



Whether it was in consequence of this report or not is not clear, but in the same year (1747) there was presented a petition from Andrew Hay as follows:-

"To the King's most excellent: Majesty. The Humble petition of Andrew Hay, younger of Rannes. Sheweth. That your Petitioner being a young man was unhappily induced in the latter end of October 1745 to join in the late Rebellion and is informed that on this account he is excepted from your Majesties gracious Act of Indemnity. That your Petitioner begs leave with Great Humility to represent that he had not the least accession to any hardships done to any of your Majesties faithful Subjects, but on the contrary used his Utmost Endeavours to prevent anything of that kind when it was in his power, as many of them can, and

the Petitioner is persuaded will, testify when called upon. That your Petitioner has since the month of Aprile 1746 lived in such a manner as not to give the least offence, being determined to throw himself on your Majesties Clemency, that as a young man he might be at Liberty to follow his lawfull Business in his own Country, rather as recurr to and become dependent upon any Foreign Power. That your Petitioner does not presume to mention these Circumstances as an Aleviation of his guilt, but in order to move your Majesties Compassion, and being most heartily sorry for his offence, he most humbly Submits himself to your Majesties Royal Clemency, and imploring your Royal Mercy promises to live a grateful and Dutifull Subject-and your Petitioner shall always pray etc. ANDREW HAY."

(Some of the pleas scarcely agree with the Informer's statements quoted above.)

In the year 1752 it was considered wiser for Hay to take refuge in France, where he lived for many years among the other exiles, especially James Gordon of Cobairdy and Sir James and Lady Fanny Steuart of Goodtrees. He kept up an active correspondence with his mother for ten years, these letters being preserved at Leith Hall.

In 1762 most of his brother exiles had returned home, and Andrew Hay was repeatedly urged to do the same, which he said he would have done "had my size been more moderate." He was terribly afraid of being recognised and thrown into prison. At length, however, in January 1763 he was induced to run the risk, and safely reached home in May, where his mother was still alive to receive him. He was then fifty, and she must have been nearly eighty.

His brother-in-law, James Gordon of Glasterim, had been whitewashed by the "ignoramus" verdict of the jury in Edinburgh in 1748, and the four Leiths, brothers-in-law to his sister Mary (previously Mrs. Leith), who had also been out in the Jacobite Rising, had lived down the odium connected with it, in the eyes of the Government.

Andrew Hay had been living undisturbed in Rannes for nine years, when in 1772 Lord Fife applied for a formal pardon for him and James Gordon of Cobairdy. In his letter, Lord Fife states that they had, ever since the Rebellion, behaved so as to merit the favour and protection of Government, living near Lord Fife, and "visiting and being visited by everybody in the country." Lord Suffolk replied that, "in view of the many forms that must be observed before obtaining a formal pardon from the King, if these gentlemen remain unmolested, it would be better not to stir in the matter at all." Lord Fife was not satisfied with this answer and made a further application; for, amongst his correspondence, there is another letter dated 25th January 1773, in which Lord Suffolk writes:-"I am sure your Lordship will do me the justice to believe that I should not have declined compliance with your request, in behalf of Mr. Hay, if there had not been the strongest reasons for wishing to avoid taking any steps of that kind, and particularly as it is so great a distance of time, there is every reason to hope that his Case as well as others, will have been forgotten, and that he may remain in

peace and undisturbed. I concluded you would wish to avoid troubling his Majesty, and I hope your Lordship will permit me to say that I am afraid it would bring on other applications of the same kind." This would seem to have ended the matter for the moment, but doubtless Lord Fife, who habitually pursued to its conclusion any course upon which he embarked, continued to press it, as did some other of Andrew Hay's friends.

In May 1781, Mrs. Macleod of Macleod wrote to Andrew Hay: "It gives me the greatest pleasure to see in the News papers that Government had most properly made you perfect master of your own Estate again, which I hope you will long enjoy in health and comfort.

" A pardon had actually been granted in the following terms:-

"George the Third by the Grace of God of Great Britain France and Ireland, King Defender of the Faith and so forth, to all to whom these presents shall come, greeting. Know ye that we being moved with compassion of our special grace, certain knowledge and meer motion Have pardoned and released and by these presents for us our heirs and successors Do pardon remit and release Andrew Hay of Rannes in our County of Banff or by whatsoever other name or surname or addition of name or surname act place or history the said Andrew Hay may he known deemed called or named or lately was known deemed called or named, all High Treason and all other treason, misprisions of treason felonies crimes and offences by him committed or perpetrated, by himself alone or with any other person or persons whatsoever whomsoever or wheresoever, before the thirtieth day of August One thousand seven hundred and eighty by reason of his having been engaged in the late rebellion in the year one thousand seven hundred and forty five within or without our dominions although the said Andrew Hay be or be not indicted committed adjudged outlawed condemned or attainted of the premises or any of them and also all and singular Indictments, Outlawries, Acquisitions, Informations, suits, plaints, exigents, Judgements, Attainders, Convictions, Imprisonments, Executions, Pains of Death and Pains Corporal whatsoever for the same premises or either of them or by reason thereof which we have had now, have or can claim or which we our heirs or successors may in any manner hereafter claim against the said Andrew Hay and so do by these presents give and grant unto him our Firm pact thereupon.-IN WITNESS whereof we have caused these our letters to be made patent Witness ourselves at Westminster the twenty third day of September in the twentieth year of our reign By Writ of Privy Seal (YORKE)."

Lord Kinnoull wrote to Andrew Hay at the same time:-

"Dupplin, Nov. 22nd 1780.

Dear Sir, I received yesterday the favour of your most kind letter of the 15th inst, and forwarded your hand- some one to the Lord Advocate, who I believe is still at Edinburgh.

I intended this very day to have acquainted you that on Wednesday last and not before, in my way to Dunkeld where I was stormsted till yesterday, I had notice by letter of ye 10th from Mr. Fowler¹ that he had received yr. Pardon, and Mr. Sneyd's Bill discharged, which I enclose. The amount thereof falls short of the sum remitted by you to Mr. Fowler in the sum of ?1 10. 6 which I will Pay to any person you shall direct for your use, Mr. Fowler having given me Credit for the same. I send a copy of Mr. John Hay's bill, that you may see wherein the difference consists.

I have wrote this day to a Friend at Edr. to enquire if any gentleman is to return at ye Christ-mas Vacation, whom I can request to bring down the instrument.

Dear Rannes, you overpower with acknowledgements. Be assured that I feel the greatest Pleasure from Being able to do any thing that is agreeable to you; and that the Ballance of the amount of ye satisfaction is on mv side. I am happy that you are a free Citizen and that I have contributed to restore another worthy Hay to this country: and my Happiness is the greater that you are perfectly free of obligation to any of your great neighbours.

I am ever with sincere regard and esteem Dear Sir, Your most faithful and most obedient servant, KINNOULL.

" Andrew Hay, however, did not live very long after this, and during the last few Years of his life suffered much from rheumatism, probably a result of his experiences in the '45 and his wanderings after Culloden. During his life in France, he frequently complained of ill-health. In June 1789 Lord Fife, writing to William Rose, says that the last time he saw Andrew Hay, the latter mentioned that he had left a trust to Lord Fife which he felt himself bound to perform, and that Hay had added:- "For God's sake hurry Mr. Rose²-for Death is on my Life." Andrew Hay, died, unmarried, 29th August 1789 aged 76, and was buried in the Rannes Aisle of the old Church of Rathven. The church was demolished in 1794, but the Rannes Aisle remains, containing a large tablet to the memory of several generations of the Hays of Rannes. Andrew Hay, a few months previous to his death, sold the property of Rannes to Lord Findlater, and it now forms part of the Seafield Estates.