restalrig*, and produced in Process by the Lord Advocate, for proving of the Reasons of Treason pursued against *Robert Logan*, Son and apparent Heir to *Robert Logan* of *Restalrig*, being shown to this Deponent; and he having at length sighted and considered the same, Depones, That he takes upon his Conscience, that he verily believes, that the saids Five missive Letters, and every one of them, are verily and truly written by the said umquhile *Robert Logan* of *Restalrig*, with his own Hand; and proves this of some of his Knowledge, that not only he thinks, that the Character of every Letter resembles perfectly the said umquhile *Robert's* Hand-Writ every way; but also agrees with his Fashion of Spelling, which he has particularly remembered in every one of the saids missive Letters, in thir Points following, *First*, That he never used to write an *z* in the Beginning of any Word, such as, *zou*, *zor's*, *zeld*, *zea*, and sick-like; but ever writ, *y*, instead of the said *z*. That he writ all Words beginning with *w*, when single, *v*; and when that Letter *w* fell to be

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be in the Midst or End, he an double *w*. That when he writ *quhan*, *quhair*, *qk*, or any such Words, whilk uses to be written and spelled by others, with which he wrote only *qh*, *qhen*, *qhair*. And sicklike, whenever a Word began with *con*, he never wrote *con* at length, but wrote with an *l*. Whenever *t* fell to be in the End of a Word, he wrote it without a Stroke thro' *t*, and did the like whenever it fell in any part of an Word. And for farther Confirmation of the Premisses, he produced three Letters written every Word, and subscribed by the said umquhile *Robert Logan of Restalrig*, and comparing them to the Five other Missives produced by the Advocate, shew evidently the direct Conformity of the samen, as well in the Character and true Resemblance of the Hand-writ, as in the spelling and writing of diverse Writs, Syllables and Letter, according to the Particulars above-specified.

*Sic subscribitur,*

Mr. ALEXANDER WATSON.

**M**R. *Alexander Smith*, Minister at *Chirneside*, of the Age of Thirty Years or thereby, married, Depones, That he was well acquainted with the umquhile Laird of *Restalrig*, by reason he was Pedagogue to his Bairns, and has seen very many of his Hand-writs; and having seen, read, and, at length considered the Five missive Letters produced by the Advocate;



vocate; and inquir'd, If he knew the same to be the Laird of *Restalrig's* proper Hand-writ? Declared, upon his great Oath, That he certainly believes the saids Five Letters, and every Word thereof, to be the Laird of *Restalrig's* proper Hand-writ; because he finds the Character thereof to agree every way with the Shape of his ordinary Writing; and remarked very particularly the Manner of *Restalrig's* spelling of many Words, otherwise nor other Men commonly uses to write and spell, according to the hail Particulars remarked of before, by Mr. *Alexander Watson*, the Witness immediately preceeding; and, in these Points, and in all others, conform to the said Mr. *Alexander Watson's* Deposition in all things. *Reddens causam scientia*, Because he was perfectly acquainted with the Laird of *Restalrig's* Hand-writ in his Lifetime; and was Pedagogue to his Bairs many Years, and in his Company.

*Sic subscribitur,*

Mr. ALEXANDER SMITH.

**S**IR *John Arnot*, Provost of *Edinburgh*, of the Age of Threescore Ten Years, or thereby, married, Depones, That he was well acquainted with *Robert Logan* of *Restalrig*, and with his Hand-writ, because he had receiv'd divers of his Letters himself, and seen many other Letters written by him. And the Five missive Letters produc'd by the Advocate, being shown to him;

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him; and he having seen and considered the same, remembered that he had seen, read, and perfectly considered the Laird of *Restalrig's* Hand-writ, as the Letters written by the Deponent at any Time, or his own Hand-writ. And so takes on his Conscience, That the foresaids Five Missive Bills, produc'd by the Advocate, are the proper Hand-writ and Subscription of the said umquhile Laird of *Restalrig*, be his Judgment. And, for Verification thereof, has produc'd Four Writs, all written be the said umquhile Laird of *Restalrig*, and sent to this Deponent, to *Archbald Johnstoun*, agreeing perfectly in Spelling and Character, with the saids Missives.

*Sic subscribitur,*

Sir JOHN ARNOT.

**A***Alexander Cuik*, Sheriff-Clerk of *Berwick*, of the Age of Fifty Years or thereby, married, Depones, That he was well acquainted with the umquhile Laird of *Restalrig*, and has seen many and sundry of his Writs, and receiv'd divers of his Letters directed to himself; and being desired to see and consider the Five Letters produc'd by the Advocate, and to declare whether he knew and esteem'd to be all written by umquhile the Laird of *Restalrig*. Depones, upon his Conscience, That he believes and esteems the saids hail Letters, to be all written by the Laird of *Restalrig*, *reddens causam scientia*; because,

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cause, not only the Character agrees every way with the Shape of *Restalrig's* Hand-writ; but also the Spelling in many Particulars, wherein *Restalrig* differed from other Men's Form of Writing. And in the Particulars thereof, depones conform to the two first Witnesses, the Ministers of *Coldingham* and *Chirneside*. *Reddens eandem causam scientia.*

*Sic subscribitur,*

ALEXANDER CUIK.

*William Home* in *Aytoun-Mill*, of the Age of Thirty Three Years, or thereby, married, depones, That all the Five Missives above-written, being shown to this Deponent, and having at length considered every one of them, takes, upon his Conscience, That to his Knowledge, that the saids Five missive Letters are all written and subscribed by the umquhile Laird of *Restalrig*; for the special Reasons contain'd in the Depositions made by Mr. *Alexander Watson* and Mr. *Alexander Smith*, Ministers; and *Alexander Cuike*, Sheriff Clerk of *Berwick*; to whom he is conform in all things, *reddens eandem causam scientia.*

*Sic subscribitur,*

WILLIAM HOME.

*John Horne*, Notary in *Aymouth*, of the Age of Fourty Two Years or thereby, *solutus*, Depones, The foresaid Five missive Bills, being at

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at length sighted and considered by this Depo-  
nent, depones and declares, upon Conscience, to  
his Knowledge, all the saids Five Missives are  
the Laird of *Restalrig*'s proper Hand-writ and  
Subscription, for the Reasons above-written in  
the Deposition of *William Home*, *reddens eandem  
causam scientia.*

*Sic subscribitur,*

JOHN HORNE.

**M**R. *William Hogg*, Minister at *Aytoun*, of  
the Age of Thirty Years or thereby,  
married, Depones, That he knew well the  
Laird of *Restalrig*, and has seen of his Writs, and  
produc'd an Letter, written by *Restalrig* to the  
Laird of *Aytoun*, as written with *Restalrig*'s  
own Hand-writ. And having considered the  
Five Writs produced by the Advocate; De-  
clares, That he thinks them likely to his Writs;  
and, that the same appears to be very like his  
Writ, by the Conformity of Letters and Spel-  
ling.

*Sic subscribitur,*

Mr. WILLIAM HOGG.

*The*

*The Deposition and Declaration of George Sprott, as emitted by him, both before the Jury, judicially; and also upon the Scaffold, at the Time of his Execution, on the 12th of August 1608. Which Deposition and Declaration was made before the Council, on the 10th of August 1608, written by the Clerk of Council, James Primrose; and subscribed by Sprott's own Hand, in the Presence of the Earl of Dunbar, the Earl of Lothian, the Bishop of Ross, the Lord Holyrood-house, the Lord Scoon, the Lord Blantyre, Sir William Hart Lord Justice, Mr. John Hall, Mr. Patrick Galloway, Mr. Peter Hewart, all Three Ministers of the Kirks of Edinburgh.*

**G**George Sprott, Notary in *Aymouth*, being brought to the Scaffold and Place of Execution; He, in publick Audience of the hail People, at the Four Nooks of the Scaffold, ratified his former Deposition, anent his Knowledge and Counselling, of *Restalrig's* Guiltiness of *Gowrie's* Treason: For the which, he craved  
 GOD

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GOD and His Majesty humble Forgiveness; being most sorry and grieved, that he had offended GOD, and the King's Majesty, in counselling such a vile, detestable, and unnatural Treason, enterpris'd by the Earl of Gowrie and Laird of Restalrig, against his Natural King, so good and so Godly a Prince, who has ever been so gracious to His Subjects, and to this hail Island: Protesting, That if he had a Thousand Lives to render, and were able to suffer Ten Thousand Deaths, it is not sufficient Satisfaction and Recompence for his so foul and horrible Offence; and that GOD had preserv'd him from many great Perils, when his Life was in extreme Danger, to bring him to this publick Declaration, of that detestable and horrible Fact, in testifying of the Truth: As he said publickly, in Presence of all the People, in these Words following: *To my own Shame, the Shame of the Devil, and the Glory of GOD; for satisfying the Consciences of all these, (if any be) that has, or can make any Doubt of the Truth of this so clear a Matter.* And he acknowledges, That his haunting with Restalrig, who was a Man without Religion, and subject to many other Vices; and his Thoughts of himself in thir Matters, after the first sight of Restalrig's Letter written to Gowrie, and his continual bearing of Company with Restalrig and Laird Bour, who was irreligious, and without Fear of GOD, brought

him from one Sin to another, and consequently to this grievous Crime, for the which, most justly, worthily and willingly, he is now to render his Life. And he desir'd all the People to beware of ill Company; and namely, of the Company of these who are void of Religion. And he desir'd, That this his Declaration might be insert in his Process: As also, he desir'd the Ministers of GOD's Word to publish this his Declaration to their Folks, from their Pulpits; and took every one of them who were present by the Hand, with their Promise to do the same: Saying unto them, That this was the most Glorious Day that ever his Eyes did see; and with these Words he prostrates himself, and falls upon his Knees, in presence of the hail People; and made a very pithy Prayer, beginning in this Form, as follows.

*O Father, how should I call Thee Father, that am so unworthy to be called Thy Son? I have wandred astray like a lost Sheep, and Thou, of Thy Mercy, hast brought me home to Thee; and hast preserved my Life, from many Dangers, until this Day; that I might reveal these hidden and secret Mysteries, to my own Shame, and Thy Glory. And Thou hast promised, That whensoever a Sinner, from his Heart, will repent and call to Thee, with unfeigned Repentance, that Thou wilt hear him, and give him Mercy.*

And

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And so he continued a good Space, in a most fervent Prayer, to the great Admiration and rejoycing of all the People; and in a better Form and Manner, nor any of all the Beholders and Hearers can be able to set down in Writ, the same not being written in the present Time, because there was no Place of writing upon the Scaffold, in respect of the Praise and Multitude of People. And going up the Ladder, he desir'd Liberty to sing the vi. Psalm, and requested the People to accompany him in singing thereof; which being granted, and he being at the Ladder Head, the same was tane up and sung by himself, with a very loud and mighty Voice, and was assisted with above the Number of Five Hundred Persons, who, with Tears, accompanied him in singing of that Song. After the ending thereof, he repeated and ratified his former Deposition. And, with that, recommending his Soul to GOD, he was thrown over, and so ended his mortal Life. In Witness whereof, we Undersubscribers, who, for the most part, were all of us upon the Scaffold with him, and remained with him unto the time of his Death; and others of us, in so convenient Places near to the Scaffold, that we did hear all that was spoken by him, have subscribed thir Presents with our Hands. *Sic subscribitur, Glasgöw, B. Galloway, M. B. Brechin, Balfour of Burley, Holy-rood-house, John Preston,*



*Thomas Regra: Peter Sharp, Mr. Patrick Gallo-  
way, John Hall, Walter Balcanquhal, Mr. Hewat,  
Mr. George Blyth, Charles Lumsden, Richard  
Tobie Baillie of Edinburgh, William Speir Baillie,  
James Ainsly Baillie of Edinburgh, &c.*

What's contained in this Speech, being con-  
sonant to his Deposition made before the Privy  
Council, as also before the Inquest; here is  
added the Deposition, as emitted by him.

**T**HIS *Sprot*, after divers Examinati-  
ons, being moved with Remorse of  
Conscience, for the long concealing  
of the Fore-knowledge of this Trea-  
sonable Conspiracy; Confesseth, Declareth,  
and Deponeth, with the Peril of his own Life,

‘ **T**HAT he knew perfectly, that *Robert Logan*,  
‘ late of *Restalrig*, was privy, and upon the  
‘ Foreknowledge of *Gowrie's* treasonable Con-  
‘ spiracy. And for the greater Assurance of  
‘ his Knowledge, deponeth, That he knew that  
‘ there were divers Letters interchanged be-  
‘ twixt them, anent the treasonable Purpose  
‘ aforesaid, in the Beginning of the Month of  
‘ *July 1600*. Which Letters, *James Bour*, cal-  
‘ led *Laird Bour*, Servitor to *Restalrig*, (who  
‘ was employed Mediator betwixt them, and  
‘ privy to all that Errand) had in keeping,  
‘ and

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and shewed the same to *Sprot* in the Place of *Fastcastle*.

And producing the Earl of *Gowrie*'s Letter to *Restalrig*.

Which Letter, written every Word with *Restalrig*'s own Hand, was subscribed by him after his accustomed Manner, **R E S T A L R I G**; and was sent to the Earl of *Gowrie* by the said *James Bour*. After whose Return, within Five Days, with a new Letter from *Gowrie*, he staid all Night with *Restalrig* in † *Gun's-Green*: And *Restalrig* rode to *Lothian*, the Morn thereafter, where he staid Five or Six Days. Then after his Returning, past to *Fastcastle*, where he remained a certain short Space.

And further deponeth, That he saw and heard *Restalrig* read the last Letter, which *Bour* brought back to him from *Gowrie*, and their Conference thereanent. And heard *Bour* say, Sir, If you think to make any Commodity by this Dealing, lay your Hand to your Heart. And *Restalrig* answered, That he would do as he thought best. And farther said to *Bour*, Howbeit he should sell all his own Land that he had in the World, he would pass thro' with the Earl of *Gowrie*; for that Matter would give him greater

I 3

Con-

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† A House of *Restalrig*'s.

' Contentment, nor if he had the whole King-  
 ' dom: And rather or he should falsify his  
 ' Promise, and recal his Vow that he had  
 ' vowed to the Earl of *Gowrie*, he should spend  
 ' all that he had in the World, and hazard his  
 ' Life with his Lordship. To whom *Bour* an-  
 ' swered, You may do as you please, Sir, but it  
 ' is not my Counsel, that ye should be so sud-  
 ' den in that other Matter. But for the Con-  
 ' dition of *Dirltoun*, I would like very well of  
 ' it. To whom *Restalrig* answered, Content  
 ' your self, I am at my Wit's End.

' And farther *Sprot* deponeth, That he en-  
 ' tred himself thereafter in Conference with  
 ' *Bour*, and demanded what was done betwixt  
 ' the Laird and the Earl of *Gowrie*. And *Bour* an-  
 ' swered, That he believed that the Laird should  
 ' get *Dirltoun* without either Gold or Silver,  
 ' but feared that it should be as dear unto him.  
 ' And *Sprot* enquiring how that could be; *Bour*  
 ' said, They had another Pye in Hand nor the  
 ' felling of any Land: But prayed *Sprot*, for  
 ' GOD's sake, that he would let be, and not  
 ' trouble himself with the Laird's Business; for  
 ' he feared, within few Days, the Laird would  
 ' either be Landlefs or Lifeless.

And the said *George Sprot* being demanded,  
 If this his Deposition was true, as he would  
 answer upon the Salvation and Condemnation  
 of

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of his Soul ; and if he would go to Death with it, seeing he knoweth the Time and Hour of his Death to approach very near? Deponeth for Answer, ' That he hath not a ' Desire to live, and that he knows the Time ' to be short, having care of no Earthly Thing, ' but only for clearing of his Conscience in the ' Truth of all these things, to his own Shame ' before the World, and to the Honour of ' GOD, and Safety of his own Soul ; That ' all the former Points and Circumstances con- ' tained in this his Deposition, with the Depo- ' sition made by him the 5th Day of *July* last, ' and the whole remanent Depositions made ' by him sen that Day are true, which he will ' take on his Conscience, and as he hopeth to ' be saved of GOD, and that he would seal ' the same with his Blood.

And farther, being demanded, where this above written Letter, written by *Restalrig* to the Earl of *Gowrie*, which was returned again by *James Bour*, is now ; deponeth, ' That he ' abstracted it quietly from *Bour*, in looking ' over and reading *Bour's* Letters, which he ' had in keeping of *Restalrig's* ; and that he ' left the above-written Letter in his Chest a- ' mong his Writings, when he was taken and ' brought away, and that it is closed and fol- ' ded within a piece of Paper.

This foresaid Deposition was made by him the 10th of *August* 1608, written by *James Primrose*, Clerk of His Majesty's Privy Council; and subscribed with the said *George Sprot's* own Hand; in the Presence of, The Earl of *Dunbar*, the Earl of *Lothian*, the Bishop of *Ross*, the *L. Scoon*, the Lord *Holywood-house*, the Lord *Blantyre*, Sir *William Hart*, His Majesty's Justice; Mr. *John Hall*, Mr. *Patrick Galloway*, Mr. *Peter Hewart*, Ministers of the Kirks of *Edinburgh*:

Subscribed with all their Hands.

And also, the Eleventh Day of the foresaid Month and Year, the said *George Sprot* being re-examined, in the Presence of a Number of the Council and Ministers aforesaid; and it being declared to him, That the Time of his Death now very near approached, and that therefore they desired him to clear his Conscience with an upright Declaration of the Truth; and that he would not abuse the holy Name of GOD, to make Him, as it were, a Witness to Untruths. And specially, being desired, That he would not take upon him the innocent Blood of any Person dead or quick, by making and forging Lies and Untruths against them.

Deponeth, That he acknowledgeth his grievous Offences to GOD, (who hath made him a reasonable Creature) in abusing His holy

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‘ holy Name with many Untruths, sen the be-  
‘ ginning of this Proceſs: But now being re-  
‘ ſolved to Die, and attending the Hour and  
‘ Time, when it ſhall pleaſe GOD to call him,  
‘ he Deponeth with many Atteſtations, and as  
‘ he wiſheth to be participant of the Kingdom  
‘ of Heaven, where he may be countable and  
‘ answerable upon the Salvation and Con-  
‘ demnation of his Soul, for all his Doings and  
‘ Speeches in this Earth, that all that he hath  
‘ Deponed ſen the fifth Day of *July* laſt, in all  
‘ his ſeveral Depoſitions were true in every  
‘ Point and Circumſtance of the ſame; and that  
‘ there is no Untruth in any point thereof.

And having deſired Mr. *Patrick Galloway* to  
make a Prayer, whereby he might be comforted  
now in his Trouble; which was done,

‘ The ſaid Deponer with many Tears after  
‘ the Prayer, affirmed this his Depoſition to be  
‘ true; and for the Confirmation thereof, de-  
‘ clared, that he would Seal the ſame with  
‘ his Blood.

I had almoſt forgotten that, which in this  
Action of his Death was ſtrange, and in a man-  
ner marvellous. For being urged by the Mini-  
ſters and other of good Rank upon the Scaffold,  
that now at his End he ſhould declare nothing  
but the Truth (touching the Matter for which  
he ſuffered) on the Peril of his own Salvation, or  
Condemnation of his Soul: he for the greater  
Affu-

Affurance of that his Constant and true Deposition, promised (by the Assistance of God) to give them an open and evident Token before the yielding of his Spirit. Which he accomplished thereafter. For before his last Breath, when he had hung a pretty space; he lift up his Hands a good height, and clapped them together aloud, three several times, to the great wonder and admiration of all the Beholders, And very soon thereafter he yielded his Spirit.

As in the Account of *Gowrie's* and his Brother's Process, I did not insert the Lybel and Summons nor Executions, *verbatim*; as being very tedious and useles to Readers. On the same Motives I do so here, but I insert the Doom and Sentence *verbatim*: The Lybel, Summons and Autographons of these and others, being at full in the publick Records, and patent to all Enquirers.

June 1609.

**I***owhilk Summons, with the Executions & Indorsations thereof respective foresaids, being this instant Day read in presence of his Majesty's Commissioner & Estates of Parliament, first in Latin and thereafter in Scots; The said Robert Logan being oft times called of new, at the Tolbooth Window of the said Court of Edinaburgh; to have Compeared and Answered to the said Summons of*  
*Treason,*

of Robert Logan of Restalrig. 123

Treason, and Reasons and Causes therein contain'd: And he not Compearing to have defended in the said Matter; and to have Answered to the said Summons, The said Sir Thomas Hamilton of Bynnie Knight, Advocate to our Sovereign Lord, desir'd the said Estates Declaration, if the Reasons of the said Summons were Relevant: The whilk Estates found the said Summons and Reasons and Causes therein contain'd Relevant. Therefore the said Advocate, of new for proving of the foresaid Summons of Treason raised against the said Robert Logan; bearing and containing as is above-written: Repeated all the foresaid missive Bills and the saids Depositions of the saids Witnesses examined before the saids Lords of Articles and Lords of Secret Council respective; and also George Sprott's Deposition and Conviction and Confession, in Judgment; and at his Execution to the Death, for the said cause of Treason; with the hail other Writs, and Probattons, produced and repeated by him of before; for proving of the foresaid Summons of Treason, and Reasons therein contain'd; and desir'd the saids Estates of Parliament yet, as of before, to advise the Probattons foresaid, led and deduced in the said Matter; and to pronounce their Sentence of Parliament thereuntill, according to the said Probattons and their Consciences: And thereafter, the hail Depositions of the Witnesses, missive Bills, and hail Writs and Probattons, being read, seen and considered, by the foresaid hail Estates of Parliament. And they therewith being ripely advis'd, The said  
Lord



*Lord Commissioner and Estates of Parliament finds, decerns and declares, That the foresaid umquhil Robert Logan of Restalrig, committed, and did in his Life time, open and manifest Treason, in all the Points, Articles and Manner, contain'd in the said Summons: and therefore, it was given for Doom by the Mouth of David Lyndsay, Dempster of Parliament in Manner and Form as follows.*

**T***His Court of Parliament shows for Law, That the said umquhil Robert Logan of Restalrig, in his Lifetime, committed the foresaid Crime of Treason, and Lese-Majesty; and that he was Art and Part Guilty and Partaker thereof, against our Sovereign Lord, and Authority Royal; and that the foresaid cruel, wicked and treasonable Crimes, were interpris'd, by his Causing, Perswasion, Counsel and Help. Likeas, the said umquhil Robert Logan of Restalrig, treasonably counselled the foresaid Crime of Lese-Majesty to his Death, and in his Death, in all manner, at length contain'd, in the said Summons: And therefore, Depones and Declares, the Name, Memory and Dignity, of the said umquhil Robert Logan of Restalrig, to be Extinct and Abolished, and his Arms Cancelled, Riven, and Delete furth of the Books of Arms, and Nobility; so that, his Posterity shall be excluded, and he unhabile, to possess or enjoy, any Offices, Honours, Dignities, Lands, Tenements, Rooms, Rents, Possessions or Goods, Moveable or Unmoveable, Rights and others whatsoever, within the Kingdom,*

of Robert Logan of Restalrig. 125

dom, in all time coming; and that all the saids Goods, Lands, Rooms, Tenements and other Goods, Moveable and Unmoveable, Rights and others whatsoever pertaining to the said unquibill Robert Logan of Restalrig; or which might otherways have pertain'd to him, at any time, since his Conspiring of the said Treasonable Crimes, to be Escheat, and Fore-faulted to our Sovereign Lord; to appertain and remain perpetually with his Majesty in Property: And this I give for Doom.

*Nota*, Here, as in Gowrie's Process, that the Citing of dead Persons is among the Legal Forms, prescribed both by our Laws, and Laws of several other Nations.

After Writing of the former Abstracts, which I presume are sufficient Documents, for convincing of all who are not Malicious and uncharitable, that John Earl of Gowrie, and his Brother Mr. Alexander were truly guilty of high Treason; that the Facts mention'd were true, that the Crimes lybelled were Relevant; that the Sentence was Just, and the Execution as moderate, as the Safety of the King's Government and Person could allow: And that Divine Providence had brought these Matters to further light; in Vindication of Truth and Justice, many Years after the Earl of Gowrie's Family was Condemned and Extinct; and when there could be neither Motive

tive nor Reason, for the King's Flaterers, or *Gowrie's* Favourers, to bring that Subject and Affair under Consideration, far less Examination; in the Laird of *Restalrig's* Process, when the King was removed from *Scotland*, and had resided for many Years in *England*; which, I hope, will satisfie every one who has read what I have before said.

Yet since the Seditious will hing by the least Twig of Calumny; this makes it (tho perhaps, not necessary) convenient, to omit no Admixture, which may support the Truth; and I think what I am now to say, is one.

My foremention'd Friend Mr. *Crawford*, did bring a pretty Pamphlet, printed at *London*, by *Melch. Bradwood*, Anno 1609, Publish'd by *George Abbot*, Doctor of Divinity and then Dean of *Winchester*, and afterwards, Lord Bishop of *Canterbury* and Primate of *England*; who being providentially in *Scotland*, in the Year 1608, about some Concerns of his own, where, as he writes, hearing some of the Clergy's Whispersings, against the King and Nation's Justice, in Condemning of *Gowrie*; the Discovery made by the foresaid *Sprott*, Notary in *Aymouth*, coming then to Light, and thereafter to Trial, in *August* 1608, the Doctor's Curiosity brought him in amongst the Multitude of the Hearers of that Trial, in every Step thereof, from his Presentment in Court, to his Execution on the Scaffold.

Where-

of Robert Logan of Restalrig. 127

Whereby he was so convinc'd of the Truth of *Gowrie's* Treason; and of the Malice of the King's Calumniators, as mov'd the good Doctor to intreat for an Extract and Account of the whole Process, attested and sign'd by Sir *William Hart*, Lord Justice of *Scotland* at that time; which the Doctor brought with him to *England*, and caus'd print it there, as is above-said; premising to that Trial a Pious Preface written by himself (the Doctor) containing very many good Instructions, and is worthy of Reprinting.

But that Paper, printed at *London*, being drawn out only as a Memorial, for Doctor *Abbot's* own Use, and not as a full Abstract, of what is Recorded; and since, what I now publish, is from the Original Depositions, Letters, and other Writs, lying in Record, I only mention that short Abstract, publish'd by Doctor *Abbot*, as a Confirmation of what was known and publish'd at that time, by a Person of so great Veracity and so little concern'd in the Process; being only a Stranger Travelling thro' the Country at that time.



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A

VINDICATION

OF

*Robert the Third,*

KING of SCOTLAND,

And all His DESCENDANTS,

From the Imputation of BASTARDY.

---





*My Vindication from the  
Introducer's Accusa-  
tion.*



O W, I have order'd a  
Second Edition, of the  
*Vindication of Robert the  
Third King of Scotland,*  
(and consequently of  
most of the Crowned  
Heads in *Europe,*) *from the Stain of Bas-  
tardy;* by proving, from authentick  
Documents, That *Elizabeth Mure,* his  
Mother, was both lawful and first Wife  
to *Robert the Second* his Father.

For which Purpose, I form'd my Dis-  
course into a Syllogism.

A 2

In



In which, the Major Proposition, contains such Positions, for astructing the Legality of a Marriage; as no Law doth require stronger nor clearer: Nor have I, as yet, heard, that any malevolent Person, whether to the Cause which I defend, or to my self, hath, so much as insinuated any Objection against the Relevancy of what I advanced; much less, against the Truth of the Topicks, whereof that Proposition doth consist.

And, in the Minor Proposition, or Assumption, I have cited and set down the Proofs, and Application of these Proofs; to all and every one of the Topicks in the Proposition.

From whence, I assert (and I presume that I have apodeictically proved in the Notions and Natures of Law) this Conclusion, *That Elizabeth Muire was, above all Doubt, the first and lawful Wife of Robert the Second, and Mother to Robert the Third, King of Scotland.*

I did add to that little Treatise, some lesser Things, (indeed needless enough) for strengthening my Conclusion ; and perhaps too cursorily ; as knowing well, that they conduc'd little or nothing to the Force of my Argument ; but thinking, that they might please some curious Readers.

But, I did little expect, that the Enemies of my Cause, would either stretch their Wit, or waste their Time, to search for Escapes in a hasted Typography ; especially when the serious asserted Truths did obviously set them right to the least intelligent Reader, much more to an industrious Scrutator : For such Criticism may point out, some Negligence in me or the Printer ; but cannot miss of binding the Character of a Caviller on the Observator.

Such are the following Remarks, made by the Writer of the *Introduction* to *Hawthornden's* History of the Five King *James's*, Printed Anno 1711.

In the xxxiii. Page thereof he cites me, as Asserter, That Bishop *Wardlaw* and Queen *Euphame*, died in and about the same Time, and in the Year 1387 : With this Sarcaſm to me, (*If we may take my Lord Tarbat's Word for it.*) But, by the Introduc'tor's Leave, he hath not my Lord *Tarbat's* Word for it; but he hath his Information for this: That *Fordon* ſays, *they both died about the ſame Time*: And, whether the Affertion be *Fordon's* or his Continuator's, the Introduc'tor may chooſe for me. For whether ſhe and *Wardlaw* died at that time, and when either of them died, is not of the leaſt Import in this Affair; ſince it is ſufficiently prov'd, that *Euphame* liv'd long after *Elizabeth*; which gives the Lie to the *Medium* of Legitimation. For, after that I had ſufficiently demonſtrated, That *Elizabeth Muire* was King *Robert* the Second's lawful Wife, by my Syllogiſm, long before he was King; and that her Children, eſpecially *John*, (*alias Robert* the Third) was

was own'd as his eldest Son and Heir, by King *David Bruce*, and by many Charters given to him, and granted by him, before his Father was King; and that his Marriage with *Elizabeth Muire*, was before he was King; and consequently before he married *Euphame*, (since all the Historians agree in this, That he married *Euphame* after his coming to the Throne.) And yet more particularly, having adduc'd and printed in the 29. Page of my *Vindication*, the famous Charter granted by *Robert* the Second whilst he was Earl of *Strathern*, before many famous Witnesses, on the 12th of *January* 1364 at *Pertb*; wherein he grants and mortifies a Chaplainry in the Kirk of *Glasgow*, and that in Implement of his prior Obligation, for founding the said Chaplainry, in contemplation of a Dispensation granted by the *Pope* for King *Robert's* Marriage, with the said *Elizabeth Muire*. The Words of the Charter are, *Quod fuerat per literas Apostolicas, Zuliano Epis. Gla.*

*ut supra matrimonio contrahendo, inter nos, & quondam Elizabeth Muire, dum ageret in humanis; non obstante impedimento Consanguinitatis, apostolica auctoritate dispensaret.*

Did I not by this, demonstrate, to the Conviction of Mankind, That King *Robert* was married to *Elizabeth*, not only before he married *Euphame*; but that *Elizabeth* was dead Nine Years before he married *Euphame* at least? For this authentick Charter, speaking of his Wife *Elizabeth* in *January 1364*, says, That she was then *quondam defuncta*: But how long before, my Introduc'tor makes a great Bustle, and tells, That in the 26. Page of my *Vindication*, I make the Date of this *Charter*, to be 37 Years before *Euphame's* Death.

In the first place, he is mistaken, in assigning my Assertion to this *Charter* of the Mortification of the Chaplainry; whereas, I affix it to King *David's Charter*, in favours of the *Scots* Bishops: And of that Deed of King *David's*, I give no Date:

Date. But indeed, I add a Conjecture, that it might be about 17 Years before *Euphame's* Death; for which 17, the Printer put 37, mis-printing 3 for one. Behold, this is the great Tash upon my Lord *Tarbat's Vindication*, in so far, that the Introduc'tor gives his Home-Thrust, saying, *That he dar'd not, with Confidence, rely on what I say or write; because that either I, or my Printer, have weakened the Credit of my Narration. Why? Because, I have said, in my 33d Page, that Euphame lived only 6 Years longer than the Time assign'd to her by Boece and Buchanan; who will have Euphame to have died in the 3d Year of King Robert's Reign.*

Now, the Date of this Mortification being expressly mentioned in my Paper, to be in *January 1364*; King *Robert's* Accession to the Throne, being in *March 1371*, the Introduc'tor did give little Consideration to what he was writing of; when he did not perceive, that there were only 9 Years between 1364 and  
1373,

1373 ; if *Euphame* died then, according to *Boece* : And, if she died not till Six Years thereafter, according to *Fordon*; then it was 15 or 16 Years, wherein, indeed my Printer did err, putting 37, for 16 or 17.

But what is this to the material Purpose in Hand ? For, if *Elizabeth* died 6 Years before King *Robert's* Coronation, and 9 Years before *Euphame's* Death, according to *Boece* and *Buchanan* ; or 16 according to *Fordon* ; or 37 according to my Printer : Was not *Elizabeth* sufficiently dead, as to our Purpose, if she was dead on the 12th of *January* 1364 ?

Yet, lest the Introducator's Friends, may share in the Acuteness of his critical Spirit ; and perhaps think, that *Elizabeth* was not dead enough by dying in the Year 1364 ; I shall adventure on one bold Stroak more (under their Correction too) which is, to assert, That it is probable, and very probable, that *Elizabeth* was dead some Time even before that, from these Three Topicks :

1000. Many Charters before that Date, do bear, that *John*, the Son of *Elizabeth*, by *Robert*, was eldest Son and Heir to *Robert*, before the Year 1264. 2do. The said *John*, as Son and Heir to *Robert*, is conjunct Disponer and Mortifier with his Father, in this very Charter for the Chaplainry, and signs and seals the same: Will my good Friends allow me to think, that probably he was then 10 or 12 Years of Age? But, what if he was then 20? Then it would come nearer to the 37, which I do neither believe, nor never thought. 3tio. The Multitude of other Charters adduced by me, and some added by the Introducator himself and others, do evince fully, that *John* was really and esteemed undoubtedly, to be eldest Son and Heir to *Robert* Earl of *Stratburn*, before *Robert* was King; when he was declar'd King, and crown'd; and after he was King. O unhappy Figure of 37, that has jumbled all this, and overturned my poor Credibility, with all, who give implicate Faith to the *Cypriatick* Doctor!

But



But, in short, if all the Papers, which he challenges, in my *Vindication*, and all the Dates were as erroneous as he could fancy them; were they all destroy'd and annihilated; yea, and all the Additions which he or others have added to my Collection and Observation, it would not weaken the Cause in one iota: And, as the Introduc'tor says, Page *ibid.* all the Objections are of no great Moment. He cites 7 Charters produced by me, in his Pages 33 and 34: He also cites other Three, adduced by me, Page 35; and these, besides the great *Charter of Recognizance*, yet extant, seal'd by the Great-Seal, with 52 Seals of Prelates, Noblemen and Barons, in Parliament: and the *Charter of Mortification of the Chaplainry in Glasgow*, in the Year 1364, and after *Elizabeth's* Death: and the Charter, granted by King *David Bruce*, in favours of the Bishop, by Act of Parliament: I say, all these standing untouched, the other little Additions will not import much: For these fore-  
men.

mentioned, do evince to a legal Demonstration, That it is false, that *Euphame* was *Robert* the Second's first Wife: That it was after her Death, he married *Elizabeth*: That it was after *Euphame's* Death, when *Elizabeth's* Children were own'd for *Robert's* lawful Children: And that then, and not till then, Titles of Honour and Estates, were conferr'd upon them, by their Father.

And on the contrary, it is prov'd by authentick Documents, above Exception, That *Robert* was, by the *Pope's* Dispensation, married to *Elizabeth Muire*, before the Year 1364: That before he married *Euphame*, he did confer Estates and Titles of Honour on *Elizabeth's* Children; and a no less one, than the Title of Heir and Successor to the Crown, on *Elizabeth's* eldest Son.

What then mov'd the good Introducer, to be so heavy upon me, for the Printer's 37, even tho' I had own'd the Bastard? Was it not a little one? Might he not have considered, that I was the  
First

First, who raised the dead Reputation of *Elizabeth Muir* and her Children? (For *Sir Lewis Stewart's* Hear-say of Two Pappers that are not extant, and not to be found, could not have stood against the stormy Calumnies of so many Writers and Historians, both out of, and in *Britain.*) Might he not have considered, that he (so great an Author) saying, *That he could not rely with Confidence, on what either L. Tarbat or his Printer have asserted; they had so weakned the Credit of the Narration?* For that did in some Measure stand up in Defence of *Buchanan,* and *Boece,* and all their Comments, and was no *Friendship* to the *Royal Family.*

As to the Introduc'tor's Note of the Concubines *Mariota* and *Moram,* their being one and the same, albeit some of the Charters mention'd do evince, that they were two distinct Persons, and had different Children; yet, as they were offer'd in Conjecture: So let them be a Sacrifice to *Momus,* *qui nodum in scir-*

*pa. querit.* But his Refutation is indeed a Confirmation of what was asserted.

I guess, his Spleen was mov'd, by what I said of his great Patron, *John Major*; because, Page 2d of my *Vindication*, when I nam'd the Historians who propagated the Fable against the Crown, he says, *I put Major in the Front with Boece, Lesly and Buchanan*: Which I did, because of his Priority in Time. For I presume, that neither I, nor any rational Man, will rank him with them in Dignity, much less in Preference: I am none of those who concur with *Buchanan*, in thinking, that he was, *solo cognomine major*; no, the good Man, *floruit suo tempore, suoque gradu.*

But if he said, or did insinuate, That the Legitimation of *Robert the Third*, was by *Robert the Second's* marrying *Elixabeth*, after *Euphame's* Death: Then since I was to prove, That all, who did so assert or insinuate, did assert an Untruth, which (upon the Matter) is to say, that they were Liars: Was it not more civil

vil and kindly to say, They were mis-inform'd? and so, tho' material, yet not formal Liars. And could I say less, when I have evinc'd the Falshood of what, I think, *John Major* hath insinuated, than to lay it over upon the Goodman's being obnoxious to Mis-informations both in historical and philosophical Positions? When I was a Student in that College of *Saint Andrew's* (whereof *John Major*, was Principal or Head) I heard Persons of far greater Learning than *Major*, the Introduc'tor, and yet much more than my self, laugh and make good Sport of his Assertions, on *Aristotle's* Physicks, & non sine causa; as his *Physiologie*, printed at Anno  
 (which I have by me) doth fully evince: And yet I do esteem *Joannes Major* to have been a very worthy Person, a good Man, zealous in his Religion, and with more Moderation than many of his Co-ævals; and who, in his History did (as I presume) write according to the best of his Information: But, I must say, that

that both he and the other Three, mentioned by me, did very much fail in the Inquiry, which they should have made, into the National Records, before they did write a National History.

I do not blame the Introduc'tor, for his Kindness to old *Major*, for endeavouring to draw his Words to a sound Sense, so it were not *cum jugulo causæ*: For, it were better to excuse *Major*, for running into a Mistake, with *Boece*, *Lesly*, *Buchanan*, and many others, than in defending of him, to support the impugn'd Fable.

And therefore was it, that I did interpose my little Friendship, in *Major's* Excuse: First, his well-natur'd Readiness, in easy Believing, especially with so many learn'd Collegues: For, even in *Rome*, *licebat cum Livio errare*. But Secondly, by a better Excuse for *Major*, without Homologation of his Error, by giving him a prior and a worthy Author, who probably did lead him and others, into this Error, *viz. Fordon* and

his Continuators: Which I do yet think, to be a better Apology for *Major*, than what the Introduc'tor hath done, in repeating his Words.

But since the Introduc'tor's Reflection on me, is founded on *Major's* Words, let us consider them, as follows.

*Anno a partu Virgineo 1390, & Regni 19, in Arce de Dondona obiit, ætatis sue 74.* And Four Lines thereafter,

*Ex Elizabeth filia Domini Adam Muræ, tres filios Robertus Rex genuit; scilicet, Joannem, qui postea fuit Rex, & Robertum Albanix Ducem, & istum Alexandrum Buchanix Comitem.*

Thus far true: And the *istum*, did relate to what *Major* had said of *Alexander*, in contempt, immediately before, which was, That he had burn'd down the stately Cathedral Church of *Elgin*: And so, *Major* proceeds.

*Postea ex Euphemia Rossensis Comitis filia, Galterum Comitem Atholix, & Dominum de Brechin, & David Comitem de Straterven genuit.* Thus far also true.

Tho'

Tho' it was not all the Truth ; for he had other Sons by both these Wives: And why *Major* was pleased to forget these others, I know not, nor care not. Then he proceeds and subjoins.

*Mortua enim Elizabeth Regina, hanc Euphemiam, in conjugem accepit.* Hitherto always truly said : But notice what follows.

*Et matrimonii gratia proles legitimatæ sunt.*

Now, what way, shall I please my Introduc'tor, in *Major's* Favours? Shall I say, that this is down-right Nonsense? That would be more bitter & reflecting on *Major*, than what is said, *viz.* that he was a little too credulous (where-with the Introduc'tor doth frequently asperse both *Boece* and *Lesly*) and that he was deceived by a prior Writer, *Fordon*.

And the Words being thus in *English* :  
*Elizabeth the Queen being dead, he did take Euphame in Marriage; and by vertue of that Marriage, the Off-spring was legitimate.*



Note, That in the foregoing Words, he had said, *That Robert the Second had begotten Three Sons on Elizabeth, Daughter of Sir Adam Muire; to wit, John, who afterwards was King; Robert Duke of Albany, and Alexander Earl of Buchan. And thereafter, on Euphame, Daughter to the Earl of Ross, the said Robert the Second did beget Walter Earl of Arhole, and David Earl of Stratherne.* And then he adds immediately, *That Queen Elizabeth dying, he married the said Euphame; and that by vertue of the Marriage the Off-spring was legitimate.*

If this be not Nonfense, it must import, That, by vertue of the Marriage, some Children were legitimate, either *Elizabeth's* or *Euphame's*: If he means *Euphame's* Children, then he contradicts not only all the Historians, but all the Records; who do all mention the solemn Marriage with Queen *Euphame*; and never did any before, nor after *Major*, doubt of the King's being solemnly married to *Euphame*.

And

And if he means by what he says, That the Children of *Elizabeth Muire* were legitimate by the Marriage; then *Major* doth manifestly run into the same Error with *Boece*, *Lesly* and *Buchanan*; only he expresses it with more Ambiguity and less Sense.

And yet the Introducator is very angry at Sir *James Dalrymple*, for endeavouring to bring *Major's* Words to some tolerable Sense: Saying, *That by an Error in Printing, the Name of Elizabeth is transpos'd into that of Euphame.* And so would have it read thus:

*Mortua enim Euphemia Regina, hanc Elizabetham, conjugem accepit.*

And, indeed, by this Transposition, Sir *James* says truly, That *Major* is agreed with himself & with the rest; Whereas, by the Introducator's Paraphrase, nothing is clearer, than what *Major* says, is Nonsense, or an apert Falshood as to *Euphame's* Children; or, it is a ridiculous Confirmation of what the other Historians assert of *Elizabeth's* Children.

Let

Let me add one Stumble more of Mr: *Major's*, from his Words, as cited by the Introduc'tor : Which are, *Mortua enim Elizabetha Regina, hanc Euphemiam &c.* that is, Queen *Elizabeth* being dead, he married *Euphame*.

But, by his Favour, this *Elizabeth* was never a Queen: For, by several authentick Documents, and principally by the Charter of Mortification, dated in the Year 1364, it is evident as Sunshine, that *Elizabeth* was then dead, and her Husband *Robert* was not a King till the Seventh Year thereafter, *Anno 1371*.

As to the quibbling Apologies in Defence of this Paragraph of *Major's* History, contained in the Introduction, Page xxxi, wherein he gives me far more Revenge against himself than I would have desir'd, had his Injury to me been greater: And, for his sake more than for my own, I wish the Introduction were extruded; that so we might see the Worthy Author not in that Puddle,

Puddle, but in the illustrious Chair of his *Cyprianick* Age: Where I, with others, must pay him great Respect.

When I had form'd my Syllogism, some other lesser Evidences coming to my Knowledge, I added some of them, which I thought might conduce to explicate, or in some Measure to confirm, what was adduc'd in the Syllogism: some I did give as Inferences, some as Conjectures, and I told so.

But if one were writing an *Epick* Poem, and should alleviate his Mind, by bringing in an Episode here and there, which ordinarily contains Fable or Fiction: If a Commentator should moomically transpose the Nature and Humour of the Episode, into the Substance of the *Epick's* Theme; it would be either Ignorance or Malice, in the Commentator, and a Weakness in any Reader to notice it.

But I fear, that I have fallen into my Impugner's Humour of saying too much upon little or nothing; for which I beg my Reader's Pardon. A

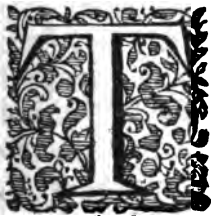




A  
**VINDICATION**  
 OF  
*Robert the Third,*  
**KING of SCOTLAND,**  
 And all His DESCENDANTS,

From the Imputation of BASTARDY;

By the clear Proof of ELIZABETH MURE  
 (*Daughter to Sir Adam Mure of Rowallan,*)  
*her being the first lawful Wife to ROBERT*  
*the Second, then' STUART of SCOT-*  
**LAND and Earl of Strathern.**



**T**HE Excellence of History is so well writ of, by some few, that it were Indiscretion to repeat, and Vanity to add to what they have said: Yet it is allowable enough, to regret the frequent Error even of great Historians, in writing what they too easily believe, without sufficient Vouchers, thereby

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thereby imposing Falshoods for Truth. If  
these Errors fall on Things and Actions, they  
oft-times cause, at least occasion great Mischief.  
Thus our Scots Writers, tho' justly placed in  
the first Rank, have injured the Nation, whilst  
on Design to give a Frame to our *Jus Regni*,  
some of them have screwed the Sovereignty up  
to Precipices; others, with as little Truth, and  
less Civility, depressing it to unsufferable Low-  
ness: Whence the great Evil of Civil War hath  
too oft sprung. At other Times they have cast Dirt  
on Persons, either by their supine Ignorance in  
not searching Records, before they publish  
their Collections; or upon malicious Designs,  
to avenge some Disappointments. Amongst o-  
thers, our Historians have foully fail'd, in rela-  
ting what concerned King Robert the Second's  
Marriage, and the Legitimacy of his Succes-  
sion: And the fairest Excuse that can be made  
for them, is to cover their Fault with the Shade  
of others; who, tho' prior to them, yet did  
write at a great Distance from the Actions and  
Persons of whom they wrote, and rushed into  
Falshoods, because they did write without  
Proof, and choosed rather to make a Criminal  
Noise, than to keep Innocent Silence. For had  
our Historians been at the Trouble to look into  
our Records before they wrote our History,  
they had saved mine, in Vindicating our Royal  
Line, and all the Hereditary CROWN'D  
HEADS in *Europe*, from the Tash of Bastardy,  
in

in their Descent from *Roberts* the Second, King of Scotland, and from *Elizabeth Muire*, or *Mure*, his Wife, who, in their Relations, is falsely stated a Concubine: Whereas, what hereafter follows, will prove near to a Demonstration, That she was his lawful Wife, and so well secured in that Title, that her Husband could not be allowed to quarrel it, tho' he had inclined to do so, as indeed he never did. Our Four Historians, *Major*, *Baetius*, *Lefly* and *Buchanan*, have followed one another, in relating that *Roberts* the STUART of SCOTLAND, Grand-child by a Daughter to *Roberts* the First, and Nephew to *David* the Second, whilst he was STUART of SCOTLAND and Earl of *Strathern*, had several Children by *Elizabeth Mure*, who was not his Wife; and since it were needless to repeat the Words of all the Four, I shall take *Buchanan* as the last, and of greatest Credit; who, speaking of the Beginning of King *Robert* the Second's Reign, Page 318, in the *Frankfort* Edition of his History, in 8vo. gives this Account.

*Rebus ita primo biennio feliciter succedentibus, tertio ab inito Regno anno, Euphemia Regina, Hugonis Comitum, Rosie filia moritur. Ex ea ternos liberos genuerat Walterum, posterius Jerniam, & Davidem Atholiam Comites, & Euphemiã, quam Jacobo Douglassio nupsisse à nobis ante commemoratum est. Robertus non tam impati-*  
*entiã*



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*entiâ calibatus quam amore filiorum, ex Elizabetha Mora, prius genitorum, ipsam in uxorem duxit. Hanc enim, eleganti formâ Adami Mori illustri equitis filiam, adhuc adolescens, vehementer amaverat, ex eaque tres filios ac duas filias susceperat, eamque Giffardo, viro nobili in Lothiana curaverat collocandam. Verum sub idem fere tempus Euphemiâ Reginâ, & Giffardo, Elizabethæ marito, defunctis, Rex sive consuetudine vetere Moræ inductus; sive (quod à multis traditur) ut filios quos ex ea genuerat legitimos faceret, matrem eorum sibi matrimonio conjunxit, filios statim divitiis & honoribus auxit. Johannes natus maximus Carriæ, Robertus Taichæ, Alexander Buchaniæ Comites sunt facti, adjecta etiam Badinacha: nec hac munificentia contentus, Comitibus ad Sconam indictis, obtinuit, ut præteritis Euphemiæ liberis, in Rege creando, gradus ætatis observarentur. Quæ res postea tam numerosam Familiam prope extinxit.*

From whence he, and many Writers since, have imposed this Comment as a Truth.

*Proposition.*] But if I prove that *Euphame Ross* died not in the 2d Year of King *Robert's* Reign, but lived many Years thereafter; that will falsify the first Assertion of the foresaid Paragraph. If *Elizabeth Muire*, whom he calls the Daughter of *Adam Muire*, did not only bear Two Daughters to *Robert*, but Six; then our Historians have not been well informed of the State and  
 Con-

Concerns of that Family. If *John*, *Elizabeth's* eldest Son was Earl of *Carrick*; *Robert* Earl of *Monteith*, and *Alexander* Earl of *Badinoch*, in the first Year of King *Robert's* Reign; then it is false, that these Honours and Estates were bestowed upon them by their Father, after the 3d Year of his Reign. If they were bestowed upon them in *Euphame Ross's* Lifetime; then it is false, that they were bestowed upon them sometime after her Death. If the Convention of Estates or Parliament, who declared *John*, the eldest Son of *Robert*, by *Elizabeth Muire*, to be his Successor in the Crown, was kept, and did so declare in the first Year of King *Robert's* Reign, and whilst Queen *Euphame* was alive; then it is false; that this Convention was kept, and did give this Declaration after her Death, and after the Third Year of King *Robert's* Reign. And if it appear plainly, That *Robert*, Steward of *Scotland*, and Earl of *Strathern*, did, whilst he was in these Stations, and long before he was King, own *John*, his eldest Son by *Elizabeth Muire*, to be his eldest Son and Heir, and did share his Fortune and Honours with him, and that he was so owned in all publick Writings by his Father, by his Father's Vassals, and by those who contracted with his Father and him, both *Laicks* and *Ecclesiasticks*, and that by many reiterated Acts: If he was so owned openly by King *David Bruce* before his Death; then it is a sure Truth that he was so; nor could his  
Right

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Right of Legitimacy, and Filiation be taken  
from him, no not by his Father. And if it be  
true, that not only his Father, but the whole  
Estates of the Kingdom in Parliament con-  
veen'd, immediately, upon *Robert* the Second's  
coming to the Crown, and in the First Year of  
his Reign, did own *John* as the undoubted  
Heir and Successor to *Robert*: And if at that  
time he was so owned by Queen *Euphame* and  
all her Relations: And if *Elizabeth Mure* was  
dead before the Year 1364; then it is false, that  
her Children were advanced by her being  
married to the King in the Year 1373, or after  
*Euphame Ross's* Death; and *John*, the eldest  
Son's Right and Title is beyond all Contro-  
versy, tho' not beyond all Calumny. And  
lastly, If *Elizabeth Mure* was so far from being  
a mean Person or a Concubine, that she was  
a Person of such Quality, and near Relation to  
*Robert* her Husband, that he was at the Trouble  
to procure a Dispensation from the *Pope*, and  
that at considerable Expences, for Allowance  
to marry her, before he obtained her: And if  
this Dispensation was granted several Years be-  
fore he was King, and many Years before *Eu-  
phame Ross's* Death; then the Insinuation of her  
Meanness, the Imputation of her being a Con-  
cubine, the Untruth of her being married three  
Years, at least, after King *Robert* was KING,  
and indeed the whole of this Comment and

false

false Relation, appears to be a scandalous Libel.

But all these Positions in favours of JOHN, appear from what follows.

*Assumption 1.* Forden says, That Queen Euphame, and Bishop Wardlaw, died about the same Time, in the Year 1387, or 1444; p. Spotswood. King David Bruce died on the 7th of May 1370. And Robert did hold his first Parliament on the 27th Day of March 1371, at Scoon, and was then Crown'd, as an authentick Record verifies; to which also Buchanan, and all the Historians agree: So that Queen Euphame, died not in the 3d Year of King Robert's Reign.

There is a Charter granted by King Robert the Second; of the Earldom of Murray, excepting Lochquhaber, Badinoch, Castle and Barony of Urquhart, on the 9th of March, Anno Regni 2do. dilecto filio nostro Joanni de Dumber, & Mariota Sponse ejus, filia nostra charissima.

There is a Charter by Robert the Second, Apud Scoon tempore Parliamenti, Anno Regni 2do. Dilecto filio nostro Joanni de Tla, of the Lands of Moydart, Morvarn, and many others: And there are Two other Charters in the Rolls of the Great Seal, to the said John of Tla, and Margareta ejus sponsa filia nostra charissima, Anno Regni 6to, of the Lands of Lochaber and Knydart.

There is a Charter granted by Robert the Second, Anno Regni nono, to Thomas Hay Constable of Scotland, filio nostro charissimo.

There

32 *A Vindication of Robert the Third,*

There is another Charter in the Rolls, to him under the same Designation, *Anno Regni secunda*: And another to him & *Elisabetha ejus sponsa nostra filia*, on the Eighteen Merks Sterling of Inchtuthill.

A Charter in the Rolls by Robert the Third *Anno Regni primo*, of 200 *lib. Sterling* of the Customs of Aberdeen, to David Lindsay of Glenesk, *Dilecto nostro Fratri*; and John Dunbar Earl of Murray, and David Lindsay of Glenesk, are designed in several of King Robert the Third's Charters, *Fratres nostri*.

There is a Charter in the Rolls granted by King Robert the Second, to William Douglas, Son to the Earl of Galloway, & *Ægidæ filia nostra charissima*, of the Earldom of Nithsdale, *Anno Regni*

*Nota*, they had only one Daughter, who was called the Fair Maid of Nithsdale, who married Henry de Sancto-claro, with whom he had the Earldom of Nithsdale; but his Successors exchanged it with King James the Second, for the Earldom of Caithness.

John Lyon of Glames did marry another Daughter of King Robert the Second's, with whom he got the Lordship of Glames; and the original Charter granted to the said John, and to his Daughter is yet in the Custody of the Earl of Strathmore his Successor.

Both

Both the Historians and several Charters in the Rolls, do instruct, that the *Douglas* married King Robert's Daughter by *Eupheme Ross*.

These authentick Records of King Robert's having Seven Daughters, do sufficiently shew, how ill acquainted our Historians were with the State and Condition of the King's Children, who say, that he had but one Daughter by *Eupheme Ross*, and two by *Elizabeth Mure*.

There is in the Rolls a Charter by Robert the Second, in June Anno Regni primo, to his Son Alexander, of the Sixty *Davachs* of *Badinoch*. On the 13. of June, and the first Year of King Robert's Reign, in a Charter granted to *Allan Lawder* of the Lands of *Whitsted* and others, *Testibus Willielm. and Patric. Episcopis sancti Andreae & Brechen, Joanne filio nostro natu maximo Comite de Carrick, Roberto Comite de Menteith* (which *Buchanan* calls *Taichix*) & *Alexandro Senescallo filiis nostris, Gulielmo Comite de Douglas, &c.* On the 28. of May Anno Regni primo, there is a Charter of Confirmation granted by King Robert to *John Kenned*, of the Half of the Barony of *Dalrymple*, on a Disposition from *Malcolm* Son to *Gilchrist*, Son to *Adam Dalrymple* of *That-Ilk*, *Testibus Episcopis sancti Andreae & Dunkelden, Joanne primogenito nostro & heredee, Comite de Carrick.* Another Charter in June, primo Anno Regni, of the Lands of *Badinoch*, to Alexander his Son (Nota, he was the youngest Son of *Elizabeth Mure*) and his Heirs, and failing of him

34 *A Vindication of Robert the Third,*  
 him, to *David* his Son and his Heirs. (*Nota,*  
*David* was the eldest Son of *Eupheme Ross*) and  
 at the same time, there was a Charter granted  
 to *David* Earl of *Strathern*, of the Lands of *Ur-*  
*quhart, &c.* And the *Reddendo* of both these  
 Charters, are, for Services to him and his Heirs  
 Successors to the CROWN of SCOT-  
 LAND. In these Charters, amongst other  
 Witnesses, *Joannes filius noster Comes de Carrick,*  
 is always one. Another Charter on the 8. of  
*May, Anno Regni secundo,* confirming to *Paul*  
*Macktyre* some Lands disposed to him by *Wil-*  
*liam* Earl of *Ross, Testibus* *Willielm. & Patric.*  
*Episcopis sancti Andreæ & Brechen. Joanne pri-*  
*mogenito nostro & herede Comite de Carrick, &c.*

In the Charters granted the first Year of his  
 Reign, to *David* Earl of *Strathern*, of the Lands  
 of *Urquhart*; and the 2d Year of his Reign to  
 Queen *Eupheme*, of the Lands and Castle of  
*Kynross*, amongst the Witnesses, *Joannes filius*  
*noster natu maximus & heres Comes de Carrick,*  
 is always one. There are Twenty other Char-  
 ters of the like Tenor, which were needless to  
 adduce for Confirmation of this Truth; That  
 in the very first Year of his Reign, *John* was  
 Earl of *Carrick*, *Robert* was Earl of *Menteith*,  
 and *Alexander* was Earl of *Baldinock*: And there-  
 fore *Buchanan* and the other Historians are  
 wrong in asserting, that they were preferr'd to  
 these Estates and Dignities after *Eupheme Ross's*  
 Death, and after the 3d Year of his Reign.

But

But now we come to the more solid Confutation of our Historians Assertions, and to show, that not after the 2d Year of King *Robert* the Second's Reign, and after Queen *Eupheme's* Death, but in the first Year of his Reign, and on the 27th of *March* that Year, being 1371, the King and Parliament do Recognise *John*, who was afterwards called *Robert* the Third, and was eldest Son of *Elizabeth Mure*, to be the undoubted Lineal and Legal Successor to *Robert* his Father, as his eldest Son and Heir.

The Evidence whereof is an authentick Act and Record of Parliament, yet extant amongst the King's Records, to which the Great Seal of the Kingdom is appended, together with other 52 Seals of the Prelates, Noblemen and Barons in Parliament assembled; a full and true Abstract whereof follows.

**I***N nomine sanctæ & individuae Trinitatis, Patris Filii & Spiritus sancti, Amen. Anno ab Incarnatione Domini millesimo, tricentesimo, septuagesimo primo, secundum morem & computationem Ecclesiæ Scotticæ, Mensis Martii die vicesimo septimo; serenissimus Princeps Dominus Robertus Rex Scotorum illustris, apud Sconam tempore suæ Coronationis existens, assistentibus sibi Prelatis, Comitibus, Baronibus, ac cæteris de Clero & Populo, Regni sui; post sacra Unctionis & Coronationis suæ peracta solennia, factaque Declaratione Juris, quo idem serenissimus Princeps successit ac succedere debuit Domino David Regi Scotiæ avunculo & prædecessori suo, tam proximitate sanguinis, quam ex*  
C 2 *quadam*



## 36 *A*Vindication of Robert the Third,

quadam declaratione per quadam instrumenta confecta,  
tempore inelyta memoria Domini Roberti Regis Scotiæ,  
avi & prædecessoris ipsius Domini nostri Regis, ibidem  
exhibita atque lecta; Nec non receptis homagii & fi-  
delitatis solitis juramentis ab ipsis Pralatis, Comitibus,  
Baronibus & aliis de Clero & Populo ibidem existentibus,  
in Coronatione Regum Scotiæ ab olim præstari consuetis  
& debitis, volens more & exemplo celebris memoriæ  
ejusdem boni Regis Roberti avi sui, coram Clero &  
Populo, Successorem & verum Hæredem suum declarare  
ibidem, licet de ipso clare constitit atq; constet ex abun-  
danti & unanimi consensu & assensu dictorum Prala-  
torum, Comitum, Procerum & Magnatum, indicavit,  
asseruit & recognovit, declaravit & voluit, quod cum  
ipsum contigerit, pro dispositione divina, ab hac luce  
migrare, Dominus Joannes filius suus primogenitus Comes  
de Carrick, & **SENESCALLUS SCOTIÆ** erit  
& esse debet verus legitimus hæres suus, ac sibi post mor-  
tem suam in Regno Scotiæ, domino disponente, succedet  
& succedere debet, & post eum sedebit, & sedere debe-  
bit super **SOLIUM** Regni sui. Qua Declaratione sic  
facta per ipsum Dominum nostrum Regem de præfato  
primogenito & hærede suo ex abundanti, ut supra, u-  
nusquisque Pralatorum, Comitum, Procerum, Magnatum  
& aliorum, ibidem existentium, voce propriâ, singula-  
tim, pro se, hæredibus & successoribus suis, asseruit,  
affirmavit, declaravit, recognovit & voluit; Quod  
idem Dominus Joannes post mortem præfati patris sui  
superstes & vivus, sit, divinâ favente gratia, futurus  
Rex Scotiæ tanquam hæres legitimus ejusdem patris sui.  
Promittens quilibet, bona fide, & manu in signum fidei  
darionis levata, quod eum pro Rege, & hærede legitimo  
ejusdem patris sui habiturus erit, ipsumque jurabit atq;  
defendet contra quoscunq; mortales, nec non sigillum  
suum scripto seu juramento super hoc fiendo apponens in  
signum

*signum suorum consensus & promissionis predictorum, cum ipsi super hoc fuerint requisiti. Quibus recognitione, promisso, & fidei datione in concilio Domini nostri Regis sic pramissis & actis, idem Dominus noster Rex per venerabilem virum magistrum Joannem de Peebles Doctorem Decretorum canonicum Glasguen. Clericum suum, proponi fecit in publicum, qualiter ex abundanti indicavit & declaravit presatum Dominum Joannem filium suum primogenitum, verum suum heredem nunc esse, & esse debere de jure, & post mortem suam regni Scotiæ, volente Deo REGEM futurum. Et qualiter presati Comites, Proceres & alii de concilio, affirmarunt, cognoverunt, consenserunt & fide media, ut pramittitur, promiserunt: & quod Populum cum Clero convocari fecerat, ut in eorum presentia & de eorum consensu unanimes fieret & publicaretur, ne aliquis super hoc ignorantiam pratendere posset aliquo modo in futurum: Tota autem multitudo, Prelatorum, Comitum & Baronum, & aliorum tam Cleri quam Populi unanimes voluntate & clamore consono, nullo penitus reclamante affirmaverunt, cognoverunt & voluerunt ipsum Dominum Joannem tanquam primogenitum & heredem Domini nostri Regis patris sui, suum fore Regem futurum, ac manu levata in signum fidei dationis promiserunt, quod eum pro Rege suo futuro, volente Deo, habituri erant post mortem patris sui, ipsumque juvabunt atque defendent de toto posse, contra quoscunque mortales. Quibus sic actis, presati Prelati, Comites & Barones ibidem existentes sigilla sua huic scripto apposuerunt, ad perpetuam & futuram memoriam in testimonium omnium pramissorum, una cum signo & subscriptione publici tabellionis subscripti. Acta fuerunt hæc apud Abatiam de Scona, mense, die & annis supradictis.*

38 *AVindication of Robert the Third,*

*Et ego Joannes Rollo Clericus Moravico. Diocesis, publicus auctoritate Apostolica Notarius, pradi-ctis Indicationi, Declarationi, Affirmationi, nec non Promissioni, manuum levationi, ac Magistri Joannis de Peebles Populo publicationi, una cum venerabilibus in Christo patribus, Dominis Willielmo, Waltero & Parricio sancti Andree, Glasguen. Brechen. Ecclesiarum Episcopis, ac discretis viris Dominis Joanne de Carrick Canonico Glasguen. Willielmo de Biggar, Rectore Ecclesie de Errol, Cancellario, & Camerario Scotiæ; nobilibus viris & potentibus Dominis, Thoma de Marr, Gulielmo de Douglas, & Roberto Senescal. Comitibus, Thoma de Hay & Gulielmo de Keith Constabulario & Mariscallo Scotiæ, Archibaldo de Douglas, Jacobo de Douglas, Roberto de Erskiu, Alexandro de Lindsay, Thoma de Erskiu & Duncano Wallace Baronibus ac Militibus, Magistro Joanne de Peebles, supradicto, et multis aliis presentibus, ad premissa vocatis pariter et rogatis primo in secreta Camera pradicti Domini nostri Regis in suo secreto*

*Not legibile. Concilio, et post in Camera ut dictum in publicum coram Populi multitudine hoc approbante factum, Anno, Dis, Mense et Locis supradictis indictione nonâ Pontificatus sanctissimi in Christo patris Gregorü undecimi divina providentia Papa; quia presens interfui itaque omnia et singula superius expressa dum sic agerentur scribi, vidi et audi- vi, presens Instrumentum manu alterius scriptum signo meo consueto ad instantiam pradicti Domini Joannis, Domini Regis primogeniti Comititis de Carrick*  
**SCOTIÆ SENESCALLI,** *signavi mea propria manu subscribens, vocatus pariter et rogatus, in testimonium omnium premissorum.*

## King of Scotland.

39

*The Names of the Subscribers, whose Names and Seals are at this Day extant, and appended to the Declaration and Act above insert.*

Bishops, St. Andrew, Glasgou, Dunkelden, Aberdonen, Moravien, Rossen, Dumblanen, Caitenen, Brechenen, Ergaden, Gallovidien, Cancellarius, Camerarius, Dumfermling, Aberbroth, Melros, Sconen, Prior *Sti.* Andrew, E. Marr, E. Marchia, E. Strathern, E. Menteith, E. Levenax. Dominus Jacobus de Lindsay, Constabular, Mariscall, D. Jacobus de Douglas, Walterus de Lesly, D. R. de Erskin, D. Alexander de Lindsay, D. Walterus de Halyburtoun, D. Wilielmus de Cunninghame, D. Jac. de Danielstoun, D. H. de Eglintoun; Prior, St. Crucis, Kelcho, Jedworth, Kilwyning, Cambustionel, Couper, Lindors, Newbottle, Driburgh, D. Alexander de Gordon, D. filius Walthi, D. Pat. de Heburn, D. de Dinisdeer.

*The said Act and Declaration rendred in English.*

**I**N the Name of the Blessed and undivided TRINITY, of the Father, Son and Holy Spirit, *Amen.* Upon the 27th Day of the Month of *March*, and Year from the Incarnation of Christ 1371, according to the Custom and Computation of the Church of SCOTLAND; The most Renowned Prince ROBERT King of SCOTS, at *Scoon*, the Time of His Highness's Coronation, (the Bishops, Earls,

40 *A Vindication of Robert the Third,*

Barons, and others of the Clergy, and People of his Kingdom, standing by, and there present,) after the sacred Solemnities of his Anointment and Coronation were ended, and the Declaration of his Right, by which the said Illustrious PRINCE did succeed, and ought to succeed to *David KING of SCOTLAND* his Uncle and Predecessor, as well by Propinquity of Blood, as upon the Account, and by Reason, and by Vertue of certain Instruments made in the Time of *ROBERT KING of SCOTLAND* his Goodfire and Predecessor, of worthy Memory, then opened up and publickly read: And the usual Oaths of Homage and Fidelity being taken by the said Prelates, Earls, Barons, and others of the Clergy and People there present, used and wont of old to be exacted at the Coronation of the *KINGS of SCOTLAND*: Being desirous after the Custom and Example of the foresaid good *KING ROBERT* his Grandfather, of Blessed Memory, to declare before the Clergy and People, his Successor and true Heir; tho' the same did clearly appear, and might abundantly be known by the unanimous Consent and Assent of the said Prelates, Earls, Lords and Barons: His sacred Majesty did Declare, Assert, Acknowledge, Manifest & Will, That whenever it should happen his Highness, at the Pleasure of Almighty *GOD*, to depart from this Life, Lord *JOHN*, His Majesty's eldest Son Earl of *Car-*  
*rick*

*rick* and STUART of SCOTLAND, should and ought to be his lawful Heir; and after his Highness's Death, should succeed to him in the Kingdom of SCOTLAND, by the Providence of GOD; and that after him, he should sit, and ought to sit upon the THRONE of the Kingdom: Which Declaration being so emitted by our Sovereign Lord the KING himself, concerning his said eldest Son and Heir; every one of the said Prelates, Earls, Lords, Barons and others there present, with a full Voice, one by one, for himself, Heirs and Successors, did Assert, Affirm, Acknowledge, Declare and Will, That the said Lord JOHN, after the Death of his said Father, being to the fore, and on Life, by the Grace of GOD, should be KING of SCOTLAND, as lawful Heir of his said Father; promising each of them, *bona fide*, and having their Hands lifted up to Heaven, in token of their Sincerity, That he should be had and esteemed as their KING, and lawful Heir of his said Father: And that they should assist and defend him against all Mortals: As also, that they should append and put their Seal to the Act or Statute to be made thereupon, in token of their Consent and Promise of these Things, whenever they should be required thereto. Which Acknowledgment, Promise and Oath, given by them in the Council of our Sovereign Lord; *the King's Majesty*, did cause the Right Venerable  
Mr.

42 *A Vindication of Robert the Third,*  
Mr. *John Peebles*, Clerk of the Records of the  
Diocess of *Glasgow*, to Insert and Record in pu-  
blick Register, That forasmuch as he had suf-  
ficiently declared the said Lord *JOHN*, his  
eldest Son, to be now his true Heir; and that  
by Law, he ought, after his Death, at the Dis-  
posal of *GOD*, to be *KING* of the King-  
dom of *SCOTLAND*: And that forasmuch  
as the said Earls, Lords, and others of the Coun-  
cil, did Affirm, Acknowledge, Consent and by  
Oath, as said is, Promise: And that his High-  
ness had called the People with the Clergy, to  
the Effect, in their Presence, and by their una-  
nymous Consent, the same might be decreed  
and published, lest any should pretend Igno-  
rance of this, any manner of way in Time-  
coming: The whole Multitude of Prelates,  
Earls, and Barons, and others as well of the  
Clergy as People, with one Accord, unanimous  
Consent and Will, (none at all gainsaying) did  
Affirm, Acknowledge and Will, That the said  
Lord *JOHN*, as eldest Son and Heir of our  
Sovereign Lord the *KING* his Father, should  
be their *KING*: And with Hands lifted up  
to Heaven, in token of their Sincerity, promi-  
sed, That they should have and esteem him,  
after the Death of his Father, for their future  
*KING*, by the Strength of Almighty *GOD*;  
and that they should defend and assist him, with  
all their Might, against all deadly. Which  
Things being so done, the saids Bishops, Earls  
and

and Barons, there present, did append and put their Seals to this Decree for ever; in Testimony of all the Premises, together with the Sign and Subscription of the publick Clerk underscribing. These Things were done at the *Abhacy of Scoon*, Day, Month and Year of G O D above-written, &c.

Here is only the most authentick Evident, which perhaps *Europe* can shew, giving an irrefragable Proof, That *John*, afterwards called *Robert*, eldest Son to *Elizabeth Mure*, was in the first Year of his Father's Reign, owned and acknowledged, as his eldest lawful Son and Heir, and undoubted Successor to the Crown; and that in the Lifetime of Queen *Eupheme*, to which her Son-in-Law the Earl of *Douglas*, his Seal, amongst others, is appended: And therefore *Elizabeth Mure*, his Mother, was lawful Wife to *Robert* Earl of *Strathern*, afterwards KING: And consequently it is false, That these Children were only legitimate by King *Robert's* marrying their Mother after Queen *Eupheme's* Death, and after the Third Year of his Reign: And that the Act of Parliament, recognizing *John* as such, was past in the Fourth Year of the said King's Reign. This solemn Act and authentick Record yet extant, doth evidence to a Demonstration, to the Dishonour of those negligent *Historiographers*, who did write so confidently, what this Act and Instrument doth so clearly cancel.

Nor



44 *A Vindication of Robert the Third,*

Nor is it so by this great Act only, but by very many other authentick Documents standing in Record, as a Charter granted on the Thirteenth of June, *Anno Regni primo* to *Allan Lawder of Whitsled*, and the other Charters before mentioned, and Twenty others not mentioned: Which all bear Record, That in the first Year of King *Robert the Second's* Reign, and in Queen *Eupheme's* Lifetime, the KING, the Prelates, the Lords, and all who received Charters from the King, did look on the said *John* as his undoubted eldest Son and Heir, Earl of *Carrick* and STUART of SCOTLAND, And the Charters granted to, and received by Queen *Eupheme*, by her Son *David* and her Son *Walter*, for Services to the King and his Heirs, do carry in them, that *John* is the undoubted eldest Son and Heir.

Albeit what is said, seems demonstrative enough, yet to leave no part of this injurious Libel unransacked; we shall next shew, that before *Robert the Second*, yea very many Years before, whilst he was Earl of *Strathern* and STUART of SCOTLAND, JOHN his Son was owned by him, and by the whole Nation, as his eldest Son and Heir.

There is a Charter, wherein *Robertus Senescallus Scotiae, Comes de Strathern, & Joannes Senescallus filius noster primogenitus & haeres*, confirm a Mortification made by *Reginaldus More, Pater Wilielmi More, Equitis*, to the Ab-  
bacy

bacy of *Pasly*, recorded in their Register; which, tho' it want a Date, yet there follows in the same Register, a Charter given by the said *Robert Senescallus Scotia*, confirming all Gifts given by his Predecessors and himself to the Abbacy of *Pasly*, dated *Anno 1361*, which was 9 Years before he was KING; in which, amongst other Witnesses, *Joannes Senescallus Dominus de Kyle primogenitus noster*, is one: Which verifies also, that his Father did communicate his Honours and Estate with him at that time. This Charter is recorded in *Fol. 39.* of the Register of *Pasly*.

In the Year 1328. on the 13th of *February*, there is a Submission recorded in the said Register of *Pasly*, betwixt the Procurator of the said Abbacy, called *Andrew Kelcho*, who was Prior of the Abbacy on the one part, and *Reginald More* or *Mure*, Procurator for the Master Chanoons of the Monks of *Simpringhame*, concerning 40 Merks of Annuity, payable by the Abbacy of *Pasly* to *Simpringhame*; and assigned by them to the said *Reginald*. On which Submission, the Abbot is decerned to pay the 40 Merks to *Reginald* and his Successors, he getting a sufficient Writ from those of *Simpringhame*, to secure *Pasly* for what they pay. And for further Security to the Abbacy, *Reginald* and his Son *Sir William* consign a Writ, disposing his Lands of *Sanackar*, *Camsestrang*, *Doulargis*, *Cowdams*, *Stafflour* and *Hormisdale*, lying in the Baronies  
of

46 *A Vindication of Robert the Third,*  
of *Renfrew and Cowal*, in Warrantice to the  
Abbacy, for securing them until he produced  
the said Writing from *Simpringhame*, as said is.  
he having failed for two Years to procure the  
said Security from *Simpringhame*, those of *Pasly*  
addressed to *Robert Earl of Strathern* STU-  
ART of SCOTLAND, and to JOHN  
his eldest Son and Heir, who were Superiors of  
the Lands disposed by *Reginald* to them, for  
their Security, desiring a Charter, whereby  
they might be seased in the saids Lands: Which  
*Robert* and his said Son did grant; and it is  
recorded in *Folio 16.* of the old Register of  
*Pasly.* The Charter is long, and therefore I  
have only abstracted out of it, what is useful  
for our purpose, as follows.

**O**Mnibus hanc Cartam visuris vel audituris, Ro-  
bertus SENESCALLUS Scotiæ,  
Comes de Strathern, & JOANNES SE-  
NESCALLUS primogenitus & hæres ipsius,  
Dominus Baronia de Kyle; salutem in Domino  
sempiternam. Cum dudum Reginaldus More pater  
domini Wilielmi More militis concesserit, & pro  
se & hæredibus suis firmiter obligaverit, omnes  
terras suas subscriptas in Baronia de Kyle, & de  
Cowal, viz. Terras de Sanakar, de Camsestrang,  
de Doulargis, de Cowdams, de Stafflour, &  
terram de Hormisdale, & quascunque alias terras  
suas & possessiones, infra dominum nostrum existen-  
tes, religiosis viris Abbati & conventui monaste-  
rii

rii de Pasleto, ordinis Claniacensis, Glasguensis diocesis, fore applicandas & perpetuis eorum usibus appropriandas, in casu quo ante primam solutionem sibi faciendam, cujusdem annui redditus quadraginta Mercarum. In quo dicebat idem Reginaldus dictos Abbatem & conventum Magistro, Canonicis, & Monialibus de Sympringhame in Anglia singulis annis obligat, Literas quiete clamationis & perpetuae securitatis, a predicto Magistro Canonicis & Monialibus de Sympringhame non procuraret, ac eisdem Abbati & conventui Monasterii de Pasleto, predictarum literarum pretextu & virtute munitis, predictis Magistro Canonicis & Monialibus de Sympringhame de predicto annuo redditu, in toto vel in parte, non tenerentur in perpetuum, ulterius respondere, ac super hoc predictus Reginaldus, pro se & heredibus suis subjecerit predictas terras voluntati, ordinationi & cognitioni **SENECALLI** Scotiae, qui pro tempore fuerit patronus dicti Monasterii de Pasleto, quod libere possit in favorem dictorum religiosorum virorum Abbatibus & Conventus Monasterii de Pasleto ad requisitionem eorundem, sine aliqua difficultate, ipsis dare sasinam de terris & possessionibus supradictis; pro hac & alia in patentibus literis Reginaldi More sigillo suo ac sigillo nostro Roberti **SENECALLI** Scotiae supradicti, ne non sigillo Officiarii Curiae Glasguensis, plenius vidimus teneri. Nos vero Robertus **SENECALLUS** Scotiae supradictus, & Joannes Senescallus ipsius filius dominus de Kyle, per Abbatem & Conventum Monasterii

de

48 *A Vindication of Robert the Third,*  
de Pasleto, cum constantia requisiti, quod cum  
dictus Reginaldus & dominus Wilielmus filius  
suus & heres per dictum annum redditum per  
plures annos a tempore dicta obligationis & promissio-  
nis factarum a dictis religiosis viris percepit, ac ip-  
si per captivonem, namatsonem & compulsionem terra-  
rum suarum aliquando, maxime per dictum domi-  
num Wilielmum More coacti & compulsi, ipsum  
annuum redditum persolverunt, nulla Litera Quit-  
tationis aut Securitatis promissa, pro parte dicti Re-  
ginaldi, aut dicti domini Gulielmi, juxta formam  
dicta sue obligationis eidem Abbati & conventui  
Monasterii de Pasleto deportata, exhibita vel osten-  
sa cederemus ad dandam sasinam eidem religiosis  
viris, Abbati & conventui Monasterii de Pasleto,  
de terris & possessionibus supradictis, juxta dicta-  
rum literarum continentiam atque formam, volen-  
tes ad requisitionem earundem & virtute obligatio-  
nis predicta submissionis in nos facta predictis Ab-  
bati & conventui Monasterii de Pasleto super pre-  
missis de remedio debito providere, ipsas terras, viz.  
Terram de Sanakar, de Camsestrang, de Doulargis,  
de Cowdams, de Stafflour, terram de Hor-  
miesdale, in manibus nostris, ex unanimi nostro  
consensu, propter hoc prius sasitas ad tempus, & ex  
causa Deo, beata Mariæ, sancto Jacobo, sancto  
Marino, & religiosis viris, Abbati & Conventui  
Monasterii de Pasleto ibidem Deo servientibus &  
servituris in perpetuum, Damus, Concedimus & hac  
presenti Cartâ nostrâ Confirmamus, &c. In cujus  
rei testimonium presentis Cartæ sigilla nostra sunt  
appensa

## King of Scotland.

49

*appensa, his testibus venerabili patre domino Roberto Abbate de Kilwinning, Domino Hugone de Eglintone, Domino ejusdem, Domino Alexandro Senescallo, Domino Cruickstoun, Domino Joanne de Daniellstoun Domino ejusdem, Domino Adam Fullartoun Domino de Corsbe, militibus, Thoma Sempil Domino de Egliftoun, Joanne de Maxwelltoun Domino de Pollock, & aliis.*

This Charter alone were proof enough, for here are many Witnesses of good Quality, and the nearest Neighbours, who being Witnesses, that JOHN, the Son of *Elizabeth Mure*, was reputed and known to be the eldest Son & Heir of *Robert, STUART* of SCOTLAND, long before he was King, long before the Decease of *Eupheme Ross*, and that as such, he shared with his Father in his Estate & Honours. And albeit it want a Date, yet since it confirms a Writing made by *Reginald More* in the Year 1320, and that it is registrated shortly after the Registration of the same Writing, there is no Reason to doubt, that it was made long before he was KING.

But not to rely on one Testimony or Proof, there are many *Mediums* which prove our Assumption. There is another Charter dated in the Year 1361, on the 20th of July, as follows,

*Omnibus hanc Chartam visuris vel audituris,*  
*Robertus SENESCALLUS* Scotiæ  
*Comas de Strathern, salutem. Sciatis nos ob reve-*  
D *rentiam*

50 *A Vindication of Robert the Third,*  
*rentiam Domini nostri Jesu Christi, beatissima vir-*  
*ginis Mariæ, beati Jacobi, sancti Marini, ac om-*  
*nium Sanctorum, & pro salute animæ nostræ, & an-*  
*tecessorum & successorum nostrorum, ratificasse, ap-*  
*probasse & confirmasse religiosi viris, Abbati &*  
*Conventui Monasterii de Passeio, ibidem Deo ser-*  
*vientibus & servituris, in inviolabilem, puram &*  
*perpetuam Eleemosynam, omnes Donationes, Conces-*  
*siones, Confirmationes & Infeodationes, quas ante-*  
*cessores nostri eisdem religiosi viris caritative con-*  
*tulerint: Et ut voluntatis nostræ intentio lucidius*  
*elucescat, iterando concedimus & donamus totales*  
*terras de Aldhouse, de Ardestoun, de Insala Mo-*  
*nachorum, inter Kert & Grief de Fultoun, &c.*  
*Eisdem etiam viros religiosos, ex gratia nostræ ser-*  
*ventis abundantia, ab omnimodis servitiis seculari-*  
*bis eximimus, erimus, liberamus. In cujus rei*  
*testimonium, sigillum nostrum presentibus est appen-*  
*sam apud Clunie, secundo die Julii, A. D. 1361.*  
*Testibus Joanne SENESCALLO Domino*  
*de Kyle primogenito nostro, Waltero senescallo di-*  
*lecto filio nostro, Joanne de Rofs, Stephano de*  
*Rofs, Gulielmo de Balcaskie, Gulielmo de Lind-*  
*fay & multis aliis.*

Take yet another Charter.

**R**Obertus SENESCALLUS Scotiæ, Co-  
*mes de Strathern, salutem in Domino sempit-*  
*ernam. Noverit universitas vestra, nos, de con-*  
*sensu & assensu dilecti primogeniti nostri & hæredis,*  
**Joannis SENESCALLI Comitis de Car-**  
**rick,**

## King of Scotland.

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rick, dedisse & concessisse, & hoc presenti scripto nostro, confirmasse dilecto nostro Allano de Laudre tenenti nostro in Whitsled, pro bono & fideli servitia nobis impenso & impendendo, omnia proficua & servitia debita seu debenda, viz. Wardas cum Maritagis, relevia, albas firmas & eorum duplicationes cum Esthaetis Curiarum, & servitiis libere tenentium de tenendis de Lukieside, Legerwood, Monlton & Aldiannistoun cum pertinen. in perpetuum, infra Comitatum de Berwick super Twe-dam, tenend. de nobis, &c. Reddendo dictus Alanus & heredes sui, Domini de Whitsled unum denarium, &c. Nos vero Robertus SENE-S-CALLUS Scotiæ prædictus & heredes nostri prædicti, Barones de Renfrew totam terram prædictam warrantizabimus & defendemus dicto Allano & heredibus, &c. In cujus rei testimonium huic presenti Carta nostra sigillum nostrum est appositum, una cum sigillo heredis nostri prædicti, apud Renfrew, Testibus Domino Roberto de Erskin, Joanne de Danieltoun & Adam de Fullertoun, militibus.

Whilst Robert the Second was Earl of Strathern, John as Lord of Kyle did grant a Charter to John Fullertoun Son to Adam Fullertoun of Harperland and Easter and Wester Calnes in Kyle Stewart; which Charter of his, is confirm'd to the said John Fullertoun, by his Father King Robert anno regni primo.



52 *A Vindication of Robert the Third,*

There is a Charter, granted by King *Robert* the Second, whilst he was Earl of *Strathern*, with Consent of *John* his eldest Son and Heir, to *Allan Lawder*, of the Lands of *Whistled* and *Moristoun* in *Berwick* Shire, sealed by his own Seal, and by the Seal of *John* his eldest Son and Heir; Which Charter is confirmed by him, when KING, *anno regni primo*: This *Allan* is afterwards designed *Allan Lawder* of *Hattoun*, in a Charter granted to him by the said KING of the Lands of *Ratha* in *Edinburgh* Shire, *Anno Regni septimo*.

These Charters and many others extant on Record, do sufficiently evince, that *John* Son to *Robert* Earl of *Strathern*, was own'd by his Father, as his eldest Son and Heir, and did share with him, in his Honours and Estate, long before he was KING, longer before *Eupheme Ross's* Death; yea, in the whole Tract of her Lifetime, and likewise by *Eupheme Ross* her self, and by her Children, who did take all their Charters, either with the said *John's* Consent, or admitting him as Witness in their Writings, under the Designation of the King's eldest Son and Heir. It is also clear, that he was owned under that Designation by his Father's Vassals, who did take their Charters from the Father, always with his Consent, with the Solemnity of his Seal, as well as his Father's, and always under the Designation of his eldest Son and Heir.

The

The Bishops, Lords and Gentlemen of the best Quality in the adjacent Country, owned him as such, in being Witnesses with him, under that Designation: But if such a Cloud of Witnesses and Writings do leave any Doubt, then that of a whole Kingdom can leave none; and this we have also. For the Bishops of Scotland had no Right to dispose of their Moveables by Testament: King Robert the Bruce had promised to give them this Privilege, yet had not performed it before his Death. King David Bruce his Son, in one of his last Parliaments, passes a Deed, by way of Act, narrating his Father's Promise and Resolution: And therefore he ratifies the said Promise, and of new grants and confirms to all the Bishops in Scotland Power and Privilege to dispone their Moveables by Testament: Which authentick Act and Deed stands recorded in the Records of the Great Seal, and is as follows.

**D**AVID, *Dei gratia, Rex Scotorum, notum facimus universis, quod licet ex consuetudine ab antiquis introducta temporibus, & continuata usque ad presens, per nos & predecessores nostros extitit, tanquam pro privilegio speciali servatum, quod bona quaecumque mobilia, Episcopis Regni nostri, tempore mortis ipsorum, Regis sic applicata sunt usibus, quod ab ipsis Episcopis, in suis testamentis condendis, super bonis disponen. hujusmodi omnino fuerit. haftenus adempta facultas. Quia tamen tam per*

## 54 *A Vindication of Robert the Third,*

*cleri nostri, quam aliorum de nostro Concilio prudentiam, sumus cum veris & lucidis rationibus informati, quod consuetudo hujusmodi cessit hactenus & in posterum cedere demonstratur in indecentiam honestatis Ecclesie, & in opprobrium status cleri: Nos ob reverentiam divini Nominis, & ad instantiam Pralatorum, super hoc nobis instanter supplicantium, & de consensu & assensu Roberti SENESCALLI Scotiæ nepotis nostri & liberorum suorum, nec non aliorum Baronum & Procerum, ac communi Comitatum Regni nostri in pleno nostro Parlamento, tento apud Perth, pro nobis, nostrisque heredibus & successoribus, de gratia nostra speciali concedimus & presentium literarum serie confirmamus, quod omnes & singuli Episcopi Regni nostri, tam postea quam presentes de quibuscunque mobilibus suis, tempore mortis sue, sua testamenta condere valeant, & pro sua voluntate disponere sine aliquo objectu, contradictione vel impedimento, dicta consuetudine, sive usu longævi temporis in contrariam non obstante, terris tamen, redditibus, dominiis & servitiis quibuscunque ipsorum episcopatum cum pertinentiis, nec non juribus patronatum ecclesiarum, quæ ad regaliam nostram pertinere consueverint & adhuc pertinent, sede vacante, & omnibus & singulis aliis, præter expressa superius juri regio, voluntatiq; & dispositioni nostræ, heredum ac successorum nostrorum, in omnibus & per omnia reservatis. Et si contigerit aliquem ipsorum Episcoporum Regni nostri, aliquo unquam tempore, quod absit, ab intestato decedere, volumus & tenore præ-*

presentium concedimus, pro nobis & nostris heredibus & successoribus in perpetuum, quod Amici propinquiores dictorum Episcoporum, de universis suis bonis mobilibus, absque quocunque impedimento per nos aut ministros nostros faciendo, disponere, pro sua libito voluntatis, prout pro salute animarum ipsorum Episcoporum melius videat expedire. Et propter prefatam gratiam, ipsis Episcopis presentibus & futuris concessam, ipsi & eorum singuli ac successores eorundem, pro nobis in vita nostra, & post mortem, pro anima nostra & anima, recolenda memoria domini patris nostri, nec non pro salubri statu cujuslibet heredum & successorum nostrorum, dum vixerint, & pro animabus eorundem, cum ab hac luce migraverint in Cathedralibus Ecclesiis continuo unam capellam perpetuam, qualibet cathedrali Ecclesia constituend: unam missam facient in perpetuum specialiter celebrari, præter Missas & alia orationum suffragia, ad quæ antecessoribus & successoribus nostris ex debito jam tenentur. In cujus rei testimonium, has literas nostras ad perpetuam rei memoriam duraturas sigilli nostri authentici fecimus appensione muniri, testibus Roberto SENE SCALLO Comite de Strathcrae nepote nostro supradicto, Joanne SENE SCALLO Comite de Carrick, filio suo primogenito & herede, Thoma Comite de Marr--- Georgio de Dumbar Comite Marchiæ, Willelmo Comite de

By this notable Charter, *verbatim* extracted from the authentick Records, it is evident that JOHN afterwards called Robert the 3<sup>d</sup>. was eldest Son and Heir to Robert the 2<sup>d</sup>. not after the Third Year of Robert the 2<sup>d</sup>'s Reign, nor after Eupheme Ross's Death, but in King David

56 *Vindication of Robert the Third,*  
*Bruce's Reign, 17. Years before Eupheme Ross's*  
*Death.*

Now if King *David Bruce*, and the whole States of the Kingdom, do solemnly recognize & own *JOHN* eldest Son and Heir to *Robert* Earl of *Strathern*, before *Robert* was KING, and whilst he was married on *Eupheme Ross*, and if all his Vassals and Neighbours did own him also as such, and his Father likewise doing always so.

And if his Father, Queen *Eupheme*, and Queen *Eupheme's* Children did own him as such, after he was KING: And if the whole Estates of the Kingdom have so done, by the most solemn and authentick Document that is extant in all our Records, or perhaps in Christendom, and sealed it with their Seals, which is as yet extant in publick Custody: Then our Historians Assertion of *Elizabeth Mure's* being a Concubine, and of her Children's being Bastards, until they were forsooth legitimate by a Marriage, after *Eupheme Ross's* Death (and which Marriage was many Years after *Elizabeth Mure's* Death; since, in an Authentick Document after adduced, she is spoke of, as dead, *Anno 1364*, and her eldest Son is Witness in that Document) which had been both fraudulent and without Fond in Law, is false; and the whole Superstructure against the Honour of that Lady and her Children, and  
against

against the lawful Succession and just Rights of the Crown, do fall, as founded on groundless Assertions and Untruths: Since the aforementioned Papers do prove, That *Elizabeth Mure* was lawful Wife, and her Children, lawful and eldest Children, to *Robert the second*, and that the Right of Succession was due to them thereby, and not by any subsequent Marriage, nor by any Act of Parliament: And therefore *Elizabeth Mure* or *More* was first and lawful Wife to *Robert* Earl of *Strathern*, STUART, and thereafter KING of SCOTLAND, and *John* was his eldest Son and apparent Heir, antecedently to the Act of Parliament, and to *Eupheme Ross's* Death.

As the foregoing Collection and Abstracts do fully verifie, That *Elizabeth Mure's* Children were recognized and owned as King *Robert the Second's* eldest lawful Children, and his Son as his eldest Son and undoubted Heir, before *Robert* was King, so soon as he was crowned King, and in the whole Tract of his Reign, before he married *Eupheme Ross*, during her Marriage, and after her Death, and that by no less Evidence, than authentick Deeds and Instruments extant, both on Record, and in their Originals, and with no lower Vouchers than Kings (and Parliaments) in Parliament convened, and many other authentick Documents of undoubted Faith besides; a few of which, much more all, do make so strong a Probation of *Elizabeth Mure's*

58 *A Vindication of Robert the Third, Mure's Marriage, and the Legitimation of her Children, that they could not be redargued by Robert the Second himself, if he would; and are stronger Proofs thereof, than any perhaps in the World can produce, after so long a Time. Yet to confirm this Truth, I shall add one, which is not in our Records, but in a very publick one; the Notice whereof, came to my Knowledge lately by Mr. Forbes, who came from Doway, and had an authentick Extract, which he gave me, whilst he was Prisoner here, and very long, after I had made the former Collection. It is an Abstract of a Charter granted by Robert, STUART of SCOTLAND, Earl of Strathern, in the Year 1364. whereby he gives, grants and founds a Chaplany in the Church of Glasgōw, and that for performing an Obligation, under which he did ly to the Bishop of Glasgōw, as delegate from the Pope, to grant to the said Robert Earl of Strathern a Dispensation for a Marriage to be contracted betwixt him and Elizabeth Mure, by reason of his Affinity, and Consanguinity with her. The Original of which Charter, with its Seals and Subscriptions, is as yet extant and intire in the Scots College of Paris, whether it was carried by James Beton Arch-Bishop of Glasgōw, and depositate there, with many other authentick Records of that Bishoprick. The Abstract of which Deed and Instrument follows.*

**N**Os infra scripti rogati a clarissimo viro Ludovico Innese Reginae magnae Britanniae Elemosynario & Primario Collegii Scotorum in Academia Parisiensi, ut conveniremus in regale monasterium sancti Germani a pratis situm, in hac urbe Parisiensi, illic inspecturi & diligenter examinaturi Chartam Roberti SENE SCALLI Scotiae, datam apud Perth, Anno Domini millesimo, trecentesimo, sexagesimo quarto, duodecimo die Mensis Januarii qua servatur authentica in archivo ejusdem Collegii denuo instaurati per reverendissimum in Christo patrem Jacobum Bethum Archiepiscopum Glascuensem in Scotia, qui secum vetera Ecclesia sua monumenta in hanc Urbem transtulit, & partim in eodem Collegio, ad perpetuam rei memoriam, deposuit, convenientes anno Domini, millesimo, sexcentesimo, nonagesimo, quarto, die vigesima sexta mensis Maii, Chartam supra commemoratam, nobis ab eodem clarissimo viro Ludovico Innese exhibitam, diligenter inspeximus, examinavimus, & ea cura, qua major adhiberi non potuit, excussimus; eamque testamur esse antiquam, genuinam, scriptam caractere illorum omnino temporum, nullam falsi aut suppositionis suspicionem facere posse, sigillis duobus sigillatam, qua testamur etiam esse antiqua & integra. Ad majorem autem testimonii, iudicii que nostri fidem, eandem Chartam, hic de verbo ad verbum describi curavimus: Quae talis est,



60 *A Vindication of Robert the Third,*

**O**mnibus hanc Cartam, visuris vel audituris, Robertus, *SENE SCALLUS* Scotiæ, Comes de Stratherne salutem in Domino sempiternam. Cum dudum venerabili patri Domino Zuillano, Dei gratia, episcopo Glascuensi, fuerit per literas Apostolicas specialiter delegatum, ut supra matrimonio contrahendo inter nos & quondam Elizabeth More, dum ageret in humanis, non obstante impedimento consanguinitatis & affinitatis contractui matrimoniali predicto impedimentum, prestante auctoritate apostolica dispensaret, dummodo duas Capellas vel unam pro arbitrio ipsius episcopi perpetuo fundaremus: Ac dictus venerabilis pater, consideratis in hac parte considerandis, nobiscum super impedimento predicto, auctoritate qua supra, dispensans nobis injunxit, ut una Capellania in Ecclesia Glascuensi, ad unum certum Altare & pensionem decem Mercarum Sterling annuatim percipiend. de certis Redditibus nostris fundaretur perpetuo; nosque eandem Capellaniam sic fundare, fideliter promissimus, infra certum tempus jam transactum, nobis per dictum Episcopum limitatum. Noverit universitas vestra, nos ex causa premissa dedisse, concessisse, & hac presenti Carta nostra confirmasse pro nobis & heredibus nostris perpetuo, Deo, beata Mariæ Virgini, beato Kentigerno, & uni Capellano celebrant: & celebraturo perpetuo in Ecclesia Glascuensi predicta, decem Mercas Sterling ad sustentationem ejusdem Capellani annuatim percipiend. de annuo reddito quadraginta Librarum Sterling, exeunte de Terra de Cars Abbatis, infra Vice-comitatum de Stryveline & nobis & heredibus nostris debet. Per Religiosos viros Abbatem & Conventum Monasterii Sanctæ-cruceis de Edinburg. Tenen. habent. & percipiend. annuatim in perpetuum eidem Capellano, qui pro tempore fuerit per manus dictorum Religiosorum, ad terminos Pentecostes, & sancti Martini in hyeme, per portiones aquales

*aquales in liberam puram & perpetuam Eleemosynam, adeo liberè, quietè, plenariè & honorificè, sicut aliqua Eleemosyna per totum Regnum Scotiæ liberius conceditur, percipitur sive datur : Et nihilominus totum jus nobis competens per Chartam Infeodationis recolenda memoria Domini Regis Roberti avi nostri, sive obligatorum dictorum Abbatis & Conventus, seu quascunque alias Evidentias ad compellendum dictos Abbatem & Conventum ad solutionem dicti annui Redditi decem Mercarum in Episcopum Glascuensem, qui pro tempore fuerit, & Capitulum Glascuense, Sede vacante, per hanc Chartam nostram perpetuo transferimus, ipsosque & eorum alterum, quantum ad hoc nostros & heredum nostrorum Assignatos & Assignatum facimus, constituimus & etiam ordinamus, si forte contingat quod absit, quod dicta decem Merca annua per dictum Capellanum, qui pro tempore fuerit percipi non potuerint, ut est dictum, vel ex eo quod dicti Abbas & Conventus solvere noluerint, aut compelli non potuerint ad solutionem earundem, vel ex eo quod nos, aut aliquis heredum nostrorum contra presentem Infeodationem & concessionem nostram solutionem dictarum decem Mercarum impediverimus aut impediverit, aut per nos, seu alium vel alios, clam vel palam, directe vel indirecte procuraverimus, seu procuraverit impediri, obligamus nos & heredes nostros, per omnia bona nostra, mobilia & immobilia ad solvend. dictas decem Mercas de aliis Redditibus nostris, ubi Episcopus Glascuensis, qui pro tempore fuerit, vel Capitulum ejusdem, Sede vacante, duxerit eligendum, toto tempore quo cessatum fuerit, a solutione dictarum decem Mercarum percipien. de annuo Redditu suprascripto, subjicientes nos & heredes nostros jurisdictioni & coertioni Episcopi Glascuensis & ipsius Officialis, quo pro tempore fuerint, ut ipsi per omnimodam Censuram Ecclesiasticam, nos & heredes nostros compellere*

## 62 *Vindication of Robert the Third,*

*lere valeant ad percipienda omnia & singula supradicta, in quo casu defecerimus vel defecerint, quod absit, in aliquo premissorum, & ultra omnia prenotata, nos & heredes nostri predicti. Donationem & Concessionem nostram de dictis decem Mercis annuis percipien, ut supra de annuo Redditu, predictis, Episcopo Ecclesie Glasgucensi, & Capellano, qui pro tempore fuerint contra omnes homines & feminas warrantizabimus, acquietabimus & in perpetuum defendemus. In cujus rei testimonium sigillum nostrum, una cum sigillo Joannis SENE SCALLI Domini de Kyle, primogeniti & heredis nostri, presentibus est appensum, bis testibus, venerabili patre Domino Roberto Abbate Monasterii Kilwynning, & Dominis Joanne SENE SCALLO fratre nostro, Hugone de Eglington & Thoma de Fauside militibus, Joanne Mercer Burgenfi de Perth, Joanne de Rots, & Joanne Tayr, armigeris, & aliis, apud Perth duodecimo die Mensis Januarii, anno Domini millesimo, trecentesimo, sexagesimo quarto.*

*Sigillabatur autem dicta Charta duobus sigillis rotundis ex cera rubra super alba, quorum unum refert fasciam tessellatam, in circumferentia, scriptum habens literis legibilibus ✠. sigillum Roberti SENE SCALLI Scotie. Alterum item refert fasciam tessellatam duplario limbo, liliis contra positis, consistam in circumferentia, scriptum habens literis legibilibus. S. Johis SENE SCALLI. in quorum omnium fidem presentes literas, omnium nostrorum manu subscriptas, sigillo Regalis Monasterii insigniri voluimus. Datum in eodem Monasterio, die & anno superscriptis, Camillus Lefellice, Abbas de Louuois. H. Caille. F. Joannes Mabillon, Jalaze Eusebius Renaudot, Nicolaus Clement. F. Theodoricus Ruinart.*

*Et Nos Hilarius Rouilli, Dominus du Caudray Regi & sanctionibus Concilii Regis in supra Rationum Curia Procurator; qui huic virorum eruditissimorum & rerum antiquarum peritissimorum Convencui intersuimus, & Chartam illam inspeximus & examinavimus eorum sententiam suffragio nostro approbandam duximus, censensusque nullomodo dubitari a quoquam posse, quin ea sit verissima & omni prorsus suspitione carens, in quorum omnium fidem hoc nos manu nostra*

*stra propria subscripsimus, & Sigillum apponi fecimus. Datum ut supra Rouille de Caudray.*

*Et Comites, Barones, & alii Regis Magnæ Britanniæ Subditi infra scripti, presentes sumus dum prædicta Charta inspiceretur & examinaretur a suprascriptis viris eruditissimis & eorum antiquorum peritissimis, eandemque nos pariter vidimus, et sanam et integram reperimus, in quorum fidem hæc præsentæ literæ chyrographis nostris et sigillis firmavimus. Datum ut supra.*

This Charter granted on the 12th Day of January 1364, in performance of a former Obligation, and one so long before, that the eldest Son of the Marriage with *Elizabeth, viz. JOHN*, is a Witness in this Deed, under the Designation of the Lord of *Kyle*, and eldest Son and Heir to the said *Robert*; so that the Dispensation for a Marriage to be contracted, could be no less than 10 or 12 Years before that Date. And consequently the Marriage with *Elizabeth Mure* was not in the Year 1373, altho' *Eupheme Ross* had then died, as she did not for 6 Years thereafter: But the Marriage behoved to be, at least 20 Years before he was King, and 29 Years before *Eupheme Ross* died, according to *Forden's* Account of her Death, and 23 Years before her Death, according to *Buchanan* and *Boetius*. And if there were no more to cancel the Authority of the groundless Histories, but this single Document, it were more than sufficient: For it first proves, That *Elizabeth Mure* was a Person of Quality, of Consanguinity and near Relation to the King; and it is very probable she might have been so, since the  
Baron

64 *A Vindication of Robert the Third,*

Baron of *Rowallan* was of near Neighbourhood to the Lords of *Kyle*, and a proper Match for any of the Daughters of that Family: And who, by authentick Documents, yet upon Record, and extant in *Rowallan's* Charter-chest, appears to have been Heritor of 100 Merks-Lands, of Property and Superiority, of Old Extent above these 300 Years, which is more than the Estate of ordinary Barons. And our Historians telling, she was the Daughter of a Knight called *Sir Adam Mure*, and there being then no Families of that Name in *Scotland*, and of that Quality, but *Rowallan* and *Abercorn*, those of *Abercorn*, who were co-temporary with *Robert* Earl of *Strathern*, were *Reginald* the Father, and *Sir William* the Son, and *Reginald* Son to *Sir William*; but no *Sir Adam*, as appears by several Writs extant in the Records of *Pasly*. In the Reigns of King *David Bruce*, *Robert* the Second, and *Robert* the Third, there are several Charters and Writings on Record, granted to those of *Abercorn*, by the said *Robert* of *Strathern*; but never with the Designation of *Consanguineus*, or importing any Relation. Whereas, this Dispersion evinces, that the Family of *Elizabeth Mure* was in Consanguinity to the said *Robert*. Nor was it a Disparagement for any Earl to marry a Knight's Daughter. And about that very time, King *David Bruce* did marry the Daughter of *Sir John Logie*; and *Robert* the Third, then called *JOHN*, shortly there-

thereafter, whilst PRINCE of SCOTLAND, did marry the Daughter of Sir *Drummond*, Predecessor to the now Earl of *Perth*, as appears by a Charter following on a Contract of Marriage, confirming the PRINCE, and the said Lady, in several Lands, *Anno Regni* 3, which is extant in the Rolls of the Great-Seal.

This Charter of Mortification to the Church of *Glasgow* likewise evinces, that this Lady was so far from being a Concubine, that the Earl of *Strathern* was at the pains to procure a Dispensation from the Pope, before he could have her in Marriage: And, by the Tenor of the Paper, it is clear, that the Dispensation was obtained before the Marriage was consummate; and yet the eldest Son of the Marriage is a conjunct Disposer, in this Charter with his Father, of 10 Merks *Sterling* to the Chaplain of *Glasgow* in the Year 1364. In which Year, and in this most authentick Document, under the Sign and Seal of her Husband, before famous Witnesses, she is spoke of as Dead at that time.

Nor was there so great a Disparity betwixt the first and second Marriage; for *Eupheme Ross* was but a Widow, when he married her, and Widow to *Randolph* Earl of *Murray*; as a Charter granted by *David Bruce*, *Anno* 1341, to *Robert SENESCALLUS* his Nephew, and *Eupheme* Countess of *Murray* his Wife, of the Lands

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of *Methuen* does prove, and is extant in the  
Records.

*Nota,* This *Eupheme* was Daughter to *Hugh*  
Earl of *Ross*. Whereas, another *Eupheme*,  
Daughter, and one of the Co-heirs of *William*  
Earl of *Ross*, was married to *Alexander* Earl of  
*Buchan*, one of the Sons of *Robert* the Second,  
by *Elizabeth Mure*.

And to evince further, that there is Certainty  
enough, of *Elizabeth Mure's* being *Rowallan's*  
Daughter, there are in *Rowallan's* Charter-chest,  
these following Writings.

*Rex,*

till we charge you to gif' Seizing  
*Muir*, the Son and Aire to  
of the Lands

Reservand to us the Ward and  
Relief of y<sup>e</sup> saids Landis, reservand alse the  
frank Tenendry to Dame *Jannet Mure*, whyleom  
Wife to *Adam Mure* Knight; halding y<sup>ir</sup> our  
L<sup>tes</sup> for your Warrant. Gifen under Our Sig-  
net at *Dumfermling*, last Day of *Feb.* and of  
Our Reign, the 23. Yheir. Which Precept of  
Safine, is directed thus at the End thereof;  
*Dilectis & fidel. nostris Vicec. de Aire & Baliv. de*  
*Cunnigham.*

*Nota,* Where Blanks are left in this Pre-  
cept, the Words are worn out in the Original,  
the Paper being torn out in several  
Places.

It

King of Scotland.

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It is likewise to be Noted, that in the Circumference of the Seal appended to this Precept, there appears yet visibly, *DAVID REX*, in plain Characters.

**R**obertus, *Dei gratia, Rex Scotorum, Omnibus probis hominibus totius terræ suæ Clericis & Laicis salutem. Sciatis nos dedisse, concessisse & hac præsentis Carta nostra confirmasse, Dilecto Consanguineo nostro Adæ Mure de Rowallane Militi, pro homagio & servitio suo nobis impensis & impendendis, omnes Terras de Rowallane cum pertinent. jacen. in Baronia de Conyghame, infra Vice-comitatum de Aire. Quæ quidem terræ cum pertinentiis fuerunt dicti Adæ, & quas dictus Adam, non vi aut metu ductus, nec errore lapsus, sed mera & spontanea voluntate sua, in propria persona sua, in præsentia plurium Regni nostri Procerum & fidelium nobis per fustem & baculum sursum reddidit, parèque & simpliciter resignavit, ac totum jus & clameum, quæ in dictis terris, cum pertinentiis habuit, vel habere potuit pro se & heredibus suis, die confectionis præsentium in manus nostras omnino quietem clamavit in perpetuum: Tenendas & Habendas dictas terras de Rowallane cum pertinentiis dicto Adæ, & heredibus suis, de nobis & heredibus nostris in feodo & hereditate, per omnes rectas metas & divisas suas, in unam integram & liberam Baroniam, in boscis & planis, pratis, pascuis & pasturis, moris maresis, aquis, stagnis & vinariis, viis, semitis, molendinis, multuris,*



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 & earum sequelis, aucupationibus, venationibus  
 & piscariis, brasinis & fabrinis, cum furca &  
 fossa, sok & sak, Tholl & Theam, Infang-thief, &  
 Outfang-thief, cum servitiis liberè tenentium ea-  
 rundem Terrarum de Rowallane, cum curiis &  
 earum exitibus; nec non cum omnibus aliis & sin-  
 gulis libertatibus, commoditatibus, assamentis ac  
 justis pertinentiis, quibuscunque tam non nominatis,  
 quam nominatis; tam sub terra, quam supra terram,  
 prope & procul, ad dictas terras cum pertinen. spe-  
 ctantibus, seu quovis modo juste spectare valentibus  
 in futurum, libere, quiete, plenariè, integre & ho-  
 norifice, bene & in pace, faciendo inde nobis & ha-  
 redibus nostris dictus Adam, & heredes sui tres  
 sectas, ad tria placita nostra Capitalia Baronia no-  
 stræ de Cuninghame, quolibet anno, apud Irwin.  
 tenend. In cujus rei testimonium presenti Cartæ  
 nostrum magnum precepimus apponi sigillum, testi-  
 bus venerabilibus in Christo patribus, Matthæo &  
 Gilberto Glasquen. & Abredonen. Ecclesiarum  
 Episcopis; Roberto de Fife & de Menteth fratre  
 nostro dilecto, Archibaldo de Douglas Domino  
 Galawidiæ consanguineo nostro, Comitibus; Ja-  
 cobo de Douglas Domino de Dalkeith, Thoma  
 de Erskin, consanguineis nostris dilectis, militibus;  
 & Alexandro de Cockburne de Langtoun Cu-  
 stode magni Sigilli nostri, apud Irwing, undecimo  
 die Novembris, Anno Regni nostri secundo.

ROBERT Duke of Albany, Earl of Fife  
 and of Menteith, and Governour of Scotland, til  
 at

al and fundry to quhais Knowladge y<sup>r</sup> presents Letters shall to come, Greeting; for quhy that is meritable thing to bere Witness to the suthfastness; and yarefore it is, y<sup>at</sup> we do Witness by thir our Letters, y<sup>at</sup> in our last general Counsale halden at *Perth*, with Deliverance of the Three Estates y<sup>air</sup> beand assemblit, we lete to Borch til Dame *JOHANNE* of *Danyelstoun*, Wife to *Quhilome* or Cousin *Adam Muir* of *Rowallan* Knight, all and fundry his Lands of the Barony of *Polkelly*, and all uthurs hir Lands pertenant til hir by way of hir Terce, or otherways of Right and of Law, the whilks were recognist of lang time in our Hands, of before: And this til alle and fundry that it efferis, or may efferre, we make it kend by thir our presents Letters; to the quhilks we have gart set our Sele at *Down* in *Menteth*, the *penultim* Day of *August*, the Yheir of our Lord, *mill. cccc* and fifteen, and of our Governal the tend year.

BY which Evidents, 'tis clear, that in the time of *David* the Second, there was a Sir *Adam Mure* of *Rowallan*; that he was also in the time of *Robert* the Second; that he had a Son called also Sir *Adam*, who in King *ROBERT* the Third's Time, is designed in the Charter, *CONSANGUINEUS* *Noster*, and was indeed his Cousin-German by *Elizabeth Mure*.

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AND for further Proof, Mr. *David Chalmers*, one of the Senators of the College of Justice, a Man of Learning and Probity; in an Abridgment writ by him, of all the Popes, Emperors, Kings of FRANCE, SCOTLAND and ENGLAND, which was printed at Paris, and dedicated to King HENRY the Third of France; and grounding his Proofs, as to Scots Matters on *Turgot* and Bishop *Elphinston*, (who indeed only transcribed, and gave some Addition to *Veremudas*) and on the Collections of *John Swinton*, and *John Campbell*, Two Church-men; in Relation to this Subject, hath these Words: *Ce Roy de Escoffe (viz. ROBERT the Second,) meurant laissa de Elizabeth fille, d' Adam Mure Baron de Rowallan, trois fils & deux filles, &c.*

And Mr. *John Lermond*, Chaplain to *Alexander* Bishop of St. Andrew's, in his Collection of the Scots Antiquities, asserts, That he saw a Testificate under the Hand of *Roger Mcadem* a Priest, bearing, That he the said *Roger* did marry *Robert*, the Great STUART of SCOTLAND, to *Elizabeth Mure* Daughter to *Rowallan*.

These Testimonies are Proofs, as much as is ordinarily required for historical Narrations; But the fore-mentioned Writs, (bearing the first *Sir Adam* of *Rowallan* and *Polkelly*, to have been co-temporary with King *David Bruce*, and consequently

frequently when *Robert* the Great **STUART** was a Youth ; and that the second Sir *Adam* is always design'd **CONSANGUINEUS**, by King *Robert* the Third, and by his Brother *Robert* Duke of *Albany*, Earl of *Fife*, Governour of *Scotland*, and both Sons of the said *Elizabeth Mure*,) put it out of all reasonable Doubt, That this Lady was a Daughter of that Family.

There is such a Heap of Absurdities and Inconsistencies, as well as Falshoods in the Forgery of this Fable, that (in Pity to our Historiographers) I will prosecute it no further; hoping it may teach all future Writers, to have better Vouchers for their Assertions, than common Bruit and open Fame, or to take on Trust, what's writ by former Authors, without authentick Evidence.

The Proofs of this Marriage are so strong and clear, as to leave no Doubt, except that of their being too clear : For, why should one design his Son always his eldest Son and Heir, unless it had been doubtful that he was so ?

*Object. 1.*

As this is but a silly Conjecture, in Ballance with the least of the former Evidences; so it will only occur to those who are little acquainted with the Stile of Writings at that Time; for there are Hundreds of Charters by private Subjects

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jects standing on Record, then and thereafter,  
with the very like Designations.

*Object. 2.* A Second Scruple is, Why should  
a Parliament recognize *JOHN* to  
be King *Robert* the Second's Son and Heir, un-  
less there were Ground to doubt it? And that  
an Act of Parliament was necessary to make  
that be believed.

But if they read this, that they call an Act  
of Parliament recognizing *John's* Title, they  
will find a Narration sufficient to answer their  
Objection; and those, who are acquaint with  
our History, know that it was ordinary for  
our Kings to make publick Declarations of  
their eldest Son's Succession. *David* the First,  
did send *Malcolm* his eldest Grandchild, by  
*Henry* the Prince, with *M<sup>c</sup>Duff* Earl of *Fife*,  
through the whole Kingdom, to be shewn  
and declared as his Successor and Heir. But  
this Custom was judged more necessary by  
King *Robert Bruce* and his Successors; for, the  
Debate in the Succession, betwixt the *Baliol* and  
the *Bruce*, having brought the Kingdom to the  
very Brink of Ruin, King *Robert the Bruce*, be-  
fore his Death, did in Parliament declare, that  
*David* his Son was his undoubted Heir and  
Successor; albeit, at that Time, he had neither  
Son nor Brother but *David* only. Which is one  
of *Mr. Cock's* Mistakes, who writes as if *Ed-*

*ward*

*ward Bruce* his Brother were then alive, whereas he was dead long before.

King *David Bruce*, after his Father's Example, did, in a Parliament at *Scoon*, publish and declare, That *Robert* Earl of *Stathern*, his Sister's Son, was his undoubted Heir and Successor; albeit at that Time, there was none of that Family to compete with him.

And as this Instrument, before insert, does narrate, that this wise King, in Example of his Predecessors, did publish this Document; so neither wanted there good Reasons, why these Three last Kings should have done so; the Crown having been, but lately before, transported from the *Baliols* to their Family: So that albeit there was no Shadow of Competition in their own Family; yet there was no Imprudence in engaging the Parliament to own their Succession, and to put frequent Bars upon the Door against the Race of the *Baliol*, which then did exist both in the *Baliol* and the *Cumming*.

The last frivolous Objection is, Object. 3.  
Why did our Historians unani-  
mously assert *Elizabeth Mure's* being married to *Robert* the Second, after *Eupheme Ross's* Death, that is to say, There are very great Proofs, That *Elizabeth Mure* was King *Robert's* Wife: But some will not believe the Truth, unless you tell

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tell why our Historiographers did ly. To which  
this is a sufficient Answer; You should believe  
Truth, because it is proven; and reject the  
Assertion, which is redargued by so many De-  
monstrations: But if you will allow me, after  
clear Demonstrations of their Error, to make  
Excuse for their rash Injuries; I offer these  
Conjectures, *viz.*

*Major*, the eldest of these Historians, wrote  
his History in the Reign of King *James* the  
Fifth, many Years after *Elizabeth Mure's* Mar-  
riage, he cites no Author, nor can we learn of  
any that he had, except the Manuscript of the  
Continuator of *Fordan*, an obscure Man, whose  
Writings shew, that he did take common Re-  
ports as Proofs, and Warrants for his Assertions.  
But *Fordan*, who wrote before that Time, hath  
not the least Assertion of this, so considerable a  
Matter, had it been true: And *Major's* Philo-  
sophy, as well as his History, does sufficiently  
shew, That he did take for Truth, what others  
reported at Random.

*Boetius's* Business, was to give good *Latin* to  
the Collections of his Predecessors; and he was  
happy enough in Writing, had he not unhap-  
pily stuffed it with too many Fables, which we  
must only impute to his easy Nature.

*Lesly*, had no Design in writing his History, but to assert his Queen's Right, and resent the Injuries done her; and therefore minded little, to put his Authors to the Test of Record.

*Buchanan*, who was to support a bad Design, by writing excellently, his Care was, not to cancel Falshoods, especially when they contributed to his Purpose, as this Imputation, bound on *Elizabeth Mure* and her Succession, did: And albeit the first must needs have founded the Account on false Report, and never looked into the Records; which had they done, that which now appears clearly to us, in redarguing that Falshood, would certainly have done so to them: So the succeeding Authors have this Excuse (tho' I confess a bad one) that they found their Falshood, on what was writ before them: And perhaps even the first of them, by a supine Inadvertence, having heard, that *Robert* the Second, after Queen *Eupheme's* Death, had Children by a Concubine, to whom he had great Kindness, and that this Concubine's Name was *Moram*, did ignorantly confound this Concubine *Moram*, with his first Wife *Mure*.

My Conjecture is founded on this following Charter.

**R**OBERTUS, *Dei gratiâ, Rex Scotorum.*  
*Sciatis nos dedisse, & hac presenti Cartâ no-*  
*stra*



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*stra confirmasse* JOANNI SENESCALL.  
 genito inter nos & dilectam nostram Moram, omnes  
 & singulas Terras nostras de Ballachie, & de  
 Moncreiff, cum pertinen. in Thanagio de Kincla-  
 ven, infra Vice-comitatum, & Perth, Tenen. & Haben.  
 eidem Joanni. & heredibus suis de Corpore suo legi-  
 time procreandis, quibus utique forsitan deficienti-  
 bus, dilecto filio nostro JACOBO SENES-  
 CALL. genito inter nos & Mariotam de Cair-  
 den, & heredibus suis de Corpore suo legitime  
 procreandis; quibus utique forsitan deficien-  
 ALEXAN'DRO SENESCALL. dile-  
 cto filio nostro de dicta Mariota genito, & heredi-  
 bus suis, de corpore suo legitime procreandis: quibus  
 similiter fortasse deficientibus, ad nos & heredem  
 nostros Reges Scotiæ, plenarie & perpetuo reversu-  
 ras, &c. Reddendo unum denarium, &c. apud  
 Perth, 15. Januarii, anno Regni nostri 12.

This Charter gives you Account of Four Sons of King Robert the Second and Two Concubines, never mentioned in our Histories, *Moram* seems to have been the last of the Two Concubines, because her Son *John's* Charter bears a Tailzie of his Lands to the youngest Son of *Mariota*, and failing of him to the Second Son of *Mariota*, and failing of him to the eldest Son of *Mariota*: For another Charter, granted to *Mariota*, of the Lands *de nigra Aula*, and others makes *JOHN* to be her eldest Son, *Alexander* the Second, and *James* the Third. What this

this *Mariota* or *Moram* were, I know not, that being nothing to our Purpose: But if any pleases to palliate our Historians Error, by their placing *Moram* the last Concubine, for *Elizabeth Mure* the first undoubted Wife, they may for me, so they likewise tell that *Elizabeth Mure* was dead long before the Year 1364.

And thus the Proposition of this whole Syllogism being undeniable, the Assumption being proven by so many *Mediums*, I presume, no rational Man will deny his Assent to the Conclusion, and confess that *Elizabeth Mure* was the first and lawful Wife of *Robert Earl of Stratbarn*, STUART of SCOTLAND, and that all her Children were lawful Children, and the eldest called first JOHN and thereafter ROBERT the Third, was the lawful undoubted Heir of the Crown.

And his Title behoved to be esteemed sacred by the whole Nation, when they so peaceably obeyed him and own'd his Sovereignty, altho' he was one of the weakest Men, both of Body and Mind, that ever was amongst our Kings: Which also guarded him and his Infant Children from the Rebellion of his Subjects, and the Usurpation of his Relations, albeit Occasions seem'd to favour such Inclinations in his Uncle the Governour, a Man of great Wisdom and Action, and Vicegerent very long in the  
Royal

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Royal Power; and who, as some write, wanted  
not Inclinations to aspire, had he not been kept  
down, by his Brother and Nephew's just  
Title.

And had there been a Shadow of Right in  
the Children of *Eupheme Ross*, who were  
strengthened with so many and so great Rela-  
tions in the Kingdom, it had been a Meanness  
in them, never to claim their Right, from so  
silly a Brother, and infant Nephews.

But the Impediment did ly in the un-  
doubted Title of *ROBERT* the Third, and  
of his Son *James* the First, which made the  
whole Nation resent the Attempt made for the  
Crown by the Children of *Eupheme Ross*, in the  
Earl of *Athol's* murdering of *James* the First, by  
a Revenge of that Deed famous over *Europe*;  
and moved most certainly from the then Noto-  
riety of King *JAMES's* Title.

*The Descent of King Charles the Second  
from Fetgus the First.*

*C* Charles 2 Son to  
Charles 1 Son to  
James 6 Son to  
Queen Mary Daughter to  
James 5 Son to  
James 4 Son to

*James*

*King of Scotland:*

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*James 3* Son to

*James 2* Son to

*James 1* Son to

*Robert 3* Son to

*Robert 2* Son to ----- *Marjory* Sister to *David*,  
and Daughter to

*Robert 1* Son to ----- *Robert* Earl of *Carrick*,  
Son to *Robert Bruce*, who  
competed with the *Baliol*,  
Son to *Isabel* Daughter to *David* Earl of  
*Huntingtoun*, Son to  
*Henry* Prince of *Scotland*,  
Son to

*David 1* Son to

*Malcolme Canmoir* Son to

*Duncan* Son to ----- *Beatrice* Daughter to

*Malcolme 2* Son to

*Kenneth 3* Son to

*Malcolme 1* Son to

*Donald 6* Son to

*Constantine 2* Son to

*Kenneth 2* Son to

*Alpine* Son to

*Achais* Son to

*Etfinus* Son to

*Eugenius 7* Son to

*Finnanus* Son to

*Eugenius 5* Son to ----- *Dongard*, Brother to  
*Maldum*, and Son to

*Donald 4* Son to

*Eugenius*

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*Eugenius* 4 Son to

*Aidanus* Son to

*Connanus* Son to

*Dongardus* Son to

*Fergus* 2 Son to

*Erthus* Son to

*Ethodius* 3 Son to

*Fincormachus* Son to ----- *Alduin*, Son to *Baldus* Son to

*Findocus* Son to

*Ashirco* Son to

*Ethodius* 2 Son to

*Ethodius* 1 Son to ----- *Adona* Sister to *Mogalus*, and Daughter to *Bengillis*, Sister to *Corbred* 2, and Daughter to

*Corbred* 1 Son to ----- *Cadallam*, Son to *Egelfa*, Sister to *Metellanus*, and Daughter to *Birfa*, Brother to *Ederus*, and Son to

*Dochamus* Son to

*Durftus* Son to

*Finnanus* Son to

*Josina* Son to

*Reutherus* Son to

*Dornodilla* Son to

*Mainus* Son to

FERGUS I.

F I N I S.