

AUTHENTIC NARRATIVE

OF THE

Massacre of Glencoe

CONTAINED IN

A REPORT

OF THE

Commission given by his Majesty

FOR INQUIRING INTO

THE SLAUGHTER OF THE MEN OF GLENCOE

*SUBSCRIBED AT HALYRUDHOUSE,
THE 20TH DAY OF JUNE, 1693.*

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PREFACE

THIS action of unexampled barbarity disgraced the government of William in Scotland at the commencement of the year 1692. The rigour of the warrant, the circumstances of its execution, the mask of friendship under which an unsuspecting and unarmed people were butchered by soldiers, could scarce be exaggerated by the enemies of William, or defended by his friends. The blame was laid by the latter on the minister. They affirmed that the king, ever slow in transacting business, had signed the warrant, among other papers, without inquiry. Some, with a mixture of absurdity and injustice, defended the measure itself, as consistent with the laws of Scotland, others averred, that the officers extended their rigour beyond the letter of their orders. Though the opponents of William owned, that he was instigated to the measure by Dalrymple, they would not allow that he could be ignorant of the contents of a paper, which, apparently to screen his secretary, he had signed both at top and bottom. Warrants of fire and sword, they acknowledged, had been often granted in Scotland, but they were seldom executed with any degree of rigour, and never against men who were not at the time actually in arms.

If the troops exceeded their orders, a point by no means clear, the King they said, in approving afterwards of their conduct made their cause his own. He would not permit the actors in this tragedy to be punished. He even promoted the most active, and distinguished them with his favour.

REPORT
OF THE
COMMISSION GIVEN BY HIS MAJESTY
FOR ENQUIRING INTO THE
SLAUGHTER OF THE MEN OF GLENCO.

Subscribed at Halyrudhouse, the 20th day of June, 1693

JOHN Marquis of Tweedale, Lord High Chancellor of Scotland, William Earl of Annadale, John Lord Murray, Sir James Stewart his Majesty's advocate, Adam Cockburn of Ormestone, Lord Justice Clerk, Sir Archibald Hope of Rankeiller, and Sir William Hamilton of Whitlaw, two of the senators of the College of Justice, Sir James Ogilvie his Majesty's solicitor, and Adam Drummond of Meggins, commissioners appointed by his Majesty, by his commission under the great seal, of the date the 29th of April last past, to make inquiry, and to take trial and precognition about the slaughter of several persons of the surname of MacDonald, and others, in Glenco, in the year 1692, by whom, and in what manner, and by what pretended authority the same was committed, with power to call for all warrants and directions given in that matter; as also, to examine all persons who had a hand therein, with what witnesses they should find necessary, either upon oath or declaration; and to report to his Majesty the true state of the said matter, with the evidence and testimonies to be adduced before, them, as the said commission more amply bears; having mett, and qualified themselves by taking the oath of allegiance and assurance, conform to the act of parliament, with the oath *de fidei*, as use is in such cases, did, according to the power given to them, chuse Mr. Alexander Monro of Biercroft to be their clerk; and he having also qualified himself as above, they proceeded into the said inquiry, to call for all warrants and directions, with all such persons as witnesses that might give light in the said matter: And having considered the foresaid warrants and directions produced before them, and taken the oaths and depositions of the witnesses under named, they, with all submission, lay the report of the whole discovery made by them before his Majesty, in the order following. And *1st*, Of some things that preceded the said slaughter. *2dly*, Of the matters of fact, with the proofs and

evidence taken, when, and in what manner, the same was committed. *3dly*, Of the warrants and directions that either really were, or were pretended for the committing it. And, *lastly*, The commissioners humble opinion of the true state and account of that whole business. The things to be remarked preceding the said slaughter were, That its certain that the lairds of Glenco and Auchintraitten, and their followers, were in the insurrection and rebellion made by some of the Highland clans, under the command, first, of the Viscount of Dundee, and then of Major General Buchan, in the year 1089 and 1690. This is acknowledged by all: But, when the Earl of Broadalbine called the heads of the clans, and met with them in Auchallader, in July 1691, in order to a cessation, the deceased Alexander M'Donald of Glenco was there with Glengarry, Sir John Maclene, and others, and agreed to the cessation; as it is also acknowledged: But the deceased Glenco's two sons, who were at that time with their father in the town of Auchallader, deponed, That they heard that the Earl of Broadalbine did at that time quarrel with the deceased Glenco, about some cows that the Earl alledged were stolen from his men by Glenco's men; and that, though they were not present to hear the words, yet their father told them of the challenge; and the two sons, with Ronald MacDonald indweller in Glenco, and Ronald M'Donald in Innerriggin in Glenco, do all deponed, That they heard the deceased Glenco say, That the Earl of Broadalbine, at the meeting of Auchallader, threatned to do him a mischief; and that -he fear'd a mischief from no man so much as from the Earl of Broadalbine, as their depositions at the letter A in the margin bear. And Alexander MacDonald, second son to the deceased Glenco, doth further deponed, That he hath often heard from his father and others, that there had been in former times blood betwixt Broadalbine's family and their clan, as his deposition, at the same mark, bears. And here the commissioners cannot but take notice of what hath occurred to them, in two letters from Secretary Stair to Lieutenant Colonel Hamilton, one of the 1st, & another of the 3d of December, 1691; wherein he expresses his resentment, from the marring of the bargain that should have been betwixt the Earl of Broadalbine and the Highlanders, to a very great height; charging some for their despite against him, as if it had been the only hindrance of that settlement: Whence he goes on, in his of the 3d of December, to say, That since the government cannot oblige them, it is obliged to ruin some of them, to weaken and frighten the rest; and that the MacDonalds will fall in the net; and, in effect, seems even from that time, which was almost a month before the expiring of the King's indemnity, to project with Lieutenant Colonel Hamilton, that some of them should be rooted out and destroyed. His Majesty's proclamation of indemnity was published in August 1691, offering a free indemnity and

pardon to all the Highlanders who had been in arms, upon their coming in and taking the oath of allegiance, betwixt that and the first of January thereafter: And, in compliance with the proclamation, the deceased Glenco'goes, about the end of December 1691, to Colonel Hill governor of Fort-William at Inverlochy, and desired the Colonel to minister to him the oath of allegiance, that he might have the King's indemnity; but Colonel Hill, in his deposition marked with the letter B, doth further depone, That he hastened him away all that he could, and gave him a letter to Ardkinlass to receive him as a lost sheep; and the Colonel produces Ardkinlass's answer to that letter, dated the 9th January 1691, bearing, that he had endeavoured *to* receive the great lost sheep Glenco, and that Glenco had undertaken to bring in all his friends and followers, as the privy council should order: And Ardkinlass further writes, that he was sending to Edinburgh, that Glenco, though he had mistaken in coming to Colonel Hill to take the oath of allegiance, might yet be welcome; and that thereafter the Colonel should take care that Glenco's friends and followers may not suffer, till the King and council's pleasure be known, as the said letter, marked on the back with the letter B, bears. And Glenco's two sons above name do depone in the same manner, that their father went, about the end of December, to Colonel Hill to take the oath of allegiance; but finding his mistake, and getting the Colonel's letter to Ardkinlass, he hastened to Inveraray, as soon as he could for the bad way and weather, and did not so much as go to his own house in his way to Inveraray, though he past within half a mile of it; as both their depositions at the letter B bears. And John M'Donald, the eldest son, depones further, at the same mark, That his father was taken in the way by Captain Drummond at Barcalden, and detained twenty-four hours.

Sir Colin Campbell of Ardkinlass, sheriff-depute of Argyllshire, depones, That the deceased Glenco came to Inveraray about the beginning of January 1692, with a letter from Colonel Hill to the effect above mentioned; and was three days there before Ardkinlass could get thither, because of bad weather; and that Glenco said to him, that he had not come sooner because he was hindered by the storm. And Ardkinlass farther depones, That, when he declined to give the oath of allegiance to Glenco, because the last of December, the time appointed for the taking of it, was past, Glenco begged with tears, that he might be admitted to take it; and promised to bring in all his people, within a short time, to do the like; and if any of them refused, they should be imprisoned, or sent to Flanders: Upon which Ardkinlass says, he did administer to him the oath of allegiance, upon the 6th of January 1692, and sent a certificate thereof to Edinburgh, with Colonel Hill's letter to Colin Campbell

sheriff-clerk of Argyle, who was then at Edinburgh; and further wrote to the said Colin, that he should write back to him whether Glenco's taking the oath was allowed by the council or not, as Ardkinlass's deposition at the letter B testifies. And the said Colin, sheriff-clerk, depones, That the foresaid letters, and the certificate relating to Glenco, with some other certificates relating to some other persons, all upon one paper, were sent in to him to Edinburgh by Ardkinlass; which paper being produced upon oath by Sir Gilbert Elliot, clerk to the secret council, but rolled and scored as to Glenco's part, and his taking the oath of allegiance; yet the commissioners found, that it was not so delete or dashed, but that it may be read that Glenco did take the oath of allegiance at Inveraray the 6th day of January 1692. And the said Colin Campbell depones, That it came to his hand fairly written, and not dashed; and that, with this certificate, he had the same letter from Ardkinlass, (with Colonel Hill's above mentioned letter to Ardkinlass inclosed), bearing how earnest Glenco was to take the oath of allegiance, and that he had taken it upon the 6th of January; but that Ardkinlass was doubtfull if that the council would receive it. And the sheriff-clerk did produce before the commissioners the foresaid letter by Colonel Hill to Ardkinlass, dated at Fort-william the 31st day of December 1691, and bearing, that Glenco had been with him, but slipt some days, out of ignorance; yet that it was good to bring in a lost sheep at any time, and would be an advantage to render the King's government easy. And, with the said sheriff-clerk, the Lord Aberuchill, Mr. John Campbell writer to the signet, and Sir Gilbert Elliot clerk to the council, do all declare, That Glenco's taking the oath of allegiance, with Ardkinlass's foresaid certificate as to his part of it, did come to Edinburgh, and was seen by them, fairly written, and not scored or dashed; but that Sir Gilbert, and the other clerks of the council, refused to take it in, because done after the day appointed by the proclamation: Whereupon the Mid Colin Campbell, and Mr. John Campbell, went, as they depone, to the Lord Aberuchill, then a privy councillor, and desired him to take the advice of privy councillors about it: And accordingly they affirm, that Aberuchill said, he had spoke to several privy councillors, and party to the Lord Stairs, and that it was their opinion, that the foresaid certificate could not be received, without a warrant from the King; and that it would neither be safe to Ardkinlass, nor profitably to Glenco, to give in the certificate to the clerk of the council: And this the Lord Aberuchill confirms by his deposition; but doth not name therein the Lord Stair. And Colin Campbell the sheriffclerk does further depone, That, with the knowledge of Lord Aberuchill, Mr. John Campbell, and Mr. David Moncrief clerk to the council, he did by himself, or his servant, score or delete the foresaid certificate, as now it

stands scored, as to Glenco's taking the oath of allegiance; and that he gave it in so scored or obliterate to the said Mr. David Moncrieff clerk of the council, who took it in as it is now produced. But it doth not appear by all these depositions, that the matter was brought to the council-board that the councils pleasure might be known upon it, though it seems to have been intended by Ardkinlass, who both wrote himself, and sent Colonel Hill's letter to make Glenco's excuse; and desired expressly to know the council's pleasure.

After that Glenco had taken the oath of allegiance, as is said, he went home to his own house; and, as his own sons above named depone, he not only lived there for some days, quietly and securely, but called his people together, and told them he had taken the oath of allegiance, and made his peace; and therefore desired and engaged them to live peaceably under K. William's government; as the depositions of the said two sons, who were present, marked with the letter E, bear.

These things having preceeded the slaughter, which happened not to be committed untill the 13th of February 1692, six weeks after the deceased Glenco had taken the oath of allegiance at Inveraray; the slaughter of the Glenco men was in this manner, viz. John and Alexander M'Donalds, sons to the deceased Glenco, depone, That Glengary's house being reduced, the forces were called back to the south; and Glenlyon, a Captain of the Earl of Argyle's regiment, with Lieutenant Lindsay and Ensign Lindsay, and six score soldiers, returned to Glenco about the 1st of February, 1692; where, at their entry, the elder brother John met them, with about twenty men, and demanded the reason of their coming; and Lieutenant Lindsay shewed him his orders for quartering there, under Colonel Hill's hand; and gave assurance, that they were only come to quarter; whereupon, they were billeted in the country, and had free quarters and kind entertainment, living familiarly with the people, until the 13th day of February. And Alexander further depones, That Glenlyon being his wife's uncle, came almost every day and took his morning drink at his house; and that the very night before the slaughter, Glenlyon did play at cards in his own quarters with both the brothers. And John depones, That old Glenco his father had invited Glenlyon, Lieutenant Lindsay, and Ensign Lindsay to dine with him, upon the very day the slaughter happened: But, on the 13th day of February, being Saturday, about four or five in the morning, Lieutenant Lindsay, with a party of the foresaid soldiers, came to old Glenco's house, where having called in a friendly manner, and got in, they shot his father dead, with several shots, as he was rising out of his bed; and the mother having

got up and put on her cloaths, the soldiers stripped her naked, and drew the rings off her fingers with their teeth; as likewise they killed one man more, and wounded another grievously at the same place: And this relation they say they had from their mother; and is confirmed by the deposition of Archibald M'Donald indweller in Glenco, who farther depones, That Glenco was shot behind his back with two shots, one through the head and another through the body; and two more were killed with him in that place, and a third wounded, and left for dead: And this he knows because he came that same day to Glenco's house, and saw his dead body lying before the door, with the other two that were killed, and spoke with the third that was wounded, whose name was Duncan Don, who came their occasionally with letters from the Brae of Marr. The said John M'Donald, eldest son to the deceased. Glenco, depones, The same morning that his father was killed, there came soldiers to his house before day, and called at his window, which gave him the alarm, and made him go to Innerriggen, where Glenlyon was quartered; and that he found Glenlyon and his men preparing their arms, which made the deponent ask the cause; but Glenlyon gave him only good words, and said, they were to march against some of Glengary's men; and, if there were ill intended, would not he have told Sandy and his niece? meaning the deponent's brother and his wife; which made the deponent go home, and go again to his bed, until his servant, who hindered him to sleep, raised him; and, when he rose and went out, he perceived about twenty men coming towards his house, with their bayonets fixed to their muskets; whereupon he fled to the hill; and having Auchnaion, a little village of Glenco, in view, he heard the shots, wherewith Auchintraiten and four more were killed; and that he heard also the shots at Innerriggen, where Glenlyon had caused to kill nine more, as shall be hereafter declared. And this confirmed by the concurring deposition of Alexander M'Donald his brother, whom a servant waked out of sleep, saying, It is no time for you to be sleeping when they are killing your brother at the door, which made Alexander to flee, with his brother, to the hill, where both of them heard the foresaid shots at Auchnaion and Innerriggen. And the said, John, Alexander, and Archibald M'Donald, do all depone, That the same morning there was one Sergeant Barber laid hold on Auchentraiten's brother, one of the four, and asked him if he were alive: He answered, that he was; and that he desired to die without, rather than within. Barber said, that, for his meal that he had eaten, he would do him the favour to kill him without. But when the man was brought out, and soldiers brought up to shoot him, he having his plaid loose, flung it over their faces, and so escaped; and the other three broke through the back of the house, and escaped: And this account the deponents had from the men

that escaped. And at Innerrigen, where Glenlyon was quartered, the soldiers took other nine men, and did bind them hand and foot, killed them one by one with shot; And when Glenlyon inclined to save a young man of about twenty years of age, one Captain Drummond came and asked how came he to be saved, in respect of the orders that were given? and shot him dead: And another young boy, of about 13 years, ran to Glenlyon to be saved; he was likewise shot dead: And in the same town there was a woman, and a boy about 4 or 5 years of age, killed: And at Auchnaion there was also a child missed, and nothing found of him but the hand. There were likewise several killed at other places, whereof one was an old man about 80 years of age. And all this the deponents say they affirm, because they heard the shot, saw the dead bodies, and had an account from the women that were left. And Ronald Macdonald, indweller in Glenco, farther depones, That he being living with his father in a little town of Glenco, some of Glenlyon's soldiers came to his father's house, the said 13th of February, in the morning, and dragged his father out of his bed, and knocked him down for dead, at the door; which the deponent seeing, made his escape; and his father recovering, after the soldiers were gone, got into another house; but this house was shortly burnt, and his father burnt in it; and the deponent came thereafter, and gathered his father's bones, and burnt them. He also declares, That at Auchnaion, where Auchintraiten was killed, he saw the body of Auchintraiten and three more, cast out, and covered with dung. And another witness of the same declares, That, upon the same 13th of February, Glenlyon, and Lieutenant Lindsay, and their soldiers, did, in the morning before day, fall upon the people of Glenco, when they were secure in their beds, and killed them; and he being at Innerrigen, fled with the first, but heard shots; and had two brothers killed there, with three men more, and a woman; who were all buried before he came back. And all these five witnesses concur, That the foresaid slaughter was made by Glenlyon and his soldiers, after they had been quartered, and lived peaceably and friendly with the men of Glenco, about 13 days; and that the number of those whom they knew to be slain were about 26: And that the soldiers, after the slaughter, did burn the houses, barns, and goods; and carryed away a great spoil of horse, nolt, and sheep, above a thousand. And James Campbell soldier in the castle of Stirling depones, That in January 1692, he being then soldier in Glenlyon's company, marched with the company from Inverlochv to Glenco, where the company was quartered, and very kindly mtertained, for the space of 14 days:

That he knew nothing of the design of killing the Glenco men till the morning that the slaughter was committed; at

which time Glenlyon and Captain Drummond's companies were drawn out in several parties, and got orders from Glenlyon, and their other officers, to shoot and kill all the country-men they met with; and that the deponent, being one of the party which was at the town where Glenlyon had his quarters, did see several men drawn out of their beds; and particularly he did see Glenlyon's own landlord shot by his order, and a young boy of about twelve years of age, who endeavoured to save himself *by* taking hold of Glenlyon, offering to go any where with him, if he would spare his life; and was shot dead by Captain Drummond's order: And the deponent did see about eight persons killed, and several houses burnt, and women flying to the hills to save their lives. And, lastly, Sir Colin Campbell of Aberucehill depones. That, after the slaughter, Glenlyon told him, that MacDonald of Innerriggen was killed, with the rest of the Glenco men, with Colonel Hill's pass or protection in his pocket, which a soldier brought, and shewed to Glenlyon. The testimonies above set down, being more than sufficient to prove a deed so notoriously known, it is only to be remarked, that more witnesses of the actors themselves might have been found, if Glenlyon and his soldiers were not at present in Flanders with Argyle's regiment. And its further added, that Lieutenant Colonel Hamilton, who seems, by the orders and letters that shall be hereafter set down, to have had the particular charge of this execution, did march, the night before the slaughter, with about 400 men; but the weather falling to be very bad and severe, they were forced to stay by the way, and did not get to Glenco against the next morning, as had been concerted betwixt Major Duncanson and Lieutenant Colonel Hamilton: So that the measures being broke, Lieut-Colonel Hamilton and his men came not to Glenco till about eleven of the clock after the slaughter had been committed: which proved the preservation and safety of the tribe of Glenco; since by this means the far greater part of them escaped. And then the Lieutenant-Colonel being come to Canneloch-Levin, appointed several parties for several posts, with orders that they should take no prisoners, but kill all the men that came in their way. Thereafter, some of the Lieutenant-Colonel's men marched forward in the glen, and met with Major Duncanson's party, whereof a part under Glenlyon had been sent by Lieutenant-Colonel Hamilton to quarter there some day's before; and these men told how they had killed Glenco, and about thirty-six of his men, that morning; and that there remained nothing to be done by the Lieutenant-Colonel and his men, save that they burnt some houses, and killed an old man, by the Lieutenant-Colonel's orders, and brought away the spoil of the country: And this in its several parts is testified by John Forbes, Major in Colonel Hill's Regiment, Francis Farquhar and Gilbert Kennedy, both lieutenants in that regiment, who were all of

the Lieutenant-Coloners party, as their depositions more fully bear. It may also be here noticed, That some days after the slaughter of the Glenco men was over, there came a person from Campbell of Balcalden, chamberlain, i.e. steward to the earl of Broadalbin, to the deceast Glenco's sons, and offered to them, if they would declare under their bands, that the Earl of Broadalbin was free and clear of the foresaid slaughter, they might be assured of the Earl's kindness for procuring their remission and restitution; as was plainly deponed before the commissioners. It remains now, to give an account of the warrarits, either given, or pretended to be given, for the committing of the foresaid slaughter; for clearing whereof, it is to be noticed, That the King having been pleased to offer by proclamation, an indemnity to all the Highland rebels, who should come in and accept thereof, by taking the oaths of allegiance, betwixt and the first of January 1692; after the day was elapsed, it was very proper to give instructions how such of the rebels as had refused his Majesty's grace, should be treated; and therefore, his Majesty, by his instructions, of the date the 11th January 1692, directed to Sir Thomas Livingstone, and supersigned and countersigned by himself, did, indeed order and authorise Sir Thomas to march the troops against the rebels who had not taken the benefit of the indemnity, an; to destroy them by fire and sword; (which is the actual st,le of our commissions against intercommuned nbtl;) but with this express mitigation in the fourth article, viz. That the rebels may not think themselves desperate, we allow you to give terms and quarters, but in this manner only, That chieftains and heritors, or leaders be prisoners of war, their lives only safe, and all other things in mercy; they taking the oaths of allegiance, and rendering their arms and submitting to the government, are to have quarters and indemnity for their lives and fortunes, and to be protected from the soldiers; as the principal paper of instructions, produced by Sir Thomas Livingston, bears. After these instructions, there were additional ones given by his Majesty to Sir Thomas Livingston, upon the 16th of the said month of January, supersigned and countersigned by his nlajesty, and the date marked by Secretary Stair's hand; which bear orders for giving of passes, and for receiving the submission of certain of the rebels: Wherein all to be noticed to the present purpose is,. That therein his Majesty doth judge it much better that these two took not the benefit of the indemnity in due time should be obliged to render upon mercy, they still taking the baths of allegiance; and then its added, If Mackean of Glenco, and that tribe, can be well separated from the rest, it will be a proper vindication of the public justice to extirpate that sect of thieves. And of these additional instruction a principal duplicate was sent to Sir Thomas Livingston, and another to Colonel Hill, and were

both produced. And these were all the instructions given by the King in this matter. But Secretary Stair, who sent down these instructions, as his letters produced, written with his hands to Sir Thomas, of the same date with them, testify, by a previous letter of the date of the 7th of the said month of January, written and subscribed by him to Sir Thomas, says, You know in general, that these troops posted at Inverness and Innerlochy will be ordered to take in the house of Invergario, and to destroy entirely the country of Lochabar, Locheall's lands, Keppoch's, Glengary's, and Glenco; and then adds, I assure you your power shall be full enough; and I hope the soldiers will not trouble the government with prisoners. And, by another letter of the said month of January, which is likewise before the instructions, and written to Sir Thomas, as the former he hath this expression, That these who remain of the rebels are not able to oppose, and their chieftains being all papists, it is well the vengeance falls there: For my part, I could have wished the MacDonalds had not divided; and I am sorry that Keppoch and Mackean of Glenco are safe. And then afterwards we have an account, that Locheall, Macnaughton, Appin, and Glenco, took the benefit of the indemnity at Inveraray, and Keppoch and others at Inverness. But this letter of the 11th of January, sent with the first instructions to Sir Thomas, hath this expression: ' I have no great kindness to Keppoch nor Glenco; and it is well that people are in mercy.' And then, ' Just now my Lord Argyle tells me, that Glenco hath not taken the oath: At which I rejoice. It is a great work of charity to be exact in rooting out that damnable sect; the worst of the Highlands.' But in his letter of the 16th of January, of the same date with the additional instructions, though he writes in the first part of the letter, ' The king does not at all incline to receive any after the diet, but no mercy;' yet he thereafter adds, 'But, for a just example of vengeance, I intreat the thieving tribe of Glenco may be rooted out to purpose.' And to confirm this, by his letter of the same date, sent with the other principal duplicate, and additional instructions to Colonel Hill, after having written, that such as render on mercy may be saved, he adds: ' I shall entreat you, that, for a just vengeance, and public example, the tribe of Glenco may be rooted out to purpose: The Earls of Argyle and Broadalbine have promised that they shall have no retreat in their bounds; the passes to Ranach would be secured; and the hazard certified to the laird of Weems to resett them: In that case, Argyle's detachment, with a party that may be posted in Island Stalker, must cut them off; and the people of Appin are none of the best.' This last letter, with the instructions for Colonel Hill, was received by Major Forbes, in his name, at Edinburgh; and the Major depones, That, by the allowance he had from the Colonel, he did unseal the packet, and found therein the letter and instructions, as

above, which he sent forward to Colonel Hill. And that, in the beginning of February 1692, being in his way to Fort William, he met some companies of Argyle's regiment at Bellshields, and was surprised to understand that they were going to quarter in Glenco; but said nothing till he came to Fort-William, where Colonel Hill told him, that Lieutenant-colonel Hamilton had got orders about the affair of Glenco; and that therefore the Colonel had left it to Lieutenant-colonel Hamilton's management, who, he apprehends, had concerted the matter with Major Duncanson. And Colonel Hill depones, That he understood that Lieutenant-colonel Hamilton and Major Duncanson got the orders about the Glenco men which were sent to Lieutenant-colonel Hamilton: That, for himself, he liked not the business, but was very grieved at it: That the King's instructions of the 16th of January 1692, with the Master of Stair's letter of the same date, were brought to him by Major Forbes, who had received them, and unsealed the packet at Edinburgh; as as these two depositions do bear. Yet the execution and slaughter of the Glenco men did not immediately take effect; and thereafter, on the 30th of the said month of January, the Master of Stair doth again write two letters, one to Sir Thomas Livingston, which bears, ' I am glad that Glenco did not come in within the time prefixed: I hope what is done there may be in earnest, since the rest are not in condition to draw together to help: I think to harry (that is, to drive) their cattle, and burn their houses, is but to render them desperate lawless men to rob their neighbours; but I believe you will be satisfied it were a great advantage to the nation that thieving tribe were rooted out, and cut off: It must be quietly done, otherwise they will make shift for both their men and cattle: Argyle's detachment lies in Letrickwell, to assist the garrison to do all of a sudden:' And the other to Colonel Hill, which bears: ' Pray, when the thing concerning Glenco is resolved, let it be secret and sudden, otherwise the men will shift you; and better not meddle with them than not do it to purpose, to cut off that nest of robbers who have fallen in the mercy of the law, now when there is force and opportunity, whereby the King's justice will be as conspicuous and useful as his clemency to others. I apprehend the storm is so great, that, for some time, you can do little; but, so soon as possible, I know you will be at work; for these false people will do nothing but as they see you in a condition to do with them.' Sir Thomas Livingston having got the King's instructions with Secretary Stair's letter of the 16th of January, and knowing, by a letter he had from the Master of Stair, of the date the 7th of January 1692, that Lieutenant-colonel Hamilton was to be the man employed in the execution of the Glenco men, in pursuance of the secretary's letter, he writes to Lieutenant-colonel Hamilton, upon the 23d of the said month of January, telling

him, * That it was judged good news that Glenco had not taken the oath of allegiance within the time prefixed, and that Secretary Stair, in his last letter, had made mention of him;’ and then adds, ‘ For, Sir, here is a fair occasion for you to show that your garrison serves for some use; and, seeing that the orders are so positive from court to me, not to spare any of them that have not timely come in, as you may see by the orders I send to your colonel, I desire you will begin with Glenco, and spare nothing which belongs to him; but do not trouble the government with prisoners; as this letter produced by Lieutenant-colonel Hamilton bears.’ And Sir Thomas being heard upon this letter, declared, That at that time he was immediately returned from his journey to London, and that he knew nothing of any soldiers being quartered in Glenco, and only meant that he should be prosecuted as a rebel standing out, by fair hostility; and in this sense he made-use of the same words and orders written to him by Secretary Stair. Thereafter, Colonel Hill gives his orders, to be directed to Lieutenant-colonel Hamilton, in these terms: * Sir, you are, with 400 of my regiment, and the 400 of my Lord Argyle’s regiment, under the command of Major Duncanson, to march straight to Glenco, and there put in due execution the orders you have received from the commander in chief. Given under my hand, at FortWilliam, the 12th day of February 1692.’ And this order is also produced by Lieutenant-colonel Hamilton. Then, the same day, Lieutenantcolonel Hamilton wrote to Major Duncanson in these terms: ‘ Sir, pursuant to the commander in chief and my colonel’s orders to me, for putting in execution the service against the rebels of Glenco, wherein you, with a party of Argyle’s regiment, now under your command, are to be concerned; you are therefore to order your affairs so, that you be at the several posts assigned you, by seven of the clock to morrow morning being Saturday, and fall in action with them; at which time I will endeavour to be with the party from this place at the post appointed them. It will be necessary that the avenues minded by Lieutenant Campbell on the south side be secured, that the old fox, nor none of his cubs, get away. The orders are, that none be spared, nor the government troubled with prisoners.’ And the copy of this last order is produced under LieutenantColonel Hamilton’s own hand. And accordingly the slaughter of Glenco and his poor people did ensue the next morning, being the 13th of February 1692, in the manner narrated. And upon the whole matter it is the opinion of the commissioner, *first*, That it was a great wrong that Glenco’s case, and diligence as to his taking the oath of allegiance, with Ardkinlass’s certificate of his taking the oath of allegiance on the 6th of January 1692, and Colonel Hill’s letter to Ardkinlass, and Ardkinlass’s letter to Colin Campbell sheriff-clerk, for clearing Glenco’s diligence and innocence, were not presented to the Lords of

his Majesty's privy council, when they were sent in to Edinburgh in the said month of January; and that those who advised the not presenting thereof were in the wrong, and seem to have had a malicious design against Glenco: And that it was a further wrong, that the certificate as to Glenco's taking the oath of allegiance was delete and obliterate after it came to Edinburgh; and that being so obliterate, it should neither have been presented to, or taken in by the clerk of the council, without an express warrant from the council. *Secondly*, That it appears to have been known at London, and particularly to the Master of Stair, in the month of January 1692, that Glenco had taken the oath of allegiance, though after the day prefixed; for he saith, in his letter of the 30th of January to Sir Thomas Livingston, as above remarked, ' I am glad that Glenco came not in within the time prescrib'd.' *Thirdly*, That there was nothing in the King's instructions to warrant the committing of the foresaid slaughter, even as to the thing itself, and far less as to the manner of it; seeing all his instructions do plainly import, that the most obstinate of the rebels might be received into mercy, upon taking the oath of allegiance, though the day was long before elapsed; and that he ordered nothing concerning Glenco and his tribe; but that, if they could be well separated from the rest, it would be a proper vindication of the public justice to extirpate that set of thieves; which plainly intimates, that it was his Majesty's mind, that they could not be separated from the rest of these rebels, unless they still refused his mercy, by continuing in arms and refusing the allegiance; and that, even in that case, they were only to be proceeded against in the way of public justice, and no other way. *Fourthly*, That Secretary Stair's letters, especially that of the 11th of January 1692, in which he rejoices to hear that Glenco had not taken the oath, and that of the 16th of January, of the same date with the King's additional instructions, and that of the 30th of the same month, were no ways warranted by, but quite exceeded the King's foresaid instructions. Since the said letters, without any insinuation of any method to be taken that might well separate the Glenco men from the rest, did, in place of prescribing a vindication of public justice, order them to be cut off, and rooted out in earnest, and to purpose, and that suddenly, and secretly, and quietly, and all on a sudden; which are the express terms of the said letters; and, comparing them and the other letters with what ensued, appear t» have been the only warrant and cause of their slaughter; which in effect was a barbarous murder, perpetrated by the persons deponed against. And this is yet farther confirmed by two more of his letters, written to Colonel Hill after the slaughter committed, viz. on the 5th March 1692, wherein after having said that there was much talk at London, that the Glenco men were murdered in their

beds after they had taken the allegiance, he continues, ‘ For the last 1 know nothing of it. I am sure neither you, nor any body impowered to treat or give indemnity, did give Glenco the oath; and to take it from any body else, after the diet elapsed, did import nothing at all: All that I regret is, that any of the sort got away; and there is a necessity to prosecute them to the utmost.* And another from the Hague, the last of April 1692, wherein he says, * For the people of Glenco, when you do your duty in a thing so necessary to ridd the country of thieving, you need not trouble yourself to take the pains to vindicate yourself, byshewing all your orders which are now put in the Paris Gazette: When you do right, you need fear nobody; All that can be said is, that, in the execution, it was neither so full nor so fair as it might .’ have been.’ And this, their humble opinion, the commissioners, with all submission, return and lay before his Majesty, in discharge of the foresaid commission.,

Sic Subscribitur, Tweedale; Annandale, now Marquis of Annandale, and Presi-; dent of the Privy Council; Murray, now Duke of Athol, and Lord Privy Seal; Ja. Stewart, her Majesty’s Advocate; Adam Cockburn, late Lord Treasurer-depute; W. Hamil.’ ton; Lord Whitlaw, one of the Lords of Session; Ja. Ogilvie, now E. of Seafield, and Lord High Chancellor; A. Drummond.