



## Friends of Dundee City Archives

# Register of Privy Council of Scotland

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### Dundee, Burgh of Volume 1 - 1545-1569

#### P. 70

John Skrimgeour of Glastre, Provost of Dundee, has in presence of the Lords of council, renuncit and renunes his of Provost of the burgh of Dundee, and nerver to have intronetting their with fra hyne furth in times to come, and there upon askit instruments, hora tertia post meridiem

#### P.80

The Quhilk day, the Queens Grace, My Lord Governor and Lords Secreit Counsale understand perfytlie that our auld nemisis of England being in the house of Broughty are apperandlie to invade the burgh of Dundee and hail cuntre, and to hery, sla and distroy our Souerane Lady lieis duelland within the boundris rheir of without thai be resistit; Thairof it is divisit and ordanit be my Lord Governor and Lords forsaidis thst their salbe rasit thre hundredth men weir of the qugilkis ane hundreth hagbutmen, and ane hudreth speirmen, the ane half to be wqualie furnist be greit prelates constitut in dignity of this realm, their part extending to vjc lib., and the other half be the inhabitants of the burgh of Dundee, and ane hundreth horsemen to be furnist to be barons and landed men of the sheriff domes of Perth fra Tay eist, and Sheriff domes of Forfar and Kincardine providing that there be at all times and dertain of the baronis of the sheriff domes forsaidis with the saidis horsemen as salbe thocht expedient be my Lord Lieutenant, and all the saidis men weir to be haldin and payit for the space of ane month beginning at sik day as salbe appyntit top thame by my Lord Lieutenant, and ordains letters to be direct heirupon to command and charge all and sundry the baronis freeholders and landit men of the foresaidis Sherifffdomes to burgh and to land of quhat degree thai be of, to answer and obey the premises as thai salbe Commandit be the said Lord Lieutenant, under the pane of tinsale of lif, landis, and guards, and siclik to require the asaidis prelates to make payment of thar partis of the said tax devisit to the effect abone writtin ilk and for thair awin oart efter the forme of the tax roll maid thairupon, within xxiiij hours nixt efter thai be requirit under the pane of rebellioun, and failyeing thairof to put to shame to the horn.



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### P 276

Barry. The quhilk day anent the Queen's Majesty charg direct to the Provost and Baillies of Dundee for arresting of on ship lately there. Suspect of piracy, and for apprehending of the persons pirates being into her; compared in presence of the Lords of Secret Counsel, Mister James Halliburton, Provost of Dundee, and presented James Barry, master or captain of the said ship, quha alleged him to be under the King of Denmark's wages, and that he had sufficient power of him to make weir, invade and pursue the King of Sweden subjects, and all his adherents and partakar in the present weris standing betwixt the said Kings; and that he be vertew of the power given to him be the said King of Denmark, had taken a oruse being bot a small bark of xxx tynnis of thereby, subject to the earl of Endem, quailing was only a few number of fishes, nettis, salt, and other grayth ganand for fishing; quhilk Earl of Endem, being conifer at and partakar with the King of Sweden in this present weir, wasw enemy to the said King of Denmark quhais subject and waged man the saif James Barrie presents avows himself; and that he come nocht with his said ship and prise purposely within Queens Majesty's watters, but constraints

Thereto be storm of weather, and that he sauld na part of the guidis being in his said prise sen his arrival in this realm.

And in sa fer as the said James arrival with his said ship and prise in this country may any ways appear to be hurtful of prejudicial to the peace standing betwixt our Sovereign Lady and the said Earl of Endem, the said James offered him ready to find sufficient caution and souertie answerable to claim or sute of any subject of the said Earl of Endem, or any other prince, for any offence that may be input to him.

Qhuhilk offer the Lords of secret Counsel thought reasonable; and therefore the said James and Robert Gardine, his skipper, as principals, and James Scrymgeour, Baron of Henderstoun, David Lindsay, Alexander Scrymgeour. And Robert child, burgesses of Dundee, as cautioner's and sureties for them, ar become acted and oblist, conjunctly and several, to releif and keep skittles our Sovereign Lady, her realm and hallis lieges, of all claim and sute that sal happen to be moved be subjects of the said Earl of Endem, or whatsoever other price of common welth, for the said ship and prise, or for whatsoever other attempt of crime that the said James has committed sen his passing furth of theis realm and serving in the said King of Denmark's weris, or for any attempted or crime that sal happen to be committed be him or his company in any time coming.

And the said James Barry and Robert Gardine obleit thame,



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conjunctly and several, to releif the persons cautions abovewritten of this present act and hail points thereof; in respect of the quhilk caution and souertie funding, the said Lords ordains all arrestment made upon the said James own ship, or his prise foresaid, to be lowsit, and same to be delivered again to him, be the persons quhatsunevir Intrromettouris terewith, to Quhome this present act and ordinance salbe a sufficient releif and warrand of their intromission and delivery; providing that it sall naught be lesum to any of our Sovereign lady's lieges to by, or any wyise resset, the said prise of any gudis being into her, and that letters be direct heirupon, give neid beis, in fortune as efferis

### P501

Anent the Supplication presented to our Sovereign Lady and Lords of her Secret Counsel be Mister James Haliburton Provost of Dundee, making mention, that quhair her Majesty umqhill dearest mother in her Highness absence, havand consideration of the earnest travel, great labours and large expenses bestowed bt the said Mister James in her Graces service in the affairs of this realm, specially in with standing of England in time of war, and willing to recompense the same, oblist her to provide the said Mister James to one yearly living and rent of Five hundred pounds money of thes realm; quhilk beand sufficient noticed to the Queens Majesty after her arrival, her Grace, havand respect to the said former promise, and be reason of continuance of the said Mister James service, provided him the said yearly pension; and for sure payment thereof assigned unto him the males, females, profits, and dewiteis of the town and lands of Clene with the place, yards, orchards, crofts, meadows, corn milne, and Aleris thereof, adjacent to the town of Clene, with the woo and park land; and all toe two sheep steadings and pertening and adjacent thereto, called Phillans Hill, Over and Nether Petline; and suchlike the towns and lands of Ovir and Nether Durdie, and all their pertinebtis liand within the sheriff dome of Perth. And he verew of the said assignation, the said Mister James was in position of the said lands and frutis assigned for the said pensions, quhill that under pretext of the ordinance maid upon the vii day of September, the year of God j'mv'c three score six years, declared all gifts, taken, and pensions made given to Quhatsumevir persons of thirds of Kirklands assumed to our Sovereign and for sustentation of her house to be none avale, the said Mister James is impened in josting and using of his said pension, albeit the same beand given for such causes as before rehersit, should na wyise be comprehended under the said ordinance, as at more length is contented in the said supplication. Our Sovereign lady, with avyise of the said Lords, ater sufficient knowledge of the promise of the said pension first made be her said umquhill dearest mother, and thaireftir renewit be her Grace, as als after diligent trial and proof of the said Mister James service foresaid, and reat expenses debursit be him be



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the occasion thereof, throw futhsettim of the Quhilk her Majesty and the said Lords, perfytlie understanding the said Mister James to have burdened himself, his house and friends with great debt, beside his said exceeding travell; havened therefore consideration thereof. His Highness and Privy Counsel foresaid, finds that the deposition of the said pension and assignation made for payment thereof, is and was made for performing of one part of her Graces most necessary affairs

Not extort be the opportunity of the said Mister James without any sufficient cause, but that same was made justly in re compensation of his long service and great expenses foresaid; and therefore that the same shall not be comprehended in the revocation and inhibition contended in the said ordinance, be reason that the said pension is not only also necessary bestowed upon the said Mister James as a give the same were employed in our Sovereign own ordinar,, quhilk her Majesty, with avyise of the said Lords, presently declares decerning the execution of the said ordinance to cease and be suspended simliciter anent the said pension in time coming; but als because her majesty and Council foresaid, in the assignation taken for sustaining of her Highness, has assumed the money, quhiet, here, and meill underwritten in place of it, Quilk is deponit and assigned for payment f the said Mister James pension, extending to the quantities particularly following viz., the third of the parsonage and vicarage of Abernethy xxix.viii s;

The third of the parsonage of Inchemagranoch and vicarage of Ochtergam, xv ii money and the third of the Abbey of Culross, one chalder, one boll; the third of the Abbey of Haddington, xiiii bollis, two pecks, 2 part pek; the third of the Abbey of Nortberwick, three chalderis, four bolls quheit; and the third of the denerie of Brechin, aon chalder, ten bolls, two firlottis, two peks, 2 part pek; the kirk of Kinnell, aone chalder, three bolls, three firlottis, one pek, 2 part pek; the Cordilier Freris of Dundee, one chalder; the third of the chapellanerie of Bakei, one chalder; the third of Scotland Well, xiiii bollis, one firlot, one pek, 3 part pek; the third of the parsonage of Dysert, xiiii bollis, two firlotts, one pek; the third of the Abbey of Culross, five chalderis, three bollis, two firlottis; the third of the denerie of Dunkeld, one chalder, five bollis, 3 part boll beir; and the third of the Denerie of Brechin, three chalder, five bollis, 3 part boll, the Kirk of Kinell, three chalder, two bollis meal--quhilk in the haill exceeds the some of the said Mister James pension; and in so far as it may appear to be required to the validity of the said Mister James right will grants that this present Act half the strenght and effect of one new provision and assignation for all the days of his lifetime. Providing always that give it shall happen any time hereafter the said Mister James to be debared from the said lands and fruits, assigned be any



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ne ordor to be taken anent the said Kirkland's, be said Mister James shall have recourse the reddiest fruits pertending to our Sovereign within this realm, for thankful payment of the said pension to him during all the days of his lifetime and ordains the Comptroller to make thankful payment to him of same kill of the said fruits assigned as he has uplifted sen the deit of the gift and assignation made to him thereupon under the previe seill Quhilk is the xii day of June last bipast, in the year of God JmVc three score years; and give need be, ordains the Lords of counsel and session to direct letters in all the four forms against the said the said Comptroller and others intromettouris with the said fruits, lands and milne foresaid, charging them to answer and obey the said Mister James of the payment of the said maillis fermis and dewiteis of all years past and to come; providing alswa that after our Doveireign sal happen to provide the said Mister James to one sufficient yearly pension of one thousand pounds, of one other personquhome he shall present to one benefit of the same availl, that after the said privision be snirlie made this present shall expire. Providing always that this present Act and provision shall stand the strength and effect allegedly during the lifetime of Patrick, now Bishop of Murray, Commendatare of the Abbey of Scone; and the said Commerndare, now Abbot of Scone, departed, than and in that case the said Mister James, then asnow and now as then, renounce, quitclaims, discharges and ouregevis the strength and effect of the said Act and provision, with all right and title of right that he may any wise hereafter pretend be verew thereof, or otherwise to the males, fermis, teindis, profits and duties abone cifit, shall have no right nor entres thaerto be vertew of this provision after the said Commendataris deceise, and give it shall happen the said Mister James naught be otherwise provided and satisfy of the said pension the time of the decise of the said Commendatare now present, and that because the said abbay is otherwise provided after his decease--in that case our Sovereign Lady promised and obelisks her and her successors in verbo regio, that her Grace shall provide and satisfy the said Mister James of almskill pension and profit be year of the third of benefices of this realm quhilk he shall choose and nominate, any and quhill he be otherwise provided of his pension and leving of one thousand pounds yearly as said is

### P517

At Edinburgh, the next day of June, the year of God J<sup>m</sup>V<sup>c</sup> lxvii

Anent our Sovereign Lady's letters rasit at the instance of Nauchrie Wedderburn burghs of Kirkwall in Orkney, upon James Wedderburn Baillie of the Burgh of Dundee; makand mention that quhair he, with his accomplices lately upon Tuesday



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The xx of May bipast, under silence of night bodin in feir of weir, to the number xx persons or thirty, come on board upon the Henry's ship, called Sampson--quhair scho was liand at oneanker before Bruchtie, come from Hull in England upon her viage--and took his haill kip page furth of yhr same, to the number of six men and one boy, and put them in captivity in diverse houses; and swa be forse and way deid, be manner of James piracy, has reft, spuleit, and taken from the said henry his said whole ship of the birth three score tons of thereby, with her laiding of clayth, and salt being therein to the number of two hundred bolls or thereby, together with her ankers, sails, cabillis, tows and all other her necessary, and the complenaris awin clothing, money and vitualing, at their own hands without any authority or titill of right; and likewise, took from his skipper the whole cocquettis of the three voyages that he made with his said ship, together with the contract and earrant of the being of the same; and as yet withholding the same, and will make the said complainer no restitution thereof, nor of the damages sustained by him there throw.

Without the said James Wedderburn be compelled. But to cullour this his piracy, he now alleges that the said commentaries ship is one pirate, quhilk give it be threw, be shall be fugitive from the law, but it is notour and well kend that he is own pover young man laboured and travelled sai for his living, and has travelled in the same ship continually sen Yule was and year; and after he coft her the month of July a year syne of thereby, and had her all this last winter in Zeitland, with victuallis carried out of Aberdeen, and bartered the same with fish and oil quhilk he carried to Hull in England; and now lately is returned without any manner of artillery of any other thing that my favour of piracy; and has led all his life without suspition thereof, as is notour to the whole merchandise of this realm; and will refuse the judgement of no honest merchant in Scotland.

Quhairfoir the said Henry has deserved in considerations of this his cause, and that here throw put to uther hardship and poverty, being one young man, having no other thing to live upon but his travel and labours, to cause and compell the said James Wedderburn to rander and restore again to him his ship goods, and writings foresaid, als good as they were the time he spuilyeit the same, together with the costs, damages, and interest sustained by him there throw, as at more length is contented in the supplication given in the said Henry to the Queen Majesty and Lords of her Secret Counsel thereupon.

And anent the charge given to the said James Wedderburn to compare before her Highness and Counsel foresaid this day, to answer to the said supplication and complaint, and such other things as should be enquired of him at his coming, under the pain of rebellion and putting of



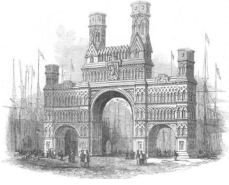
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him to the horn, with certification to him and he failed, he should be denounced rebel and put to the horn; and als anent the change given to the Provost and Baillies of Dundee, to make perfect inventory of the ship and goods abone mentioned, and retain and keep the same in their hands surely under arrestment, ay and Quhill they ressave new command of her Majesty and Privy Council, like as at more length is content in the said letters, execution, and endorsement thereof-- the said Henry Naughtane comprehend personally, the said James Wedderburn being of times called and not comprehend he him nor no others in his names haven his power; and the said Provost and Baillies comprehend be Ritchard Blyth, one of the Baillies of the said Burgh, the right reasons, and allegations of the parties comprehend being heard, sene, and understand to the said Lords, and they avysit Therewith; the Lords of Secret Council decerns and orders letters to be direct to denounce the said James Wedderburn our Sovereign Lady's rebel, and put him to the horn, and to eshiet and bring all his movable goods to our Sovereigns use for his contemption, because he was charred in manner abone written and disobeyed; and als to charge the said Provost and Baillies of Dundee, to render and restore again to the said henry his said ship goods as they were they were the time of their intromission with the same, with all others his goods quhilks are within there burgh and jurisdiction , within xxiii hours nect after the charge, under the pain of rebelliou putting of them to the horne; reserved always action to the said henry against the said James and his accomplices whatsoever for the remnant goods alleged spulyeit and taken from him be theme, and for his costs, skythis, interests, and damages that he has sustained heir throw in there default.

### **P 533**

We,quhilkis being has subscribed this underwritten band, understanding that the Second Band Queen Majesty willing not thing more earnestly nor that in her lifetime her most dear son, our native Prince, be placed and inaugurate in the Kingdome of thie his country and realm, and be obey as King be us and other subjects; and being weryit of the geat panes and travells taken be her in her government, has be her letters demitted and renounced and given power therby to dimit and renounce the said government of this realm, lieges and subjects thereof, in favourite of her said son, our native Prince, to the effect he be inaugurate therein, the Crown Royal put upon his head, and be obeyed in all things as King, and native Prince thereof, as his Highness letters past thereupon bares.

Thereof, and because it is one of the most happy things that can come to any people of country to be governed and rewlit be there own native King, we and ilkane of us quhilk has subscribed their presented, be the tennour hereof promotes binds, and oblessis us faithfully, to convene and assemble our selfs the burgh of Stirling, or any other place to be appointed, to the effect



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foresaid, and their concus assist, and fortify our said and Native King and Prince to be establishing, planting and placing of him in his Kingdom and putting of the Crown Royal thereof upon his head; and in the fear of our God, being instructed and taught be his all other laws, shall give our oath of fidelity for homage and detfull obedience to be made be us to him during his graces lifetime, Christian and true subjects to their native King and Prince. And forder, that we shall, with all our strength and force, promote, concur, fortify, and assist, to the promotion and establishing of him in his Kingdome and government, as becomes faithful and true subjects to their Prince; and to resist all such as will oppose theme thereto, of make any trouble of impediment to him therein; and shall for all other things that becomes faithful and Christian subjects to do their native King and Prince. In witness of the quhilk thing we have subscribed their presence with our hands, at Edinburgh, the day of the year of God Jm Vc three score seven years

### **P537-8, Coronation of James vi**

Apud Stirling xxix day mensis of July, anno Domini millesmo Quingentesimo sexagesimo Septimo

#### **Process of the Kings Majesty's Coronation**

The quhilk day, in presence of noble and mighty lords, James Earl of Mortoun, Lord of Dalkeith, John Earl of Atholl, Lord of Balvany, Alexander Earl of Glencairn, Lord of Kilmawris , John Earl of Mar, Lord Erskine, William Earl of Menteith, John Master of Graham, Alexander Lord Hume, Patrick Lord Lindsey of the Byris, Edward Lord Sanquhair, Robert Lord Sempil, John Lord Invermeyth. Andro Lord Uchiltr, James Lord of Snct Johnnes, Adam Bishop of Orkney, Robert Commander of Dunfermline, Mister Robert Richardson Commander of Sanct Marie Le Thesaurare.

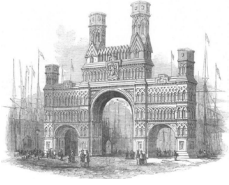
William Murray of Tullibardin Knight Comptroller, William Maitland of Lethingtoun younger secretary, Sir John Bellenden of Auchnowle knight Clerk Justicaire, John Erskine of dun Provost of Montrose, Mister James Halliburton Provost of Dundee,--and diverse of the Nobility Spiritually and Commissaries of burrows convened for coronation of the right excellent Prince James, be the grace of God Prince and stewart of Scotland;--compared Arthur Hamilton of Merretown Procurator special constitue be John Archbishop of Sanctandros and Gavin Commendare of Kilwinning Commissars watchfully constitute be one noble and mighty Prince James Duke of Chestellarault , in all his honest and lawful besines during his remaining furth of his realm, as at length is content in his commission under his seill and subscription manual, of



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the date the ferd day of August, the year of God, JmVclxvi years, and in the said letters of procurator of the date at Hammilton the xxciii day of July instant, scrivit as appeared with the hands of said archbishops and Commandant, And thare the said Arthur, procurator foresaid, in name and behalf of the Duke of Chestellarault , protested that quhatsumevir thing is done or to be done toward the coronation of the said most excellent Prince; quhat acts, consents, constitutions be made thereupon, should on no way prejudge of be hurtful to the said noble and mighty Duke of Chestellrault, and the remant of the Queen's Majesty of Scotland's royal blood, lawful descended in their title and succession of the said crown quhen it shall lease God be any just tight to call them thereto more nor be said coronation had never been done; and thereupon aked instruments and documents of us county's public underserved; this was done in the counsel held within the castle of Stirling, day, Year, and place abone written

The same day, within the parish kirk of Stirling, convened the noble and mighty Lords underwritten; they are to say, James Earl of Mortoun, Lord of Dalkeith John Earl of Atholl, Lord of Balvany, Alexander Earl of Glencairn Lord of Kilmawris, John Earl of Mar, Lord Erskine, John Master of Graham, Alexander Lord Hume, Parick Lord Lindsey of the Byres, William Lord Ruthven, Edward Lord Crichton of Sanquhair, Robert Lord Sempill. John Lord Invermith Andrew, Lord Echiltre. James Lord Sanct, John of Torphechin, Adam Bishop of Orkney, Robert Commendatare of Dunfermline, James Commendatare of Saint Colmis Inche, Adam Commendatare of Dryburgh and Inchmahomo, Alexander Commendatare of Culross, Robert Minister of Failfurd Mister Robert Richardson Commendatare of Saint Marie Ile Thesaurare. Sir William Murray of Tulibardin knight Comptroller, William Maitlan of Lethingtown younger secretary, Sir john bellenden of Auchnowle knight Clerk of Justiciarie, Mister John Preston and Nicoll Udert Commissioners of the Burgh of Edinburgh, John Erskine of Dun, Provost of Montrose, Mister James Haliburton Provost of Dundee, John Stewart of Mynto knight Provost of Glasgow, James Craigingilt of that ilk Provost of Stirling, Charles Drummond Provost of Linlithgow, the Commissioners also of Ayr. Irwing and diverse others of the Nobility, Spirituality, Commissioners of burrows, and barons; quhair the right heich and illuster Prince James, be the grace of god Prince and Stewart of Scotland, being presented in presence of his Grace and Lords of the Nobility, Spirituality, Commissioners of Burrows, and barons foresaid after invocation or the name of God, the said Patrick Lord Lindsey of the Byres and William Lord Ruthven, at command and be virtue of the Queens Majesty our Sovereign lady's letters subcrived with her hand under her privy seal compared, and upon her behalf demitted and renounced the government, guiding and ruling of this realm, lieges, and subjects thereof, all intromissions and property, casualty or other things appertaining to her Highness thereby, and all right and Title



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that she had, has, or may be and more of way thereto, in favour of the said most excellent Prince, her dearest son to the effect that he might be inaugurated and placed in this Kingdom, the Crown Royal delivered to him, and be obeyed in all things concerning the same, as her Majesty of her predecessors has been in times by past. And in signs and taken thereof, the said Lord Lindsey and Ruthven presented before the said Lords of the Nobility, Spiritually, Commissars of Burrows, Barons, and people convent, the sword, sceptre, and royal crown of this realm, requiring the said letters and commission to be read and insert in the books of Secret Counsel and perpetuity rei memoriam, as always the other two commissions following concerning the regiment of this realm during the minority of the said most excellent prince of the quhilkis the tennours follows

### **P544, CHARGE ON THE SKIPPERS OF DUNDEE**

Forsamekill as James Earl Bothuile, with his accomplices declared rebels and fugitives fra our Sovereign Lords laws, for the treasonable and unworthy murhour of umqhuile the King his Majesty dearest father of worthy memory, having reft and spulyeit diverse ships, alsweill pertening to his Highness own subjects, as unto strangers friends and confederates of this realm, accompanied with certain notorious pirates, are past to the sea, minding to continue in their reif and piracy bayth against the subjects of this realm and all nations; and first ste begun at his Majesty proper lands of Orkney, to the great slander of this his whole nation, and great hurt of the commons weill, give tymous remeid be nought provided. Our Sovereign Lord therefore has committed his Highness full of power to his trusty and well beloved Sir William Murray of Tullibardin knyght Comptroller, and Sir William Kirkcaldy of Grange knyght, to pass, search and seek the said Earl and his accomplices, rebels, with the other notorious pirates being in his company, wherever they can be apprehended, and to peruse them with fire and sword, and all other kind of hostility whill they be brought to our Sovereigns laws or punished according to their deserving. For the quhilk purpose it is convenient that the said Comptroller and Lord of grange be substantially furneist with ships and accompanied wit honest, true and faithful skippers and mariners. Therefore ordains letters to be direct to the Provost, Baillies, council and community of the burgh of Dundee, and to officers of arms Sheriffs in that part, charging to pass, command, and charge Thomas Cristell master of the James, Thomas Davidson also master of the same ship, Thomas Kinloch master of the Primrose, John Fotheringhame owner of one part of the Robert, Alexander Strachan master of the Robert, George Lochmalony owner of one part of the Robert, and all master skippers and mariners, indwellers of the said burgh of Dundee, whose names of the said Comptroller shall give in bill, that they and the ilkane of them address and prepair themselves and their ships to pass with him and his



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company for execution of the Kings majesty's charge and commandment abone written to him, and that they answer and obey to him therein within six hours next after they be charged thereto under the name of deed.

### P597

Anent our Sovereign Lords purchest be James Lovell, Richard Blyth, George Rollok, James Wedderburn, and Alexander Carnegy. Brugesses of Dundee. Mak and mention, that where in the month of September. The year of God JmVe three score five years, the Queens Grace command to the said Burgh, show herself highly offended at the inhabitants of the same, for their abiding from the oist and army appointed to have past to Glasgow in the month of August, immediately preceding, and such others causes as than she was displeased with; for satisfaction of whose indignation and for licence to abide from the raid apointed to pass to Dumfries thereafter composition was made for the town payment of some fourteen hundred pounds, and the said complainers excepted forth of the same--the said James Lovell, George Rollok and Richard Blyth. Being three of the baillies for the time---for the particular offence committed by them; but because thy bare public offices quhairthrow they were constrained thereafter to compone for their relief be payment of great and large sums of money as is naturally known, nevertheless the Provost Baillies Counsel and Committee of the said burgh has payed the said sum of icicle. Partly with their common good and partly borrowed money; for the quhilk they pay interest while the common good may be able to pay the same and compels the ssid complainers to stent and contribute with them for payment of the said entrées ; and on no way will take the like ordor and provision for payment of the sums payed br the said complainers in particular, they being all put at for a cause, that was a favour suspected they bare to see of the nobilities as was prosecuted be the Queens Grace for the time. And anent be charge given to the Provost, Baillies, Council and Community of the said Burgh, to convene and take order and provision for payment of the sums deburseit be the said complainers like as done for the said sum of xiiii cli; so that they may be relieved of their great skayth for exceeding their neighbours being all in one cause like as more lengths contented in the said letters direct their upon. The said Provost and one part of the Counsel of the said burgh comprehend in presence of my Lord Regent and Council and their reasons and allegations hard, seen and considered; my Lord Regent, with advice of the Lords of Secret Council, ordains lettres to be direct, charging the Provost, Baillies Council and Community of the said burgh to convene and take trial and inquisition what sums were paid be the said complainers or any of them to the Queens Grace her Thesauruses, or any other in her name. for the cause abonespecifit at the time abonewritten and to take order for payment of the sums debursit be them in manner foresaid,



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like as is done for payment of the said sum of fourteen hundred pounds; so that they be relieved of the composition payed be them for exceeding their neighbours being all one cause within six days next after they be charged thereto under the pain of rebellion and putting of them to the Horne; and give they fail therein, the said six days being bypass, to denounce the disobeyers rebels and put them to the Horne, and exit and bringing all their movable goods to our Sovereign use for their contemptuous

### **P604**

Anent the supplication presented to my Lord Regent and Lords of Secret Counsel be the Provost, Baillies, and Inhabitants of the Burgh of Dundee; makes mention, that where, at the occasions of the tumult that happened upon the gate of Edinburgh beywix their neighbours and the inhabitants of St Johnstown in the time of the latee parliament, James Wedderburn, and George Mitchell, burgesses of Dundee, and William Rysie, bearer of the hands eye thereof, were commanded to remain in Edinburgh, and on no way to depart while trial was taken and ot found to quhais default the said tumult happened. Sen the quhilt time diverse witnesses has been examined in the matter, and anent the commandment given to Sir Symon Preston of that ilk knight Provost of Edinburgh, to present the depositions of the said witnesses, the same being present and read in the presence of my said Lord Regents Grace and Lords of Secret Council, anf that reply avysit therewith. My Lord Regent and Lords of secret Council finds and declares that the said James Wedderburn, George Mitchell, and William Rysie, nor none others their neighbours, inhabitants of the said burgh of Dundee were, or are any ways culpable of the occasion of the said tumult, of any thing committed the time thereof, decerned them from the innocent of the same in all times coming, saw that they may freely depart at there pleasure, notwithstanding the said commandment given them in manner foresaid

### **P655, Apud Edinburgh decimo nono April, anno, etc. lxxix**

Anent our Sovereign Lords letters rasisit at the intance of Gilbert Auchenlek of that ilk, Walter Ramsy brother and remanent kin and friends of unquiet James ramsay tutour of the Lows, maken mention. That where it is notour to my Lord Regent the cruel and abominable murder and slaughter of the said unquiet Jams committed within the burgh of Dundee, Immediately before his Graces klast departing to England be John Ogilvy father brother to the Lord Ogilvy, John Ogilvy his son Robert Beaton of Westhall and their accomplices; not withstanding quhilk detestable crime, Patrick Lord gray, Michael Balfour of Burly and Arthur Forbes of Reres has continually-- or for most part seen my said Lord Regent departing--reserved, fortifit and



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maintained the principal and chief commentaries of the said odious crime, viz; the said Patrick Lord gray, David Guthrie and Alexander Guthrie brother and the said Lairds of Burly & Reres, the said Robert Beaton, in their houses and utherways publicly, they being our Sovereigns rebels and fugitive from his Highness laws for the saud crime; in the contempt ion of his Majesty authority vilipend the same their throw , as their were nether law or justice to be ministrat within this realm to the evil example of the will inclined lieges thereof. Quhilkis persons nought only intends to be their ressett. And maintenance hereafter, but also to procure their respect of remission at my Lord Regents hands, albeit be good guide seal and favour he has erver borne and bears to the maintenance of justice, the said complainers are certainly persuaded that he will nought grant to their ungodly desires, but be the contrary will continue one godly instrument in maintenance of justice. And anent the charge given to the said Patrick Lord Gray, to present the rebels above specific, conform to the general band, before my Lord Regent and Lords of Secret Counsel, at one certain day began, or else to compare before him the same day and show one reasonable causeway the same should not be done, with certification to them and they failed letters should be direct simplicity upon them to the effect foresaid, as at more length is contented in the said lettres, execution and indorsations thereof; the said Walter Ramsy, one of the said complainers comprehend for himself and remained kin and friends of the said unquiet James Ramsay, and the said Patrick Lord Gray being oftimes called and not comprehend; my Lord Regents Grace, with advise of the Lords pf Secret Council, ordains letters to be direct, charging the said Lord gray, yet as before, to present the rebels abone written, conform to the general band, before his Grace and Lordships at Edinburgh of where is shall happen them to be for the time, upon the sixth day next after the charge, under the pain of rebellion and putting him to the horn ; and if he Fails therein, the said sixth day being by past, to denounce them rebels and put them to the horn, and to exit, etc., because they were charged hereto of before under the pain of rebellion, with certification as said is and disobeyed.

### **P6854, APUD DUNDEE, xx JULY, ANNO, ETC. LX1X**

Anent the complaint made to my Lord Regent's Grace and Lords of secret Council, be Mathew Greif. Reader at Kirk of Monikie, makes mention; that where he is lawfully provided of old in and to the vicarage pensioner of the same, with the gleib and manse thereof and has been in possession of the same these diverse years by past, and suchlike has obeyed our Sovereign Lords gift, with avise of his Highness Regent of the hole vicarage of Monikie, with the manse and gleib of the same extending to an acre of land as now Reader thereat, confine to the Act of



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Parliament;<sup>1</sup> and has likewise brought the same continually sensing, but any impediment, while lately that the Master John Guthrie of Pitmowies, alleged him to have right to the said manse as one part of his proper heritage, has directed his precept and therewith caused warn the said Mathew to flit and remove therefore at the feast of Whitsunday the year of God JmVcLxviii years, and has called and pursued them therefore before our Sheriff of Forfar and his deputies; and saw daily and continually molested and troubles him there until; and anent the charge given to the said master John Guthrie to compeir and answer to the said complaint. Both the parties comprehend personally of their own motive will, submitted all questions, claim and controversy standing betwixt them for the cause foresaid, to the judgment and discrete of Thomas mauld of Panmure and Gilbert Auchenlek of thet ilk, conjunctly, quhilkis shall visit the ground betwixt and the first day of august next come, and thereafter pronounce their decret and judgment therein before the last day of the said month of august; and whatever the said Thomas and Gilbert conjunctly decerns, decrees and pronounces in the said maters, both the said parties shall abide, utterly and full fill the same, but appellation reclamation or contradiction whatsoever.

Memorandum; this letter following was prevelie purchest of my Lord Regents Grace, whereof the tennour follows; Alexander Hay you shall remit John Philips mater against the Abbot of Kinross to the Session as judges ordained thereto, fore saw the council thinks good. Subscribed with our hand at Aberdeen the x1 day of July 1569, etc; and the matter being meant of new at Dundee the said xx day of July, his Grace ordains the decree given the Abbot of Kinross to be suspended, uneven forth, while the complainer satisfy the Kirk and report the Superintendents testimonial thereupon.

<sup>1</sup> perhaps the Act of acts of December 1567, of which fragments only have been preserved. Act Parliament Scotland, iii. 37

The quhilk day Patrick Wood of Bonytoun become surety for Thomas Guthrie of Kynblawchmont, the he shall no ways make convocation of our Sovergein Lords lieges, of trouble Alexander Whitelaw br way of deed under pain of Vc ii. toties quotes

### **P865**

Apud Dundee. xx1 July, anno, etc., Lxix.o

Sederunt. Jacobs Dominus Regens. Jacobs Comes de Morton.

Patricks Dominus Lindsey. Patricks Dominus Gray.

John Dominus Glamis, John Dominus Innermeyth.



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Commndatrius Dunfermline. Commndatrius Balmertnoch  
Thesaurarius. Clerks Registrar Clerks Justiciarie

The Quhilk day, in presence of my Lord Regents Grace and Lords of Secret Counsel, Patrick Lord Gray presented John Gray his steward according to the command given to him and his promise made upon the xx day of July instant; and the said John being inquired upon the deforcement of Sir David Lindsey of Rethulet Lyon King of Arms, committed upon the fifth day of July instant be Thomas Gregory, Henry Knight and others in name of said John Gray as they allege., in stopping of the said Lyon King of Arms, to entire Henry Lovell brother and procurator to John Lovell of Ballumby his fisheries, nets, servants and cobillis in his name, to his possession of the fishing of the sea and water of Tay, called Inchebin, Dumfarrisheid, Stanners and Carfaw, land foranent his lands of Monifieth, Instingleys and Eglismonethe, as at more length is content in the said letters and execution thereof past and execute in said mater. The said John Gray granted and confessed him to be taxman of the said fishing and alleged that his tax was in Edinburgh in readiness to be produced before the Lords of Counsel and Session for his defence in the action of removing intended against him be said John Lovell. And forder, the said John Gray being inquired of whom he had the said tax, confessed he had the same of Henry Lovell of Ballumby. Wherefore my Lord Regents Grace, with advice of the Lords of Secret Council, orders, the said John Gray to present his said tax before his Grace and Lords of Secret Counsel foresaid, at Perth of where I shall happin them to be time, upon the xxvii day of July instant, to be seen and considered given the occasion of the same execution of the decreit obtenit be the said and delayed of not; with certification gave the said John Gray failed, my Lord regents Grace, in respect of the diverse complaints upon deforcements alleged already committed, will see the said decreit put in execution notwithstanding the said alleged tax with forth delay

The quhilk day anent the complaint present to my Lord Regents Grace and Lords of Secret Council be Master Gilbert Gordon, minister of Monifieth; makes mention, that where the Kirk has assigned to him the manse and gleib of the said kirk of Monifieth in part payment of his stipend for administration there at; whereupon he obtained letters in the four forms, for compelling of the tenants to answer and obey him of the same, and be virtue thereof, has charged the said tenants therewith in anno, etc, Lxy, under diverse pains contented therein all. And in the meantime Henry Lovell of Ballumby, with his complies to the number of xxx persons or thereby, masterfully and violently and perforce ejected the tenants therefore, kest down the houses thereof, and cute and destroyed the green trees grown thereupon,---who has continually sensyne laboured and manurit the same, and withheld the profits thereof from the



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said Master Gilbert continually since the LXV year; and will not suffer nor permit him enter thereto, conform to his gift and letters foresaid past thereupon my Lord Regent put remeid to the same. Anent the charge given to the said Henry Lovell, to compeir before my Lord Regent's Grace and Lords of the secret Council foresaid, to answer to the said complaint; bothe parties comprehend personally; ordered the Lord of Dundee, Superintendent of Angus, to hear both the parties, and give it were possible to agree them. of otherwise report the matter again to his Grace. The said Superintendent having earnestly travelled for concord and yet not finging the said Henry conformable thereunto reported the same to his grace, who thereafter hearing both the parties, with their rights, reasons and allegations; decerns and ordains the said Henry Lovell of his own good will and consent, to desist and cease from all forther occupation of the said manse and gleib or intromission therewith, but to suffer the same be peaceably occupied and occupied and possessed be the minister of the said kirk in time coming; and that letters be direct hereupon, give need be, in form as efforts.

### **Apud Dundee, xxii July, anno, etc. Lxix**

The quhilk day, in presence of my Lord Regents Grace and Lords of secret Council, John Luvell younger of Ballumby, become surety for Henry Luvell of Ballumby his father, that the said Henry nor nane That he may let, shall molest trouble or peruse, James Luvell Burgess of Dundee or William Forester his good son, in bodies or goods, be force or way of deed, under the pain of two thousand marks, quhilk my Lord Regent and Lords foresaid decerned to pertain to the said James and William, or their heirs in cause of the said Henry failye.

Anent the supplication presented be Willam Glendy, makes mention; that where he obtained one decret before my Lords of our Counsel and Session against David Earl of Crawford, and letters in the four forms thereupon, charging him to entir the said William to the lands of Drumclone set be the said Earl to him for the space of xxi years next after the feast of WhitSunday, the year of God jmVclxviii years, as the take made thereupon, decret given be the said Lords, and letters foresaid whereupon, the same proceeded, at more length proposed; for no fulfilling whereof, the said Earl was ordered denounced our Sovereign Lords rebel and put to the horn in months of march the year of God Jm Vc lxxviii years last by past, whereat he has remained like as he dose yet continually sensed unrelaxt, Wherefore the said William meant him to my Lord Regents Grace and Lords of Secret Counsel of before at their last bing in Sanctandros be his bill of complaint; whereupon answer was superceed whill hie Garce coming ti this town of Dundee, and that order be tane therein as appertained. And anent the charge given to the said Earl to compeir before my Lord Regent and Lords of Secret Council this day, to answer to this compliant' bothe the parties comprehend personally, their reasons and



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allegations being heard and understand be my Lord Regent and Lords foresaid, and they relpy avysit reply therewith. My Lord Regents Grace, with advise of the Lords of Secret Counsel, decerns and ordains the said David Earl of Crawford at even, be making him payment of security, as they can best agree of XII XX XV marks as for the principalm with fourty pounds for expenses and skayth sustenit be wantin of his money there two years begin  
Otherwise his Grace will see the deceit amf d letters past against the said Lord be obeyed in all points

### **Apud Dundee, vices Quinto July, anno, etc lxxix'o**

The quhilk day, in presence of the Lors of Secret Counsel underwritten vix; Adam Bishop of Orkney, Robert Commandare of Dunfermline of balmerynoch master of Requeistis to our Sovereign Lord, Sir John Bellenden of Auchnowle knight Justice Clerk, Sir John Wishart of Pitarro knight; and all in presence of the provost, Baillies, and part of the Counsel of the burgh of Dundee.

Comperit James Wedderburn son and heir of uncle David Wedderburn burgess of Dundee on the one part, and William Wedderburn his brother, son lawful also of the said uncle David and Margaret Rollok his spouse on that other part; and in humble manner and reverence submitted them selves, to the lawed sentence and decreed arbitral of my Lord Rents Grace, present, anent sum of one thousand marks acclaimed be the said William from the said James as son and heir to his said uncle father, comform to certain instruments peiduced be the said William wherein the said David confessed him to be restand awand to the said William the foresaid and to the said William the foresaid sum and oblissing of pyment thereof; and all anent all and sundry actions causes quarrels,, controversies and debates, that either of the said parties has to say or proponed against others in any time began before the date hereof.

My Lord Regents Grace, accepted upon him instantly the decision of the said debatable actions, being avysir and consulted with the sais Lords of Sevret Council, and all with the said Provosr, Baillies and Council of the burgh of Dundee, who best knew the merits of the said actions, decerns, devretis and delivers in amicable manner, that the said James Wedderburn shall content and pay to the said William Wedderburn and Margaret Rollok his spouse and their heirs, the sum of four hundred marks usual money of Scotland at the terms following;

That is to say two hundred marks thereof at the fifteen day of August, next to come, and the other two hundred marks thereof at feast of Yule next therefore following; and in respect that the ordinance was made be his Grace that the said James should pay the sum of five hundred marks to the said William knowing the said James heavily hurt in payment of the rest above written, and also having respect to the said James faithful service to his Grace offers the



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common will of the realm; His Grace has permitted to cause the said William be paid of the said last hundredth marks of his Grace for benevolence and proper money at his graces next coming to Sanctandros; and finally his Grace has discharged and be the tennour hereof discharges simplicities, all actions, causes quarrels, controversies, writes, and debates, that other os the said parties has to say or propane against others in any time began before this present date; and decerns them to stand on good life and anytime coming, always reserving the payment of the said five hundred marks to be payed to the said William in manner above expremit allegedly; upon the quhilkis premises the said James asked acts and instruments.

### No fair on Sundays

Forsamekill as be one Act of Parliament made in time of unquiet King James the Therd, our Sovereign Lords grandsire of worthy memory it is statute and ordained that there be no market nor fairs on holy days, not yet within kirks of Kirk yards on holy days, or any other days under pain of escheting of the goods. And albeit the same Act has been diverse times ordained to be put to execution and sindry proclamations made to that effect; nevertheless the abuse and contempt of God and good order continues in such sort, that albeit God of his mercy has granted the light and knowledge of his Word in this last age, yet the malice and obstinacy of the people continues in their wanton disorder, and wilfully violates the Sabbath day, using the same prophanelie in market making and others wardlie affairs; as also propane and abused the kirks and Kirk yards where the people of god aught to convene to hear the word of god and ressave the Sacraments; so that no obedience sawe to law, nor no good order follow in time coming gif times remade be naught provided. Therefore my Lord Regents Grace, with advise of the Lords of Secret Council, ordains letters to be direct, to make intimation and publication of the said Act, yet as before, be open proclamation at the market croces of the dead burghs of the sheriff dome of this realm, and all other places needful to all and sundry our Sovereign Lords lieges; and to command and charge them in his Highnesses name and authority, that name of them take upon hand to hold market of fairs on Sunday, nor yet within kirks or Kirk yards, nether on Sundays nor no others days, under the pain of escheting of their goods; and in case they fail therin, orders the Sheriff of the shires, Provosts, and Baillies of burghs, and officers of arms Sheriffs in that part, to pass and confiscate and escheit all the goods of the persons that shall be apprehended doand in the contrair; and inbring and deliver the same to our Sovereign Lords Treasuries to be applied to his Highness use for there contemptuous, according to justice.

Copied by Grace Mann