

II.—*An Account of the Assassination of SIR GEORGE LOCKHART, President of the Session, by JOHN CHIESLEY of Dalry, 31st March 1689.*

Communicated by PATRICK FRASER TYTLER, Esq. Advocate,
F. S. A. Scot. and F. R. S. E.

[Read 12th January 1829.]

IT is well known that Sir George Lockhart of Carnwath, President of the Court of Session, was assassinated by Chiesley of Dalry. The following curious account of this barbarous transaction is taken from a manuscript volume, entitled Hay's Memoirs, preserved in the library of the Faculty of Advocates.¹

“Upon the 31st of March [1689], SIR GEORGE LOCKHART, President of the Session, was shot by Chiesly of Dalrey, going down his own closs, upon Easter Sunday, after the first sermon. This Chiesly had sent a letter to the President att London, telling him that he had taken the government of his family from him (meaning that he had settled ane aliment on his lady and children, who were starving), and therefore desir'd a speedy remedie, else he would attack him either in kirk or mercat.²

“It was not known that the villain was com'd from London till Sunday the 31st, which day he came to the New church, and offered money to the bedler for a part of my Lord Castlehills seat, just behind the Presidents, whom he designed to have murdered there; but not getting the seat, he would have none at all, and walked up and down the church till the end of the sermon. When sermon was done, Chiesly went out before the President, and gained his closs head, where he saluted him going down, as the President did Chiesly. My Lord Castlehill and Daniel Lockhart convoyed [the President] a peace down the closs, and talked a while with him, after which they both de-

¹ It occurs in the “Third Tome,” page 135, of Hay's *Manuscript*. The Author describes himself as “Mr Richard Augustin Hay, Cannon Regular of Sainte Genovefs of Paris, Prior of Ste. Pieremont, &c.” Anno 1700.

² See Arnot's *Criminal Trials*, p. 153.

parted. The President called back the last, and whilst Daniel was returning, Dalrey approached, to whom Daniel said, "I thought you had been att London," without receiving any other answer than that "He was there now." Daniel offered to take him by the hand, but the other shuffled by him, and coming close to the Presidents back discharged his pistol, before that any suspected his design: The bullet going in beneath the right shoulder, and out att the left pap, was battered on the wall.

The President immediately turned about, looked the murderer grievously in the face; and then finding himself beginning to faile, he leant to the wall, and said, "Hold me, Daniel; hold me." These were his last words. He was carried immediately to his own house, and was almost dead before he could reach it. Daniel and the Presidents Chaplain³ apprehended, in the mean time, Dalrey, who own'd the fact, and never offered to flie. He was carried to the guard, kept in the Weigh-house, and afterwards taken to prisone.

"The Presidents Ladie,⁴ hearing the shot and a cry in the closs, got in her smock out of her bed, and took the dead bodie in her arms, at which sight swoounding she was carried to her chamber. The corps were laid in the same room where he used to consult. The first of Aprile a Meeting of the States was call'd, att nine of the clock, anent the Murtherer. The Provost of Edinburgh and two Bailliffs, with the Earle of Errol's deputys, were admitted to concurr if they pleased. Two of each bench of the meeting, viz. the Earle of Eglinton and Glencarne, Sir Patrick Ogilvy of Boyne and Blacbarroure,⁵ Barons, Sir John Dalrymple and Mr William Hamilton, Burgesses, were impower'd to sit on the Assize, and to cause torture Dalrey, to know if any other was accessarie to the murther. The President's friends, out of tenderness to the Ladie and childring, did not insist upon the crime of assassination of a Judge and Privy Counsellor. Calderwood, designed Writter in Edinburgh, upon suspicion was imprisoned. He was waiting at the closs head when the shot was given, and fled thereafter. He had been likewise seen with Dalrey att the Abbey the Saturday before, following the President as he came from Duke Hamilton's lodgeing.

³ This was Alexander Walker. See Arnot's *Crim. Trials*, p. 152.

⁴ It appeared in the evidence at the trial, that the President's Lady was at this time confined by illness.

⁵ This word should be Blackbarony. The person here meant is Sir William Murray of Blackbarony. Arnot's *Crim. Trials*, p. 151.

"The Court sat down as the States rose. The Murtherer was brought in, who did not deny the fact, and confesst that none was accessarie. He got the boots and the thumekins. Dureing the torture he confessed nothing. Cardross and Polwart were against the tortureing. Calderwood was brought in also, but confessed nothing. Sir George was buried in the Gray Friers Church, upon the south side. He was a great favourer of the King's, no friend to the Roman Catholicks, and an open enimie of Melford's, whom he regarded as the author of all the troubles brought upon the King and Country."

The President Lockhart was perhaps one of the ablest men, and certainly one of the most profound lawyers, that have ever appeared in Scotland. Sir George Mackenzie's character of him is well known. "Lockartius corpus alterum Juris Civilis, alterque Cicero dici poterat. Illi etiam peculiare erat argumenta sua eo ordine disponere ut tanquam lapides in fornice alter alterum sustineret: quæ ex improvise, dum oraret, ei suggererentur, prompta solertia indicabat, aptisque locis disponebat. Nihil ab eo abscondit jurisprudentia et quamprimum casus illi à cliente aperiretur, sua omnia, omniaque adversarii argumenta retexebat, et in ipsam sententiam qua desinienda erat causa, penetrabat. Iracundia, quæ alios oratores turbabat, eum tantum excitare solebat; vocem tamen latratu, vultumque rugis deformabat."

This high character is confirmed by Bishop Burnet. "He was," says this author, speaking of the President Lockhart, "the most learned lawyer and the best pleader I have ever yet known in any nation."⁶

Chiesley, who was a profligate but determined villain, had openly avowed his resolution to commit the murder; and it appeared, from the evidence adduced at the trial,⁷ that the President had been repeatedly informed of Chiesley's threats of vengeance; but he was naturally courageous, and despised the warning. The character of the Assassin was shown by his demeanour when he was apprehended. On hearing that his victim had almost instantly expired, he declared, with savage exultation, that "He was not used to do things by halves."

The Close where the murder was committed is that known by the name of the Bank Close, on the south side of the Lawnmarket.

The Lady Grange, who was long confined by her husband in the island of

⁶ Burnet's *History*, vol. i. p. 370.

⁷ Arnot's *Crim. Trials*, p. 152.

St Kilda, and who afterwards died a solitary and wretched captive in one of the Western Isles, was a daughter of this Chiesley of Dalry. She inherited, it is said, the fierce spirit of her Father, and previous to her captivity, during an occasional quarrel with Grange, had thrown out some threatening hints bidding him remember "that she was Chiesley's Daughter;" insinuating that she might be provoked to imitate the lesson of paternal vengeance.

The following Letter to the Secretary, from SIR WALTER SCOTT, Baronet, in reference to Mr TYTLER'S communication, was read to the Society, 26th January 1829.

DEAR SIR,

I return the curious and particular account of Sir George Lockhart's murder by Chiesley of Dalry. It is worthy of antiquarian annotation, that Chiesley was appointed to be gibbeted, not far from his own house, somewhere about Drumsheugh. As he was a man of family, the gibbet was privately cut down and the body carried off. A good many years since some alterations were in the course of being made in the house of Dalry, when, on enlarging a closet or cellar in the lower story, a discovery was made of a skeleton, and some fragments of iron, which (were) generally supposed to be the bones of the murderer Chiesley. His friends had probably concealed them there when they were taken down from the gibbet, and no opportunity had occurred for removing them before their existence was forgotten. I was told of the circumstance by Mr James Walker, then my brother in office, and proprietor of Dalry. I do not however recollect the exact circumstance, but I dare say Francis Walker Drummond can supply my deficiency of memory.

Yours truly,

WALTER SCOTT.

SHANDWICK PLACE, 15th January 1829.

To E. W. A. DRUMMOND HAY, Esq.