



# Register of Privy Council of Scotland

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## Dundee, Burgh of Volume 5 - 1592-1599

### P.1

Reg. Sec. Con., Act 1591-94

David Weyms of that ilk, having been charged to enter this day John Armstrong, son of Lancy Armstrong of Whithaugh, pledge, under pain of rebellion, appears by his son and heir apparent, who alleges that his said father "received not the said pledge upon condition that he should keep him and not suffer him to depart," but only on the understanding that he should allow him to remain in his house, although now he undertakes to "do his diligence for the entrée of the same pledge." The 17<sup>th</sup> instant is assigned to the said David for that purpose, and "this matter is continued," to this day.

### P.9

Again in the case of Thomas Ogilvy against the provost and baillies of Dundee

Complaint by Thomas Ogilvy, merchant, burghess of Dundee: -- He had been ordained to find caution to be answerable for whatever victual and goods he intermitted with, by virtue of a letter of mark, fourth a ship of the town Danskene; and, while he was using his "moyane" with the barons and gentlemen in the country to become cautioners for him, the provost and baillies of Dundee had procured a discharge of the said Act (ante, Vol. iv. P.707) and intermitted with the said goods themselves, "off purpose to keep and detain the same from him wrongly." For whatsoever was done to him in the premises was lawfully by virtue of the said letter of mark; like as his Majesty and his Privy Council, after long reasoning and good advice had therein, ordained the said complainer to have intromission with the said goods, victual and merchandise, upon finding of the said caution," and now he is content to find caution that the goods specified in an inventory inserted in the town books of Dundee and extracted and delivered to him, shall be forthcoming to all parties having right thereto. On these grounds delivery ought to be made to him of the said goods, to be used by him as he thinks fit.--Charge having been given to James Forrester, provost, Alexander Ramsay, Patrick Lyon, James Carmichael, and William Duncan baillies of the said burgh, to appear to hear judgement given, and none of them appearing, while the complainer appears personally, the King and Council



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ordain officers of arms to charge the said provost and baillies to restore to the complainer the whole of the said goods upon inventory within 24 hours after the charge, under pain of rebellion, both on account of their none appearance, and also because James Ogilvy of Auchnaward has become cautioner for the complainer to the foresaid effect

### P.214-5

Thomas Stalker against Thomas Ogilvy, in the matter of a ship and her goods

Complaint by Thomas Stalker, Scotsman, residing in Danskene, as Follows:--

In May 1591 a ship called the 'Grite Jonas of Danskene,' laden with certain goods belonging to the Duke of Florens , "was, by the tempest and storm of weather, driven in Zetland" ; out of which a great part of her goods was pillaged by Thomas Ogilvy in Dundee, who brought the same to the said burgh, whee they were intermitted with by the provost, baillies, and council thereof, as appears by an inventory subscribed by their clerk of court. For restitution ,the King of Poill and Sweden had diverse time written to his Majesty; who, by his letter to the said King, had promised to cause full redress to be made of the said goods, and of the other goods pillaged out of the said ship, to any person having commission. Now the said Thomas has brought new letters from the said King and Duke to his Majesty, with sufficient power, "and has depended and awaited continually by the space of twenty hours last by past." On his petition the King and council had directed letters for summoning the provost and baillies of Dundee and the said Thomas Ogilvy before them upon the 19<sup>th</sup> December last; "like as the said complainer has caused summoned and warn them therewith, and, the same being given in but calling of him or the parties, as he is informed, the said Lords would have remitted the said matter done in the said matter."--Charge had been given to James Scrymgeour of Dudhope, provost, William Mann elder, William Duncan, James Scrymgeour, and James Carmichael, baillies of the said burgh, and to the Thomas Ogilvy, to make restitution of the goods contained in the inventory, or else show cause to the contrary; and now, Stalker appearing personally, with Mr John Dowling, his prolocutor, and the said provost and baillies appearing by John Finlayson, their prolocutor, and Thomas Ogilvy being also present, the Lords remit this matter to the Lords of Council and Session to be decided by them according to law.

### P.251 Holyrood house 29<sup>th</sup> December

Dundee Effecting the provost and baillies of Dundee, in the matter of goods in a Dantzic ship, the property of the Duke of Florence, intermitted with by a burgess of that burgh.



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Charge has been given to James Scrymgeour of Dudhope, constable and provost of Dundee, John Finlayson, John Traill, Patrick Lyon, and Andro Blyth, baillies of Dundee, and Thomas Ogilvy, burgess thereof, to appear before the King and council, bringing with them the inventory of the goods alleged to belong to the Duke of Florence, intermitted with by the said Thomas, and by him delivered, according to his Majesty's direction, to the said provost and baillies (see vol. iv.. Pp. 665. 707.) to hear themselves decerned to make restitution of so much of the said goods as are expressed in the said inventory to Ambrose Lericie, procurator, deputed by the said duke receiving the same, or else show cause to the contrary. The said Thomas had been required to appear personally, and the provost and baillies by one or two of their neighbours sufficiently authorised by their commission, under pain of rebellion.--The said Ambrose, now appearing as procurator for the said Duke, produces a Latin attestation of the magistrates of the town of Danskene, of date 25<sup>th</sup> April, 1592, of which the purport follows:-- Anthony Briegers, mater of the ship called 'The great Jonas of Dantzic,' having appeared before them, in the matter of certain goods belonging to Ferdinand, Grand Duke of Tuscany, which had been taken from the said ship, haad sworn that the said ship, having been driven by stress of weather into the harbour Gritinque Viage in Shetland in the spring of 1591, had been boarded by Jarmirus Unfrei, governor of the island, followed by Captains Thomas Ogilvy and John Root, both Scots and citizens of Dundee, who, after various ceremonies, the production of letters of mark, and the demand, in the King's name, of a surrender of all the "papistical goods" in the ship, had proceeded in the most leisurely manner, with threats of overwhelming force if resisted, to seize and unlade the whole cargo of the ship, consisting of specified quantities of wheat, flour, madder, lint, Hungarian copper, a barrel of goatskins, of books, together with some cheese and butter, two cannons, a quantity of bullets and gunpowder, and some ropes and other gear, all belonging to the ship and crew. -- Richard Blyth and John Finlayson, appearing as procurators for the said provost and baillies, produce the foresaid inventory of the goods delivered to them by the said Thomas, conform to his Majesty's direction, of which the tenor follows:--THE INVENTOR of the goods and gear delivered forth of the ship called the Thomas of Dundee to the provost and baillies of the said burgh by Thomas Ogilvy and James Fleuchar, merchants of the said ship, and James Hay, master thereof, upon the penult and last days of August 1591: Which goods were taken forth of one great ship of Danskene, land in Zetland, by the said Thomas in the month last bypast: In the first, one barrel containing therein certain books, all of one history anent the description of the countries of Poland, Muscovia, Prussia, and others thereto adjacent, to the number of xxxix; item of spilt and rotting white xxiiii bolls; of undicht white, viii 'xx'xi bolls and one half; item, to half barrels of powder, weighed x iii stone Scots weight with the treis; item, two packets of spilt lint, weighed with the mattis



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and towis xxv stone v iii pound Scots weight; item, eight half pypis, three polkis, and one barrel, with one pension, of mader, all weighed, with the treis, pokes and towis, ii'c xxxiii stone Scots weight; item, fifty five barrels of rye neal and two barrels white, item, thirty nine peaces of eight score twelve peaces of tiled copper, all weighed ii'c lii lib; item, three score two great and small bullets; item, two peaces of brasin ordinance, with the carriages thereof, and one shuffle with one instrument for digging of the said peaces ." Inventory is sunscribed by Thomas Ogilvy and James Fleuchar, and extracted from the council book of Dundee by Mr Alexander Wedderburn, clerk of the said burgh. -- Follows the inventory of such goods above written as were "spilt and in point of tinsail," and were sold by the said magistrates at the King's command upon 1<sup>st</sup> March 1592, having been valued by William Mann, John Traill, Andro Mathew, merchants, David Tindall and William Hill, Baxter's, burgesses of the said burgh, and James Gleig, notary, all nominated and sworn for that purpose: " In promise, of undicht quhite, some part spilt with sea water and mixed with rye, ought score eleven bolls and one half boll, price of the boll four marks; item two packets of spilt lint, weighed without the mats and tows xxiii stone and one half stone, price of the stone weight 33s. 4d; item fifty five barrels of rye meal, and two barrels of white, price of the barrel overhead xl s. (this rye meal was full of mites and destroyed thereby) " ; prices of the whole goods foresaid, who valued to £611, 10s and for witnessing hereof the persons foresaid, who valued the said goods, have subscribed these presets with their hands. The remaining goods contained in the first inventory are extant. And because "at the valuing and estimation of the white lint and rye meal above written," the matter contained in the said inventory, "being wet with sea water, was thought to be in point of tinsel," the said provost, baillies and council had caused Patrick Durham and William Newton. "litsters" burgesses of the said burgh, to the value the sum; who had declared upon their conscience that the sum could be of no use for their occupation, and therefore they could not say what it was worth. Accordingly, the said provost and baillies retain the same unsold, to the behalf of the just owners Farther, it is alleged by the said Richard Blyth and John Finlayson that they were pursued for the said goods by the said Duke on the one part, by the magistrates of Danskene on the other part, and on the third part by the said Thomas; who has presently and action depending before the Lords of Council and Session against them for the said goods. They crave therefore that they may be relieved of the said pursuit, and that caution may be found by the said Ambrose for their relief at the hands of the said Thomas and all others having claims, because they were ready to deliver these goods to him, or to any others whom his Majesty and Council appointed. -- Wherefore his Majesty caused call the same action pursuit and depending before the said Lords of Session; by whom the same being remitted again to the decision of his Highness and the said Lords of Secret Council," his Majesty and the said Lords having heard and



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considered all circumstances of the case, and the said Thomas having been lawfully summoned, but not appearing, it is ordained that the said provost and baillies restore to Ambrose, for the said duke, the sums above mentioned received by them for the victuals and other goods sold by them at command of his Majesty, together with all the rest of the goods above expressed in the said inventory; excepting always so much of the said goods as, by virtue of the said attestation, are alleged to belong to the masters and skippers of the said ship or other inhabitants of the town of Danskene, to be still kept by the said magistrates of Dundee for the use of those having right thereto. Follows and exoneration to the said magistrates of all actions move or to be moved against them by the said Thomas, the Duke of Florence, magistrates of Danskene, or other persons, for the said goods now appointed to be delivered to the said Ambrose, with a discharge to all judges of all proceeding against them for the same. Ambrose is, however, required to consign presently in the hands of the provost and baillies of Edinburgh The sum of £510 as the freight of the goods now appointed to be delivered to him, to be the forthcoming to the skipper of the said ship "Grite Ship of Danskene" or others having right hereto. The said Thomas is to be denounced rebel for failing to appear conform to the charge given him.

### P. 6-7

On account of some "quarrel and controversy lately happened between [Robert] Bruce of Clackmannan, his friends, and servants, on the one part, and the baillies, counsel and community of the Burgh of Perth on the other part, either of them having persuaded others by way of deed lately upon the --day of August' instant' charge had been given to the said Robert, and to Oliver Young, Patrick Blair and Adam Anderson, baillies of Perth, James Drummond, dean of guild, and John Spence, treasurer, or the said burgh, to appear this day to answer "upon the enormities and wrongs attempted by Either of them against others, and the contempt thereon done to his Majesty."--The said Robert now appearing personally, and the said Oliver, Patrick, Adam and James, with William Mercer, Patrick Anderson, Thomas Burrell, William Stevenson, robert Sym, and William Jack, burgesses of Perth, appearing for themselves and in name or the rest of the council of the burgh, the said Robert Bruce, on being required to give his account of the causes and circumstances of the quarrel, made the following statement:- " He having certain goods and gear coming through the same burgh, naught bought nor to be sold therein, the same goods not only [were] stayed and not sufficient to have passage to their ports, but at last intermitted with by some of their neighbours, because his servant, carrier of the said, would not pay custom therefore. Which being reported to him, and he finding the same to be notation, wherewith his tenants and servants were burdened in his time, [he] requied the said baillies, by his missive letter, to repair this injury, and yo cause his goods be



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rendered again, without payment of any custim,--otherwise he would us the like form of doing to their neighbours in their passage betwixt their town and Dundee. And because they refused to satisfy this his reasonable desire, he took some of their neighbour, repairing from Dundee to the town, and took their weapons from them; which weapons he offered, by his other missive letter direct to the said baillies, to cause by delivered again, he resaving the like delivery of his said goods, which as before, not only being refused, but some of their neighbours, and in special William Inglis and John Bassillie, and lands of Gastounhall upon the next day of August instant, and he tramped down and destroyed with their horses, the corns grown upon the said lands. For the quhilk they being reprov'd, they uttered some injurious words; whereupon he was moved to strike one of them with one pistol, and in end to take and retain them in his place of Gastounhall, without further injury done to them. And that same night the said baillies, council, and community, to the owner of persons or thereby, all body in fear of were to come to the said place, and, upon the morning before daylight, sounded their drum, assegeit him therein, discharged hacquebutis and pistols in at the doors and windows thereof. And at last treasonably set to fire, and entered perforce in the same place at the roof thereof; and , after they had cruelly hurt, his servant, with the shot of one harquebus to the effusion of his blood in great quantity and peril of his life, they took himself, and transported him away with them one certain space barefoot and bare legged, not suffering him to put on his clothes, and spilt and take away with them his hole silver work, bedding, clothes, and all the pleniching of his house. And all this was done without any commission had by them thereto, usurpand thereby upon them his Majesty's authority."--The reply of the baillies and councillors of Perth present is as follows:--The taking of custom for such kind of goods as had passage by their ports and brig was no notation, but a form of doing used by them and their predecessors in all time began past memory of man, according to their liberties and privileges granted to them to that effect; and therefore, in staying the said Robert Bruce's goods while the custom thereof had been paid, they committed no wrong," Moreover, " all but the first taking of some of their neighbours and retaining of their weapons was one offence don mo less to be contempt of his Majesty then to their particular grief and hur, yet they only patiently bear therewith, but caused restitution to be made to him again of his said goods, without payment of any custom thereof, and thereafter they directed Anthone Maxton, one of their own neighbours, requiring him to suffer the said William Inglis and John Wassilbie, taken and detained by him within the said place, after they were cruelly hurt and wounded, to have liberty and freedom; which not only being refused, but at last report being made to them that he had murdered and slain the same persons; whereupon complaint and exclamation being made by their wives,, bairns, and others of their friends, in end Oliver Peebles, sheriff depute of the sheriff dome of Perth, to whom a certain



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number of their said neighbours give their concurrence and assistance, past, according to the power granted to them by the Acts of parliament, to the said Robert Bruce place foresaid, and their perforce recovered them furth of his hands, and took himself away with them to be answerable to justice.”

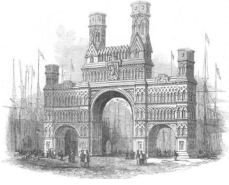
The King and council find that both parties “ has offended and contempt his Majesty, his authority and laws,” and therefore ordain the said Robert Bruce to be warded within Edinburgh Castle, and the said William Mercer, Patrick Anderson, Thomas Burrell, William Stevenson of Blackness, till the whole matter shall be put to the knowledge of and assize

### P.12

To denounce John Richard and Archibald Blyth, for not appearing to answer a charge of assault and robbery.

Complaint by David Maxwell of Tealing, as follows:--Upon 31<sup>st</sup> August last,

“he being within the burgh of Dundee, accompanied only with his son, doing his lawful affairs and busyness,” and , W having reserved certain great sums of money, and being passing home with the same about o eight hours at evening,” Walter Rollok, James Fleuchar, and James Rollok, burgesses of Dundee, Richard and Archibald Blyth, sons of Richard Blyth in Craigie, David Clerk, and Andro Clerk, with convocation of the lieges to the number or 40 persons, all armed with jacks, spears, bagbuts, pistols, and other weapons, having been informed of complainers circumstances, “ lay in wait for him at the Wellgate ports of the said burgh, be the which they knew it befit him to pass, where most shamefully and cruelly they invade and pursued him of his life, upon set purpose and provisions to have slain and murders him under cloud and silence of night, and to mallet and intermitted with his said silver; like as they hurt him in diverse parts of his body, especially in his right arm, and has made him impotent thereof by striking away the knap of his elbow, and ha not failed to have murders hi,, were naught, by the providence of God and his own better defence, he escaped, not without great hazard and peril of his life. And the said persons finding themselves disappointed of their intended cruelty, they followed him to his houses barn and barnyard of Wallace Craigie, where they searched and sought him and his servants, raped their houses and soggy their beds, there being no occasion of offence nor injury done by the said complainer to them, or any of there friendship, by words of deed.” Murder and robbery had been their sole object,” the said hole persons for the most part being known to be debosheitt vagabonds, wanting money and credit to entertain themselves,” --



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John Richard, and Archibald Blyth, for not appearing, while the complainer appears by Hugh Maxwell, apparent of Tealing, are to be denounced rebel.

### P. 140

A Proclamation from musters at Dundee & Aberdeen

The King having resolved, with the advice of his Council, to repair in proper person to the north for repression of the chief authors of the “treasonable conspiracies” against God, the true religion, his Majesty and the liberty of the country,--which chief authors, though lately charged to enter their persons in the several wards appointed to that effect had “contempandlie disobeyed,”--letters are to be directed charging all earls, lords, Feuers and landed gentlemen within the shires of Fyffe, Kinross, Perth be north the Water of Erne, Forfar, Kincardine, together with the inhabitants of burghs within the said bounds, by open proclamation at the market crosses of the same burghs, to meet the King at Dundee upon 29<sup>th</sup> instant, well armed and provided with 30 days victuals, and also all and sundry the lieges dwelling within the shires of Aberdeen, Banff, Elgin, Forress, Nairne, Inverness and Cromarty, to burgh and land, to meet the King at Aberdeen upon 2<sup>nd</sup> May next, for pursuit of the said conspirators,

### P. 143 Proclamation to all lieges to be prepared for a raid against the rebel

The King with his Estates and council no present, having resolved, “ in respect fo the approaching of his Parliament and others necessary occasions,” shall desert,” proclamation to that effect is ordered at the market crosses of the head burghs of the shires “ subject to this present raid,” with charge to all earls, lords, barons, Feuers, freeholders, and landed gentlemen, together with the inhabitants of burghs, within the whole bounds of Scotland, to hold themselves in readiness to repair to such places as thall be advertised of, pursuit of traitors and rebels.

### P. 176 Holyrood house 1<sup>st</sup> October

Proclamation for assisting the Earl of Argyle and Lord Forbes, his Majesty’s Lieutenants against the northern rebels.

“Forsameckle as it is understood to the King’s Majesty and Lords of his Secret Council that his right traits causing and Counsellor, Archibald earl of Argyle, Lord Campbell and Lorne, his Highness justice general and lieutenant in the north parts of this realm, accompanied with a force of his Majesty’s good subjects, are ready and entered in the same north parts for pursuit



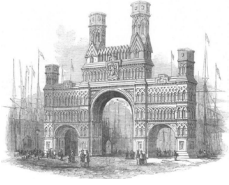
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of his Highness's declared traitorous, rebellious and unnatural subjects, treasonable practises and conspirators against the state of the true religion, his Highness's person, crown, and liberty of this their native country, according to the commission given to him to the same effect; wherefore, and to the effect he may have the assistance and concurrence of his Majesty's loving and good subjects, inhabitants in the said north parts, and thereby the better effectuate the hole points and tennour of the said commission, notwithstanding his Highness late proclamation made for their convening and meeting his Majesty at the burgh of Dundee, his Majesty ordains letters to be direct to officers of arms, sheriffs in that part, charging them to pass, command and charge all and sundry his Highness's lieges, as well to burgh as to land, regally royalty, specially expressed in his highness's former proclamation, duelland by north the water of Dee, except the inhabitants of the burgh of Aberdeen (whom his Highness ordains to await upon his Majesty's own cunning, and to provide victuals and all their necessary provision for his Highness and the persons being with him in company), be open proclamation at the mercate Cross of the head burrows in the said north parts and all other places needful, that they and ilkane of them, will boding in fear of weir, address themselves and join in company with the said Archibald, earl of Argyle, and John, Lord Forbes, his highness Lieutenants in the said north parts, concur, assist and take one efauld and true part with them, following their direction in the pursuit of the said declared traitorous, rebellious and unnatural subjects foresaid, and all others things to the advancement of his Highness's authority and service, and that they attend, await, accompany and pass forward, and no ways depart from them nor otherwise refuse or disobey their direction and commandment in this case, as they and ilkane of them will answer to his Majesty upon their obedience at the uttermost charge and peril, and under the pain of tinsall of life, lands and goods. Declaring by their presence, that, they conformed themselves to his Highness's will and direction signify by their presence, that they shall be exonerated, like as his Majesty in that cause, by their presence, exoners them, of all pain and danger that they may incur or be input to them by virtue of his Highness's proclamation made for convening at the said burgh of Dundee in manner foresaid, simplicity."

### P 242

Proclamation for musters in different towns for resisting foreign invasion

Showings in preparation for foreign invasion, almost down to the words - "we'll boding in fear of war"; followed by charge to the lieges to repair, under command of the sheriffs, and of such others as the sheriffs, with advice of the barons within their bounds, shall choose, th the towns following, as they shall be advertised, "to join with and supply the few forces" in resisting the landing of the enemy:--all within the shires of Edinburgh principal and constabulary of



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Haddington, Berwic, Roxburgh, Selkirk, Peebles, Lanark and Linlithgow, to the town of Leith; all within the shires of Stirling, Clackmannan, Kinross, and Fife, to Inverkeithing and Burntisland; all within the shires of Perth, Fife and Kinross, to St.Andrews: all within the shires of Forfar and Perth, to Dundee; all within the shires of Forfar, Kincardine, to Montrose; all within the shires of Aberdeen, Banff, and Kincardine, to Aberdeen; all within the shires of Inverness, Nairn, Cromarty, and Elgin, to Inverness; all within the shires of Cromarty, Inverness, Elgin and Nairn, to Cromarty; all within the shires of Wigtown, Dumfries, and Ayr, to Kirkcudbright; all within the bailiaries of of Kyle, Carrick and Cunninghame's , to ayr. Proclamation hereof to be made at the market crosses of the head burghs, with charge to obey, under pain of loss of life, lands, and goods.

### P. 44

On this day, Saturday February 17<sup>th</sup> the King set out on his northern progress. He went from Holyrood house to Stirling, thence to Perth, thence to Dundee and thence to Aberdeen

### P. 179 In Dundee 7<sup>th</sup> October

Caution for Maxwell of Tealing

Acts 1594-98 Caution by Steven Currou of Logymegle for David Maxwell of Tealing £1000, and for Thomas George, and Robert Maxwell's, his brothers 500 merks each, that James Fleuchar and Walter Rollok, burgesses of Dundee, shall be harmless of them.

Dundee 8<sup>th</sup> October

Sederunt -- Rex; Lennox, Chancelleries; Argyle; Lindsay; Cathcart; Thesaurarius; Murdocairny ; Blantyre; Newbottle; Colector; Carmichael; Spott; Culluthie.

James Weyms of Balquharg, and Alexander Jamieson, burges of Cupar, having failed to appear to answer touching intercommoning with France, sometimes Earl Bothwell, are to be denounced rebels

Act in Favour of Scrymgeour of Dudhope as hereditary

The King and council having considered the investments and titles which James Scrymgeour of Dudhope, constable of Dundee, "claims to have the place and preferment of bearing his Highness's banner and standard before his Majesty's person and his successors at times of oistic wars , raids, armies and battles," find and declare that he has the undoubted right to the said place and charge at the times foresaid and none others, and therefore ordain him and his



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heirs to possess and brook the said place according to his investments and consuetude observed in times past. And although the King presently appointed on of his pages of honour“ to bear one cornet blanche “before his Highness during the time of this present raid,” for the better attendance to be given to his household servants on his majesty’s own person,” yet the same shall nowise prejudice the said James, Neither shall the said blanch cornet “ be borne nor used after his Majesty’s banner and standard foresaid best displayed,” but shall be “rolled up”, and the said James or his heirs, or such others as are appointed by their investments, shall bear the King’s own banner or standard displayed before his Majesty’s own person, and otherwise enjoy all preferment’s honours, and privileges, expressed in their investments as freely as he or his predecessors have done at any time preceding the date hereof. Farther, in case after trial before the ordinary judge, which shall be taken as soon as his Highness returns from his present raid, it shall be found that the said blanch cornet, or other banner, standard of sign of battle, should be borne before his Majesty by no other person than the said Sir James and his heirs, then either shall they or such as they shall appoint occupy that charge at all times thereafter, or else the bearing of the blanch cornet shall be altogether discharged; and, till the said trial be taken, the said blanch cornet shall not be borne except during the time of this present raid.

1. At the dating show, the King was now on his own march northwards against the conjoined Catholic Lords and Bothwell. He had left Edinburgh on the 4<sup>th</sup>, going by Stirling, with his horse troops, while the foot-forces crossed the Firth at Leith and Queensferry; and he was at Dundee on the 7<sup>th</sup>. He had left the Earl of Morton as his Lieutenant in the south of Scotland till his return; and he had taken with him, to be witnesses of his proceedings, Mr Andrew Melville, and some other ministers. His Majesty’s march northwards was all the more opportune by reason of the news of the Battle of Glenrinnnes , called also the Battle of Glenlivat, which had been fought in Banffshire, on the 3<sup>rd</sup> of October, between Argyle’s forces, numbering about 8,000 men, and the forces of the Huntly and Errol, estimated t some thousands more. There are various accounts of the battle [see Moysie. 120 Spotswood, pp 407,408, and Calderwood, v. 34356]: but the victory was decidedly with Huntley, though with some loss of his relatives, including his uncle, Sir Patrick Gordon of Auchidoun. The young Earl of Argyle, who had lost about 700 men, met his Majesty at Dundee, and reported particulars

### P. 449 Dundee 11<sup>th</sup> May

Commission of justifier to Master of Gray



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Patrick, Lord Gray, Alexander Lawder of Unothie, Henry Futhie, elder of Boysak, Alexander Whitelaw of Peebles, David Gardine of Leyis, Mr David Gardine of that ilk, David Volum of Wodwro, and Mr William Cairncross of Balmoschynne, had been charged under pain of Treason, to appear and answer for their “proud and wilful remaining at the horn unrelaxed to the miss regard of his Highness’s and his authority.” In further contempt of his Majesty they have “absented themselves and compared not to purge themselves of the said horning, but proudly and contemptibly remains in the country, haunting all public places and society of men.” Wherefore, his Majesty gives full power and commission to Patrick, Master of Gray, sheriff of Forfar, to convocate the lieges in arms, if need be, and to apprehend the said persons and present them before the King and his council. He is to besiege their houses if necessary, “make doors use his Highness’s keys,” and employ all force necessary for recovery thereof; he is to inromit with their corns and gear, and to make penny thereof, accounting for the same in the Exchequer; and he is to have indemnity for all that may happen in pursuing them with fire and sword, and besieging houses to which they may resort.

### P. 677 the provost and baillies of Dundee

John Stevenson of Pitodry for the provost and baillies of Dundee to do their diligence in the execution of the commission directed against them touching and besieging of the houses of Huntley, Fowlis and...belonging to Patrick, Lord Gray, and Patrick, Master of Gray, in case it be found that same commission is lawfully granted. The commission is suspended till 20<sup>th</sup> May; and Isobel Forbes, relict of Thomas Ogilvy of Wester Persie, is ordained to be warned to 12<sup>th</sup> of the same month

### P. 717 John Drummond and his son

John Drummond of Hathorneden for John Drummond in the Miln of Drummond, and John Drummond, his son, either in 100 merks, to answer upon 24<sup>th</sup> May next, to a complaint against them by Patrick Buchanan in Easter Gutfarrane. Deleted by a warrant subscribed by his Majesty’s secretary “in respect the parties were agreed”: J Primrose. Thomas Cockburn, burgess of Dundee, principal, and Peter Clayhills, baillie there, surety, 500 merks, not to harm David Cockburn, burgess there.



## Friends of Dundee City Archives

1597-1600

### P 726

John Lovell, baillie of Dundee, for Alexander Ramsay, burgess there and portioner of Badiehill, 1,000 merks, not to harm John Cant, Michael Downy in Barriemuir Hebry Gray in Badiehill or John Rankin. Subscribed at Dundee, 2<sup>nd</sup> May, before George Hay of Ros, Walter Hay burgess of Dundee, Mr Gilbert Ramsay, reader, there, James Keith, burgess there, and John Paton, notary, writer hereof

### P. 478 Edinburgh 17<sup>th</sup> Aug.

Understanding that George, Earl of Huntly, has lately apprehended three persons suspected of “forging, printing and outputting of false coins,” and delivered them to the provost and baillies of Aberdeen, the King and Council order that the said persons be brought before themselves. The said magistrates are to convoy and deliver them to the provost, and baillies of Dundee, within three days after being charged, under pain of rebellion; and the magistrates of Dundee are to receive the said persons within an hour after being charged, and to present them within the burgh of Edinburgh to the provost, and baillies thereof, within three days thereafter, under the said pain; which last are to detain them “insure firmament” within their Toolbooth till they be tried

### P. 495 Holyrood house 22<sup>nd</sup> Nov.

Most of the wines with which the King’s houses were furnished being now spent, and it being necessary that his Highness be provided “of the first and reddest of the new wines which are presently of that hereafter shall be brought within his realm,” charge is to be given to the merchants, owners and home bringers of the wines this year, by open proclamation at the market cross of Edinburgh, pier and shore of Leith, and crosses of Dundee, St Andrews, Montrose, Aberdeen, Ayr, Irving, Glasgow, Dumbarton, and other towns upon the coast, not to dispose of any part of the said wines till the same be “sited, tasted and wailed” by James Bowy, his Majesty’s ‘sampler’ and so much thereof intermitted with by him as he shall think expedient for his Majesty’s provision,--” whereof the said merchants shall reserve good and thankful payment by the taxmen of the impost of the wines.” the said merchants re required to conform themselves to this ordinance under pain of confiscation of all their wines to the King’s use. There is likewise, charge to the provost and baillies of all the said burghs to fortify and assist the



## Friends of Dundee City Archives

'sampler' foresaid in execution of the premises, "and, give need be, to make open and patent doors, and to use his Highness's keys to that effect," and they shall answer upon their obedience.

### P.449 Edinburgh, 14<sup>th</sup> March

A Justice court having been proclaimed to be held at Haddington upon Monday next 20<sup>th</sup> instant, and sundry persons within the shires of Edinburgh, Haddington, Berwick and Roxburgh having been summoned to appear before the justice and court for certain crimes, and his Majesty intending to be present in proper person at the same court, it is necessary that he should be attended by a force of his subjects. Charge is therefore to given to all Earls, Lords, Barons, Feuers, Freeholders, and substance gentlemen, within, the bounds foresaid, by open proclamation at the market crosses of the head burghs of the same, to meet his Highness at the said burgh upon the 20<sup>th</sup> instant, provided to attend upon his Majesty while he remains at the said court, under pain of life, lands and goods.

To the effect justice may the better proceed, the King annuls all commission of justice granted within the said bounds in any time bygone

1. This dating connects itself with the meeting at Dundee, from March 7<sup>th</sup> to 14<sup>th</sup>, of another General Assembly of the Kirk, with Mr Peter Blackburn for moderator. At the last Assembly it had been fixed that the next Assembly should be at Stirling in May 1598; but the time had been anticipated, and the place changed, in consequence of the King's desire to ascertain the mind of the clergy on that subject of Bishops and the representation of the Kirk in Parliament which had been embodied in an Act of the late Parliament. For the proceedings of this new Assembly at Dundee. The main question was not brought on till the late 13<sup>th</sup> of march, when, after a speech of the King from the throne, introducing the question, and debate between Pont, Buchannan, Gladstone, and others, in support of the vote in Parliament, and Robert Bruce, John Davidson, James Melville, and others, against the vote, it was carried, by a majority of ten, " that it is necessary and expedient for the will of the Kirk that the Ministry, as Third Estate of this Realm, in the name of the Kirk, have vote in Parliament." The next day it was decided that the number of representatives of the Kirk in Parliament should be " Fifty-one or thereby, " according to the number of Bishops, abbots, and Priors " in time of the Parliament Kirk;" and it was also concluded that the election of these Fifty-one representatives should " appertain partly to his Majesty and partly to the Kirk,"---the details as to mode of election, duration of tenure of parliamentary office, &c., to be left for discussion in the presbyteries and synods, and settled, if



## Friends of Dundee City Archives

possible, with his Majesty, by commission appointed by the synods and seven doctors of the Church named for the purpose by this Assembly.--

Andrew Melville had appeared to this Assembly, and declared his vehement opposition to the whole drift of affairs.-- His presence, however, had been challenged by the King as contrary to the arrangement made in his case recently at St. Andrews, and, after he had retired, he had been ordered to quit Dundee. The most strenuous lieutenant for Melville, as champion of presbytery and opponent of Episcopacy in the Assembly, was Mr John Davidson, now of Haddington.

2. On this day, which was the last of the sittings of the General Assembly in Dundee the King had hastened from Dundee to Edinburgh to meet his brother-in-law, the Duke of Holstein, who had arrived in Edinburgh through England.

Great entertainments followed at Holyrood-house; and as the Duke remained in Scotland till the beginning of June, these entertainments, with progress of the King in the Duke's company hither and thither, westwards from Edinburgh and in Fifeshire, to show him the country, are to be imagined as extending over the next two months

### P. 270 Complaint by James Bonar, sheriff depute of Forfar, as follows;--

Thomas Finlayson, son of the late James Finlayson, burgess of Dundee, having obtained letters, by deliverance of the Lords of Session, for pounding and detaining the goods of David Vulum of Woodray, for the sum of £4, "as for the price of thirty five bolls beer contained in his letters obligation and decreed of the said Lords interponit thereto," the said complainer had been charged by the said Thomas, as sheriff-depute, to assist the officer of arms, executioner of the letters, in pointing the said goods "which he, according to the duty of his office, passing agaiteward to do upon the eventh day of July last bypast, the said officer being afore the said complainer and having pointed xxii head of cows and oxen, pertaining to the said David, pasturing upon the ground of his lands of Pynatoun, minded to come therewith to Forfar, for comprising an making penny thereof, conform to the order, truth it is that the said David Vulum of Woodray, with his accomplices, with convocation of his Majesty's lieges, boding in fear of weir, with weapons invasive, violently and perforce reft the said goods from the said officer, and drove and called them back again, and deforced him in the execution of his office; whereupon he break his wand And saw, in his returning back immediately after the said deforcement, meeting the said complainer, with certain others accompanying him, passing forward in the way, and finding the said Laird of Woodray solitaire his alone, in respect of the said recent violence and deforcement, and for obedience of one other charge of caption given



## Friends of Dundee City Archives

to him at the insistence of the said Thomas Finlayson for taking of the said Laird, being his Majesty's denounced rebel, apprehended and put hands on him, of intention to have brought him to Dundee to ward. Yet being persuaded by his fair speeches and promises, the said complainer took upon him to be good for his said debt, and to satisfy his party, at the first fair of Dundee, and suffered the said Laird to depart home, expecting nothing else but that he should have relieved him of that debt, and used him thankfully for his good will. Yet true it is that not only violate and break his promises to the said complainer in that point, in so far as he kept it not that said dyet, but also, uttering his forder ingratitude and in honesty towards him, directed James and George Velum's, his sons accompanied with diverse others, their accomplices, bodied in armou5r, upon the eight day of September last, by past, being the later fair day of Dundee; which of his special causing, sending, hounding out, command, assistance and rat habitation, umbesett the said complainer within the said burgh of Dundee, where he was ganged to his own calmer in peaceable and quiet manner, and their most cruelly and unmercifully pursuit him of his life, struck the right hand from him to one take, has mutilated and made him altogether impotent thereof, hurt and wounded him in diverse parts of his body, to the effusion of his blood on great quantity, and left him for dead."--the complainer appearing personally, the said David and his two sons, James and George, for not appearing, are to be denounced rebels.

### P. 148 Edinburgh 19<sup>th</sup> June

Of the sum of £100,000 len of his Majesty's own money to the commissioners of most of the burghs of this realm, £20,000 had been received by Alexander Scrymgeour and Robert Fleuchar, burgess of Dundee, Commissioners for the said burgh for which they had bound themselves and their successors to pay to the comptroller in the King's name £2,000 yearly, as for the profit of the said sum, as long as the same should be kept by them, and to make thankful deliverance of the principal to the said comptroller when required upon premonition of year and day. Now by count and reckoning made at Edinburgh, 16<sup>th</sup> May 1594, in presence of his Majesty, and of the following Lords of Council,--viz, John, Lord Thirlstane, Sir Thomas Lyon of Auldbar, Sir John Cockburn of Ormestoun, Mr Richard Cockburn, younger of Clerkingtoun, Sir Robert Melville of Murdocairny, Mr Robert Douglas, Alexander Hume of North Berwick, Mr David Carnegie of Culluthie, Mark Commendator of Newbottle, Alexander hay of Easter Kennett and David Seaton of Arbroath, comptroller,--it is found that his Highness has received complete payment of the said £2,000 of all terms preceding the date hereof, of the first term's payment having been made at the feast of Whitsunday next after the date of the contract, which was made at Edinburgh in July in 1590.



## Friends of Dundee City Archives

Moreover, his Majesty, "having presently ado with present and ready money for outred of certain his special and weighty affairs, tending to the decoration of honourable action of the baptism of the Prince, his Majesty dearest son, and for sustaining his Majesty's ordinary forces, "has burdened the said burgh with the payment of the said principal £2,000 without premonition, the "necessity of the errand was requiring." Accordingly, the provost, baillies, and council of Dundee, now present for themselves and in the name of the whole community of the said burgh, have paid and delivered the said principal sum to the said David Seaton in his Majesty's name. Here follows discharge to the said burgh, with registration, subscription, and command to Mr David McGill, in the same terms as in the similar a quittance to the burgh of Edinburgh, the said command being subscribed at Holyrood House, 9<sup>th</sup> June  
Edinburgh 20<sup>th</sup> June Discharge to Comptroller in the same matter

The King and council frant and confess that the said comptroller never intermitted with the said £20,000 or profits thereof, notwithstanding his having granted a receipt for the same, and exonerate and discharge him of the same for now and ever. The acquaintance is identical with the one formerly granted to him in a similar case

### P 662 Edinburgh 1<sup>st</sup> September. Curror of Logie

Patrick Rossie, Friar of that Ilk. For Seven Currou, friar of Logie, £1,000 not to harm George Halliburton of Kincaple, David Scrymgeour in Balkery, David Watson there, Alexander Tyrie, there, or John Jack there.

Registration, by Mr John Crawmonth, as procurator, of a band by Steven Currou, friar of Logymegle, obliging him warrant the said Patrick for his becoming lawburrowa for him not to harm the foresaid persons.

Subscribed at Dundee, 30<sup>th</sup> August, before Hew Herring of Pittendreich , John Lowson, servitor to the said Steven, Robert Stabillis, writer hereof, and Thomas Hunter, notary

### P. 656 Edinburgh 10<sup>th</sup> July

David Scrymgeour and others, Forbes of Barns and others

John Cranston of that Ilk for David Scrymgeour in Bakerie, Aleander Tyrie there, David Watson there, nd John Jack there, £500 each, not to harm David Currou of Logymegle, or Steven Currou, his son

Registration by Alexander King, advocate, as procurator, of band by Alexander Forbes of Thanestoun for William Forbes of Barns, £200 merks, John Forbes, friar of Barns, his son, £1000, John Leith, servant to the said William, Alexander Henderson at the Miln of Barns, William Forbes there, William Alexander in the Mains of Barns, Henry Baxter there, James Morins there,



## Friends of Dundee City Archives

George Shand there, John Bannerman there, 300 merks each not to harm James Gordon of Newton.

Subscribed at Aberdeen 5<sup>th</sup> July, before Mr Robert Davidson in Aberdeen, writer hereof, John Thomson, merchant, Andro Menzies in Aberdeen, Thomas Murray, burgess there, Mr Gilbert Ross, James Davidson, notary public,--the last subscribing for Forbes of Barns

### P. 710 Edinburgh 9<sup>th</sup> December

#### **Gordon of Abergeldie**

Registration, by John Haliday as procurator of band by sir James Scrymgeour of Dudhope, constable of Dundee for Alexander Gordon of Aberheldie , £2000 merks, not to harm John, Earl of Mar. Subscribed at Dundee, 30<sup>th</sup> November, before John Scrymgeour of Glaswall, Gilbert Scrymgeour, and Robert Brentfield.

### P. 709 Edinburgh 29<sup>th</sup> November

William Wood of Laton

Matthew Wode of Incheok, £500 to answer upon 5<sup>th</sup> January next to complaint against him by Patrick Wode of Bonnytoun and his spouse, touching the said William's reset of James Wode, friar of Bonnytoun, excommunicate and rebel; also to pay £40 for his escheat in case it belongs to his Majesty.

Edinburgh 1<sup>st</sup> December

David Strachan

John Scrymgeour, burgess of Dundee, for David Strachan, skipper in Dundee, 500 merks, to answer upon 15 days warning after his home-coming touching the taking "by way of usurie of gritar annual and profit for his money nor is appointed by the Act of Parliament, and specially for taking of twenty seven pounds sterling from James Galloway, burgess of Dundee, for the laying of eighteen pounds sterling the space or eight oulkis.

### P.103 Linlithgow 31<sup>st</sup> October,

Convention of Estates

Sederunt--REX; Chancelleries Hamilton; Hume; Seaton; Urquhart; Murdocairny; Newbottle; Incheffray; Lundodris; Sectaries; Clerk Justice; Clerks Registrar; Collector; Bas; Balwery; Waughton; Abbotshall; Carmichael; Spott;-Alexander Hume de North Berwick, proposes ,



## Friends of Dundee City Archives

Clemens Cor, Edwards Galbraith, pro Edinburgh; Jacob Carmichael, Walter Hay,, pro Dundee; William Anderson, pro Perth

Newlands, pro Coupar; Anthony Bruce, pro Stirling; Ballinhard, pro Linlithgow

Commission to John, Lord Thirlstane, chancellor, George, earl Marshall, John, Earl of Mar, John, Earl of Montrose, Andro, Earl of Rothes, and Alexander, Lord Livingstone, for the nobles, to James Scott of Belvery, John Murray of Tullibardine . Alexander Bruce of Airth. Knights, Mr George Lauder of Bas, William scott of Abbotshall, and Mr David Carnegy of Culluthie, for the lesser barons, and to Alexander Hume, provost, and Clement Cor, commissioners of Edinburgh, and the commissioners of Dundee, Stirling, Linlithgow and Coupar, for the Burghs ( any four of each estate to be a quorum for that estate) in conjunction with the officers of state that shall be present for the time, and with power to Masters David Lindsay, Robert Bruce, Patrick Galloway, James Carmichael, Robert Rollok, and John Duncanson, ministers, or any of them, to be have access and audience as representatives of the clergy: the said commissioners to hear, consider, conclude and determine the whole case of William, Earl of Angus, George, Earl of Huntly, Frances, Earl of Errol, and their accuses associates, “being under process of his Highness’s laws for certaine matters of lese-majesties laid to their charge,” as attempted against the true religion with all appertaining to that Spanish treason, and also “all other matters that shall be proponed unto them concerning his Highness’s estate and affairs and the present troubles and disorders over all the realm,” as authoritatively as if this were done by a full Parliament. Privy Council Session or assize-- their conclusions to be ratified in the next Parliament.

(Printed in full Acts of Parliament, Vol 4 P. 44

Proclamation against troubling with the said earls during the time of their trial.

“Forsameckle aas William, Earl of Errol, and some others, being under process of his Highness’s laws for certain matters of lese-majesties laid to their charge, as attempted and practised by them against the true religion profess and by law established within this realm, his Majesty’s person, estate and common quietness of the realm, has, by their humble petitions and offers, craved trial of the same,-- whereupon his Highness, having consulted with the Estates presently assembled at Linlithgow, finding the present time and place not convenient nor sufficient therefore, his, with advise of the said Estates, nominate and elected certaine special persons of the same Estates, and given them full commission and authority to consider of the said petitions and offers, and to try the truth as well of the accusations as purgation’s to provide for the surety of the said true religion and professors thereof, as always to take surety of all persons suspected of dilated to be adversaries of the same troubles of the quietness of the realm, or in case of their disobedient and contempt to provide how they shall be pursued and



## Friends of Dundee City Archives

repressed: and, to the effect that the said Earls and others, craved the said trial, may be used and ready to answer to such things as occasion shall offer to be enquired of them and answered unto by then concerning the same trial, declares that their reset and internment in house by whatsoever his Highness lieges during the time of the same trial shall be no crime, danger or reproach to their ressettaris, not they nor none of them shall be called or accused therefore criminally or civilly by any manner of way in time coming, notwithstanding any process led of depending against the said Earls of others foresaid, or any pains there in till, -- where anent his Highness during the said space; and ordains letters to be direct for publication hereof at the market crosses of Linlithgow, Edinburgh, Perth, and other places needful, that none pretend ignorance of the same, and to command and charge all and sundry his Highness lieges and subjects that none of them take upon hand to invade, trouble or pursue the said Earls and others, seekers of the said trial, in bodies of goods during the time pf the same trial, under all highest pain, charge and offence that they and ilkane of them may commit and inrin against his Highness in that part, the said Earls and others foresaid, craved the same trial, behaved themselves quietly and dutifully and attempted no thing against his Highness, estate, laws, or the said true religion in the meantime

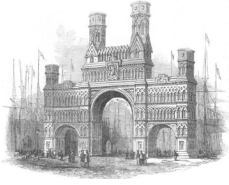
Sir James Scott of Baluery, being elected a member of the Privy Council, gives his oath in common form.

His Majesty having, with advise of the late Convention of Estates at Linlithgow, given commission to certain noblemen, barons and others, meet at Edinburgh upon the 12<sup>th</sup> instant, to deliberate upon certain matters "specially touching the surety of the estate of religion and professors thereof, and surety to be taken of all persons suspected of dilated to be adversaries of the same," and also touching "all other matters that shall be proponed concerning his Highness's estate and affairs, and the present troubles and disorders over all parts of this realm": therefore, to the effect that this "godly and good work may better proceed, and be no ways hindered nor stayed by the resort of any persons suspect to the said true religion, their friends or favours, not yet be convocation or gathering of persons standing under deadly feud, or other persons whatsoever under whatsoever colour of pretends, neither by others craftiest, factions, and restless spirits seeking occasion to eternity trouble an unquietness in the country," proclamation is ordered at Edinburgh and other places needful charging all lieges not to repair to the said burgh upon any colour or pretence during "the time of the handling and ordering of their matters," except "such persons as are appointed and specially written for " or such as may obtain the King's licence, " nor yet do nor attempt any thing, by word, deed or action, which may hinder his Majesty's godly and good intention," under pain of sedition and insurrection.



## Friends of Dundee City Archives

An 'Act of abolition,' printed in full in Acts of Parliament, may be summarised thus;- The true Religion, as by law established to be the only Religion professed and exercised by his Majesty's lieges in time coming; no future intercommoning with Jesuits, seminary priests, etc.; all who have not yet embraced the true Religion, of have apostated from it, to have the option of professing or recanting and making their peace with his Majesty and the Kirk before the 1<sup>st</sup> February next, of of going into banishment beyond the seas by that date, they and their heirs however, to retain in the meantime their lands and livings; the Earls of Angus, Huntley and Errol, and Sir Patrick Gordon of Auchindoun, and Sir James Chisholm of Cromlix, to be forgiven their Spanish plot and other crimes included in the summons executed against them, and process "to be abolished, delete, extinct, and remain in oblivion for ever," on condition they do not repeat their offences; the said Earls and Knights to have the said option of remaining in the country as true Protestants or going into exile, but to declare their choice between these alternatives in writing by 1<sup>st</sup> January next, and give security, the Earls in £40, 000 each, and the Knights in £10,000 each, for observation of the conditions of either alternative, --undertaking in the meantime to forbear disputing at their tables or otherwise against the true religion, and to entertain a minister of God's word in their houses, and be ready to hear and confer with him that he may resolve their doubts, and the Earl of Huntley more particularly to remove from his presence and put and keep out of the realm his Jesuit uncle, Mr James Gordon, and the Earl of Errol to do the same with the Jesuit Mr William Ogilvy, brother of the laird of Duntrune; finally, all masters and landlords to be answerable for their men, tenants, and servants accused of papistry .--this Act, which his Highness and the Commissioners think to be the best means "to quiet the trouble grown through the bygone proceedings of the adversaries of the said new religion," is to ratified in the next Parliament, and is meanwhile to be published and printed, "where through probably it may come to knowledge of all subjects." In token of all which his Majesty and the commissioners of the said Estates subscribe this edict, as follows:--Sic subscribed; James R.; Lennox; Mar;Thirstane; Chancelleries; Livingstone; Thomas, Master of Glamis; Sir Robert Melville; Lincluden; Arbroath, comptroller; J. Cockburn; R. Cockburn; Carmichael; Tullibardine; Airth; Mr G. Lauder of Bas; James Scott of Baluery; William Scott of Abbotshall; Alexander Hume; Nicol Cornwell; Clement Cor; Walter Hay; David Weland



## Friends of Dundee City Archives

A.D. 1592---1599

### Additional Acts of Caution

#### P. 679 Edinburgh 14<sup>th</sup> April

John Ogilvy and others

Edinburgh. Subscribed at Cowy, 10<sup>th</sup> April 1597, before these witnesses;  
Archibald Smyth...John Mowat; “ Mr Fullarton.”

Registration by Mr Humphrey Blinsell, advocate, as procurator, of Band by John Ogilvy of Innerquharritie for Alexander Ogilvy of Auchindory, and David Ogilvy, portioned of Cambok, £500 each, and by the said Alexander and David for the said John, £2,000, not to harm James Ogilvy of Balfour. Subscribed at Kirriemuir, 11<sup>th</sup> April before John Wishart of that Ilk, John Scrymgeour of Glaswell, Thomas Wishart of Drunsh...Thomas Ogilvy in Wester Ednathy Andro Scrymgeour in Drummyne and Abraham Piggott, notary, writer hereof

#### P.727

Registration, by Mr Richard Spence as procurator, of band by George Ramsay of Flashill, for William Spence, burgess of Dundee, 300 merks not yo harm David Bell in Dundee. Subscribed at Dundee, 15<sup>th</sup> May before Alexander Ramsay of Gedhall, Alexander Kenking, James Baxter, burgesses of Dundee, and Mr Alexander Wedderburn, writer hereof

#### P. 726 Edinburgh 11<sup>th</sup> May

Registration, by Mr Lawrence McGill, advocate, as procurator, of band by Steven Curror, friar of Logiemegill, for George Maxwell in Bagrie of Tealing, brother of David Maxwell of Tealing, 500 merks not to harm the said David, Subscribed at Balgrie, 6<sup>th</sup> May before Alexander Ogilvy in Mekilton of Ogilvy, Robert and Hugh Maxwell's, brothers of the said Laird of Tealing, Andro Bell, servant to David Maxwell of Tealing, and John Hunter, servitor to the said Hugh. -- William Gray, servitor to William Thomson, portioned in Dundee, being writer hereof

#### P. 704 John Lowson and William Yeaman

Registration by Thomas Gray, as procurator of band by John Crichton, burgess of Dundee, and William Spink if Fergund, for John Lowson in Bardmonie and William Yeaman at Walkmilne of Bellegerno, 300 merks each, not to harm Gilbert Sanders, notary, servant to Mr John McGill, advocate.



## Friends of Dundee City Archives

Subscribed at Dundee 8<sup>th</sup> September, before Thomas Peebles in Fergund, John Lowell elder, William Crawford, Robert Fraser, burgesses of the Burgh, and John Steel, notary, writer hereof,-  
-Robert Wedderburn, notary, subscribing for William Spink.

### P.666 Edinburgh 25<sup>th</sup> October

Ogilvie of Findlater

Registration by Mr Alexander Livingston as procurator, of band, by Gilbert Ogilvie of that ilk for Sir Walter Ogilvie of Findlater, 3,000 merks, not to harm Alexander Hay, son of the late Andro, Earl of Erroll or George Hay of Ardlethin, his tutor, for his interest. Subscribed at Dundee, 22<sup>nd</sup> October, before Thomas Ogilvy, burges of Dundee, Walter Ogilvie, brother of the late Alexander Ogilvy of Cloway, Harry Drummond, and James Lawtie, burges of Cullans, sriter of the body of this obligation

### P.662 Edinburgh 1<sup>st</sup> September.

Curror of Logie

Patrick Rossie, friar of that ilk, for Steven Curror, friar of Logie, £1,000 not to harm George Halliburton of Kincaple, David Scrymgeour in Balkerie , David Watson there, Alexander Tyrie there, or John Jack there.

Registration by Mr John Crawmonth as procurator, of a band by Steven curror, friar of Logymegle, obliging him to warrant the said Patrick for his becoming law burrows for him not to harm the foresaid persons

Subscribed at Dundee, 30<sup>th</sup> august, before Hugh Herring of Pittendreich, John Lowson, servitor ththe said Steven, Robert Stabillis, writer hereof, and Thomas Hunter, notary

### P. 636 Edinburgh 13<sup>th</sup> September

Graham of Baldovie

Registration by Mr Richard Spence as procurator, of band by William Graham of Claverhouse for William Graham of Baldovie (Pardowie), 2,000 merks, not to harm Barbara Scott, relic of David Graham of Fintry, or Thomas Fotheringham, younger of Powrie, now her spouse  
Subscribed at Dundee, 10<sup>th</sup> September, before John Graham, brother, of Graham of Claverhouse, Thomas Ogilvie, son of the late Thomas Ogilvie of Craig, Walter Ramsay, burges of Dundee, and John Paton, notary.



## Friends of Dundee City Archives

### P. 634 Gordon of Drumgeicht

Registration, by Robert Irwin as procurator, of band by William Graham of Baldovie for Mr John Gardine of Drumgeicht, 500 merks, not to harm John Scrymgeour of Glaswall. Subscribed at Dundee, 24<sup>th</sup> August, before Thomas Ogilvy, James Corbett, and Thomas Don, servitors to the said Graham.

### P. 459

To Denounce Thomas Robertson for not appearing to a charge of breach of trust

Complaint by John Finlayson, merchant, burgess of Dundee as follows--

In October 1595, having occasion to send letters and silver to the North, he had, within the burgh of Dundee, burdened Thomas Robertson, citizen in the Canonry-- whose parents and friends he knew to be true men,"--with the receipt of his letters and £40 silver, to be delivered as directed; which the said Thomas had promised faithfully to do. At that same time the complainer had sold to the said Thomas eight "sticks of English stemming," at £29, 10s per 'stick', upon his band to pay him therefore by 31<sup>st</sup> December following." Not only, however, did the said Thomas dispose of the silver foresaid, and not only has he refused to pay the prices of the stemming; but, to the complainer's further hurt, he "has very falsely and dishonestly failed in the delivery of the said letters," keeps them still in his hands, and intends to make his "gain and commodity of the same to the said complainer adversary."-- the complainer appearing by John Lindsay, his procurator, is to be denounced rebel.

### P. 209

Act for the demolishing the place of Craig belonging to John Ogilvy

The King and council having resolved that the fortalice of the Craig belonging to John Ogilvy of Craig, shall be demolished by 10<sup>th</sup> March next by the sheriff of Forfar and his deputies, with the assistance of the barons and landed men of the said shire, and also of the provost, baillies, council and inhabitants of Dundee,

"by whom also a sufficient number of pioneers and workmen, furnished and provided with pikes, mattocks, guilloches and other necessary provision, made for demolishing and casting down of the said place, shall be direct out thereto," as required by the said sheriff, it is ordered that Patrick, Lord Gray, and Patrick

Master of Gray, sheriff-principals of the said shire and their deputies



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### P. 222 Edinburgh 6<sup>th</sup> June

Sederunt--Cancellations; Thesaurus; Murdocairny; Secretors; Clerks Regis

Order in the matter of the feud between the Earl of Montrose and the sheriff of Ayr

The King and Council understand that John, Earl of Montrose, with his friends and servants, on one part, and Hugh Campbell, sheriff of Ayr, with his friends and servants, on the other part, intend to go to Stirling upon 18<sup>th</sup> and 19<sup>th</sup> instant, the "ane for giving answer to a proposition made by the other, and the other roe resaving the said answer to the same proposition." Now, there being present deadly feud and controversy between the parties for the recent slaughter of a near friend and kinsman of the said sheriff (ante p 201) "it is therefore to be feared that at the first occasion of their meeting some great inconvenient shall fall out, tot the break of his Highness's peace and disquieting of the present estate of the country". Accordingly, charge is to be given to both parties not to repair to Stirling; " but, if they think meet to confer, or reason, or dress their anent, be advise of either of their said friends, that then they convene in the parties particularly following," Viz, the said Earl and his friends in the burghs of Dunblane, Perth, Dundee, (or) St Andrews, and the said sheriff and his friends in the burghs of Ayr, Irving, Glasgow, Renfrew, of Dumbarton, forbearing always to repair to Stirling at the time foresaid or during the continuance of the said feud.

### P 240

Band for Efame Weyms that she shall not repair to the Queen's presence

Registration by Thomas Wilson, as procurator for the surety of Andro Weyms of Myrecairnie for his daughter, Efame Weyms, in 5, 000 merks, " that she shall not resort nor repair to the Queen's majesty presence without special licence had been obtained of the King's majesty to that effect." Subscribed at Dundee, 21<sup>st</sup> November 1595. Before George Balfour, prior of Charterhouse, Mr John Inglis, portioned of Ardet, and Mr Duncan Weyms.

### P. 288 Holyrood House 22<sup>nd</sup> May. (Convention of Estates

Sederunt--Rex; Lennox; Hamilton; Argyle; Mar; Orkney; Livingston; Domini;--Hume; Fleming; Uchiltrie; Herries; Urquhart; Magester de Elphingstone:

Episcopalian--Dunkeld, Aberdeen, Brechin, Culross, Tungland; Kinross; Pitenweem; Blantyre; Thesaurus ;Murdocairny; Secretaries; Menmure; Clerks Registrar; Advocates, McKenzie; Barons-- Tullibardine; Garleis. Largo; Culluthie; Wester Weyms; Easter Weyms; Balcomie; Spott; Carmichael; Tracquiar Calderwood; Pitcarro; touch; Dunrode; Slammannanmure Bonhard; Halhill;



## Friends of Dundee City Archives

Commissions Clemet; Cor; Alexander Ouseane; pro Edinburgh; Jacobus Affleck, Roberts Fleuchar, pro Dundee; Henry Adamson, pro Perth; John Collison, pro Aberdeen Magester William Russell, pro St Andrews; Walter Cowan, pro Stirling; ’

1. The largeness of the Sederunt in this convention of Estates, and the composition or the Sederunt, are significant of that mood of resentment in which the King had been left by the demonstration of the clergy in their last General Assembly. His purpose in calling the convention was partly to procure an Act of the Estates confirming his leniency in allowing the Countess of Huntly and Errol the use of the estates of their husbands; but in the presence of three Bishops in the Sederunt, Expressly with that designation--Peter Rollok, Bishop of Dunkeld, David Cunningham, Bishop of Aberdeen, and Alexander Campbell, Bishop of Brechin,--one may discern ulterior intentions. The Sederunt, moreover, indicates certain changes that there had been in the great state-offices, consequent on the appointment of the Octavian's as Commissioners of the Exchequer. These changes which had been gradually, are explained by Spotswood as follows:--“ Nor was it long before these Commissioners became extremely disliked, partly for their strict dealing with the subjects, and partly for drawing all the offices into their own hands. Beginning was made at Mr David McGill , advocate, whom they pressed to demit and resign his office by reason of his age and imbecility, as they pretended; and, when by no persuasion he could be moved into it, they did associate with him in office Mr Thomas Hamilton , one of their own number, which bred him (McGill) such grief as shortly after he ended his days ( February 13<sup>th</sup> 1595-6 ) Next, they fell upon Master of Glamis, Treasurer, and his deputy Sir Robert Melville, and by examining their accounts found them liable in each sums to the King as, to obtain a quietus est. they were glad to resign the Treasury, which was bestowed on the Prior of Blantyre. Then did they labour the Secretary, Sir Richard Cockburn, to resign his place, and exchange it with the office of Privy Seal, which Blantyre had demitted in favour of Mr John Lindsay. This was easily effected, the gentlemen not liking to contend or fall in question with them. The office of the Collector. Resigned by the Provost of Lincluden, was given to Mr James Elphingstone. The President (Urquhart) they intended to make Chancellor; but to this the King would not condescend, knowing how he stood effected in religion, and that his preferment to that chief place would be open the mouths of the ministers, and raise a clamour in the country” (Spotswood, p. 413) By the time of the present Convention of Estates all these changes, except one, had been carried into effect. The Master of Glamis is no longer treasurer, and Sir Robert Murdocairny is no longer treasurer-depute; but both offices are united in Walter Stewart, Prior of Blantyre, the Thesaurus of the present Sederunt, and indeed of the previous Sederunt of April 9<sup>th</sup> (see ante P. 285) Glamis, we hear from Moysie and Calderwood, had clung to his office very hard, and had to be consoled with £6,000 of



## Friends of Dundee City Archives

compensation before resigning it. The Advocates of the present Sederunt is Mr Thomas Hamilton; and Mr James Elphinstone is now Collector.

Add Urquhart Clerk Register Skene, Menmuir ), and Mr David Carnegie Prior of Culluthie, all present in the Sederunt, and all the Octavian's are found present, except the Eleemosynary, Mr Peter Young. Menmuir, however, it will be observed, is not yet Secretaries, that office being still held by Sir Richard Cockburn. In a few days more, however, Cockburn was to resign the Secretary ship, in the manner mentioned by Spotswood, and Menmuir was to take his place

### P. 385 Act anent the customs

Scottish as well as foreign merchants to pay custom and other merchandise imported; the customs to be 12d. Per £1 worth of goods

1. This is another important dating;--much more important than the minutes which follow under it about matters of commerce, &c., would suggest.

For along with this Convention of Estates at Dundee there met another General Assembly of the Kirk, to continue that discussion of ecclesiastical matter between the King and clergy which had begun, with much marked gain on the King's side, in the Extrordanally General Assembly at Perth two months ago. This assembly had opened proceedings on the 10<sup>th</sup> of May, three days before the date of the present entry; and of sat till the 27<sup>th</sup> May, with Mr Robert Rollok, Principal of the University of Edinburgh, as moderator. For the proceedings in detail in the Dundee Assembly is that they were to obtain absolution for the excommunicated Catholic Earls, ratification of the conclusions of the recent Assembly at Perth on some of the thirteen articles that had been submitted to them by the King, "and as far further as might be attained unto" For these ends there was much management, with gracious concession of liberty to such recent culprits as the Edinburgh ministers and even to Mr David Black, to come to Dundee and join their brethren. The King's greatest difficulty was with

Andrew Melville. Prevented from being at the Perth Assembly., he had made a point of coming to this Assembly at Dundee. There was a message to his nephew from the King suggesting that it would be better for Mr Andrew not to attend to the Assembly; and, this having failed, the King had an interview with both the Melville's in his own cabinet. At this interview, James Melville informs us the King began in a mild strain, but gradually entered more in the heart of matters, when "Mr Andro broke out with his wounded humour of freedom and zeal," and so the King and his subject "heckled on" for nearly an hour in such loud debate that "all the house and close both could hear their voices". On the whole, the assembly was less subservient than had been expected.



## Friends of Dundee City Archives

The assembly at Perth was recognised as lawful, and its Acts were approved, but not without notes of explanation and qualification; and there saw considerable caution on the answers given to those of the King's thirteen articles which that Assembly had left over, By the influence of the northland ministeries, however, it was carried that the Earls of Huntly, Errol, and Angus, who had already been negotiating with the clergy in Aberdeen and elsewhere in the North, should be relaxed from their excommunication and re-admitted to the bosom of the church on certain conditions, including abjuration of popery and subscription to the Confession of Faith; and a commission had been appointed to receive their submissions and relax them. There was no direct advance in the assembly to that object of the reintroduction of Episcopacy upon which the King had set his heart; but a syep was taken which led ultimately in that direction. This was appointment by the Assembly of a commission of fourteen selected ministers, of seven should be a quorum, to be a standing council for meeting with his Majesty and advising him on the Kirk questions then pending, and also generally "in all affairs concerning the weal of the Kirk and enterteanement of peace and obedience to his Majesty." The fourteen ministers selected were Messrs Alexander Douglas, James Nicholson; George Gladstone's Thomas Buchanan, Robert Pont, Robert Rollok, David Lindsay, Patrick Galloway, John Duncanson, Patrick Sharp, John Porterfield, James Melville, William Cooper, and John Clapperton, -- most of them of the party least alra-Presbyterian, and most inclined to courtly measures. It was mainly in consequence of the appointment of this commission that the Assembly of Dundee of May 1597 came to figure in subsequent Presbyterian records as another "corrupt Assembly" of the series of 'corrupt' Assemblies"--which had begun in Perth in March 1596-97. It "devolved and transferred the hole power of the General Assembly in the hands of the King and his ecclesiastic Council," James Melville himself on of the Commissioners, wrote afterwards; and Calderwood's still later expression of that "the Commissioners were as a wedge taken out of the Kirk to rend here with her own forces and the very needle which drew in the thread of Bishops"

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