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Records of Inverness

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Records of Inverness

Edited by
William Mackay, LL.D.,
and
George Smith Laing

Volume II.

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Minutes of Town Council : 1637-88

Aberdeen

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Preface

It will be recalled that the First Volume of Extracts from the Inverness Burgh Court Books contained extracts from two volumes of Minutes covering the periods 1556-1567, and 1567-1586 respectively. Between 1586 and 1602 no records of the proceedings of the Town Council are, so far as known, extant. The present volume deals with the period from October, 1602, to October, 1688, and the extracts are from five manuscript volumes in the possession of the Town Council covering the periods from October, 1602, to July, 1621; from October, 1621, to April, 1637; from April, 1637, to October, 1655; from March, 1662, to November, 1680; and from November, 1680, to October, 1688. It will be seen, therefore, that the records for the period covered by this volume are practically continuous, with the exception of the period between October, 1655, and March, 1662. This gap is difficult to explain, but it may be accounted for by the fact that during a part of the time the town was occupied by a garrison of Cromwell's troops and was probably more or less under military control. The extracts cover a period in the history of the Burgh which has hitherto been unbroken ground so far as the Records are concerned; and the preparation of the volume necessitated the perusal of the original records and the selection and transcription of extracts.

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As was mentioned in the Preface to the First Volume there are in addition to the manuscript volumes referred to certain volumes of the Records of the Burgh Court, but as they deal with property transactions, services, resignations, &c., and are of no general interest, no extracts have been taken from them.

The Charter granted to the Burgh by King James VI. dated 1st January, 1591-2, known as "the Golden Charter," conferred extensive rights and privileges on its inhabitants. This must have proved a great impetus to the trade and commerce of the community, and finds its reflex in the Records dealt with in the present volume. These Records bear evidence that the trade of the town in the 17th Century was considerable, and that its trading rights and privileges were extensive.

The Records for this period contain many references to events of importance and interest in the history of the country during the period covered by the Union of the Crowns, the Civil War, the Commonwealth, and the Restoration, although these references are somewhat scrappy and disappointing in their official matter-of-factness. Their interest, however, chiefly lies in the light they throw upon the contemporary life, laws, and customs of the inhabitants of the Burgh. The references to trials in the Burgh Court for witch-craft are sad commentaries upon the dark superstitions of the age, and the sentences of death for this supposed crime reflect the barbarism from which the people had not yet entirely emerged.

Trials for murder in the Burgh Court were not altogether rare, and the imposition of the death penalty for that crime and for the crime of theft indicates the extensive powers of life and death which were then reposed in the Magistrates.

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Other matters which occupied the attention of the Magistrates in the Burgh Court show that in those days appeals to the sword or dirk were common, and required the strong hand of the law in the person of the Magistrates to put them down.

The building of a stone bridge over the Ness towards the end of the period covered by this volume and the raising of funds for its construction are matters which greatly exercised the minds of the Town Council at that time, and the Records contain frequent references to the undertaking. It may be of interest to mention that that bridge did service until it was swept away in the flood of 1849.

It had been hoped that the Second Volume would have embraced extracts down to the period of "the '45" or thereby, but the Records were found to contain so much of interest that it was impossible, or at least difficult, to excise sufficiently to admit of the volume covering so long a period. Perhaps, however, the later period from 1688 onwards may be dealt with in a future volume as well as the Charters of the Burgh.

An Index of Personal and Place Names occurring in this and the First Volume has been prepared and will be found at the end of this volume. It will doubtless prove useful and convenient to readers. It has not been found possible, however, to prepare a Glossary as was suggested in the Preface to the First Volume, but when the final volume is prepared it may find a place in it.

Much delay has unfortunately occurred in the preparation and issue of this volume, but no one can regret this more than the Editors, who desire to tender their apologies to the members of the New Spalding Club therefor. A certain amount of delay

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in the preparation of the volume was inevitable from the outset, as there is no transcript of the manuscript volumes from which the extracts have been taken. Since no one could be found to undertake the work of making the extracts from the original text, this had to be undertaken by the writer during his few leisure hours. Another, and the chief cause of the delay, was the occurrence of the war while the volume was in the press, and the unsettling and difficult times which followed.

It is much to be regretted that Dr. Mackay, the joint Editor, to whom the war brought the grief of the loss of his elder son and chief business partner, has, through advancing years and failing health, been unable to take an active part in the final stages of the work or to undertake the writing of an Introduction to the Second Volume as he had hoped to do.

The thanks of the Editors are again due to the Town Council of Inverness for the use of the Records, and also to the Carnegie University Trust for a grant towards part of the expenses of transcription.

G. S. L.

INVERNESS, *July*, 1924.

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RECORDS OF INVERNESS

Burgh Court Books: Vol. III., 1602-1621

The burrow court of the bruche of Innernes haldin within *1602*
the tolbuthe of the samyn be William Cuithbert, Prouest, *12 Nov.*
Johne Ker, William Cuithbert appeirand of Auld castelhill,
Alexander Patersoun, Bailzies, the xii day of November,
the zeir of God 1602 zeiris, the suittis callit, the court
lauchfullie fenssit and affermit as use is.

That day the Provest, Bailzies, and Counsall statutis and ordanis, and be the tenour hierof hes statut and ordainit that in all tymes hierefter cuming that the haill Inhabitants of this bruche, with thair haill famelie and houshald, hant and keip the kirk on the sabothe day, befor noin and efter noin, and thair to hier the preching of the word of God everie ilk Sunday, under the panes of vj schillingis viij d money unforgiffin to be tain up be the Magistrats and bestowit on the building of the Kirke for everi houshalder and utheris personis, poindzeabill. And als it is ordanit that everie person that bringis ather malt or meill to this bruche to be sauld thai present the mercat cros thairwith, and met and sell the samyn with the commun firlat or pek, under the panes of confiscatioun thairof in caic thai do in the contrar; forder that na broustaris, frie nor on frie, tack upoun hand to sell ony of thair aill or broustis, litill or meikill thairof, ay and quhill thai com to the bailzies to desyir them to cum and taist the samyn with sic as thai will tak of honest men with them to compryse and taist the samyn and set ane price thairupoun according to the guidnes thairoff; and als that the flescheris tak nocht upoun hand to sell other metis, muttoun, or quhatsumever flesche, ay and quhill the samyn be comprysit be the compryseris ordanit to that effect; and attour

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- 1602 that na bucheris duelland within this bruche or without, present to sell
12 Nov. ony flesches that sal happin to be slain be them to the mercat croce on presentit thairwith the hyd or skin thairof, with the heid and the fiet, under the panes of confiscatioun thairof; and the person doin in contrar hierof salbe puneist according to the lawis of this realme; And ordanis the samyn to be proclamit at the merket croce of the said bruche, and intimatioun maid . . . according to the lawis of this realme: Quhairvpoun requerit Act.
- 22 Nov. That day Finlay Makaine vic Aine, servand to Johne Lowson, smythe, indwellar, Innernes, and he being wardit within the tolbuie of Innernes for certain crymes and offences doin be him to his maister, and last upoun the xvijj day of November 1602 brak waird without leif of ony of the Magistratis, and thairfoir being accusit, quha confessit, and in respect thairof is judgit in amerciament, and dom gewin thairupoun; And thairfoir the saidis Judges decernis to be banist of this bruche for the space of ane zeir, and gif he beis fundin maisterles or offence to to ony persoun within this bruche, he salbe tain accusit thairfoir and for all byganis, and sall be usit according to the Act of Parliament, and for his demeritis thair dom gewin thairvpoun: Quhairvpoun the said Johne requerit act.
- 3 Dec. That day Williame McJames, teilzeour in Innernes, being persewit and acclomit at the instance of William McRichie thair, of the soum of four merkes lent money, and for twa elnis gray claithe pric xvi schillingis; quhilk defendar comperit in judgement and confessit the claim; and in respect of his awin confessioun the judges hes decernit him to mak pament thairof, with 4d as for expenss^s of pley, within xv dayis, under the pain of poinding, varding, the anc but prejudice of the other: Quhairvpoun the persewar requerit Act of Court.
- 11 Dec. That day compeirit Johne Makallan, burges off Invernes, in presens of me notar publict and witness^s under wreittin, quha of his awin frie motiv will, oncoactit or compellit, grantis and confess^s him be thir presentis to haiffe ressavit fra the handis off George Mak Conill Reoche, burges of the said bruche, the soume of ane hundrethe pounds money guid and usuall of this realme, and that conforme to ane act maid in the

Burgh Court Books : Vol. III.

burrow buikis of the dait at Invernes the day of November the 1602
zeir of God Jai sex hundrethe and ane zeiris, as at mair lenthe is con- 11 Dec.
tenit in the said act ; Off the quhilk soume about wriitten I hald me
viell contentit and satisfiet and payit, and quietclameis, exoneris, and dis-
charges the said George McConil Reoche and William Cay his cationar,
thair airis, executors, and assigis by me, my airis, executors, and
assigis, of the said soum and the contents of the foirsaid burrow act,
to be fulfillit, satisfiet, and payet to me in all thingis and pass^s claus^s
thairoff be thes my act of dischairge, subscrivit with my hand day and
dait place foirsaid : Quhairupoun the said George and William Cay his
cationar requerit Act befor thir witness^s, Findla McVirriche, Alexander
Skinner, Johne Makvirriche, burgess^s of Innernes, and Alexander Duff
notar publict and commoun clerke of the said bruche. J. Duff clerke.

The heid burrow court of the bruche of Innernes efter 1603
Youl, haldin within the tolbuith of the samyn be Johne Ker, 10 Jan.
William Cuithbert, appeirand of the Auld Castelhill, and
Lawrens Robertsoun, bailzies, the tent day of Januer the
zeir of God Jai sex hundrethe and thrie yeiris, the suittis
callit, the court lauchfullie fensit and affermit as use is.

Nomina absentium e dicti curie : Richard Gordoun, Mr Johne Ross,
Mr Thomas Houstoun, Johne Cuithbert zoungar, William Douglas,
Alistar Duff, Androw Duff vicar of Innernes, Thomas Fraser of Knockie,
Thomas Lorimer, Donald McNoyer, Thomas Fraser of Moniack, Alex-
ander Cuithbert, James Waus, Johne Fraseir, George Cuminge, Robert
Waus, Findla MakVirriche, Findlay McPhaill, Alexander Mackconchie,
John Waus of Lochsclin, James Cuithbert youngar, John Maii, Thomas
Merchant, Williame Patersoun elder, Androw Fraseir MackConill, James
Fraseir McConill, Johne McAllan, Johne Dw McAllister, Androw
McWilliam Voir, Findla McGibsoun, Robert Makcoull: The saidis
personis being oftymes callit and not compeiringe as thai that aucht
presenis and suit to this Court ar adjudgit for amerciament for thair absens,
and dom gewin thairupoun.

That day, in the actioun and caus persewit be William Robertsoun — Jan.
zoungar contrar Thomas Makalley, indweller in Innernes, acclamand at
him twentie merkes mooney as for the price of twa galloun aqua vitie

Records of Inverness

1603 quhilk he gaiffe him in the monthe of Januer anno 1602, and als
— Jan. acclamand at him thre firlats beir quhilk he lent him in the monthe of
Maii anno 1601 ; quhilk defendar being oftymes warnit and callit at the
tolbuithe window and nocht compeiring to mak anser, the Judges in
respect thairof referrit the [claim] to the persewar aithe *de veritate*, quha
wes suorne, and deponit that the defendar is restand him the foirsaid
twentie merkes money with the said 3 firlats beir, and in respect thairof
the Judges hes decernit the said Thomas to mak pament to the persewar,
with 6ss. viijd money as for expenss^s, within xv dayis, under the paines
of poinding, varding, the ane but preiudice of the uther : Quhairvpoune
the persewar requerit Act of Court.

That day in the actioun and caus persewit be the said William
Robertsoun zounger, burges of Innernes, contrar Donald Vrqrt., in-
dweller thair, acclamand at him viii merkes money as for the price of ane
boll victuall quhilk he coft fra him in the monthe of August or thairby
anno 1601, with twelff merkes money as for the price of sex firlats malt
quhilk he and his wyiff ressavit fra the persewar in the monthe of October
or thairby anno 1601 zeiris ; quhilk defender compeirit and confessit to
be restand awand the foirsaidis claim, and accordinge to his awin con-
fessioun the Judges hes decernit him to mak pament thairof to the
persewar, with 6 ss. viij d. expenss^s, within xv dayis, under the paines of
poinding or varding, the ane but preiudice of the uther : Quairvpoun
requerit Act of Court.

That day in the actioun and caus persewit be Williame Robertsoun
zoungar foirsaid contrar Donald Urqurt acclamand at him xii merks
money as for the price of twa stain lint quhilk the said Donald com
catioun for twa men in the Serefdome of Cromertie, quhilk lint was
delyverit be me to him in the monethe of Februar 1602 zeiris ; quhilk
defendar comperit and confessit to be restand the foirsaid soum to the
persewar as he that com cationar and full debtor ; and in respect of his
awin confessioun the Judges foirsaidis hes decernit him to mak pament
thairof to the persewar, with vj s. viij d. expenss^s of pley, within xv dayis,
under the pain of poindinge, varding : Quhairvpon requerit Act of
Court.

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Actum apud burgum de Innernes quarto die mensis 1603
Februarij anno domini 1603 in presentia Lawrentij Robert- 4 Feb.
sone unius ballivorum dicti burgi.

That day comperit personalie in presens of the said Judge and me notar and witness^s underwreittin Findlay McPhaill, burges of Innernes, and of his awin frie motiv will, oncoactit or compellit, is becum actit in the burrow court buikis of Innernes for him selff, his airis, executors, and assignis, intromettors with his goods and geir, for payment mackinge to Thomas Fraseir of Moneacke, his airis, executors and assignis, of the soume of sex hundrethe merkes money guid and usuall of this realme ressavit be him in borrowinge fra the hands of the said Thomas at the mackinge hiereof, quhairof he haldis him viel satisfiet content and payit, and be thir presentis discharges the said Thomas Fraseir, his airis, executors, and assignais, thairoff for ewer, quhilk soume of sex hundrethe merkes money foirsaid the said Findlay Makphaill as principall, and with him Mr Johne Ross and George McPhaill, burgess^s of Innernes, sourtie, cationaris, and full debtors severalie, ilk ane for thair awin pertis, binds and oblisses them, thair airis, executors, and assignais, to thankfullie redelyver content and pay the foirsaid soume of sex hundrethe merkes money foirsaide to the said Thomas Fraseir and his foirsaidis betwix the day and dait hiereof and the Feist and terme of Vitsunday next to cum in anno Jai sex hundrethe and thrie zeiris but delay, fraud, or gyill, and in caice of non payment of the foiresaid soume at the foirsaid day and dait, in that caice the said Findlay Makphaill, as principall, and the saidis cationeris binds and obliss^s them, thair airis, executors, and assignais to thankfullie content and pay to the saidis Thomas Fraseir and his foirsaidis the nomber of sex scoir bolls guid and sufficient victuall within the bruche of Innernes, with the commoun met and missor thairoff, in caice of failzie, and the samin to be payit within ten dayis next efter the said terme of Vitsunday under the pain of poindinge, vardinge, or horninge, the ane but prejudice of the uther, and consentis that the horninge pas upoun ane simpile charge of sex dayis allanerlie, and the said Findlay is becum actit in the saidis buikis for himselff and his foirsaidis for the foirsaidis cationaris releiffis, and to keip them skaithles and thair foirsaidis at the handis of the said Thomas Fraseir and his foirsaidis of the said soume aboun vreitit and victuall foirsaid under the panes foirsaid: Subscrivit be our handis :

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1603 Quhairvpoun the said Thomas Fraseir requerit act. Before thir witness^s
4 Feb. James Cuithbert zoungar, Johne Cuming elder, burgess^s of Innernes,
Thomas Urqurt, servitor to the said Mr. Johne Ross, and Alexander
Duff notar and commoun clerke of Innernes. J. Duff comoun clerk.

— Feb. That day the actioun and caus persewit be Alexander Patersone,
burges of Innernes, contrar Megie Neilson, acclamand at hir twa bolls
cheritit victuall, with four capons, pric xx ss., and the defender being
oftymes callit and nocht compeiringe the claim wes referrit to the per-
sewaris aithe, quha deponit that the said Megie is restand him the foirsaid
claim except xx lib. buttir to be tain of, and awit the prices thairof
in the begining of the samin; In respect thairof the Judges hes decernit
hir to mak pament hieroff within xv dayis with xl d. as for expenss^s of
pley: Quhairvpoun requerit Act of Court.

That day Johne MacKewin is decernit to content and pay to
Alexander Patersone thrie firlats meil, with sex capons, pric of the peic
v ss., with ane seck pric xxvi ss. viij d., and that to haif put in the meil
into lent to him to that effect, quhilk meil and capons wes restand
awand be him to the said persewar as for the ferme and custum of sevin
ruidis field land occupiet be the defendar, quha compeirit and confessit
to be restand the premiss^s: In respect of his confessioun the Judges
decernis and ordains the defendar to mack pament hierof to the persewar
within xv dayis under the pains of poindinge, vardinge, the ane but
preiudice of the uther: Quhairvpoun the persewar requerit and tuick Act
of Court.

That day Thomas Dagleis, burges of Innernes, is decernit to content
and pay to Ferquhar Mackallister, dwelland in Dunzean croy, ane gray
plaid, a tartan, of fiv elnis doubil, price iiij. lib. money, quhilk suld haif
bein delyuerid to him at Youl last 1602 yeiris, quhilk he coft fra the
defendar, quha compeirit and confessit he ressavit compositioun and geir
for the samyn tartan fra the persewar: In respect of his confessioun the
Judges decernis and ordainis the defendar to mack pament of the said
gra tartan plaid or ells the prices within xv dayis under the panes of
poindinge, vardinge, the ane but prejudice of the uther: Quhairvpoun
the persewar requerit and tuick Act of Court.

18 Mar. That day in the caus movit be Finlay Mackgibsone contrar Johne
Mackewin, Flescher in Innernes, meininge that the said Johne wes

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nocht haldand him guid nychtborheid accordinge to his pactioun in teillinge, schavinge [sowing], and harroving of certain ruids lyand bewest the watter of Ness set to them be Alexander Patersone as the persewar alledgit, and the said Johne compeiringe grantit in times cuminge he suld hald him guid nychtborheid in the premiss^s: The Judges heiringe of thair pactioun hes decernit and ordainit the said Johne to hald equall and guid nytborheid accordinge to the . . . pactiounes maid betwix them: Quhairvpone the persewar requerit Act. 1603
18 Mar.

That day Finla Mackgibsonne gaif his aithe that he feirit Johne Mackewin bodelie harme; quhairupoun the said Johne hes fundin George Mackconil Reoche, burges of Innernes, quaha of his awin frie motiv will is becum actit cautionar and law burrovis that Finla Mackgibsonne salbe harmles and skaithles of the said Johne McEwin in his bodie, guids, and geir, and of all that he mocht stop or lat to do his hinder under the panes of j cc lib. money Scottis *toties quoties* quhovoft he ever offends: Quhairvpone the said Finla tuick and requerit Act of Court.

That day the said Finla Mackgibsonne hes fundin Johne dw Mackallister, maltman in Innernes, sourtie quaha of his awin frie motiv will is becum cautionar and law burrovis for the said Finla that the said Johne Mackewin salbe harmles and skaithles of him and all that he may stope and lat, in his bodie, lands, guids, corn, and geir in all tymes hierafter cuminge, under the panes of ane hundrethe punds money Scottis *toties quoties* quhovoft ever he offends: Quhairvpone requerit and askit Act of Court.

That day in the actioun and cause persewit be Johne Mackewin, Flescher, indweller in Innernes, contrar Finla McGibsonne, indweller thair, as he quaha haifinge persewit the said Johne Mackewin of his lyiff the said day with ane drawin durcke, maist maliciouslie and contempteouslie to haif slain and bereft him of his lyiff, in presens of Alexander Patersoné, Bailzie, quaha than, persaivinge the cruel persuit and intentione of the said Finla, desyrit him in his hienes nam and auctoritie, to enter his persone in vaird vithin the tolbuthe of Innernes, or at the leist than to haif bein anserabill upone the said cruel and wicked interpryis, quaha contempteouslie disobeyit and wald on na wayes be answerabill, and immediatelie thairefter the Provest haifinge desyrit and chargin him upone the said contempt of disobedience; quhairvpone the said William Cuithbert, Provest, and Alexander Patersone, Bailzie,

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18 Mar. menit thair caus to the rest of the Bailzies, and certain of the counsall beinge present than, and the saidis Bailzies and counsall haifinge haired of the proud contempt of the said Finla, they ordanit and decernis reformation to be tain and punisching of him in maneir as efter follovis, that is to say, thai ordain the said Finla to be atteiche be the officiaris and theirefter to be puneist with all rigor be the saidis officemen and bailzies, and failzeinge gif he can nocht be apprehendit that he be chargit at the mercat cros and at his dwellinge place, with intimatioun as effeiris, to compeir and entir his persone in ward within the tolbuthe of Innernes within thrie hors efter thair proclamatioun and intimatioun foirsaid, under the panes of banisment and exilinge of him of this brucht for ever, and that his hous be tirit aboun his heid quhair he dwellis in caice he disobey, in maneir foirsaid, and the officiaris incontinent hiefter passit and usit in hail the premiss^s, and chargit the said Finla to compeir and enter his persone in ward in maneir foirsaid be oppin proclamatioun efter thrie hoyes, and maid intimatioun to his wyiff, and seinge the said Finla nocht compeiringe, bot alluterlie disobeyit to entir as saidis, the Judges than in ane voic and consent, with assent of the counsall past and tirit the said hous, and thairefter thair entrie into Court dom was gevin on his disobedience be Malcolm Duncanson, Dempster: Quhairvpone requerit Act of Court. J. Duff, clerke of Court.

1 April That day William Cuithbert, Provest, being publictly in judgement, and hieringe the rumor and bruit and also the complaint of certain inhabitants of this brucht and vtheris duelland without, on William Boyd, maltman, declairing that he wes restand avand to them certain number of bolls of malt, and the said William Boyd beinge put in judgement, the said Provest accusit him gif he was restand ony, quha confessit to be restand sum malt to certain personis, and als anserit that certain vtheris was restand him in lyickin ueir and desyrit, and the Provest, for to discharge his deuctie, commandit the officiaris, William Gray, and Thomas Clerk, to charge the said William Boyd within the tolbuthe, and thair to remain quhill he find souertie to do that law vill to all personis haifinge entres to persew him or that he is restand ony malt to, and that becaus he is fugitive and hes bein fugitive thir ten oulkis bygan, and than beinge chargit in maneir foirsaid the said William Cuithbert, Provest, requerit and tuik Act of Court.

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That day George Fuir, flescher, induellar in Innernes, is accusit and perseuit be the Procurator Fiscallis of Innernes for byinge of quheit plaidis fra vnfrie men in the Chanonrie of Ross, and usinge and usurpinge of ane frie burges libertie, and in sellinge of talloun to vnfrie men, and byinge the said plaiding in sellinge the sam to Thomas Ducat in Innernes ; as also the said George Fuir being accusit for mackinge of ane manifest lie on the Provest, William Cuithbert, sayinge to Thomas Fraseir of Strechin and to his ladie that the Provost haid vardit him in the tolbuthe of Innernes in contempt of them and of meir malice and hatrent quhilk he buir towardis him because he haid sellit certain talloun to my Lord Lovatt's servands and thirs ; theirfoir the Procurators Fiscallis in respect of the premiss^s desyrit remeid of law, and he to be censurit and to underlye the sentence of ane inqueist ; quhilk defendar being present, and demandit on the premiss^s, confessit he sellit twentie elnis plaidinge to Ducat, and als confessit that he haid spockin and meinit himself to the guidman of Strechin and the guidwyiff, and said it wes for that talloun that he sellit to thair seruandis that he wes put in the tolbuthe and vardit thair be the Provest ; and the Procuratoris Fiscallis heiringe of his former confessioun requerit of the Judges present that he suld be sensurit, and his punisment to be maid and considerit and decernit be ane condigne inqueist, quhilkis the Judges grantit ; the inqueist, beinge present, were sworne and admittit, quhairoff thair names followis : Quhairvpoune the Procuratoris Fiscallis Johne Cuminge tuick Act of Court.

Nomina Assise : Maister Johne Ross of Midleyis, chancellor, Alexander Merchand, burges of Innernes, Richard Gordoun, burges thair, Petir Waus, burges thair, Williame Patersone, zoungar thair, Williame Cuithbert zoungar thair, Robert Steuart, merchand burges thair, Walter Steuart, burges thair, William Patersone Johneson, burges thair, Alex^r. Thomson, burges thair, Alexander Hay, burges thair, Findlay Mackvirriche, burges thair, Alexander Skinner, burgess thair.

That day the inqueist foirsaid hes decernit and ordanit, all in ane voice pronouncit be the mouthe of Mr Johne Ross, chancellor, in respect he beinge fund accordinge to his awin grant and confessioun in judgement in byinge of xx elnis doubill of quheit plaidis, and vsinge of ane frie manis libertie, and in sellinge of talloun to vnfrie men, and byinge thair of, and also in mackinge of ane wrange narratiue on the Provest, conform to the

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8 April complent aboun wrettin, is convict be them thairinto, and ordainis him to be branckit joigkit on Saturday nixt at the cors in presens of the pepil, and to be joigit at the kirk dur on Souday nixt thairefter, and to put on the seckclaithe, and thairefter to banis and exayil him selff out of this bruche on Mounday nixt thairefter, and never to duell in the said bruche thairefter in ony tym cuminge, vnder the panes of confiscatioun of all his guids and geir, mouabile and vnmouabil, and burninge of him vith ane iron on the cheicke, and scurginge of him throw the haill four streitts of the brucht, quhilk the judges hes affermit, and ordanis the samyn to be put to executioun be ather of them and their afficiaris, and beinge judgit hierintill dome pronouncit accordinge thairto be Malcolme Duncansone, Dempster of Court: Quhairvpoun the Procuartor Fiscallis requerit Act of Court.

2 May

The heid Court of the burgh of Innernes haldin eftir Peace within the tolbuthe of the samyn, be William Cuithbert, Provost, Johne Ker, Alexander Patersone, William Cuithbert appeirand of Auld Castelhill, and Laurens Robertsonsone, Bailzies, the second day of Maii anno Jaj sex hundrethe and thrie, the suittis callit, the court lauchfullie fenssit and affermit as use is:

The suit rol callit at the tolbuthe vindo.

Nomina presentium qui debent sect' Johne Cuithbert of the Auld Castelhill, Johne Waus of Lochslin, Maister Johne Ross of Midleyis, George Cuminge, burges of Innernes, Alexander Cuminge, burges thair, Johne Cuminge elder, Johne Cuminge zoungar, Alexander Merchand, James Chapman, Alexander Skinner, Johne Duff, Williame Thomsone, Williame Robertsonsone elder, Williame Cay, Androv Duff, James Waus, Johne Cuithbert, William Patersone Johneson, Jaspert Dempster, Gilbert Duff, Thomas Mackcoul, Findla McVirriche, James Fraseir Mackallister, Findla Mackphaill, Robert Steuart, George Mackphaill, Alexander Mackchonchie.

That day the haill personas contenit in the suit roll of the bruche of Innernes beinge oftymes callit at the tolbuthe vindov and stair as thai quha aucht suit to this heid Court ar all absent except the personis aboun wrettin, and thairfoir thai ar all judgit be thair names in speciall in americiament for thair absence, and dome gevin thairvpone be Malcome Duncansone, Dempster: Quhairvpoun the Procurator Fiscal requerit Act of Court.

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That day compeirit Patricke Dunbar, appeirand air to vmquhill 1603
Johne Dunbar, indwellar in Innernes, and exhibit and product in judge- 20 May
ment his petitioun desyringe him to be servit as generall air to his
vmquhill father befor the Provest and Bailzies, quhairof the tennour
followis, vpoun the quhilk requerit Act of Court.

Vnto zour honorabil Visdomes, Provest and Bailzies of the bruche
of Innernes, I Patricke Dunbar Declaris vnto your Visdomes and sayis
I am nierest and lauchfull air to my vmquhill father, Johne Dunbar,
saidler, and that I haif certain debtis to craif that is restand awand to
my vmquhill father, and nov to me as air for my entre, quhilk debtis
thai quha is addebtit vill nocht pay quhill I be cognoscit as air, and that
be ane condinge and famous inqueist of the nychtbours of this zour
bruche quha best knavis the veritie, and this I desyir to be done for the
luif of God, and zeil of conscience, and that I may haif access to my
richtis humblie I desyir ; the saids Judges beinge aduysit hierwith eftir
guid consideratioun hes thocht meit and guid quhairthrow that the
innocent be nocht preiudgit to nominat certain nychtbours quha ver
summoned at command of the Provest be Johne Reid, officiar, vpoun the
vij day of Maij instant to that effect foirsaid, quha ver callit and com-
peiringe, and seinge na persone nor pertie to oppone in contrar the
petitioun foirsaid, the said Patricke requerit Act of Court.

Nomina Assise : Alexander Cuithbert, burges of Innernes, chancellor,
Maister Johne Ross of Midleyis, William Robertstone elder, burges of
Innernes, Alexander Merchand, burges thair, Findlay Mackphaill, burges
thair, Johne Cuminge zoungar, burges thair, Johne Cuithbert zoungar
thair, Johne Cuminge elder thair, Thomas Dalgles, burges thair, Petir
Waus, burges thair, James Fraseir Mackallister, burges thair.

That day the inqueist foirsaid beinge suorne and admittit and na
oppositioun maid be na persone nor pertie in contrar, the inqueist foirsaid
requerit and tuick act.

That day the inqueist foirsaide hes seruit the said Patricke Dunbar
as generall air to his vmquhill father, Johne Dunbar, saidler, conforme to
his Petitioun, quhilk the inqueist foirsaid agreit all in ane voice, quhilk
was pronuncit in Judgement be the mouthe of the said Alexander Cuith-
bert, chancellor : Quhairvpoune the said Patrick Dunbar requerit and
tuick Act of Court.

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3 June That day Johne Andersone is decernit to content and pay to Alexander Forbes miller at the myln of Castelhill nyn lupis or clowis iron accordinge to his avin confessioun, or ellis the prices thair of nyn pundis money Scottis, quhilk iron the said Johne ressaut fra him in the monthe of August anno 1602 yeiris, and the saidis nyn lib money to be payit be him to the persewar within fyfteen dayis vnder the panes of poindinge or vardinge the ane but preiudice of the vther : Quhairvpoune the said Alexander Forbes requerit Act of Court.

7 June That day Williame McConil Vic Richie beinge accusit for the vragus gainge ower the ferrie to Rorie Mackenzie of Ardafailzie the last Court day, beinge the third day of Jun instant, and in respect that he wes challancit and persewit as ane foirstaller be the Procurators Fiscallis declairit and explanit vnto the said Rorie Mackenzie that Johne Cuminge zoungar suld haif him quhairterit, and forder maid ane forgit narratiue and lie on Richard Gordoun and Alexander Cuminge that he culd nocht leif in this toun for them : and the Judges foirsaidis seinge the said Rorie McKenzie lettre reid in jugement, quhilk he delyuerit than and affermet the foirsaid narratiues and greit sclander and wreit thair into his letre. that he suld cum in thairvayes and also gif that Johne Cuminge vald corse the ferrie for zeir and day he suld be equall with him be the law or by the law, and als desyrit tham lyick ane king that haid dominioun over them to cause them report the samyn, and also to lat him vse libertie and leif in the toun, vtherwayes he vald say that it war for Mackenzie's cause that he wer sa extraordinarlie vsit ; the Judges and Counsall of the brucht beinge present than in the tolbuthe ordanis and ordanit and statutis that the said Williame Mackconil McRichie for purchessing of Lordschippis and mackinge of greit immitie and vnkyndnes betwix them and the said Rorie in mackinge of lies and cvill and maist vragus reportis on thair saidis nyichtbors, hes decernit him all in ane voice to remoif and flit him selff, and his guids, geir quhatsumeuir of this brucht, and to be banist and exilit, and never to haif ony handlinge or reman'ge amangis them in ony tyme hiereftir cuminge, and thairfoir gif he beis fund dwelland in this brucht hiereftir his hail guids and geir to be escheit, and his bodie punist, quha is Judgit in this caice, and dome gevin thairupoun be Malcome Duncansoun, Dempster of Court : Quhairvpoun the quhilkis the Procurator Fiscallis requerit Act of Court.

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Actum apud burgum de Innernes undecimo die mensis *1603*
Junii anno domini millesimo sexcentesimo tertio In pre- *11 June*
sentia Laurentii Robertstone unius ballivorum dicti burgi.

That day compeirit in presens of me notar publict and the said Judge and vitness^s vndervreittin Androu Mack William Voir, burges of Innernes, and grantis and confese him to haife borrovit fra the hands of Donald Mackquein, minister at Pettie, the soume of ane hundrethe merkes money guid and vsuall of this realme, quhairof the said Androv McWilliam Voir haldis him viel content, satisfiet, and payit thairof, And thairfoir hes quietclameit and dischargit, and be thir presentis quietclames, exoneris, and simpliciter discharges the said Donald Mackquein thairof his airis, executors, and assignais thairof, for ever, quhilk soume of ane hundrethe merkes money aboune wreittin the said Androw MackWilliam Voir, as principal, and withe him William Cay, burges of Innernes, and Johne Du Mackallister MackWilliam Voir, of their awin frie motiv vills, oncoactit or compellit, ar becum actit in the burru court buickis of Innernes souerties, cautionaris, and ful debtors, coniunctlie and seueralie, them selffis, thair airis, executoris, assignais, and successoris, intromettoris with thair guidis, geir, present and to cum, for the said Androv MackWilliam Voir, to content pay and thankfullie delyver to Alexander Cuithbert, burges of Innernes, in name and behalf of the said Donald Mackquein and Annas Douglass, his futur spous, thair airis, executoris, and assignais, the foirsaid soume of ane hundrethe merkes money betwix the day and dait hierof and the penult day of October nixt to cum in this instant zier of God anno aboun wreittin, Togidder with the soume of fourtie pundis money liquidat as for costes, skaithes, and expenss^s, to be pait be them and their foirsaidis coniunctlie and seueralie to the said Alexander Cuithbert in nam of the foirsaidis Donald and Annas and thair foirsaidis in caice he or ony of them be movit or constranit to raise executoriallis hiervpoune in default of non fulfilling the premiss^s at the day aboun prefixit, vnder the panes of poindinge, vardinge, or horninge, the ane but preiudice of the vther, and consentit that the horninge pass vpoune ane simple charge of sex dayis allanerlie ; quhairvpoune the said Alexander Cuithbert and Donald Macquein requerit act ; and the saidis Androw is becum astrictit, bound, and actit in the saidis buickis to releiff and skaithles keip the said William Cay and Johne Du Mackallister, his cautionaris, of the said principall soume and

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11 June expense of pley at the day about writtin, at the handis of the said Alexander Cuithbert and Donald Mackquein, Annas Douglass, and their foirsaidis, vnder the panes foirsaidis: Quhairvpoune the saidis cautionaris requerit act. J. Duff notar commun clerk witnessinge hierto with my hand.

20 June That day compeirit Agnes Mackenzie, spous to ane honorabill man Lauchland Mackintoische of Dunnachtin, outwithe the presens of hir said spous, and of hir awin frie motiv vill, oncoactit or compellit, as sche declarit on hir greit aithe and conscience, the halie evangel tuichit, for fulfillinge of ane certain heid of ane contract past betwix the said Lauchlane Mackintoische of Dunnachtin on the ane pairt and Johne Chesholm of Kineress on the vther pairt, of the dait at Innernes the xx day of Juni instant, and thairfoir the said Agnes Mackenzie hes renuncit, resignit, and simpliciter overgevin, and be the tenor of this judicial act renuncis, resignis, discharges, and simpliciter overgevis, hir conijunct fie and lifrent of the half dauoche toun and lands of Mid Drumchardini, withe pairtis and pendiculis belanginge thairto, lyand within the Barony of Drumchardany and Serefdome of Innernes, and als all and haill the half dauoche toun and lands of Balneglacke and Tanalten gevin in speciall varrandie of the said half dauoche toun and lands of Drumchardini lyand vithin the Baronie of Cullodin and Serefdome of Innernes foirsaid, and that in speciale fauoris of the said Johne Chesholme and Jonet Ross his spous, thair airis, and assignais quhatsumeuer, to remain and abyid with them heretable conforme to thair infestment grantit to them theirvpoune but ony oppositioun to be proponit be hir in the contrar, renunceinge, lyick as be the tenor hierof the said Agnes Mackenzie renuncis, all preveligis grantit or introducit in fauoris off vemen quhairbie sche may querrell or cum in the contrar thes present renunciatioun hier-efter, vnto the quhilk renunciatioun the Judge hes interponit his decret and auctoritie, *in vberioris juris forma*: vpone the quhilk the saidis Johne Chesholme askit and tuik Act of Court.

26 July That day compeirit personalie in judgement Johne Golland, burges of Innernes, and beinge customer and uptacker of the toll pennie for the tym of the said burghe, and of his awin frie motiw vill, oncoactit or compellit, bot for the inteir luiff, favour and kyndnes quhilk he beiris and

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hes born towardis Williame Cuithbert, Provest of Innernes, nov for the t^m, and also for guid died gratitud ressaute be him fra the said Williame Cuithbert, and forder for vther ressonabill causs^s movinge him hierto, hes frielie, puirlie, and simplie resignit, renuncit, dischargit, and overgewin, and be the tennor of this present act frielie, puirlie, and simplie the said Johne Gollane resignis, renuncis, and simpliciter discharges and ower giffis fra him, his airis maill and assignais, all and hail the toll custum and vpliftinge of all and quhatsumeuir deuetie or pennie or pennie virth perteingne to the samyn, with all ryicht, tytill of richt, propertie, kyndnes, or possessioun be quhatsumeuir maneir of way perteingne to him, that he may claime in and to the samyn in ony vay hierefter cuminge, and that be staff and batoun as vse is, in the hands of Johne Ker, ane of the bailzies of the said burgche, quha acceptit the samyn, and that in special favor of the said Williame Cuithbert, Provest, his airis maill and assignais, beinge actuall burgess^s of the said burgche, conforme to the statutis and ordinance of the said burghe maid thairanent; and the said Johne Ker be verteu of the said resignatioun maid be staf and bataun in his hands in fauoris of the said Williame Cuithbert he hes presentlie giffin the said William Cuithbert possessioun thair of be delyveringe to him in judgement the commoun firlet and peck vsit and vont for custum taickin, payand thairfoir zeirlie the said Williame Cuithbert, his airis maill and assignais, the soume of ten merkis money Scottis, at twa termes in the zeir, viz. Vitsunday and Mertimes, be equall half deuydit portionis, vsit and vont, to the Provest, Bailzies, Counsall, communitie, or thair thesaurer; and the saidis bailzie hes admittit the said Williame Cuithbert as tennent in and to the foirsaid toll and custum, and that he pay his doubil entrie to the thesaurer, for the quhilk Williame Cuithbert, appeirand of Auld Castelhill, is becum actit cautionar, souertie, and full debtour for the said Williame Cuithbert, Provest, for payment mackinge of the samin, quhilk extendis to the soume of twentie merkes money; reservand alwayes the said Johne Gollane his lyifrent, duringe all the dayis and terms of his lyiftym allanarlie, of the said hail toll and custum of Innernes: Quhairvpoune ather of the saidis parties requerit Act of Court.

1603

26 July

17 Sept.

That day Johne Fraser, baxter, beinge perseuit be ane brocht be Johne Robertsons, son to vmquhill Johne Robertsons, burges of Innernes,

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1603 for the vragus strickinge and cuffinge of him without ony affenc, at the
 17 Sept. mercat croce of Innernes, this day, and eftir the doinge thairof Androw
 Caskin findinge fault with him for the samin he zeid to Alexander
 Thomsounis readis his buithe, and gat tuick out thairof ane buckler
 suord, and zeid throv the hailtoun thairwith, about the croce in speciall,
 seickinge the said Johne or his brother James Robertsons, lyick ane
 void man, purpoissinge to haue slain them, and thairefter, beinge tain be
 certain nyctbours, he wes put in vaird within the tolbuthe, quhair thair
 he cuffit the said James Robertsons and thairfoir committit tresone
 within our soueran lordis hous, and in respect thairof his maisterfull and
 cruel offences don be the said Johne Fraseir he wes than presentlie put to
 the tryell of ane inqueist to decern and cognois on the premiss^s and
 quhat guid order suld be n'onit (?) and put to him that dom suld be
 gevin than presentlie thairon : Quhairvpoune the perseuar requerit Act of
 Court.

Nomina Assise : Johne Cuithbert of the Auld Castelhill, Alexander
 Cuithbert, Jaspert Cuminge, Williame Robertsons zoungar, Johne Cuith-
 bert zoungar, Alexander Mackchonchie, Findlay McVirriche, Johne
 Cuminge zoungar, Thomas Clark, officiar ; quhilk persone hes bein fund be
 the foirsaid inqueist in the vrange trublinge of the nyctbors of the brucht
 againis all equevitie and lawis of this realme, and als in committin of
 treson within the Kingis house, for the caus afoirmentionat, and thairfoir
 the inqueist ordains him to be banist out of this brucht, with his wyif
 Margaret Ross, and never to haue habitatioun thairin in ony tym herefter
 cuminge, vnder the pain of puttinge of him to the deithe ; pronuncit in
 Judgement be the mouthe of Johne Cuithbert of Castelhill, Chancellor of
 the assyis : Quhairvpoune the premiss^s dom wes gewin be Johne Reid,
 Dempster of Court, quhairvnto the Judges haid interponit their auctoritie :
 Quhairvpoune the persewaris requerit and tuick Act of Court. J. Duff
 Clerk. Quhilkis faultis he confessit in judgement, and thai ordanit him
 to remain in vard quhill he find sourtie to remov of this brucht.

20 Sept.

Actum in Pretorio burgi de Innernes vigesimo die mensis
 Septembris Anno domini 1603.

That day the Provest, Bailzies, and Counsall beinge convenit vithin
 the tolbuthe of Innernes, for order taickinge in all tym cuminge, for the
 viel of the brucht, that na persone salbe molestit in tym of Faires,

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ordains ane Proclamatioun to be maid euerie zier on the Marie ewin¹ 1603
and Ruid evin² in manner as followis : To all and sundrie our Souerain 20 Sept.
Lordis liegis to quhais knowlege thir presentis sal come ; forsamkill
as the Sereff, Provest, Bailzies of Innernes vnderstandis the ancient
and auld liberties grantit to burruis of Faires and mercattis, and that
his Majestie and thrie estaittis of guid memorie hes statutit and ordainit
be thair louabil actis of Parliament that in duringe the tym and haldinge
of the saidis Faires and Mercattis that thair suld be na kynd of convo-
catioun, gadding, discord, or molestatioun or iniurie offerit be ony
persone or personis, ane agains ane vther, in duringe the said tym of
mercatt, sua that the kingis frie liegis sal nocht be refusit to do thair
lauchful effaires and bissines duringe the said tym of mercatt,
quhilk this present mercatt, quhilk is instantlie to be haldin within this
brucht of Innernes to begin and hald this t[erm] at twelf hors, beinge the
13 day off instant, and to continev peciabile, without ony molestatioun
to t[erm] nixt hiereftir to xii hors, beinge the xv day of the said monethe
of September, vnder the panes of brecking of his Majesties peice, and
confiscatioun of the breckeris hail guids and geir, and pvnishment of thair
bodies, conforme to the ordinance of the said Act of Parliament maid
thairanent, and this our Proclamatioun to be extendit and intimat thair-
vpoune, and our souerain Lordis frie liegis to haunt, frequent, and repair to
our said burgche in duringe the tym foirsaid, all except murdiroris, revers,
oppressors, theiffis, vagabounds, listaris of blak mail, and his Majesties
rebells : to all and sundrie our souerain Lordis liegis we mack this
present Proclamatioun to be knavin, that nain pretend to do ony harme
in contrar hierof, vnder the panes foirsaidis : subscrivit be the clerk. J.
Duff, notar, clerk.

That day Ewin M'Conil Duy in Durris, Duncan McFerquhar thair, 8 Nov.
Johne McAllister Miller thair, that thair with thair complices on Sunday
the sext day of the foirsaid monethe past to Williame McRobie Factor³
house, and thair under sylenc of nycht committit appressioun on the said
Williame, and best and dang him, and drev ane greit quantitie of his
wyiff and his avin bluid with suordis and batonis, aganis our souerain

¹ Mary Even—the evening of St. Mary's Festival.

² Evening of Rood-day.

³ William, son of Robert the stranger bondman.

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1603 Lordis Acts of Parliament ; and the foirsaidis personis compeirit, beinge
 8 Nov. tain and put in vaird in the tolbuthe, and the said Ewin beinge
 demandit hierof of the premiss^s, confessit the foirsaidis oppressiouns and
 wrangis ; Johne McMiller nais ; and Duncan McFerquhar nais ; quhilk
 personis for their wrangis wes remittit to ane inqueist quhairof thair names
 followis : Quhairvpoune the Procurator Fiscall requerit and tuick Act of
 Court.

Nomina assise : Jaspert Cuminge, chancellor, Peter Wause, Finla
 McPhail, Alexander Merchand, Williame Patersone elder, Jaspert
 Dempster, Johne Cuithbert zoungar, Johne Abram, George McConil
 Reoche, Robert Neilson, Finla du McPhaill, Thomas Dunbar, Richard
 Gordoun : the foirsaidis personis beinge ressaut, suorne, and admittit to
 declair the veritie sa far as thai knaw, conforme to the heids of the
 brucht, quha haid eftir guid aduisment haid fund the foirsaidis personis
 giltie and culpabil in committinge of oppressioun under sylenc of nycht,
 and committinge and dravinge of the foirsaidis personis bluid complenaris ;
 quhilk wes pronuncit in Judgement be the mouthe of Jaspert Cuminge,
 Chancellor, and conforme thairto thai wer judgit be the Judges in
 americiament of the soum of xx lib. money for thair demerittis, and to
 remain in vaird quhill thai fund souertie that the haill inhabitants within
 this brucht salbe hairmles and skaithles of them in all tymes cuminge,
 ilk person vnder the pain of xl lib. money *toties quoties* quhovoft thai
 commit ony falt : and dome gevin thairvpoune be Johne Reid, Dempster
 of Court.

25 Nov. That day ane broche struickin be Alex^r Cuithbert, smyth, on
 Thomas Mackalley, that maist cruellie and theifteouslie the said Thomas
 sta fra him his studie out of his varkhous, quhairwith he ves winnand
 his leivinge, the 21 day of November anno present, and desyrit the
 Judges thairfoir to put the said Thomas to tryell thairof be ane inqueist ;
 quha compeiringe, confessit the samin wes fund with him in his barne
 amangis his corn ; and the Judges referrit him to ford tryll of vther
 caus^s to the inqueist summond to this day to that effect

That day Thomas McAlley being fund be the said inqueist to have
 maisterfulle stoilin the studie fra Alexander Cuithbert, smyth, out of
 his varkhous, conforme to the dittay and to his awin confessioun ;
 Quhilk inqueist hes remittit him else in the Judges will, and the samin

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pronuncit in judgement be Alexander Cuithbert, burges of Innernes, 1603
chancellor of the assyis : In respect thair of the Judges hes ordainit him 25 Nov.
to be banist out of this brucht, and never to haif residenc thairinto agane,
and that he remoif him self betwix the day and dait hierof and the
day of anno 1604 zeiris, and in caice he be fund to mack
residence in this burgche thairefter he salbe tain and put to the deithe,
and that he find caution or he depart of this tolbuthe actit in the
burru buickis thairvpoune, and ordains him to pay to the said Alexander
Cuithbert, smyth, ane firlat victuall for his present skaithe quhilk he
sustenit throw want of his studie, and the rest of his geir to be confiscat
and tain to our vse, and continevis dome till he be fund to do in contrar
hierof : Quhairvpoune requerit Act of Court.

That day James Dempster, burges of Innernes, of his awin frie motif
will, is becum actit in the burru buickis of Innernes that Thomas
McAlley sall remoif of this brucht the day and dait foirsaid, conforme
to the former ordinance, vnder the pain of jcc lib. and in caice he be
fund to mack his residence in this brucht hierafter he salbe put to the
deithe, and the said James is becum actit to pay the said firlat victuall
presentlie to the said Alexander Cuithbert, smyth : Quhairvpoune re-
querit Act of Court.

The Justice and burru Court of Innernes haldin vithin the 2 Dec.
tolbuthe of the samin be Mr Johne Ross of Midleyis,
Provest of Innernes, James Waus, Alexander Patersone,
Alexander Cuminge, Bailzies and Justiciaris in that pairt,
the secund day of December anno domini Jai sex hunderethe
and thrie yeiris, the suittis callit, the court lauchfulie fencit
and affermit as use is.

First, Thou, Donald Moir Mackferquhar Miller art perseuit and
indytit, as thou that are presentit thair in judgement for to thoill the law,
for the cuming to Robert Steuart, baxter, he beinge in the bed of
infirmity, lyand within his vark hous, in the monethe of September in
the zeir off God 1603, and thou said to the said Robert that he wes euil
at ease and weray seick, and thairefter with thair enchantment and
deuilliche vischcraft thou charmit the said Robert Steuart, him self and
his barne, and cuttit four nickis of his coit, and thou said to him and
promissit to erd the samyn vnder ane haivthorn trie, quhilk as thov
nov sayis wes nocht don, bot that thou zeid to that effect to the

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1603 myln burn, and thair thou cuist the saidis four nickis of his coit in the
2 Dec. said burn, and vsit thai deuliche ceremonie thairwith, quhilk thou can
nocht deny, beinge reid in Judgement, confessit the samyn point for ane.

Secundlie, thou, Donald Moir Mcferquhar Miller, art indytit as ane
vische for the cuminge to the said Robert Steuartis hous in the said
monethe of September anno 1603, efter that thou cuist the four nickis
of his coit in the miln burn, and thair thou charmit with thai vicked
and deullische charmes the said Robert his son with vatter and nyn
stanis, and in signe thairof thou gart cast the samyn on the doige [dog]
that wes in the hous, quhilk best diet within xxiiij houris thaireftir;
quhilk thou can nocht deny. Nait.

Thirdlie, thou, Donald Moir and vicked Deuil, thou art indytit that
vpon this instant day and hour thair wes gottin within the coller of thai
coit, seuit thairin, certain coniurit herbes and ij or iij peices auld blancket
claithe, quhilk William Gray and Johne Forbes, officiaris, cuttit the samyn
out of the coller of thai coit in presens of certain famous vitneses,
quhilk thou haid the samyn thir diuerss zieris kepit to haue vsit thai
charmes and deuliche intentioun contrar Goddis pepill, quhilk this beinge
gottin presentlie with the thou can nocht deny; anseris and sayis he
coft the coit fra ane Hiland boy, and that he fund the samyn thairin, for
it wes vnknavin to him that gif thair wes ony the lyick thairin to this
present hour.

Fourtlie, thou art indytit as ane commun vicsche and sorcerer, daylie
vsinge thai deuliche practeisses in charminge be died and commun bruit
quhilk thou daylie vsit, and thou can nocht deny. Nait.

Fyiftlie, thou Donald Moir Mcferquhar Miller, thou art indytit for
the cuminge to Johne Cuminge, zoungar, burges of Invernes, his houise
vpoune the sext day of November, beinge on ane Sunday, and thair thou
ves vsand thai deuliche charmes and inchantment on the said Johne
Cuminge his dochter, sche beinge on thy kne that tym that the
said Johne Cuminge, zoungar, directit Donald Forbes, son to Johne
Forbes in Invernes, to the said Johne Cuminge house to seick ane
spchalm buick, quhilk buick the said Johne Cuminge haid him self
onvitting of him in his buithe, and as the said Donald Forbes com in,
thou Donald beinge vsinge thai abhominabile and vicket charmes and
inchantment, the said Donald Forbes retournit out sicke, being viel and
perfyit in his heathe at his inganginge, and, in signe and toickin that thou

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was doand the samyn, the said Donald Forbes declarit to his mother quhat thou ves doand efter his out cuminge, and for the mair vittnessing hierof sche reprovit the for the samyn at the mercat cros of Innernes, and said to the gif ony evil vald aill hir barne bot guid thou suld suffer thairfoir ; quhilk thou can nocht deny. Nais ; sayid he ves doind nathing thairin that hous bot stuid a litill in the fluir, and desyrit the guid vyif to send the ij seckis malt to the myln to grind. 1603
2 Dec.

Sextlie, thou art indytit, Donald Moir Mcferquhar, that sen thou was put in firmance in the tolbuthe for to vnderly the law for thy demerits thou said quhey vald thai nocht direct for the the tym that the bairne was seicke, and, thairfoir, gif thou haid nocht beinge culpabil and giltye of the foirsaid cryim, quhairfoir vald thou haif said the samyn vordis. Nais, but declairis gif he haid bein present quhen the boy said that of him that he vald nocht verifie that in his presens that he ves vsand charmand than in Johne Cuminge hous ; quhilk dittayis the said Donald Moir beinge accusit thairon confessit the first dittay, and nayit the rest, quhilk was referit be the Judges to the tryel of ane inqueist summond to that effect to this day, quhairof the names followis

Nomina Assise : James Cuithbert, elder, burges of Innernes, Johne Mackallan, burges thair, Petir Waus, burges thair, William Patersone, elder, burges thair, George Ker, burges thair, William Cuithbert of Auldcastelhill, William Patersone, zoungar, burges thair, William Robert-sone, zoungar, burges thair, Robert Neilson, burges thair, James Cuithbert, zoungar, burges thair, Johne Cuminge, elder, burges of Innernes, Androu Fraser McConil, burges thair, Walter Stewart, burges thair, Williame Cay, burges thair, George MackConil Reoche, burges thair.

That day the inqueist foirsaid beinge suorne and admittit to declair the veritie on the foirsaidis poinctis of dittayis, and haiffing fund be iust tryell eftir dev examinatioun of certain personis suorn vpoune the said dilatioune, the said Donald Moir to be culpabil and practiser and doar of all and haill the heidis malefactis and deidis contenit in the first, secund, third, and fourt dittayis, and hes nominat and chosin Johne Mackallan chancellor of the assyis, quha haid demandit euerie persone particuler be him self in the foirsaidis poinctis of dittayis, quha hes all in ane voice convictit the said Donald Moir in the foirsaidis four dittayis, and hes fund be just tryel also that the said Donald Moir was bot desyringe Johne Cuminge wyiff to gar tack the ij seckis malt to the myln to be

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1603 ground, and was nocht vsinge na kynd charme on na bairne in that house
2 Dec. of Johne Cumingis at that tym, nor na vther tym of befoir, and thairfoir
haid absolut and absoluis the said Johne Cuminge, his spous Margaret
Patersone, thairfra, and all his houshold, that thai wer never in art nor
part in seickinge or practeisinge of the lyicke ; as also findis Donald Moir
frie of the last Dittay, beinge the sext, and that becaus he said nocht
that he vald mack the barne haill gif he haid bein send for, and gif he
haid said sua he vald haif bein convict, and absoluis him thairfra :
Quhilk personis of inqueist haid all agriet vpoune the sentence hierof to
be pronuncit be the mouthe of Johne Mackallan, chancellor, in maneir
as is aboun expremit, in presens of the Judges in judgement : Quhilk
chancellor reenteringe in Judgement haid pronuncit be his mouthe and
convictit the said Donald Moir in the first, secund, third, fourt pointis
of dittayis of vischcraft : Qhairvpoune requerit Act of Court.

That day the Judges hes accordinge to the deliverance of the
inqueist hes ordainit the said Donald Moir, vische, for his demerittis
and vsinge of charmes and vischcart foirsaid, to be tain to the Haouche
Heid, and thair to be brunt for his evill factis accordinge to the former
demerittis ; and dome gewin thairvpoune be Johne Reid, Dempster :
Quhairpoune tuick Act of Court.

That day the foirsaid chancellor hes absolut Johne Cuminge,
zoungar, fra the point of dittay gevin in contrar the said Donald Moir,
being the fyift heid and point of dittay, and his wyiff and household
assoilzeit thairfra, and as also the said Donald, efter and afoir his was
convict, said and declairit that he never vsit charminge libbin in the said
Johne Cuminge house ; as also the Judges hes assoilzeit the said Johne
and his foirsaidis thairfra, and hes granted ane rolment of Court to him
thairon : Quhairvpoune the said Johne Cuminge requerit and tuick Act
of Court.

1604 That day compeirit Johne Dw McCoul McPhersone and persewit
12 May James Dempster, in Innernes, of the soum of 45 merkes money he lent
him in gold, and compeirit James and declairit to the Judges that thai
war false gold, beinge all half pistolettis, false fenzeit cunzie, quhilk the
Judges desyrit him to present, quha than presentit tua of them, quhilk
the Judges fand to be vnvorthie, and false cassin and cunzeit gold, and
Johne Dw McCoul offeris him to pruiiff that it wes sufficient gold he gaif

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him, and that the said James gat guidis and geir for the samyn, and that he never gaif the samyn geir aback agane to the avnaris that wes dampnefiet as he alledgit ; Quhilk James offerit him to pruif that the geir he gat for the said gold wes redelyuerit be him agane to the avnaris, and that he behuiffet to tack that gold fra them quhilk he gaif them, and thairfoir he aucht not to be anserabill for the said gold, nor yet the soum contenit in his suit ; and Johne Dw past fra the probatioun of the form allegiance, referrit the hail cause to the said defendaris aithe *de veritate* quhiddir the gold wes sufficient or nocht, or gif he gaif the geir aback again quhilk he gat for the gold, or gif it com to his proffit or nocht be ony vayis ; quhilk James Demyster, being suorne, deponit that the samyn gold quhilk he producit wes the gold that he gat fra the said Johne McCoul McPhersone, and that all the rest wes as thai tua pieces var, and that he gat never proffit of the samyn, and that he gaif aback all geir to the avnaris again ; thairfoir the Judges absolvis the defendar of the claime : Quhairvpoune requerit Act of Court.

1604

12 May

That day compeirit Johne Cuminge, zoungar, Procurator lauchfullie constitut be Robert Neilson, burges of Innernes, in the actioun and cause of removinge as followis, and producit ane burru precept of the Provest and Bailzies off Innernes, deulie execut and indorsat be Williame Gray, officiar, the 29 day of Majj anno 1604 to this day, quhairbie haiffinge summand Katherin nein Donald, relict of vmquhill James Andersone malt[man] in Innernes, to hier and sie hir be decernit be decret of court to flit and remoif out and fra ane ruid burru biggit land lyand bevest the vatter of Ness, perteinginge to him heretable, merchant betwix the landis of Androv McConil to the southe, the landis of Robert McCoul, maltman, at the northe, the front to the get that passes by the vatter of Ness at the eist, the taill to the commun vennal and myln leid at the vest, and also quhairby haiffinge summand to this said day Johne McVurist, tennent, to flit and remoiv him selff out and fra ane vther ruid burru biggit land lyand bevest the said vatter of Ness, merchant betwix the landis of vmquhill Johne Cuithbert airis landis at the north, Jaspert Veddel airis landis at the southe, the front to the get that passes by the vatter of Ness at the eist, the taill theirof to the commun vennel or myln leid at the vest, To flit and remoif them selffis thair seruandis and vtheris out and fra the foirsaidis twa ruidis burru biggit land merchant lyand as

5 June

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1604 saidis, at the feist and terme of Vitsounday 1604 zeiris, and to leif the
5 June samyn void red to him as his proper heretaige, and for instructinge thairof
productit his precept of varninge, quhairby haiffinge caussit varninge be
Williame Gray, officiar, the 18 day of Februar the saidis personis
personalie apprehendit, and at the kirk dur xix day of Februar, and
fore instructinge thairof productit ane Chartour and Instrument of
Seasinge on the ruid burra land occupied [be] Katherin nein Donald
annalziet to him be Finla du McPhaill, of the dait at Invernes the
second day of August Jai v^{ccs} four scoir aucht zeiris, payand to that ladie
nev i L ii ss money zeirlic, under the signe and subscriptioun of
Jaspert Cuminge, notar publict, and conform thairto desyrit proces ; and
compeirit Katherin nein Donald and productit ane lettre of tack grantit
be Finla du McPhaill to vmquhill James Andersonc and hir on the said
ruid land duringe the space of xij zeiris, beinge of the dait Jai v^{ccs} four
scoir sex zeir of God ; And, in respect the dait and tack zeiris thairin
contentit is experit, the Judges decernis the said Katherin nein Donald,
and hir servandis, famelie, guidis and geir, to flit and remoif out fra the
said ruid land merchant lyand as saidis, and mack void red the samyn
to the persewar conforme to the Act of Parliament and his richt productit
thairon, and ordainis preceptis to be direct for maickinge of the samyn
void and red to the said persewar : Quhairvpoune the persewar requerit
and tuick Act of Court.

21 June That day James Fraser Mackallister, burges of Invernes, beinge
persewit be Johne Cuminge, Burges of the said Burghe, procurator fiscal,
for the allegit maisterfull and violent taickinge out of the handis of
Williame Gray, ane of the burru officiaris of Invernes, anc burru precept
of the Provest and Bailzies of the said Burghe, and for allegit cancellinge
of the samyn, quhilk officiar being vsinge and commandinge the said
James Fraser to fulfill the contentis thairof within fyfitein dayis to Johne
McAllane, burges of the said burghe, and allegit that the said James
Fraser cuttit the said precept vpoun the aucht day of the said monthe
of Junij anno aboun expremit ; And the said James Fraser beinge varnit
to thes present day, and summand at the said Procurator Fiscallis
instance to mack answer, and compeiringe be him self in judgement,
and beinge accusit, nayit the premisses ; The Judges in respect thairof
his negative referrit and remittit the tryel thair to be tain thairin be the

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counsall of the burghe, quha being convenit thair anent the said day, *1604*
within the counsall house, eftir tryel, fund be them . . . hes all in *21 June*
ane voice convicted the said James Fraseir in the ryvinge of the said
principall burru precept, and decernit and ordainit him be the said
Judges and Counsall for committing maisterfullie the said fact, to cum
to the Paroche Kirke of Innerness the nixt Sabothe day, and thair, in
oppin audience of the hail congregatioun being than convenit, sall craive
and ask pardoune and forgifnes, first at God, and the Provest Bailzies of
the burt and hail congregatioun for his offence, [and] deulie to pay to
the saidis Judges and Magistrattis of the burghe the soume of twentie
pundis money Scottis, and the samyn to be convertit to the buildinge of
the Paroche Kirke, to be delyuerit be him on Saturday befor he mack
his repentance, and ordainit him to be vardit within the said tolbuthe,
and to remain thairin ay and quhill he find cautioune to mack his re-
pentance, and to satisfie the former penaltie ; And hes decernit the said
James Fraser, in caice he sall and be fund culpabill in any kynd of dis-
obedience, or be misreullie in ony tym hierafter cuming, he salbe deprivit
of his libertie and friedom of this burghe, and never he nor nain of his to
be frie burges of this burghe in ony tym theirefter cuminge ; Quhillk
James Fraser, accordinge to the Provest, Bailzies, and Counsallis delyuer-
ance, hes satisfiet the hail contentis of thair former ordinance in mackinge
his repentance and satisfeing of the soune of xx poundis money as
penaltie, and hes fund cautioune on his guid reul and obedience to the
Magistrattis of the burghe in all tymes hierafter cuminge ; Quhillkis we
Provest, Bailzies, and Counsall testifies to be of treuthe : Extractit out
of our burru court buickis of Innerness be Alexander Duff, notar publict,
commoun clerke of Innernes, and subscriwit be him at our commandis as
eftir followis, At Innernes the secund day of Julij anno domini 1604.

Ita est Alexander Duff notarius publicus communis scriba burgi de
Innernes testan. manu propria. J. Duff asservit.

That day Johne Mackewin, in Innernes, being accusit on ane broche *13 July*
gewin in be the Procurator Fiscallis in his contrar for vsinge foirstallinge
thir diverse certain tymes bygan and in ganginge to Vrquhart, Glen-
moriston, and vther partis, and thair byinge voll [wool], skinis, plaidinge
and lambes in tym bygan, and now also, quha comperit, and beinge
demandit thairof, nayit ; quhillk wes referrit to his aithe ; suorn, deponit,

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1604 confessit the premisses, and that he sauld the samyn guidis to all personis
13 July but ony exceptioun ; convict thairin, and ordainit to be vardit till he
satisfie conforme to the Act of Parliament ; and Williame McConil vic
Richie accusit on the lyick, quha confessit efter he being suorn that he
committit na foirstallinge except iiijxx lambes he coft fra Mr. Johne
Ross, Provest, and sellit them to strangeris for this zier ; convict thairfoir,
and ordainit be the Judges in lyick manner to satisfie conform to the
Act of Parliament : Quhairvpoune the Fiscal Johne Cuminge requerit
Act of Court.

That day Thomas McCoul, cordener, being accusit for the byinge of
sex bollis meill quhilk com in be sey, quhilk suld bein first lovit to the
toun, coft the samyn fra the awnar thairof, quhilk the Procurator Fiscall
said that it wes contrar the forme of the Act of Parliament, zet the said
Thomas deponit the greit aithe it wes in ignorantlie that he did the sam,
nor contempteouslie, nor against law and resson ; thairfoir the Judges hes
decernit him in the soume of xl ss to be payit to them within xv dayis :
Quhairvpoune the Fiscall requerit Act of Court.

27 July That day, Johne Mackgreer, thou art indytit for the cuminge to
Alexander Cuminge barn, and thair, in the monthe of Maij 1604, thow sta
thairout of vij peck beir vnder silence of nyicht, quhilk you can nocht
deny.

Thow art indytit for the ganginge to the cottaris in the Holm on
the secund of this monethe, and thair thow said to them thow haid tua
bollis beir in Culcabock, and gart them send twa boyes with the to bringe
the samyn to them, and quhen thow com to the Haouche of Inverness
thow tuick fra them maisterfullie ane fail quheit plaid, and the bage
quhick thow gat away thairwith ; quhilk thow can noch deny.

Thow art indytit as ane maisterles vagabound, and ane idil tres-
passer apressand the Kingis lieges ; quhilk thow can nocht deny.

That day the Judges hes remittit the tryel of this Mackgreer to the
tryel of ane inqueist summand to this day as follovis

Nomina Assise: Jaspert Dempster, James Fraser Mackallister,
James Cuithbert, zoungar, Valter Stewart, burgesses of Inverness, Donald
Bain McPherson, Gilbert Duff, Robert Williamone, Robert Neilson,
burgesses of Inverness, Williame McConil Vicar in the Leyis, Williame

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Thomsone burges of Innernes, Hector Mackconil Vic ferquher, Johne 1604
Genor, burges of Innernes, James Mc illereoch. 27 July

That day the saidis inqueist hes fundin that the twa boyes gaif the claithe and the bage willinglie to him, and bad them byid at the Haouche till he haid cumin again, and convictis him as ane maisterles vagabound ; pronouncit be Jaspert Dempster, chancellor, and dom gevin on him be the Dempster gif ewer he beis fund in this burt or terrotorie xxiiij houris efter vther but ane maister he sall be put to the deithe, and is ordanit for his demerittis to be scurgit throw the four streittis : Quhairvpoune the chancellor requerit Act of Court.

Actit within the tolbuthe of Innernes the twentie thrie day 23 Sept.
of September the zeir of God Jai vi^{ces} and four zeiris, in
presens of Mr. Johne Ross, Provest, James Cuthbert, elder,
James Vaus, sittand in Judgement.

That day compeirit Mr. Johne Ross, Provest of Innernes, James Cuthbert, elder, James Vaus, Alexander Patersone, and Alexander Cuminge, Bailzies of the said Burghe, withe aduyise of Alexander Cuthbert, William Cuthbert, elder, William Cuthbert, zoungar, apeirand of Castelhill, George Cuming, Findla Mackphaill, Williame Robertsone, elder, and Alexander Merchand, Counsal of the said Burghe, and consideringe the greit skantnes of roche nolt ledder, and barkit ledder, within the realme at this present, and in special within the Serefdom of Innernes, quhairbie the Kingis lieges, nather in this burghe nor land, is abill to be servit in schone ; Theirfoir, with aduyise of the haillic frie burgesses of this Burghe, and barkeris of nolt ledder, hes statuit and ordainit, and be the tenor hierof statutes and ordainis that nane of them tack vpone hand to transport or carie ather be sie or land any barkit ledder out of this Burghe, nor zet sel the samyn to ony persone, ay and quhill thai offer the said barkit ledder to the craftismen and buithaldaris of this Burghe, and present the samyn everie Saterdag to the mercat, to the effect that thai mack vark thairof for servinge the Kingis lieges, and that thai cum and obtain licence of the Provest, Bailzies, and Counsal or thei sel or carie ony way the said ledder and conforme to our souerain Ladies letres quein mother, inhibitinge all maner man that nane pass to mercatis with the barkit ledder to the tym the Counsal considerit that the cuntrie pepill wer

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1604
23 Sept. staickit with schone, and that the buithholderis of the cordener craft war servit and staickit in ledder, and that vnder the panes of confiscatioune, and ordainis all barkit ledder that is presentlie barkit or sal happin to be barkit to be arresitit and to ly still vnder arreistment in tymes cuminge, ay and quhill the counsall tack order thair withe, and that thai sie the buith haldaris staickit of barkit ledder for maickinge vark thairof for servinge the Kingis lieges ; and hes ratifiet and apprevit, and be the tenor hierof ratifies and apprevis all and sundrie actis maid be our prediccessoris concerninge the stayinge of barkit ledder for the vyeill of the cuntrie pepill and inhabitantis of this burghe : Quhairvpoune the saidis Provest, Bailzies, requerit Act.

23 Oct. That day the hail unfrie brousteris compeirit in judgement and ar admittit to brew aill onlie to Michaelmes nixt for payinge of thair stallinger siluer as followis, under provisioone that thai and ilk ane of them cum to the kirk on Sounday to the preichinge and heiringe of Goddis vord vnder the panes of deprivatioune and tinsel of thair stallinger siluer, that thai pay and that thai keipe the statutes and price set on the aill, to wit x d for the point aill, under the pain foirsaid and vnlaw of ane merk money for the first falt, the nixt xx ss, the third xl ss, and ay *toties quoties* also oft as thai contrauein the samyn, to pay fra that furth xl ss, quhairof the names followis :—Item, Johne Reoche, admittit and payit 2 merkis money ; William Vatsone, payit 2 merkis ; Alexander Munro, payit 2 merkis ; Johne Lousone, payit 2 merkis ; Thomas Dunbar, payit 1 merk ; William Sangster, payit 2 merkis ; Johne Fraseir, payit 1 merk ; Agnes Ker, pait 1 merk ; Johne Aird, payit 2 merkis ; Allister McJames McAine Viil, payit 2 merkis ; Johne Oige McMiller, cordener, payit 2 merkis ; Jannet Gordoune, pait 2 merkis.

[Here follow the names of 24 others, each paying one or two merks.]

1605
16 Jan. That day ane broche struckin be the Bailzies on the hail vnfrie broustaris of this burghe, quhairof thair names followis, that, wranguslie and agains the law, thai haif contravenit brockin the statutes set on the aill in tackinge xii d and xvi d for the point aill, express contrar the statut set doune thairanent, quhair thai suld nocht tack bot x d for the point aill, quha, bein callit, compeiringe, and beinge euerie ane of them accusit, confessit to hau brockin the saidis statutes set doune be the

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Provest, Bailzies and Counsall, viz: Duncan McConchie, accusit, confessit, Alexander Burnet confess^s, Johne Oige, cordener, confess^s, Johne McPhaill confess^s, all to haue brockin the statutes; Donald Doin confess^s brokin of the statutes; Williame Watsone confess^s; Williame Suesone confess^s; Williame McCoul Doin confess^s; Donald Miller vyiff confess^s; Alexander McJames McAine Wiil vyiff confess^s; Agnes Ker confess^s; Margaret Vrqrt confess^s; Thomas Dunbar confess^s; Daudid Woid confess^s; Johne Reoche confess^s; Jannet Gordoune confess^s; Katherine Strachquhen confess^s; Meg Moir confess^s; Margaret Mckferquhar confess^s; Kennoch brebner vyiff confess^s; Fowl Flescher vyiff confess^s; Androv Barbour confess^s; Agnes Mck Vurriche confess^s xvi d. the point; James Anton vyiff confess^s; Margaret Clerk confess^s; Agnes Donaldsone confess^s; Thomas Andersone confess^s; Alexander Monro confess^s; Johne Lowsone confess^s; Katherine nein Donald confess^s; Johne McIntailzeour vyiff confess^s; Nein Gibson confess^s; Williame McConil Vic Riche vyiff confess^s; Isbel Steuart confess^s; Williame McConil vic Aine vyiff confess^s; Isbel nein Ain vic Conchie confess^s; Finla McGibson vyiff confess^s; accordinge to thair confessioun in breckin of statutes the Judges hes decernit eueri ane of them to pay aucht ss. of wnlaw; and dom gevin thairon be Malcolm Duncansone.

Vigesimo Julij anno domini quinquagesimo quinto.

The quhilk day the Bailzeis and Counsall wnderstandand be the Auld Statutis maid anent the price of quheit breid, and be the ordoure and statutis of wtheris borrowis, and that the greit men of the realme and wtheris the queynis leigis, gettis dailie fra baxteris of this bruche and wtheris tounis adiacent thairto, for quheyt sevin scoir lawis [loaves] weil beakin and dryit, of xvi wnce wecht of piece of ilk boll quheit without ony expenss^s maid be the leigis bot the said breid delyuerit frielic to the delyueraris of quheit; Thairfoir the saidis Bailzeis and Counsall hes ordainit that ilk tyme cuming the piece of quheit breid be obserwit and keipit as it cumis to sewin scoir breid of xvi wnce wecht the piece quhoweur the quheit beis sauld, And thairfoir considerit and calculit the piece of breid and the pryces of quheit wnderwreittin to stand just conforme to sevin scoir breid, of xvi wnce wecht the piece, of ilk boll quheit.

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1605 The boll quheit sauld commonlie for x ss, the iiij d leif to wey iij^{xx}
16 Jan. xiiij wnce, 3 wnce, and fyve wnce mair, to deill amang xxx breid ; the
boll quheit sauld for xij ss iiij d, the iii d. leif to wey Lvi wnce . . .
Quhairfoir it is statut and ordainit be the saidis Bailzeis and Cunsall that
all the baxteris of this bruche baik thair breid guid and sufficient stuffe
and weill dryit, and that the same be off the vecht foirsaid, offerand to
the pairties of the quheit foirsaid wnder the paine of aucht ss. for the
first falte, the secund falt xvij ss., that the baxteris breakeris of the
statut be callit, accusit, and punischit as oppressouris and breakeris of
the statutis of the bruche, and that ilk maister of the said baxtoiris have
the extract heirof to the effect that they pretend no ignorance thairin :
Extract de libro statuorum curie burgi de Edinbruchi.

Heir followis the prycis contenit in the Statutis of the toun
of Edinbruche, the yeiris resp^{ve} wnder specifet, of malt
and aill.

Item, in the monethe of Junij the yeir of God Jai v^{ccs} xlvij yeiris,
ane Statut commandand the malt to be sauld na darrar nor thrie libs.
the nyne firlattis gewand in malt, and thairbe. The aill to be sauld
commonlie for iij d. the pint.

Item, in the monethe of October 1547 yeiris, ane Statut command
the malt to be sauld na darrer then iij lbs. x ss. the nyne firlattis, and the
aill to be sauld for iiij d the pint.

Item, in the monethe of Februar 1547 yeiris, ane Statut command-
and the malt to be sauld for L ss the nyne firlattis, and the aill to be
sauld for v d the quart.

Item, in the monethe of October 1548 yeiris, ane Statut com-
mandand the malt to be sauld for L ss the nyne firlattis, and the aill to
be sauld for iij d the pwint.

Item, in the monethe of September, the yeir of God Jai V^{ccs} L yeiris,
ane Statut commandand the nyne firlattis malt to be sauld for iij libs.
xvj ss., and the aill to be sauld for iiij d the pwint.

Item, in the monethe of October 1551 yeiris, ane Statut command-
and the nyne firlattis malt to be sauld for Lij ss., and the aill to be sauld
for xij d. the quart.

Item, in the monethe of October 1552 ane Statut siclyik.

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Item, in the monethe of Apryll 1553 yeiris, ane Statut maid comandand the malt to be sauld for xlvj ss the nyne firllattis, and the aill to be sauld for v. pennies the quart. 1605
16 Jan.

Item, in the monethe of October 1553 yeiris, ane Statut maid comandand the ix firllattis grwndin malt to be sauld for xxxvj s, and the aill to be sauld for ij d. the pwint.

That day compeirit personalie in presence of the saidis Bailzeis, sittand in judgement, Mr. Robert Monro, minister of Logie and Urquhart, Thesaurer of Ross, exhibit and productit ane commissioun grantit be the Lordis of Counsal, extractit vnder the signe and subscriptione of Mr. Alexander Gibsone, clerk, being of the dait at Edinbruche the second day of Merche 1605 yeiris, directit to the saidis Bailzeis, for taickinge of his the said Mr. Robert Monrois aithe of weritie vpon ane ressoune and eick proponit in presens of the Lordis of Counsall be Mr. Laurence McGill, Procurator for Mr. Alexander Hamiltoune of Kinglass, tuichinge the suspensioun of the Letteris of Horninge purchest at the instance of the said Mr. Robert Monro, quhairwithe he causit chairge the said Mr. Alexander Hamiltoune to mack payment to him of the teindis and deueties of the thesaurie of Ross yeirlie of the cropis and yeiris of God Jai ^{vccs} L xxxvii, xviii, xix, ^{vccs}, ^{vccs} and anc, and ^{vccs} and twa yeiris, quhilk Lettres of Horninge the said Mr. Laurence McGill alledgit aucht to be repellit for the resone and eick followinge, first, becaus the said Mr. Alexander Hamiltoune, haiffin in tack and assedatioun of the said Thesaurie of Ross, for diuerss yeiris to cum, haid maid pament of the deueties of the said Thesaurie of Ross for the cropis and yeiris of God aboune wreittin to the said Mr. Robert Monro, and to Andro Monro, his sister son, haiffand his power and commisioun to that effect, as also becaus the said Mr. Robert hes tain ane special assignatioun of the said Mr. Alexander Hamiltoune, tackisman of the teind schawes of the Thesaurie of Ross, of the teindis of the landis of Culbockie; lyickas the said Mr. Robert causit the said Mr. Alexander denunce the possessoris and intromettoris withe the teindis of the saidis landis; vpoun the quhilk horninge the said Mr. Robert obtenit the gift of the escheit of the possessoris of the saidis teindis; as the said commissioun in it self proportis; The said Mr. Robert Monro compeirand personalie, and beinge suorne solemplie on his greit aithe and conscience to declair the

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1605
16 May veritie on the said ressoune and eick, being examinat, deponit that he nor Andro Monro, his commissioner, never ressaut ony siluer or deutie fra Mr. Alexander Hamiltoune for the cropis and yeiris aboune wreittin, nor fra na vtheris in his nam, for the haill yeiris aboune wreittin, exceptand onlie xi^{xx} xij merkes money quhilk he ressavit fra Huechoune Fraser of Culbocke in pairt payment of the said Mr. Alexanderis deutie of the Thesaurie of Ross for the cropis and yeiris of God xvij, xvij, and nyntein yeiris ; and forder deponit that he never acceptit ony particular assignatioune of the teindis of Culbockie at ony tyme fra the said Mr. Alexander, nather causit he the said Mr. Alexander denunce the possessoris of the saidis teindis of Culbockie, nather obtenit he never the gift of thair escheittis be vertew of the said denunciatioune ; and this we testifie to be of treuthe, be thir presentis ; Subscrivit with our handis, day, yeir, and place foirsaid : Quhairvpoune Mr. Robert requerit Act of Court.

J. Duff, notar, clerk, witnessinge hierto with my hand.

18 May Act auchteen day of Maij the yeir of God Jaj vi^{ces} and fyiff yeiris.

That day comperit within the kirk of Innernes, James Fraser McAllister, and hes ower be thir presents fra him, his airis and assignais, all richt, tytill, entres, and possesioune quhilk he hes haid in to the quarter of land of Chappel Drackie in favouris of Mr. Johne Ross, Provost of Innernes, his airis and assignais, and hes renuncit all claim that he may acclaim thairto, by present and to cum, and that for the soume of sex hunderethe merkes, money Scottis, ressaut be him fra the handis of the said Mr. Johne Ross, for redeminge outqueitting thairof, with all pertenantis belanginge thairto, and grantit and confessit the hail tenor of the renuncioune and regress satisfiet to him in all pointis : Quhairvpoune the said Mr. Johne Ross requerit and tuick Act and Instrument befor thir witnesses, Williame Cuthbert Johnesone, Thomas Vrquhart, Bean McComas McConchie.

10 Dec. That day ane Broche struiken be Jhone Cuming, Procurator Fiscall of this Bruche, on all the friemen barkeris of nolt ledder within this burgh, viz. Alexander Merchand, Findla McVirriche, Robert Neilson, Thomas McCoull, Williame Patersone Johnson, Alexander McConochie,

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that wrangowsly thei and ilk ane of them contrair the actis and statuttis of this burgh, be wertew quhair of thei wer inhibit be Johne Stewart, officer, be ane borru Precept, that thei nor nane of them suld carie, transport, or taik away ony barkit ledder, nor yet sell the same to ony persone, quhilk thei intend to pass to Andermes mercat, and for stay them that thei suld nocht transport nain withowt the licence of the Magistratis, ay and quhill the craiftismen of this burgh wer first seruit and staickit thair of, quhilk thei hawe nocht done ; and the said Procurator desyris them to be decernit in the wrang breacking of the arrestment and ordinance of this burgh: And the saidis barkeris being warnit, compering, allegdit that thei seruit the craftmen in barkit ledder at this tyme according to the desyir of Mr. Johne Ross, Prowest, and thairfor hes obtemperit the will and desyir of the saidis actis and precept, and in signe and toikin the haill craiftsmen and cordinaris of this burgh compeirit and grantit them to hawe ressawet fra the foirsaidis barkeris sex daicker ledder, ilk ane *pro rato*: Quhairwpon the Judges hes obsoluit the foirsaid barkeris, and maid them frie of the said arrestment ; Quhairwpon thei requerit and tuick Act of Court. 1605
10 Dec.

That day James Dempster, for the wrangous cuffing of Jhone Weddell, and drawin of bluid of Thomas Zoung, Cordinar, his servitor, the fyftein day of this instant, and that being done in the said Jhone buithe, and thair of for cuffing of the said Jhone on the Kingis casey, and, being grantit be the said James thairfoir, the Judges decernis him in the wrang, and in the bluid letting of the said Thomas, and cuffing of him and his maister, ordains him to pay fourtie schilling, and confessit Thomas Mc Elea to be instrument, thairfoir is judgit in americiament, and down giffin vpon the premissis be Malcolm Duncanson, dempster of Court : Quhairwpon requerit act. 1606
17 Jan.

That day Jhone Robertson, son to umquhill Jhone Robertson, burges of Innernes, for the wrangus naiffing and bluid laitting of William Cuming, cordinar, the fyftein of this instant, and being lauchfully provin be Jhone Ker and James Cuming, the judges decernit the said Jhone in the vrangus bluid laitting and naiffing of William Cuming, ordains him thairfoir to pay fourtie schillings, is judgit in americiament, and down giffin thairupon be the foirsaid Dempster : Quhairwpon requerit act of Court.

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1606
17 Jan. That day James Robertson, merchand, is decernit for the vrangus cuffing and buffating of William Adamson *alias* Gelmach, and Androw Maison, servitor to Rorie Makenzie, the fyiftein of the said monethe in his awin buithe without ony cause ; thairfoir is ordanit, in respect it is prowyn be George makphaill and James makillireoche, to pay to the Judges and pertie four pundis money, is judgit in americiament, and down giffin thairvpon be the foirsaid Dempster : Quhairvpon the persewaris requerit act of Court.

That day Thomas Squeyar, brother to Donald Zoung, burges of Innernes, for the vrangus trubling of Murdo Poilson, burges thair, on the aucht day of this instant, and drawing of the said Murdois bluid with his steked naiff on his wisag and face, and that becaus he challancit ane lytill measowr for meitting of twa pennorth of great salt in the handis of George Strachquhen, son to unquhill Robert Strachen, quhilk the said Thomas alledgit to apertein to him, and that he ressavit the same fra his brother, and Jhone Robertson being vitness in the bluid laitting, lyik as the said Thomas confessit the same, he being anes in gripis with the said Murdow ; Thairfoir the Judges has decernit the defender to pay fourtie schilling for the bluid laitting, and therefoir is judgit in americiament, and down giffin thairvpon be the Dempster foirsaid : Quhairvpon requerit act of Court.

24 Feb. That day comperit Alexander Cuithbert, and with him William Campbell, his Procurator, and exhibit our Soverain Lordis breiff of lyming for lymiting of the landis thairin contenit, being deuly execut and endorsat to this day, and being callit at the tolbuith window thryse, as use is, and na partie compeiring to obpoin or obiect in the contrair, requerit act, quhairof the tennor of the breiff and executionnis follovis :

Jacobus dei gratia Rex Magne Britannie, Francie, et Hibernie, fideique defensor, preposito et balliuis burgi nostri de Innernes, Salutem : Mandamus vobis et precipimus quatenus per duodecem de melioribus et fidedignioribus burgen. dicti burgi magno sacramento interueniente juste et secundum leges burgi liniari faciatis illam acram terre hereditarie pertinen. Alexandro Cuithbert burgen. dicti burgi jacen. in territorio eiusdem burgi in lie feild nuncupat. Dammisdall inter terram quondam Luce Patersoun burgen. dicti burgi ex australi, terram quondam Alexandri Patersoun ex boreali, terram ipsius Alexandri Cuithbert ex

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orientali, et lie Foull Poyll ex occidentali, partibus ab una et aliis 1606
secundum rectas et veretes diuisas burgorum Et sicut dict. acra per 24 Feb.
dictos linnatores liniata fuerit ita eam de cetero faciatis firmiter
obseruari tantum inde facien. per pro vestro defectu amplius inde
justam queremoniam non audiamus: Teste meipso apud Edr. secundo
die mensis Decembris annis regni nostri tertio et tricesimo nono
1605. Upon the fyfth day of Februar the yeir of God Jai Vices
and sex yeiris, I, William Gray, ane of the borru officers of the
bruche of Innernes, paist at the command of Alexander Patersone,
ane of the bailyeis of the said bruche, to the marcat croce of the same,
and, efter thrie oyes, I did proclaim this within wreittin breffe in all
poyntis to the twenty four day of Februar instant, and maid Intimatioun
to all personnis and pairteis haiffand or pretendand entres thairto to
comeir the said day befor the Provest and Bailzeis of the said bruche,
or ony ane of them, within the tolbuthe of the same in ane borrow
court, thair to be haldin in curt tym of day the day and dait foresaid, in
the hour of caus, to oppoin or obiect contrair the said breiff, with certifi-
cacioun as effeiris: This I did befor thir witnesses, Alexander Waus,
son and appeirand air to James Waus, burges of Innernes, William
Cuithbert, Jhoneson, burges thair, and Alexander Duff, nottar and
commoun clerk of Innernes; and for the mair witnessing heirop I haiff
affixit my signet of office, with my subscriptoun manuell, as use is. Sic
subscribitur William Gray executor heirop with my hand.

And forder producit ane burru precept deuly execut and endorsat to
this day, quhairbe haiffing sommond the personis of Inqueist following,
quhairof the tenner of the said precept follovis:—

Maister Jhone Ross, Provest of Innernes, James Waus, Williame
Cuithbert, appeirand of Aulcastelhill, Alexander Bailzie, and Alexander
Patersone, Bailzies of the said bruche, To our lowittis William Gray our
mairis and officeris in that pairt, coniunctly and seuerally, specially
constitut, greitting: Forsamekill as thair is ane breiff off lynyng of our
Soveran Lordis Chappell raisit at the instance of Alexander Cuithbert,
burges of Innernes, for lynyng and limitating of ane aiker of land lyand
within the territorie of the bruche of Innernes and Sherefedom thairof, in
the feild callit Demmisdall merchand betwix the landis of umquhill
Alexander Paterson airis landis at the Northe, Luc Patersonis airis
landis at the Southe, the said Alexander Cuithbertis awin landis at the

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1606 Eist, the Fousse or Fowll Poyll at the vest; Quhilk cognitioune or
 24 Feb. lyning can nocht be richtly doin without ane honest and condign Inquest
 of the maist honest personis or twelff of the burges^s of Innernes quha
 best knawis the weritie; Quhairfoir, this Precept sein, ye pass and
 lauchfully sommond warne and chairge William Robertson, elder, Burges
 of Innerness, Richard Gordoun, burges thair, Petir Waus, burges thair,
 Jespart Cuming, burges thair, Alexander Hey, burges thair, Jhone Duff,
 James Fraser Makallister, William Cay, Thomas Lorimer, Jespart
 Dempster, Jhone Abraham, William Robertson, Zoungar, Alexander
 Cuming, Jhone Maii, Alexander Merchand, James Cuithbert, Zoungar,
 Alexander Makconochie, Findla Makphail, To compeir before vs or ony
 ane of vs coniunctly and severally within the tolbuthe of Innernes, in ane
 borru Court thair to be haldin in curt tym of day the twentie four day of
 Februar instant, in the hour of caus, and thair to pas vpon the Inquest
 foirsaid for lyning of the said aiker of land foirsaid, according to our
 Soveran Lordis breiff and petition maid thairvpon in all poyntis, ilk
 persoun under the pain of ten pundis according to justice, the quhilk to
 do ve comit to you coniunctly and seuerally our full power be this our
 precept, delyvering the same be zou deuly execut and indorsat. Given
 under the subscriptioun of our common clerk at our command at
 Innernes the xv day of Februar anno 1606 yeiris. Ita est Alexr. Duff,
 notarius communis scriba burgi de Innernes testan manu propria.

Upon the sevinteint and auchteint dayis of Februar anno Jai.
 Vi^{ces} and sex yeiris, I William Gray, ane of the boru officiaris of Innernes,
 lauchfully summond, varnit and chairgit the haill personis of Inquest
 within contenit, all personally apprehendit, except Alexander Cuming and
 Jhone Duff, at their dwelling places, to compeir befor the Provest and
 Bailzies of Innernes or ony ane of them within the tolbuthe of Innernes,
 in ane borru court, thair to be haldin in court tym of day, the day and
 dait within contenit, in the hour of caus, To pas on the Inquest of our
 Soveran Lordis brewes off lyning raisit at the instance of Alexander
 Cuithbert, burges of Innernes, ilk person under the pain of ten pundis.
 This I did befor thir witness^s, Jhone Forbes, Jhone Stewart, and
 William Cuming, borru officeris of Innernes; and for the mair wit-
 nessing heirof I haif affixit my signet of office as use is. Sic subscribitur
 Wm. Gray, officer, with my hand.

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Nomina Assisse: Jespart Dempster, canceler, William Robertson, 1606
elder, Petir Waus, James Cuithbert, Zoungar, Alexander Hey, all bur- 24 Feb.
gess^s of Innernes, Jhone Duff, William Robertson, Zounger, Alexander
Merchand, Thomas Lorimer, Findla Mackphaill, burgess^s of Innernes,
James Makallister, Alexander Cuming.

That day quhair na persoun nor partie compeirit till obiect or
appoin contrair our Soveran Lordis breiff burru precept executiounis
thair of and personis of Inquest, the persewar and his Procurator requerit
act of Court.

Heir followis the tennor of the Petitioun:—

Guid sirs of inquest, I, Alexander Cuithbert, burges of Innernes,
shawes vnto your wisdomes that umquhill Luc Patersoun preuidgit me
in taking away fra me, and in bigging of ane dyik of ane halfe rig of ane
aiker land of myne, lyand be eist the auld fossie in Demmisdell,
merchand betwix umquhill Alexander Patersounis airis, at the northe,
the said umquhill Luc airis landis at the southe, my awin landis at the
eist, the fossie at the west, and that the said umquhill Luc Patersoun
biggit his haill dyik of his yaird thairon withe the northe end of his eist
barn, and thairfoir, seing the same is hindersum to me in preiudying
me of my heritage, that your wisdomes will cognois the samen
and caus limit lyning the samen, and mack me to bruik and
posses my awin, and to decern thairon according to the ordur set
down anent lyning and limitting of landis within bruche, conform
to our Soveran Lordis breiff raisit be me thairvpone, humbely de-
syrirand your Wisdomes answer; and for instructing of the inquest
foirsaid and petitioun the said persewar and his procurator productit ane
chartour and seasing on the foirsaid aicker annalzet be Jhone Waus of
Lochslyn to the persewar under the signe and subscriptioun of Jespert
Cuming and Adam Dunbar, nottaris, being of the dait the sewint day of
August the zeir of God Jai ^{vccs} four scoir fourtein yeiris, and conform
thairto desyrit the samen to be remittit to the tryall and sicht of the
personis of inqueist foirsaid: Quhairvpoun requerit act of Court.

That day compeirit William Patersoune, zoungar, burges of Innernes,
and alledgis that the foirsaid aicker land aucht nocht to be lynit, and
that in respect na field land is nocht in vse of lyning, and protestis
quhatsumever thing the inquest dois in the premiss^s be preiudicall to

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1606 umquhill Luc Patersonis airis landis : Quhairvpoun requerit act of
24 Feb. Court.

That day the foirsaid inquest being all callit, and compeiring, being sworn and admittit, hes all in ane voice nominat Jespart Dempster canceller, and thairefter paist to the foirsaid aicker of land, and hes sein and considerit the samen, and efter re-enterit in the tolbuith, and hes continuit thair sentence and pronouncing of the decreit of lyming till they be forder advysit.

That day Alexander Cuithbert, in respect the foirsaidis personis of inquest hes nocht delyverit nor pronuncit sentence of affirmitiwe nor negatiwe, protestis that quhatsumever hurt or skaithe he sustein thairin that thei be answerabill to him thairfoir as law will : Quhairvpoun requirit act of Court.

27 June That day Thomas McAy McConil, cottar to Duncan Forbes, is decernit accordinge to his avin confessioun to entir presentlie with William Cuithbert, apperand of Auld Castelhill, and to mack him service as ane sufficient cottar, according as he promissit, and upon the conditioun maid betwix them, till Vitsonday 1607 yeiris : Quhairvpoun the said William requirit act of Court.

11 July That day William Robertson, litstar, is decernit to pay to Jhone Robertson, minor, son to umquhill Laurence Robertson, the soun of xx merkis money as for the maill of the house at the Brige end sellit to him the complenar, and that for the Mertinmes term maill thairof, 1605, and Vitsonday last, 1606 ; and the defender oftymes callit and nocht compeiring, he haldin *pro confesso*, the persewar deponit according to the clame : The Judges ordanis the defender to mack payment thairoff within xv dayis, to the persewar vnder the pain off poinding or varding : Quhairvpone requerit act and tuik of Court.

That day Murdo Poilsoun is decernit for the maisterfull taickinge away fra Jhone McAndrov, servitor to Gilbert Duff, his quheit plaid, in the hie get, cumand fra the month of pettis and turs,¹ and, gif he comittit offence he aute to hau cumin and complenit to the Bailzies, quhilk, as the defender alledgis, he haid stollin sum of his fewall and turs, and ordains

¹ Coming from the mount of (with?) peats and turf.

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him to pay xl ss. to the Judges for his offence, and to restoir the plaid to the persewar instantlie : Quhairvpone requerit act of Court. 1606
11 July

That day Jhone Oige, for the wrangus trublinge of John McComas, cordenar, and in dingeing, neffing of him vnder silence of nycht, in his awin hous, and vald cum and mak his compleint, gif he ony haid, to the Bailzies, is ordanit for trubling of the toun to pay ii merkis ; and the said Jhone McComas, for the ganging to the said Jhone Oige hous, and he beinge inhibit be him to gange thair, and for trubling of the toun, is ordanit to pay xl ss. : Quhairvpone requerit act of Court.

That day James Mcillereoch, for the vrangus bluid latting and strickin of Finla McCrear in the foirheid with his durk, is ordanit to pay xl ss. to the Judges, quhilk ves doin in Culcabock the 4 of this instant, on the gerss, quha confessit he hat him iii knobis in the heid with the heft of the durk, and to pay the leiche as salbe modifiet : Quhairvpone requerit act of Court.

That day Androw Innes, alledgit being ane fuill, for trubling of Mr. Robert Bruce¹ at the water syid under sylence and cloud of nicht, and vald nocht obey the office men to cum to ward ; thairfoir, being put in the theiffis pit, and presentit now judicially, and being accusit on the premiss^s, alledgit he was by dyat² : In respect quhairof the Judges, with his awin consent, in caice he be found againe to do ony harme to ony persoun within the bruche, *ipso facto* to be scourgit, and his lug naillit to the throne : Quhairvpone requerit act of Court. 25 July

That day William Sangster, fuctour, according to his awin confessioun is decernit to pay to James Stevin fyve pundis money as for the mail of ane zaird perteing the guidman of Erlis milne, quhilk suld haid beine payit at Candilmes 1606, and ordanis him to mak payment thairof within fyftein dayis, vnder the pain of poinding or warding : Quhairvpone requerit act of Court.

That day Androw Fraser Mak conill is absolut fra the slaying of ane scheip or lamb alledgit comittit be him in Julij 1604 yeiris, perting to William Miller at Connes, and of all that may follow thairvpone, and that, in respect the caice being referit to his aith, be the persewar

¹ The famous Presbyterian minister who was banished from Edinburgh by James VI., and resided for a time in Inverness.

² By dyat—bedoited or crazy (?)

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1606 deponit that he newir slew ane scheip, bot brack ane lambis feit pertaining
25 July the persewar, and that he tuik the samen withe him selff; thairfoir is
absoluit : Quhairvpon requerit act of Court.

5 Aug. That day Jespert Cuithbert, cordiner, for the wrangous naiffing and
bluid latting of Alexander Symson, cordinar, within Donald Makrob his
maisteris buithe, and in manassing of the said Alexander, and back-
bytting of the said Donald, he being absent, in calling of him kairle,
soingour, knaiff, and sneik; thairfoir is decernit to pay fourtie schillingis
to the Judges for the wrang doing and saying of the premiss; and dome
giffin thairupon be Jhone Stewart, Dempster of curt: Quhairvpoun the
persewar requerit act of Court.

That day Jhone Makintailleour is decernit for the wrangous
trubling of the toun and drawing of Robert McCowill his mother
brotheris beard, convict in xix ss. to be payit to the Judges, and to cum
on Souday in tyme of preiching, and ask forgiveness at his mother
brother: Quhairvpoun requerit act.

17 Sept. That day Donald McIllean and Jhone du Mc illean compeiris in
Innernes, ar convict, the said Donald for the manissing of Alexander
McAgo, cordener, and in chaissing of him with ane drawin durk to his awin
hous of the hie get, and, not being satisfeit thairwith, persewit the said
William Cuming, officer, and maist haif slain him withe the said durk,
and, not being content thairwith, com throw the hie get lyik ane maid
man, and persewit Jhone Forbes with the durk, and hurt him and raife
his clais, and wald not paiss na wayis to ward till he was forcit thairto.
And siclyick the said Jhone paist to the said Alexander McAgo hous,
and thair trublit his wyiff, barnis, and dang his hyir woman, and maik
bla on hir, and that done under sylence of nicht, and, being provin be
Jhone Oig and Thomas Skinner; Theirfoir the Judges hes convict eather
of the saidis personis for the foirsaidis wrangis; ordanis ilk ane of them
to pay twentie schillingis, and, in caice they be found to do the lyick, they
to be banist out of this bruche, and to find cautioun thairvpone, and
ordanis them to be joigit, and ane myter with ane superscriptioun; and
Alex^r Merchand is becum cautioun on the banishment of Donald
Mackillean, and he for his cautioner releiff: Quhairvpon requerit act.

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That day Jhone Duill, brebner, for the bluid and bla laitting of *1606*
Magie Gray to Willie Fraser, messinger, in greit quantitie thairof, and in *17 Sept.*
deforming of her face, is convict thairfoir, and ordanis him to remain
in waird, seing the fact was done above eind^r till he pay the unlaw of
ten pundis : Quhairvpoun requerit act.

That day the Judges haiffing accusit Donald Forbes, alias miller, for
the wrangous and maisterful spoilzeatioun under sylence of nicht, and
brecking of Jhone Jenoris barne, and alledging the said Donald to haue
tain away ane greit quantitie of stray thairout off, and the samen being
referrit to Jhone Jenoris probatioun, and the said John succumband
thairin be the aith of tua cotter wyiffis, and the pairtie defender aith, and
his boy, quha knev nathing thairroff, Theirfoir the Judges hes absolutit the
said defender and his boy fra the persuit of the clam ; And siclyck the
said John Jenor, being accusit for laitting of the said Donald Forbes of
his arme, quha nayit the same, the said Donald not abill to pruiff the
samen, seing thair was bot them selffis baithe present, the Judges hes
remittit the same to the tryall of ane Inquest : Quhairvpon requerit act.

That day Thomas Squeyar na haiffing complenit on William Camp-
bell, merchand burges of Elgin, that he culd not pass the street of this
bruche but invasioun of the said William, Theirfoir desyrit him to be
wardit quhill he find him law soverties ; And the Judges haiffing tryit
baithe thair allegatiounis, hes fund the said Thomas in the weit and that
becaus the said Thomas mellit and ingillit(?) him in ane bargan quhilk
was betwix the said William and ane uther man, and thairbe constraint
the said man to pas fra his bargan in preiudice of the said William
Campbell, Theirfoir ordanis the said Thomas to be delyuerit to the
Deacon of the Skinner craft, and, giff ewer he be fund into the lyck falt
or ony uther unciull fault, to be banist *ipso facto* ; And the said William
Campbell being chargit in ward till he haiff fundin law souerties till
Donald Zoung, that he suld be harmeles of the said William Campbell,
and remaning in waird, James Andersone, merchand in Elgin, of his frie
wolutari vill, oncompellit or coactit, haiffing merchand comptis and
uther necessar effairis to do with the said William, becom cautioun to
entir the said William Campbell in waird within four houris thaireftir
under the pain of fourtie pund, quhilk was not don ; And thairfoir
ordanis the said James Andersone to be apprehendit in this bruche, and

^r eind—*aind, end*, breath.

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1606 to be vardit till he pay the foirsaid penaltie of fourtie pundis : Quhair-
17 Sept. vpoun requerit act.

18 Sept.

The conventioun of Mr. Jhone Ross, Prowest of Innernes, William Robertstone, elder, Alexander Merchand, William Patersone, Zounger, Johne Cuithbert, Zounger, Jhone Robertstone, Robert Moncrieff, George Mackphail, burgess^s of Innernes within the Counsall of Innernes the xvij day of September 1606 yeiris.

That day anent the accident fallen out betwix Jhone McWilliam Mcferquhairsonne, on the aine pairt, and William Campbell, merchand burges of Elgin, on the uther pairt, That is to say, quhair Jhone McWilliam Mcferquhair persewit William Campbell, beyond the Water of Ness, with ane drawin sword yetling to have slain him, and the said Jhone McWilliam confess^s judicially alledgit that it was becaus the said William vald not giff law souerties to Donald Zoung, quhilk Jhone Cuithbert and Jhone Robertstone, witness^s, declairit that the said Jhone Mcferquhair, in Cullachie, sett on William Campbell, he being on the horse baick, and the horse, seing the drawin sword, vald not paiss away with William to eschew the offering off that iniurie in drawing the suord, quhilk in the mean tyme he behuiffit to ryid with him in the water, and war not Jhone Cuithbert, the said Jhone Mcferquhair wald haif slain the said William sa far as he persewit, It is ordanit that the said Jhone McWilliam Mcferquhair fund law souerties that William Campbell salbe harmeles of him and that the said Jhone salbe harmles of him ; and thairefter the said Jhone to sateisfie the wrang and iniurie as qr. oportunitie of the Prowest and Bailzeis sall serue, and theirfoir puttis William Campbell to libertie.

That day compeirit George Cuming, burges of Innernes, and of his awin frie motive will, oncoactit or compellit, for Jhone McWilliam vic Ferquhair, that William Campbell salbe harmeles of him within the bruche, and als Jhone Cuithbert is becum cautioun and law souerties for William Campbell that Jhone McWilliam salbe harmeles of him within the bruche, ilk persone under the pain of fourtie pundis ; and the saidis personis is becum actit for thair cautioneris to relieff them under the pain foirsaid : Quhairvpon requerit act.

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At the Kirk of Innernes, Sounday befor Michelmes day, *1606*
being the twentie aucht day of September, the zeir of God *28 Sept.*
Jai vi^{ccs} and sex yeiris.

That day the Provest, Bailzeis, Counsell, and communitie of the bruch of Innernes, all burgess^s, compeirit within the said Paroche Kirk of Innernes, efter hearing of the preiching efter noin, and thair maister Jhone Ross, Provest, dimittit and overgaiff the said office in the handis of the Cunsell, and remanent burgess^s of Innernes, and William Cuithbert, appeirand of Auldcastelhill, Alexander Bailzie of Dunzean, James Waus, and Alexander Patersone, Bailzeis dimittit the office of bailzearie in the handis of the said Cunsell and burgess^s: Quhilkis personis of Cunsell, viz. Jhone Cuithbert of Castelhill, Alexander Cuithbert, James Cuithbert, elder, William Patersone, zounger, William Robertstone, elder, William Patersone, elder, William Robertstone, zounger, Jhone Abraham, George Cuming, Alexander Cuming, Alexander Merchand, Petir Waus, Findla Mack-phail, with the rest of the burgess^s of the bruche, being convenit, as said is, for electing of thair Provest and Bailzeis, conforme to the use, and act of Parliament, hes all in ane voice nominat and chosin Maister Johne Ross to be Provest of the bruche for ane zeir; William Cuithbert, appeirand of Auld Castelhill, William Campbell, James Cuithbert, elder, and Alexander Patersone, Bailzeis for ane zeir; Quha gaiff thair solempne aithis to use the foirsaidis offices uprightly during the space foirsaid; and the saidis personis of Cunsell ar electit to remane in the said office for the weill of the bruche to Michelmes next, 1607, except George Cuming and Alexander Cuming, for the quhilk the auld Bailzeis viz. Alexander Bailzie and James Waus ar adionit to the Cunsell: Quhairvpone the burgess^s being present requerit act and instrument.

The Heid Burru Court off the burghe of Innernes efter *6 Oct.*
Michelmes, haldin within the Tolbuithe of the same be
maister Johne Ross, Provest of Innernes, William Cuithbert,
appeirand of Auld Castelhill, Alexander Patersone, Bailzeis
of the said burghe, the sext day of October, the zeir of
God Jai iv^{ccs} and sex yeiris, the suittis callit, the court
lauchfulli fensit and affirmit as use is.

That day Mr. Johne Ross, Prouest, is suorn Prouest of this brucht
for the space of ane zeir, quha hes gewin his aithe thairvpone: Quhair-
vpone Alexander Patersone, Bailzie, requerit and tuick act of Court.

1606 That day William Cuithbert, appeirand of Auld Castelhill, Alexander
 6 Oct. Patersone, and William Campbell ar admittit Bailzies for ane zeir, quha
 hes gewin thair aithe to use the said office of bailzerie richtly for the
 space of ane zeir : Quhairvpone requerit act of Court.

That day compeirit within the tolbuthe of the burghe of Invernes
 the Prouest, Bailzies, and Counsal and communitie off the said burghe
 vnder subscriuand, and haiffinge tryit the qualificatioun of Alexander
 Duff, notar publict, comun clerk of Invernes, hes fund, and be the
 tenor hierof fundis him meit, apt, and qualifiet to use exerse to brucke
 and joise the said office of comun clerkschipe of the said burghe of
 Invernes, and also for the inteir luif, fauour, kyndnes quhilk we haif borne
 and beiris towardis the saide Alexander Duff, and for his loyall obedient
 seruice done be him to us and euerie ane of ws thir certain yeiris bygane,
 and for certain vther ressonabile causs^s, motiounis and considerationis
 movinge us hierto, Theirfoir to haiff gevin, grantit, and disponit, lyicke
 as be the tenor hierof gevis, grantis, and disponis fra ws Prouest, Bailzies
 Counsal and communitie vnder subscriuand, to the said Alexander Duff,
 notar publict, the saide office of comun burru clerkschipe of the saide
 burghe duringe all the dayis, zeiris, and termes of his lyiftym allanerlie,
 withe all commodities, liberties, custumes, and deueties belange to the
 said office, to be upliftit, usit and exersit, be him duringe all the dayis
 of his lyiftym be all richt thairof, with frie ischiw and entrie, frielie, quietlie,
 viel, and in peace, but ony impediment, contradicioun, or revocatioun,
 or obstacule quhatsumevir ; And hes electit, nominat, creat and admittit,
 and, be the tenor of this giudiciale act, we the saidis Prouest, Bailzies,
 Counsal, and Communitie, for us and our successouris, electis, nominatis,
 creatis, and admittis, the said Alexander Duff, burges of Invernes,
 comun burru clerke of Invernes, to remain and to be usit be him
 duringe all the dayis, zeirs, and termis of his lyiftym ; quhairvpone the
 said Alexander hes gevin the greit aithe to the saidis Prouest, Bailzies,
 and Counsal, communitie under subscriuand, that he salbe obedient to
 them, and use the said office faithfullie, leilie, and treulie, duringe all the
 dayis of his lyiftym ; and forder we the said Prouest, Bailzies, and
 counsal, communitie under subscriuand, be the tenor hierof, for us and
 our successouris *simpliciter* suspendis in electinge, admittinge, or creatinge
 of any uther person quhatsumevir comun burru clerke of the said
 burghe of Invernes, in judgement or outwith judgement, at ony tym

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cuminge, duringe the said Alexander Duff lyiftyme, and hes dischargit, 1606
and be the tennor hierof we undersubscrivand *simpliciter* discharges all 6 Oct.
personis that is or hes bein admittit or creat be us or our predicessoris or
antecessoris to the said office of burru clerkschip of Innernes befor the
maickinge hierof, except onlie the said office to be bruickit be the said
Alexander Duff duringe all the dayis of his lyiftym; Prouydinge aluayes
be ther presentis, giff it sal happin the said Alexander Duff to be fund
culpabile be us or our successoris in ony cause or fact virdie of depriva-
tioun, and the samyn beinge tryit and censurit be us and our foirsaidis,
and than to be in that caice fund culpabill, *ipso facto* the said Alexander
than to be deprivat: Quhairvpone ather partie requerit and tuick act of
Court.

[Signed] Mr. Jon Ross, Provest of Innernes, William Cuithbert, Bailzie,
James Waus, Bailzie, Alexander Patersone, Bailzie, Alexander Bailzie of
Dunzeane, ane of the bailzies, James Cuithbert, elder, ane of the Counsell,
Wilzeame Patersone, ane of the Counsell, George Cuming, ane of the
Counsell, Peter Waus, ane of the Counsell, Willzeame Robertsons, elder,
ane of the Counsell, Wm. Robertsons, zounger, ane of the Counsell, David
Cuithbert, wt. my hand, James Dempster, wt. my hand, Alexander
Cuming, ane of the Consell, James Cuithbert, zounger, wt. my hand,
Findla Makphail, ane of the Counsell, Johne Cuithbert of Auld Castelhill,
Alexander Cuithbert, wt. my hand.¹

That day Robert Moncreiff persewit George Kemp, Skipper, to rander 30 Oct.
to him the merchandrice following:

Item, sex pair of women stockones at sewin schilling the pair.

Item, 3 pair of menis schone at 2 s. the pair; ane pair of bairnes
schone 14 d.

Item, 3 dubil sellit fattis at 4 grottis the piece.

Item, 3 drincking cuppis 12 d. the piece.

Item, ane New Testament, with ane psalme buick, baithe in ane
opening contrarie to the uther, giltit about baithe the margiantis, at

Item, 2 pair silkin gartennis at halfe crown.

Item, ane pair of womenis schone at halfe crown.

Item, ane wobstarris spoill at 8 d.

Summa heiroy extendis to 3 libs 5 ss. v d sterling money.

Inde of Scottis money to 39 libs v ss.

¹ All the subscribers signed with their hands.

Records of Inverness

1606
30 Oct. Ane broche strucken be me Robert Moncreiff bovar, burges of Innernes, on George Kemp, burges of the Southe Ferrie, and maister of the bark callit the Angell, that wrangouslie and agains the law he deteinis and withhaldis fra me the guidis and geir and merchandrice following, viz. quhilk guidis and geir of the prices abone vreit in the said George ressauit the samen in my name, with sundrie uther sortis of wairis packet in ane barrell, within the said bruche of Southe Ferrie in the monethe of September last or thairby, 1606, to haue bein delyuerit to me within the bruche off Innernes as proper geir perteing to me, and the said George Kemp deteinis and withhaldis fra me as as zett the foirsaid geir as ane pairt of the geir quhilk was packit and put in the said barrell, and will not on na wayis rander, restoir, and delyver to me the foirsadis guidis and geir abon, nor zet the prices thairof abon specifics, according to my bying thairof, quhilk I nicht have maid twentie pundis of gain and proffeit thairupon, without he be compellit, and thairfoir desyris my Lord Provest and Bailzeis to decerne him to mak me payment and delyverance of the foirsaid soum of 39 libs v ss. withe the soum of twentie pundis quhilk I nicht have maid of proffeit and gain thairoff.

That day George Kemp, skipper of the bark callit the Angell, being wardit within the tolbuith of Innernes at the instance of Robert Moncreiff till he haid fundin cautioun to him to do that law anent certan merchandrice vrangouslie detenit be the said George fra the said Robert, as at mair lenthe conteinit in the said Robertis lybell ; quha offerit his aithe and war not ressavit, and Thairfoir James Mudie, burges of Dundie, at the earnest request of the said George, of his awin frie motive will is becum actit in the burru buickis of Innerness for the said George to do that law will, and all that accordis of the law to the said Robert Moncreiff anent the foirsadis geir, and within the bruche of Dundie, betwix the day and dait heirof and the first day of August 1607 ; and the said George is becum actit, renunceand his awin jurisdictioun, and submitting him to the jurisdictioun of the Provest and Bailzies of Dundie, to varrand, releiff, and skaithles keip the said James Mudie at the handis of the said Robert Moncreiff of that law and resson sall giff to him : Quhairpone requerit act of Court.

17 Nov. That day compeirit Mr. Jhone Ross, Provest of Innernes, and William Cuithbert, ane of the Bailzeis of the said bruche, and gawe in

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thair bruche, humbly meanand on Alexander Merchand, burges of 1606
Innernes, That qvhairupon the tent day of November instant the Provest 17 Nov.
bailzeis and certane number of the common counsell of the said bruche
being convenit within the tolbuthe of the samyn for to have tain ordour
and maid pryces on the number of fyve daicker or thairby barkit nolt
leader restrainit and haldin be them and put in the Cunsel hous per-
teining Jhone McWirriche, burges of the same bruche, and to have sett
down the awaill of the said leader, Quhairbe that the kingis leigis nicht
be seruit in schone in respect of the great skanthness and present neces-
sitie thairroff ; and the said Alexander Merchand being present with the
said number of Cunsall, manissit the said Provest and bailzie foirsaid,
and gave them money iniuriows wordis, and gawe the lie to the bailzie,
and said he vald be als mony Jardanis as they wald be Jhonestonnes, with
mony ma irreverent and iniuriows wordis, yetling to have strucken the
bailzie thairwithe ; Thairfoir the said Mr. Jhone Ross, Provest, and
William Cuithbert, bailzie, desyris the Judges to sensor and try the caus,
and, according as the Cunsall hes decernit him, conform to his merit,
desyris remed of law, and he to be dischargit and amittit of his friedome
and libertie and burgeschip of this bruche conform to his demerit, as the
Cunsall hes decernit ; and the said Alexander Merchand according
thairto to be be this judiciall act dischargit thairof, quhairbe it may be in
memorie to the posteritie to cum, and to give dome and sentence thairon ;
and the said bailzeis haiffing seine, hard, and considerit the said com-
plaint, and, after tryall taine thairon, be the advyise of the Cunsall,
videlicet, Alexander Cuithbert, Alexander Bailzie of Dunzean, William
Robertsone, elder, William Paterson, elder, Jhone Abraham, William
Robertsone, zoungar, Petir Waus, hes adjudicat and decernit, and be thir
presentis adjudicattis and decernis the said Alexander Merchand, for the
caus^s abone vrettin, committit be him contrar the Provest and Bailzie
foirsaid, to have tynt and amittit his burgesrie, libertie, and friedome
of this bruche, and to be haldin as ane vnfrie man, and to haue loist
his fraternill societie, libertie and honour thairof, discharging him in
using of ony libertie within this bruche ony forder ; and dome giffin
thairvpon be Johne Steuart, Dempster of Court : Quhairvpon the said
Mr. Jhone, Provest, and William Cuithbert, bailzie, requerit and tuick act
of Court.

Records of Inverness

1606
2 Dec. Ane Broche struicken be me Donald Zoung, burges of Innernes, on William Cuithbert, Jhonesone, and Jhone Robertstone, Laurenesone, burgesses thair, That quhair they wrangowslie and agains the lav, on the second day of this instant December, I being cumand west the hie Kingis gett to pass to my buithe, to do my leisid effairis, off set purpois they set on me the said William with ane battown, straick me thryise thairwithe in the heid, and straik me to the grownd thairwithe, and neiffit me, lyick also the said Jhone neiffit me and straik me without ony offence done by me to them; theirfoir desyris zour wyisdomes remeid of law and justice, and that they be pwnist for thair vrangous onchristian deiling, quhairbe wtheris commit not the lyick wilanie and fact.

The quhilk day comperit the defender, and, being accusit on the premisses, nayit the hail poyntis of the bruche; the persewar offeris to priwe the fact done according to his bruche, and producit Jhone Robertson, Laurensone, as vitnes, quha vas sworne, admittit, and deponit that William Cuithbert straik Donald Zoung ane straik with ane tre; lyick as the said William, the caus being referrit to his aithe of weritie, deponit the samyn; and for the said Jhone Robertstone awin part, being referrit to his aithe of weritie, deponit that he did nothing to the said Donald Zoung, and that he vas bot ane reader, and fand fault withe him that he drew ane knyife, zetling to have strucken the said William Cuithbert thairwithe; the Judges, efter tryall tain as saidis, hes judgit and decernit the said William Cuithbert in the vrang foirsaid, and ordanis him to pay
; Quhilk was done in the clerkis cham.

That day compeirit judically James Robertstone, merchand burges of Innernes, of his awin frie motiwe will, oncoactit or compellit, is becum actit in the burru buickis of Innernes souertie and law borrowis for William Cuithbert, Jhonesone, burges of the said bruche, that Donald Zoung, burges thair, salbe harmles and skaithles of him in his bodie, guidis, and geir, directly and indirectly, in all tymes cuming, wither vayis nor be order of law and justice, wnder the pain of fourtie pundis money, to be payit be the said James as cautioner in caice the said William Cuithbert contravein the tennor heirof; and the said William Cuithbert is becum actit in the said burru buickis for him selff, his airis, executoris and assignais, to warrand, releiff, and skaithles keip the said James Robertstone at the handis of the said Donald Zoung of the premisses, and of all

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inconvenient that may result thairwpon: Quhairvpon eather of them *1606*
requerit and tuick Act of Court. *2 Dec.*

That day compeirit judicially William Dic, Alexander McAgo, *16 Dec.*
Alexander Skinner, Jhone Oig, Thomas Patersone, Jaspert Cuithbert,
Donald McRob, James Thuid, Jhone Veddell, Jhone Mc illichrist,
cordinaris buith halderis, being accusit for breiking of the statutis and
selling of meanis schone darrer nor ane mark the pair, vomen schone na
darrer nor ten schilling money; Quhilkis persones confessed the breicking
of the said act and statutis, and thairfoir ar decernit in the vrang com-
mitting thairoff, and ordanit ewerie ilk ane of them to pay to the
Judges fywe merkis ilk persone, except Donald McRob, James Thuid,
Jhone Weddell, ilk ane of them ordanit to pay fourtie schilling, and
Jhone Mc illichrist to pay tua merkis money; and ar ordanit to be
wardit quhill they pay the samyn, and dome giffin thairupone be Malcolm
Duncansone, dempster of Court: Quhairupone requerit Act of Court.

The Heid burru court of the bruche of Innernes haldin *1607*
within the tolbuith of the samyn eftir Zouill be Mr. Jhone *12 Jan.*
Ross, Provest, William Campbell, James Cuithbert elder,
Bailzeis of the said bruche, the xij day of Januar the yeir
of God Jaj vj^{ees} and sewin zeiris; the suittis callit, the court
lauchfullie fensit and affermet, as use is:

Nomina presentium to this heid Court: Alexander Bailzie of Dun-
zean, Alexander Cuithbert, William Robertstone elder, Alexander
Merchand, Donald Bain McPhersone, Jhone Maii, Findla McPhaill,
Thomas Mackconill, James Waus, Donald McPhaill, Johne McPhersone
in Castle Leaveris, Robert Neilstone, William Patersone Jhonesone,
William Patersone elder, Jhone Steuart, Alexander McConchie, Jeane
Caiskin, Findla McGibson, Alexander Cuming, Androw McConill,
William Patersone zownger, James Cuithbert zownger, William Cuithbert
smyithe, Jhone Cuithbert of Auld Castlehill, Alexander Skinner, Donald
Fuctour, James Mackconchie; and all the rest contenit in the suit roll
that aucht presens to this heid court ar all absent except the foirsaidis
persones; thairfoir ar judgit in amerciament in thair absence, and dom
giffin thairvpon, and ordanis them to be poindit iij schilling ilk man.

Records of Inverness

1607
15 Jan. That day compeirit Alexander Cuithbert, burges of Invernes, and desyrit the persones of Inquest following to be callit to this day at his instance to give affirmetiwe or negatiwe on the breiff of lyning for lyning of ane aicker land lyand in Demstall betwix the landis of umquhill Luc Patersone at the southe, Alexander Patersones landis at the northe, the said Alexander at the eist, the fouill pouill on the west, conform as they that hes been summond be breiw of our Soweran Lordis Letteris, be Alexander Monro, messenger, to compeir this day to the effect foirsaid, quhilk vas continuit the twentie four day of Februar 1606 yeiris, conforme to the proces leid in the burru buikis the said day thairanent, and compeirit the saidis persones of Inquest ; quhilk the Judges, according to to the charg giwen them for sateisfeing of our Soverane Lordis Letteres and will thairof, caussit incluse the Inquest in the cunsail hous till they haid giffin sentence of affirmitiwe or negatiwe : Quhairvpon requerit act.

Nomina assise : Jhone Abraham, canceller, William Robertstone elder, James Cuithbert zownger, Alexander Hey, Alexander Cuming, William Robertstone zownger, Jhone Duff, James McAllister, Thomas Lorimer, Petir Waus, Alexander Merchand, Findla McPhaill, quhilkis persones of inquest vithe Licence off the bailzie and Alexander Cuithbert partie perseuar paist to the foirsaidis landis acclamit be the said Alexander to be lynit, and thairefter that they haid sein, sichtit, and considerit the samyn, haiffing lynit the samyn withe rid and raip, haiffing god and guid conscience afoir thair eyes, re-enterit in face of court, and all in ane voice hes pronuncit, decreittit, and giffin furthe for finall sentence that the said aicker be labourit be the said Alexander Cuithbert and his airis and assignis, and possessit be them in tymes cuming, ewin just vest as the mering and merche lysis betwix the said aicker at the northe, and the landis of Sanct Katherein, perteing Mr. Jhone Ross, at the Southe, to to the gawell of the said wmquhill Luc Patersone kill and fouill pouill at the west, just eist and west as the mering gais, and ordanis the dyick to be demolissit be the said Alexander, and the piece of the gawell of the barne to the mering equallic with it, and the mering to ly at the southe of the aicker : And the Judges interponis thair decret of court thairto : Quhairupon the said Alexander requerit and tuick Act of Court.

9 Feb. That day compeirit within the tolbuthe of Invernes the Provest and bailzies and Counsall of the said bruche, haiffing sein and considerit

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the offencis and iniuris and misrevrence done and commitit be Alexander 1607
Donaldson alias Merchand, thair nichtbour, to the Provest, and William 9 Feb.
Cuithbert, bailzie, and being depryuit of his fredom and burgesrie of
this bruche, conforme to the act of depriviatioun maid thairanent the xvij
day of Nowember Jaj vj^{ces} and sex yeiris, and now be instigatioun and
earnest request of ane honourabill man, Mr. Robert Bruce of Kinnard,
and God be halie spreit haiffing movit the said Alexander Merchandis
heart, acknowledge and confessing his offencis and contempt maid to
God and to them openly in judgement and counsall, and they on the
wther pairt haiffing considerit his humilitie, and haiffing compassioun to-
wardis him, hes grantit to him his fredome, libertie, and burgesrie of this
[bruche] als friely in all respectis to vse the samyn as ony wther burges
of this bruche, and hes nominat, creat and admittit, and be the tennor
heirof nominatis, creatis and admittis the said Alexander Merchand
burges of this bruche vith all solemprnities usit in sic caice, and hes
ressauit the gild reing quhilk vas put on his fingeris of his handis be the
Provest, vith powar to him to by and sell all manner merchandrice and
vther quhatsimewer vithin this bruche and libertie of the samyn als friely
in all respectis as ony wther burges may do of this bruche ; quha hes
given his aithe, the halie evangelist tuchit, serve God, that he sall maintein
the trew religion as it is presenttly preichit in this realme, s[all] obey the
magistratis of this bruche, maintein the libertie and fredom thairof, and
skait and loit [scot and lot] vaick and vaird with the nichtbouris of this
bruche, f[order] that he sall not haill nor conceill thair hurt nor skaithe,
that he sall not purches na Lordschippis ; Prouyding alvais be thir
presentis giff it sall happin the said Alexander Merchand to infring ony
pairt of the premisses, or be offensiwe, culpabill to the magistratis of
this bruche heirefter, or misreverence them, or disobey the cunsell actis
and statutis of this bruche and the magistratis in puting of the saidis
actis to execution, *ipso facto* the samyn being sensurit, and he being
found culpabill of the premisses, in that caice thir presentis to be null and
invalid as giff it haid nevir bene grantit : Quhairvpon requerit Act of
Court.

Ita est Alex^r. Duff noris. publicus communis scriba
burgi de Innernes testan. manu propria.

That day the Provest, bailzies, and Counsall of Innernes, beinge 13 Mar.
convenit within the tolbuthe of the samen, and haiffing tain sufficient

Records of Inverness

1607 tryell of the conversatioun, maner, lyiff of James Stewart, hes fund him
13 Mar. meit and qualifiet to be ane frie burges and gild brother of this bruche, and to be in thair societie ; And, conforme to the desyir of his petioun, hes nominat, creat, ressavit and admittit, and be the tennor of this judicial act, the saidis Provest, bailzies and counsall nominatis, creattis, ressavis, and admittis the said James Steuart *alias* McVarroun frie burges and gild brother of this bruche of Innernes withe all solempnities requisit, withe full, frie and plain power to the said James Steuart, to use, exerce and hant all maner merchandrice, friedome, libertie, and preueledge, as becumethe ane frie burges and gild brother to do in tymes cuming, and to be also frie ane gild brother of societie as ony vther burges, to by, block, sell and sail ; And the said James Steuart hes gevin the greit aithe, the halie evangelist tuichit, that he sall in all tymes cuming maintein the trew vord of God presentlie preichit in this Kingdom of Scotland, and that he sall be obedient to his matie. the King, the lawis of this realme, and that he sall be obedient to the Provest, bailzies and counsall of Innernes, maintein, defend the libertie and friedom of the said bruche, concur and assist withe them in his persoun, guidis and geir, and obey thair statutis and ordinances in all maner vay ; and that he sall skat and lat, valk and vaid withe them all the dayis of his lyif tym quhen he salbe requerit thairto, and that he sal not haill nor conceil thair hurt nor skaithe, and that he sall nocht purches na lordschipe in thair contrar nor contrar ony of the inhabitantis, and that he sall nocht tack art nor pairt vithe na landuart nor outlandis man in thair contrar, and that he sall mack his residence for the maist pairt of the zeir within the said bruche zeirlie in tymes cuming ; and the Provest, withe consent foirsaid, hes authorisit the said James Steuart thairin be puttinge on his fingeris of the gild ringue in the name of the father, the son and the halie gaist, and admittis him gild brother and frie burges of Innernes vith all ceremonies requisit ; and Alexander Cuthbert is becum actit cautioner for his guid reul, the Provest gild hois, the spyice and the vyn to the Provest, bailzies and Counsall ; and the said James is becum actit for his cautioneris releif, and hes payit for compositioun and admittinge of him as burges the soum of xx pundis money, quhilk the Provest ressavit to compt : Quhairupon all and haill the premisses the said James Steuart requerit and tuick act of court.

Ita est Alex^r. Duff noris publicus communiss scriba
burgi de Innernes testan manu propria.

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That day the brebneris being accusit on the premisses, viz. :— 1607
William Bruce, confess^s to hawe tane his sister sone prenteise but licence 21 July
of the magistratis of the bruche ; Kennoth Brebner, confess^s ane prenteis^s ;
George McHuchewon confess^s ane prenteis ; Kennoth Brebner in
Dimmisdaill his brother wyiffis brother, ane buith halder and ane boy
with him but licence of the town ; Jhone Zowng, Jhone Dowill, all hes
tain buithe bot licence of the bruche ; quha ar ordanit to pay ane vnlaw
of four pundis, with fourtie schelling for thair buthe halding, ilk ane *pro*
rato : Quhairupon requerit act.

That day the haill brebneris ar decernit to pay to the theasourer
of the bruche for licence in granting to them ane visitor on that craft,
zeirlie fourtie schillingis, ay sa lang as they hawe ane visitor : Quhairupon
requerit act.

That day the haill brebneris, viz. :—William Vatsone, William Bruce,
William Cuming, visitoris of that craft, William McMillar, Hucheown
Robsonè, George McHuchewon, Thome Steinsone, Kennoth Brebner,
James Roy, Thome McRob, ze ar accusit for breicking of statutis in
talking mair nor sex penneis for the elne blew and greine tartan wewing
[weaving], and fourtie penneis for ane quheit plaid wewing, four penneis
for the elne of gray and blaik wewing ; quha compeiring confessit to
hawe brocking the statutis, and to hawe taine mair nor the ordinance
aboue vreitlin ; thairfoir the Judges hes decernit and ordanit them to pay
thrie pundis for the vnlaw, and ar judgit in amerciamento, and dome given
thairupon be Malcolme Duncanson, dempster.

That day the foirsaidis brebneris, they ar accusit for none keiping
the Kirk ewerie Sounday, and in talking fra the nichtbouris wyiffis mair
wowft of zairne nor of warp, ar judgit in amerciamento thairfoir, and dome
given thairupon : Quhairvpon requerit act of Court.

That day the haill browstaris, frie and onfrie, being accusit for 28 July
breicking of statutis in taking more nor ten penneis for the point eail
sen the day of the ordinance maid thairanent, being proclamit at the
mercat croce, and intimatit to ewerie ane of them be the knelling of the
hand bel throw the streittis, that they suld nocht taik for the point aill
bot ten penneis ; quhilk statut was maid at michelmes court laist, 1606,
and in caice ony persone suld contravein suld pay fourtie schillingis of
vnlaw to the bailzies, quhairof thair names followis viz. :—Compeirand

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1607 confesses, They are to say, Alexander Monrois wyiff confess^s; Donald
 28 July Fraser confess^s; Jhone Andersone confess^s; Duncan Beg confess^s; and
 soe als dois ilk persone foloving confesses, William McConill vic Richei,
 Jhone Reoches wyiff, Walter Stewart, William Vatsone, William Swesone
 wyiff, Agnes Ker, Margaret Duff, Jhone Lawsonis wyiff, Donald Mc
 Phaillis wyiff, Alexander Greisone, Donald McRobis wyiff, Alexander
 McIane Wiillis wyiff, Bean McConill cheill, Donald Zowng wyiff, Jhone
 Oig Miller wyiff, Alexander Skinnar, Jhone Aird, Findla McGibson
 wyiff, Alexander Burnat, Donald Millar wyiff, Jaspert Williamson
 Androw Barbouris wyiff, Jhone McVirriche wyiff, Thomas Andersone,
 Alexander McAgo, Thomas Clerk, Agnes MckVirriche, Magie Smythe,
 Issobell Stewart, Patrick Mcicleriche wyiff, Alexander Thomsone, Donald
 Baine McPersone wyiff, Angus McConchie wyiff, Donald Doin wyiff,
 Jhone McPaull Gow, Kenoche Brebner wyiff, Megie nein William,
 James McConchie wyiff, Rogerd Woid wyiff, George Duff wyiff, Jhone
 Weddell wyiff, Jhone Fraser, Jhone McSlegache dochter, Jhone du Mc-
 Allister, Findla du McPhaill, Findla Du dochter, William Mc Conill vic
 Ane wyiff, Jhone McMiller wyiff, William McInteir wyiff, William Mc-
 Freuche wyiff, William Cay, Robert Neilson, Jhone Mc Intalzeor wyiff;
 Quhilkis personis, frie burgesses browstaris, ar decernit ilk ane to pay
 four ss. according to thair confessiown as vnlaw, and ilk ane of the vn-
 frie browstaris to pay aucht ss. according to thair confessiown, for thair vn-
 law to the Judges, and ar judgit in amerciament thairin, and dome given
 thairupon; and the rest of the browstaris, quha being varnit and callit
 thryise at the tolbuthe vindow, and nocht compeiring, ar ordanit to pay
 aucht ss. for thair vnlaw, ilk persone for thair absence; quhair of thair
 names followis, viz. :—Jeane Caiskin, Jhone McCormik, Skinner Fischer,
 William Angussown wyiff, Elspet Ker, Barbara Cuithbert, Alexander
 McConche wyiff, William Patersone Johnsons wyiff, Findla McVerriche
 wyiff, William McConill Doin wyiff, Findla McPhaill wyiff, Issobell Ross,
 Thomas Du wyiff, Jaspert Cuithbert wyiff, William Ross wyiff, Robi
 Dawidsone wyiff, Alexander Merchand wyiff, Androw McPhaillis wyiff,
 Sandi McMiller dochter, Margaret Ross, Sandi Cuithbert, [blank]
 Smythe wyiff, Peter Winchester dochter, Androw Miller wyiff, Agnes
 Ker, Jhone McVirrest wyiff, Androw McWilliam woir wyiff, McGillimi-
 chellis wyiff, George McConill Reoche dochter, Thomas McGlasseis
 wyiff; ilk personis for thair absence ar judgit in amerciament, and dome

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given thairupon and ordanit to pay . . . schilling ilk ane for thair vnlaw
of absence : Quhairupon requerit act of Court. 1607
28 July

That day compeirit Jhone Forbes, and being erectit as commissioner 24 Aug.
for the bruche of Innernes, to convein withe the rest of the commissioneris
of burruis at Dunbartan in the moneth of Julij laist, and thair to have
voitit on certan heidis contenit in thair messiwe, and in speciall for in-
serting of the act and generall statut appointit be the saidis commission-
aris in the burru buikis of Innernes, quhilk the said Jhone productit
and desyrit the samyn to be insert, quhilk the Provest, bailzeis, and
Cunsall of Innernes condiscendit thairto; quhairof the tennor of the said
act followis :—

In the generall conventioun of borrowis haldin at the bruche of
Glaschow be the commissioneris thair convenit the third day of Julij Jaj
fyive hundereith four scoir auchtein zeiris, The quhilk day the saidis
commissioneris, efter lang ressoning, findis thair estait hielie preiugit be
certane bruches quha of lait hes directit thair commissioneris to Parlia-
mentis and conventioun of estaittis electit furthe sic rankis of personis
quha haid litill skeill or experience of thair effairis, and als litill cair and
guidwill to the standing thairof, haiffing na regard to the actis and
constitutiounis maid of befoir anent the directioun of commissioneris to
Parliamentis, conventioun of estaittis and borrowis, speciallie the Act
maid at Edr. in Julij 1574, and in Cowper 1586 ; for remeid quhairof the
saidis commissioneris, efter inspectioun and consideratioun of the saidis
actis, quhilkis war publictlic red in thair awdience, they all in ane voice
rateifeit and approwit, and for them and thair successoris perpetuallie con-
fermes the saidis actis, withe all wtheris actis and constitutiounis of
borrowis maid of befoir, and of new statutis and ordanis that in tyme
cumming nane of the saidis borrowis tak wpon them to elect, nominat
or apoint ony personis for them and in thair names to beir the office of
ane commissioner in Parliamentis, conventiounis of estaittis or borrowis,
quhilkis ar aboue the rank and degre of ane merchand traiffiquer, indweller
within the bruche, and beiring burding within the samyn, and for quhome
the brughis directeris of them sall nocht be answerabill to the nixt generall
conventioun, and that he sall nocht do woit or attempt ony thing to the
hurt and preiudice of the common estaitt, to be censurit and judgit be
them, wnder the pane of ane vnlaw of Fourtie pundis to be payit be the

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1607
24 Aug. burghe contravenand sa oft as they failzie; and ilk commissioner present to intymit this present ordinance to his burghe efter his returne, and ilk burghe to send thair commissioner to the nixt conventioun with attestatioun in wreitt that the samyn is intymit, wnder the pane of ane vnlaw of twentic pundis; and this to be ane heid of the nixt messiwe. Extractit furth of the actis of the said conventioun be me, Mr. Alexander Guthrie, thair generall clerk, witnessing this my subscriptioun manuell, *Sic subscribitur*, Mr. Alex^r. Guthrie. Alex^r. Duff, clerk of Innernes, vitnessing hierto vithe my hand.

25 Aug. That day compeirit James Cuithbert zowngar, burges of Innernes, and gaif in his complaint in forme of broche contrair Androw Fraser McConill, burges of the said bruche, berand that the said Androw McConill upon the xxiiij day of Junij laist bypaist seducet and requestit the said James Cuithbert to cuim to the said Androw his barne in the Merkinsche, and efter that the said James was cum thairto the said Androw, acumpaneit withe ane greit nomber of his serwandis, vmbesett the said James of his lyiff withe ane drawin durk in his hand, and hurt and windit the said James thairwith in the heid, to the greit effusioun off his bluid, and maid bluid and bla on his heid and eye; as also the said James gaif in broche in contrair the said Androw, alledgeand, they being vnder law soverteis, the said Androw, wpon the xxj day of August instant, the said Androw, maist iniuriouslie tuckit the said James on the Kingis hie gett and casay, and vald not suffer him to pas the said casay of Innernes peciable, as the said James alledgit; The foirsaid twa brochis and vrangis aboue vreit in presens of the Judges and pairtes foirsaidis be the depositioun of certain famows witnesses, the Judges foirsaid fand efter just tryall the said Androw McConill to hawe done vrang in the bluid laitting of the said James Cuithbert, and thairfoir hes decernit and decernis the said Androw in amerciamento of ten pundis money, and dome given thairupoun; And, as concerning the tuck and trubling of the said James on the Kingis casay as saidis, the Judges hes absolvit and absolwis the said Androw thairfra, and in respect of the probatioun hed and deducet thairupoun; And forder the Judges foirsaid, withe consent of the said James Cuithbert zowngar, hes absolvit and be thir presentis absoluis the said Androw Fraser McConill fra all actioun, vrang,

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appressiown, or contraventiown that the said James Cuithbert zowngar hes to lay or to persew or to imput to the said Androw chairge, for quhatsumewir caus or occasiown preceeding the day and dait hierof, *simpliciter*, and for ewer absolvis him thairof: Quhairupoun the said Androw McConill requerit and tuick act of Court.

1607

25 Aug.

Alexander Duff, clerk.

That day, thou George Fuir d art indytit for ane commun nicht valker, maisterfull tulzeour, ane itchand drunckert, full of all vice and imperfectionis, reddie to evill doinge, nocht meit to be in the societie of burganeris ; lyick as thow on the xxi day of maii instant com to James Thomson cremer,¹ and thair thou maisterfullie reft perforce fra the said James ane linge fische quhilk thow cuttit in portiones and tuick away the sam hame withe [thee] maist lyick ane brigand rever and opressour ; nocht content thairwithe thow drew ane durke and luit ane straick thairwithe to the said James, zetlinge to have slain him, war nocht God and guid reddaris that stuid nar by ; lyick also thair is ane act and proces of banishment past in thai contrar of befoir for thai evill doingis and attempis ; in the quhilk act of the dait the aucht day of April the zeir of God Jaj vi^{ci} and thrie yeiris, thow was ordanit to have exilit and removit thai self furthe of the brucht than, and, in caice thow contravenit or var fund in the said brucht thaireftir, thy haill guidis and geir suld be confiscat, and thou suld be brunt withe ane burn iron on the cheicke and skurgit throw the haill four streittis ; quhilk thow hes contravenit, and hes nocht obtemperit the samyn, bot dailie molestis and trubillis the inhabitantis and nychtbouris of the bröche be invasive forme [words illegible] and vthervayes as thow thinckis meit ; quhilk thow can nocht deny. The said George Fuir beinge accusit on the premiss, judicialie confessit he tuick the linge fra the said James Thomsane, and, as to the dravin of the durk, it is provin that thow drew the durk, zetlinge to have slain the said James, and that provin be the reddaris ; as to the contravcininge of act and proces leid aganis him of banisment, the said act in itself manifestlie proportis contraventioun.

1608

27 May

That day thow Thomas Squeyar art indytit for ane commoun harlot, ane furnicatour, ane nicht valker, ane drunckert, ane carter, ane dyser [dicer], ane vicious fornicatour, quhilk thow hes bein convict thairfor

¹ Dealer in small goods.

1608 befor the sessioun of Innernes sundrie and dyuieris tymes, as thair proces
 27 May leid in thai contrar vill declair ; And, nochtwithstandinge that the
 ministir and elderis of the said sessioun laborit be diuerse meinis to bringe
 ye to conformitie of honest conversatioun fra the said vices and
 volumpities and pluralities of thai misdoingis, thou vald nocht be reclamit
 thairfra be na gentill form of disciplin ; quhilk thow can nocht deny.
 Provin be vitness^s testoris superum.

Secundlie, thou art indytit for sindrie trelaps in fornicatioun; idill seit,
 vagarie, profanatioun of the Sabothe day, quhilk haiffing na regard to
 God, bot abhominable levinge in thai lustes, and [illegible] of thai fleslie
 appetit, heipand on sin vpoun sin, quhilk micht be [illegible] to draw
 doun Godis havie judgement vpoune ane citie ; quhilk thov can nocht
 deny.

Thirdlie, thou art indytit, That quhen thow vas callit and convict be
 the sessioneris in the foirsaid crymes thow was reput to be ane vnworthie
 member to have ony residence in ony cristian citie or commun vealthe,
 and thow being twa seuerall tymes put in vaird to haue remanit thair till
 thow haid fund cautioun to have removit and dispeschit thaiselff of this
 brucht, nochtwithstandinge thow brack waird and com furthe of the tol-
 buith but ony licenc of ony magistrat obtenit be ye to that effect, and
 contempteouslie thow presentit thai selff thairefter in presens of
 ecclesiasticall and civil magistrates of the brucht, haiffand na regard of
 God nor man. Quhilk deseruis deithe conform to the act of Parliament;
 quhilk thingis and crymes thow can nocht deny. Provin.

That day thow Jame McEwin vic James art indytit as ane idill
 vagabound, nyicht valker, ane maisterles stirdland, na haiffand na guid
 exerceis nor craft, nor guidis nor geir to leif on, bot vaitinge quhair thow
 may get thai praie be slicht ; lyick as thou past yisterday to Thomas
 Andersoun, maltman, his hous, and thair thow dange his son, and almaist
 thow haid slain him, quhilk thow can nocht deny : Provin. The Judges
 remittis the foirsaidis personis dittayis to the tryell of ane inqueist as
 followis :—

Nomina Assise : William Cuthbert, appeirand of Auld Castelhill,
 Petir Waus, Findla McVirriche, David Cuthbert, Valter Steuart, burgess
 of Innernes, Johne Cuming, Robert Neilsoune, Thomas Robertstone,

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Jaspert Cuthbert, Johne Forbes, burges thair, Williame Robertstone, *1608*
zovnger, Alexander Mackconchie, and James Cuming, burgess thair. *27 May*
Quhilkis personis of inqueist being all suorne and admittit, and goinge
furthe out of face of court to the Counsall House, hes chosin Williame
Cuthbert appeirand of Castelhill chancellor, and haiffinge tryet the foir-
saidis dittayis, and ye conversationis and maneris of the said George
Fuir, Thomas Squeyar, and James McEwin vic James, hes fund and find-
is them all culpabill ilk ane of them in euerie point as is gevin vpe in the
saidis dittayis particularlie, and convictis them conforme thairto, and
ordanis the saidis George Fuir, Thomas Squeyar and James McEwin
McJames to dispesh themselfis bage and bageige furthe of this brucht
within twenty-four houris, and to remov and baniss them selfis thairout
of for ewer, and pronuncis the same in caice thai or ony ane of them be
fund in this brucht hierestir, nyicht or day, salbe tain and put to the
deith but ony forder dom or law. Lyick as the said inqueist, eftir thair
entrie in judgement, hes decernit the foirsaidis personis to exill them
selfis out of this brucht in maner foirsaid. Pronuncit be Williame Cuth-
bert, chancellor; vnto the quhilk the judges hes decernit the premiss^s to
stand as ane perpetuall ordinance off banisment contrar the foirsaidis
personis, and hes interponit thair decret of auctoritie thairinto, and
ordanis them to remain in vaird quhill thai fund cautioun to the effect
foirsaid. Dom gevin thairvpone be Malcolm Duncansoun, Dempster of
Court: Quhairvpone the inqueist requerit act of Court.

Alexander Duff, notarius, scriba curie.

That day Jaspert Cuminge persewit Alexander McChattich for *1609*
tacking away of his muck at the myln of Innernes, quha, as he alledgis, *13 Feb.*
gaif him mony iniurious vordis and reprochfull spechis; and the said
Jaspert haiffinge stayit his hors fra forder tacking away of his muck, the
said Allister com maist furiouslie on him, and drew ane suord, and zetlit
to haue slain the said Jaspert var nocht he cappit the straickis thair of in
his dager, beinge thrie or four straickis sein merkit thairin productit; and
the said Jaspert of befoir in the morninge this day quhen he set on him,
beinge the tent day of Febuar instant, desyrit him nocht to tack away
his muck, yet the said Allister of hie proud malice tuick away the said
muck, the same beinge vnder arrestment, as he alledgis, laid on be
Williame Cuming, officiar; and the said Alexander being accusit thairon

Records of Inverness

1609
13 Feb. nayit the premiss^s, quhilk the perseuar referit to his aith of veritie, quha refusit to gif his aith thairon ; thairfoir the Judges decernis him in the said vrange, and ordanis him to be vardit quhill he pay xx lib. for his falt. Dom gevin thairon be Malcolm Duncansone, demster of Court : Quhairvpoune requerit act of court.

22 Feb. That day in presens of James Waus, ane of the Bailzies of Invernes, comperit Duncane Fraser, zowngar of Monlochie, and for certain sowmes of money guid and vsuall of Scotland ressaut be him fra the handis of Alexander Bayne of Logye Vester, quhair of he haldis him viell payit, and be the tenner hierof quietclames, exoneris, and discharges the said Alexander Bayne thair of, and of the exceptioun of non innumerat money for ever ; For the quhilk sowmes of money the said Duncan Fraser zoun- gar, as principall, and withe him David Moir alias Forbes in Monlochye, and Donald McConil vic Aine thair, souerties, cautionaris and full debt- oris for him coniunctim *pro rato*, off their awin frie motiv will, on coactit or compellit, ar becum actit in the burru court buickis of Invernes, the saidis cautionaris coniunct *pro rato*, renunciand thair awin jurisdiction in this caice, and submitte them to the jurisdiction of the Prouest and Bailzies of Invernes, to content, pay, and delyuer to the said Alex- ander Bayne of Logy Vester the number of auchtein bolis and ane half boll cheritit beir guid and sufficient victual within the town and landis of Kilmuir, crope anno Jaj vi^{ces} and nyn zeiris, with the firilat met and missour of Leithe, betwix the last day of December nixt to cum and the first day of Februar thaireftir in anno Jaj vi^{ces} and ten zeiris, or at the leist aucht pundis money liquidat and modifiet soum convenit vpoun as price for ilk boll of the said auchtein bollis and half boll cheritit beir that sal hap- pin to be vndelyuerd the foirsaid first day of Februar anno 1610 zeiris ; lyickas the said Duncan Fraser is becum actit in the saidis buickis to allow and allocat to the foirsaidis cautionaris the saidis auchtein bollis half boll cheritit beir in payment of thair fermes of Monlochie, crop anno Jaj vi^{ces} and nyn zeiris, vnder the pain of poindinge or vardinge : Quhair- vpoune the said Alexander Bayne requerit act befor thir vitnes^s, Donald Zovnge, burges of Invernes, Archibald Sutherland.

Duncan Fraser.

Alex^r Duff, notar, clerk.

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That day compeirit personalie in Jugment Jhone Waus of Lochslyne, 1609
and hes constitut William Campbell, ane of the Bailzies of Innernes, his 14 April
procuratour in obtening of him to be admittit as frie burghes of Innernes
and succeding in his vmquhill faither as burges air, and to be seruit as
air generall and speciall, and als as airis maill to his vmquhill faither,
Jhone Waus of Lochslyne, *et prouisit de rato* : Quhairvpoun requerit act
of Court.

That day the Provest, bailzies, and counsall hes ressaut and admittit
Jhone Waus of Lochslyne frie burges and gild brother of Innernes, cedent
to vmquhill Jhone Waus of Lochslyne, his father, as burges air of this
burgh, conforme to his petitioun ; Quha hes payit fyif schillingis four
pennies in ane four pennie purss, according to the ordour maid and vsit
anent resauing of burges airis, with pouer to him to vs, hant, exers all
maner of freidom, preueleig, as becummeth ane frie burges to do ; Quha
hes gevin his aith and hes suorne be the halie God, maker of all thingis,
that he sall mantein, defend and profes the treu religioun presentlie
precheit in this Kingdom, and that he sall be obedieant to the King and
his lauis, and that he sall be obedient, loyall, and trew to the Prouest,
bailzies, and counsall of Innernes, mantein, defend thane the liberti and
preueleig of the said bruch, obey thair actis and statutis, concur and
assist withe the inhabitantis burges^s of the said burch, skat and lot, valk
and vaird with tham, and that he sall nocht haill nor conseil thair hurt
nor skaith, and that he sall nocht purches na lordschipis in their contrair,
and that he sall mack his residenc for ane pairt of euerie zeir in the said
burch ; and the Prouest vpoun the conditiounis forsaid hes authorisit the
said Jhone Waus as frie burges air be puting on the fingeris of his richt
hand in the name of the Father, the Sone and the Halie Gaist, the gild
ring, and hes creat him frie burgis and gild brother of this brouch, with
all solempniteis and ceremonies vsit thair anent ; and Alexander Cuith-
bert is becum actit caution for the said Jhone Waus to pay the Prouest
his gild hois, and the spyice and wyne to the Counsall : Quhairvpone
all and haill the premiss^s the said Jhone Waus requerit and tuick act of
Court.

Ita est Alex^r. Duff, notarius communissis scriba
dicti burgi, testan manu propria.

1609
14 April That day compeirit the said William Campbell, Procurator for the perseuar, and productit our Souveraine Lordis breif, with the execution thairof execut at his instance, to this present day, for seruing of him as nerest and lauchfull air and airis mail to wmquhill Jhone Waus of Lochslyne, his wmquhill father, in all and sunderi the landis and mylne particularlie vnder vritin, and beinge thryis callit at the tolbuthe vindo, and quhair na persoun compeirit to oppoun in the contrar the procuratour for the perseuar requerit and tuick act of Court.

That day the said procuratour for the persuer productit ane boru precept of the Prouest and bailzies of Innernes, duee execut and indorsat be Jhone Forbes, boru officiar, to this day, be vertiou quhairof the persounis of inqueist following var summond to this day to pas vpon the said inqueist, quhairof thair names followis, viz. :—Maister Jhone Ross burges of Innernes, William Cuithbert appirand of Auldcastelhill, William Patersoun zounger, William Robertsoun elder, George Cuming, burgess^s thair, Alexander Mertchand, Jhone Cuming, Jhone Abraham, William Cuithbert Jhonesoune, Finlay McPhaill, burgess^s thair, Gilbert Duff, Richard Gordown, Alexander Hay, Piter Vaus, Robert Steuart, burgess^s thair, George McBean, and James Fraser McAllister, burgess^s thair, and being all suorne to depone the veratie for seruing of the said Jhon Vaus as air to his father, conform to his petitione and instructioun following; and quhair na person compeirit to oppon in thair contrair, the said procuratour requerit and tuick of Court.

That day the said procurator productit the persuear petitione desyring him to be seruit as narest air to his vmquhill father in the landis and quarter of myln following, quhairof the tennour of the said petitione follovis : Guid Siris of inqueist, I, Jhone Waus of Lochslyne sayis vnto zour W[isdoms] that vmquhill Jhone Waus of Lochslyne, my vmquhill father, diet at our Souerane Lordis fayt and peace, last vestit and saisit as of fie in all and heill tuentie tua ackeris arabill feild land callit Dierbocht, lyand contigue to gidder within the territorie of the bruche of Innernes and Serefdome thairof, bondin betwix the landis of Sanct Catheringis Chaplanrie at the South, the common gait and Jhone Cuithbert of Castelheill lyand at the North, vmquhill Sir James Duff and certaine vther landis at the vest, and the myln burne at the eist, and in all and heill ane tenement of borrou biggit land lyand within burgh of

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Innernes ni the eist gait and the South syid of the samin, betwix Alexander Duff landis at the eist, James Cuithbert zounger his landis at the vest, the hie get at the north, and vmquhill Gorge Cuithbert of Auldcastelhillis landis at the South, as all so in all and heill ane quarter of the Kingis milne of Innernes, multeris and sequelis belonging thairto, as narest airis mail to the said quarter of the kinges milne, and that I am narest and lauchfull air to the said vmquhill Jhone Waus of Lochslyne, my vmquhill father, of all and heill the foirsaid tuentie tua ackeris land callit Deirbocht, tenement of biggit land, and airis mail to him of the quarter of the Kingis mylne, with thair universall pairtis, pendicilis and pertinentis, lyand as saidis, and that I am air of lauchfull aige, and that all and hail the foirsaidis tuentie tua ackeris of Deirbocht, and tenement of burrou land, ar haldin of auld of the Chaplane of Sant Thomes alter, fundit within the Perroch Kirk of Innernes, and now ar haldin of the Prouest bailzies and counsall of the burgh of Innernes and thair successouris, heretablie fewe firme, for payment making zeirlie of xxii tua markis for the said tuentie tua ackeris landis, and for the said tenement of land tua marckes money with thrie schillingis money to the chaplanthoro, and that all and heill the said quarter of the Kingis mylne is haldin heretabillie in fewe ferme of the Prouest, bailzies and counsalle of the burgh of Innernes, and thair successouris, for payment zeirlie to thame of the soume of four pundis thrie schilingis tua penneis as the auld fewe firme, and four schilingis and tua penneis money augmentation ; and for doubling of the foirsaid hail soumes at the enteri of the air and airis mail of my said vmquhill father, and that the foirsaid tuantie tua aickeris land of Deirbocht, tenement of land and quarter of the Kingis milne hes bein in the handis of the Provest and bailzies of burghe of Innernes as in the handis of my immediat superior thairof continualie sence the decese of the said vmquhill Jhone Vaus of Lochslyn, my vmquhill father, quhen decessit in Fer in anno ij [sic] sex hundrith and aucht zeiris, in default of me the said Jhone Vaus his sone and apirant air nocht perseuing my richt hiddertill, desuring zowr V[isdomes] that I may be seruit and resauit as narest and lauchfuli air and airis mail to my vmquhill father in all and heill landis and miln and vtheris aboue vreitin, and to be retourit vnder zour testimoniall of service and seilis as vse is, and zour Visdomes anser heirvpone I requer ; And the said Procuratour for the perseuar, for instructing of the said Petitioun, producit ane Instrument of Saising

1609
14 April

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1609 vnder the sing and subscriptioun of William Cuming, noter, of the dait
14 April the sext day of Junij anno dom lxxvi zeiris, beran the said vmquhill
Jhone Vaus to be infest and sasit in the said tuantie tua aickeris land and
tenement land, lyand, boundand as saidis, and als productit ane infestment
and Instrument of Seasing on the said quarter of the Kingis milne vnder
the sing and subscriptioun of Alexander Duff, noter, of the dait the fyift
day of Junij Jai v^{ces} foir scoir auchtein zeiris, and conforme thairto desyrit
proces and seruice : Quhairvpon the said Procuratour requerit and tuick
act of court.

That day compeirit Alexander Cuithbert, burges of Innernes, and
productit ane infestment continand ane Instrument of Saising thairin
vnder the subscriptiounis of the said Jhone Vaus, bailzies and counsall of
Innernes, and Robert Vaus and William Campbell, notteris, of the dait
the penoult day of Julii Jai v^{ces} four scoir fourtein zeiris, vpon all and hail
fyiftein aickeris land of the said tuentie tua aickeris land of Deirbocht,
and also productit ane Letter of redemptioun granted be William Cuith-
bert, Jhone sone, as air to Jhone Cuithbert, James soun, burges of
Innernes, vpoun the remanent aickeris being vij aickers of the saidis
landis of Deirbocht, extending to the said number of tuentie tua aickeris,
as he quha is maid assignay fore redemptioun thairof be vmquhill the
said Jhone Vaus, conforme to the contract maid thairon of the dait the
secund day of September 15^{4xx} xix zeiris, as the said Letter of
redemptioun of the dait the third day of September four scoir nyntein
zeiris at lenth proportis, and conforme thairto protestit that the samin
sould be reseruit to him, his airis and assignais, heritabilie, conforme to
his richtis, ay and quhill the samyn tuentie tua aickeris land of Deirbocht
be lauchfulie redemit, relaxit fra tham conforme to the reversiounnis
grantit be him to vmquhill the said Jhone Vaus, his airis and assignais,
thairvpon, quhilk protestatioun the said Jhone Vaus now of Lochslyne
admittit, and with his consent reseruis the saidis landis all richt thairof
to the said Alexander and his foirsaidis according to his protestatioun
and formar desyir of reseruatioun and instructioun, and villis and
condiscendis that the said inqueist reserv the samin landis to the said
Alexander and his foirsaidis as in maner aboun specifiet : Quhairvpon
the said Alexander Cuithbert requerit and tuick act of Court.

That day compeirit Alexander Bayne of Logye Vester and protestit
that the servinge of the said Jhone Vaus as air to vmquhill father in the

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foirsaid tenement land and mans suld nocht be preiudiciall to his heretabill richt and tytill thairof, and that the samyn suld he reseruit to him, ay and quhill the samyn war lauchfulie redemit fra him his airis and assignais conforme to the reuersioun grantit be him thairon, quhilk the said Jhone Vaus, nov of Lochslyne, beinge present in Judgement, hes condiscendit thairto, and willis and grantis and condiscendis that the inqueist reserv the said tenement land to the said Alexander Bayne and his airis and assignais heretable, to be bruickit be them, ay and quhill the samyn be redemit fra them conforme to thair richtis : Quhairvpoune the said Alexander Bayne requerit and tuick act of court. 1609
14 April

That day compeirit judicialie Jaspert Cuming, and productit ane Instrument of Saisinge on the said quarter of the Kingis mylne of Innernes grantit to him thairon be Finla McPhaill, quha vas proprietar thairof, be the Disposition of vmquhill Jhone Vaus of Lochslyne, and desyrit the samyn to be reseruit to him all richt thairof, ay and quhill the samyn var redemit fra him, his airis and assignais, conforme to the reuersioun maid thairvpoun as he quha is maid assignay thairto be the said Finla McPhaill, quhilk the said Jhone Vaus, now of Lochslyne, reseruis conforme to the instructioun productit, and villis, grantis, and condiscendis that the inqueist reserv the samyn to the said Jaspert and his foirsaidis conforme to his instructioun productit of the dait the fyftein day of Marche 160 and fyiff zeiris, vnder the signe and subscriptioun of Alexander Duff, clerk : Quhairvpoune the said Jaspert requerit and tuick act of Court.

That day the foirsaid haill personis of Inqueist hes deponit all in ane voce that vmquhill Johne Waus of Lochslyne, burges of Innernes, father to the perseuar, diet at our Souerain Lordis faith and peace as of fie in all and haill the foirsaidis tuentie tua aickeris arabill feild land of Deirbocht, tenement of land, & quarter of the Kingis mylne, with thair pertinentis, lyand boundan as saidis, and that the said Jhone Waus, nov of Lochslyne, burges of Innernes, is nerest and lauchfull air to the said Jhone Vaus of Lochslyne, his vmquhill father, in the foirsaidis tuentie tua aickeris, and tenement of land, and as narrest airis maill to his vmquhill father in the foirsaid quarter of the Kingis mylne, sequellis and multuris thairof, and that he is of lauchfull aige, and that the haill foirsaidis lardis and quarter mylne haldis of the Prouest, bailzies, and Counsall of Innernes and thair successouris, in few and heretage heretable for the zeirle

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1609 payment mackinge of the deueties contenit in the foirsaid petitioun, and
14 April thairfoir hes cognoscit and seruit the said Jhone Waus thairin as air foirsaid, and that he aucht and suld be seruit and sasit thairin ; reservand to Alexander Cuithbert, his airis and assignais the vodset of the said tuintie tua aickeris arabill land of Deirbocht, conforme to the said Alexander Cuithbert reuersioun grantit be him thairvpoune, ay and quhill the samin be lauchfullie redemit, conforme to his instructioun productit ; and to Finla McPhaill and Jaspert Cuminge, his assignayis and to thair airis and assignayis, the vodset of the said quarter of the Kingis mylne richt thairof according to the said Finla McPhaill reuersioun and regres grantit thairvpoune to vmquhill Jhone Vaus of Lochslyne, conforme to thair instructioun productit ; and to Alexander Bayne of Logy Vestir, his airis and assignayis, the heretabill richt of the said tenement land, ay quhill the lauchfull redemptioun thairof : Pronuncit judicialie be Mr. Johne Ross, burges of Innernes, cancellar, for him selff and the remanent inqueist ; lyickas the said Johne Waus willis, grantis and condiscendis thairto : Quhairvpoune the said Johne Waus, Alexander Cuithbert, Jaspert Cuminge, Alexander Bayne requerit and tuick act of Court.

12 May That day the foirsaidis bailzies, for them selffis and in name of the Prouest, Counsall, and co-burgess^s of Innernes, hes dischargit Donald Finlasoun in Alnes, Johne Teilzeour, Donald Teilzeour and Donald Mc Doulley thair, of the actioun and persuit of foirstallinge and regratinge committit be them within the landis of the libertie of the burghe of Innernes at ony tym preceedinge the day and dait heirof, dischairging be thir presentis all letres and executoriallis raisit at the instance of the Prouest and bailzies of Innernes contrar the foirsaidis personis for the causse^s foirsaid : Quhairvpoune the said personis requerit and tuick act of Court.

That day the foirsaidis bailzies giffis, grantis full power and commissioun to the saidis Donald Finlasoun, Johne Teilzeour, Donald Teilzeour and Donald McDouley, in Alnes, to by, block, and vse all maner of tred as becumethe ane frie burges to do, and that zeirlie duringe thair guid vill and seruice and guid deseruinge, and for thanckfull payment maickinge to them and thair thesaurer in thair names zeirlie of twentie sex schillingis aucht pennies money Scottis ilk persoune *inde*

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aucht merkes money anis in the zeir at the feist of Vitsonday allanerlie: 1609
Quhairvpoune the saidis personis requerit and tuick act of Court. 12 May

That day compeirit Robert Hendersoune alias bellumie mariuell in Leithe, and beinge perseuit be the Procurator Fiscall of Innernes for the sellinge of greit salt in Pettie, and arrivinge thair withe his barcke, and brackinge of boucke and maickinge ane stapill thairof, as gif it var ane frie burghe, and byinge and sellinge of stapill guid thair, to the greit preiudice and hinder of the inhabitantis of the burghe of Innernes, and quhair he suld haif offerit the loff to them thairof or he haid maid mercat accordinge to the order vsit thairanent; And in respect the said Robert haid done in the contrar, and haid sellit his salt and brack bouck, thairfoir desyris remeid of law, and the saidis schipe and guidis to be escheit and and confiscat conforme to the libertie grantit to the inhabitantis and burgess^s of Innernes thairanent, quhilk defendar beinge accusit on the premiss^s confessit that he haid sauld fyiff bollis greit salt in Pettie to certain of the cuntrie men, and that he had sauld xl bollis to men of the Chanorie of the said salt afoir he com to Innernes; Thairfoir the Judges hes decernit him in the vrange doinge thairof, and ordanis his schipe and guidis to be confiscat and escheit and to be in brocht to thair vse, for his contemptioun, and is judgit in americiament, and dom gevin thairvpoune be Malcolm Duncansone, dempster of Court: Quhairvpoune the Procurator Fiscall requerit and tuick act of Court.

That day compeirit Mr. Johne Ross, Alex^r Cuthbert, and Alex^r Baillie off Dunazean, burgess^s off Innernes, and hes constitut William Gray their procuratoris for removing of Jasper Cuming fra the thrie quartaris of the millerschip of the Kingis mylne of Innernes, with knavschip and mylne bannock, and producit the prouest and bailzies precept, deulie execut and indorsat to this day, be verteu quhairof they caussit the said Jaspart Cuming and Alexander McChattiche to heir and sie them to be decernit to flit frae thrie quartaris off the office of millerschip of the Kingis myln of Innernes, with knavschip and bannock thairof, and for instructing thereof producit thair precept of warning doulie execut and indorsat quhairbe they caussit warne the foirsaid personis xl days preceeding Witsonday last to flit fra the premiss^s, and for instructing thairoff producit Alexander Bailzie instrument of seasing 13 June

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1609 of the quartar of the Kingis mylne, with the sequellis, multaris, knav-
13 June schip thairof, of the dait the nynt day of Februar 1608, under the signe
of Alexander Duff, commune clerk, and producit Alexander Cuthbert
instrument of seasing of the dait the day of Jaj vices
and zeiris, under the signe of Alexander Duff, notar, and producit
the said Mr. Johne Ross his heretabill assedatioun on ane quartar thairof
with the pertinentis, of the dait the tuentie four day of Nouember Jaj vices
and four scoir yeirs, subscriuit be the Provest, baillies, and counsell, and
conform thairto desyris proces and decretit to be pronuncit in contrar the
personis defendaris about specifiet : Quhairupon tuick act of Court.

That day comperit Alexander McChattich, defendar, and, being
accusit on the premiss^s, sayis he hes nocht richt to the premiss^s, and fallis
fra ony defence that he may mack in the contrar, and grantis him
lauchfulie remoue thairfra : Quhairvpoun tuick Act.

That day compeirit Jaspert Cuming, and protestit foir his just and
lauchfull defencis in the premiss^s, quhilk is grantit prouyding that he find
and sett caution on the violent proffets conform to the act of parliament
quha past furth out of the tolbuith, and maid na anser ; in respect thair-
off the Judge, being aduysit on the premiss^s, hes decernit the saidis
defendaris to flit and remove themselfis and vtheris thair subtenents
fra the said thrie pairtis of the said office and deutie thairof, and ordanis
executoriallis to output the defendaris thair guidis and geir thairroff, and
input the said perseuaris guidis and geir, and thair tennants, and mantein
them in the possessioun thairof : Quhairupon the perseuaris requerit Act
of Court.

8 July That day compeirit James Cuithbert elder, and Johne Cuminge,
Procuratoris Fiscallis of Innernes, producit ane burru precept of the
Prouest and baillies of Innernes, deuelie execut and indorsat to this day,
be wertheue quhairof the personis thairin specifiet var summons to heir
them be decernit be thair decretit of Court to haue doin vrang in vsing of
frie burgess^s libertie, and to heir them to be punissit thairfoir, quhairof
the tenor of the said precept and executioun thairof followis : Johne
Cuithbert of the Auld Castelhill, Prouest of the burghe of Innernes,
William Campbell, James Waus, Alexander Paterson and Alexander
Cuming, bailzies of the said burghe, to our louittis William Gray, Johne
Forbes, William Cuming and Robert Steuart, our burru officiaris, and

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executoris heirof in that pairt, coniunctlie and seueralie, specialie constitut, greiting: Forsameikill as it is humblie menit and schauin to Us be our Louit James Cuithbert elder, and Johne Cuming, Procurator Fiscallis of the Burghe of Innernes, That quhair the Prouest, bailzies, Counsall and communitie of the said burghe, and thair successoris, being heretable infest and saisit In all and sundrie the liberteis and friedomes perteinge to the said Burghe within the boundis of Ross and vther places contenit in thair infestment, zet, nevirtheles, Donald Finlasone, Johne Tailzour, Donald Tailzeour and Donald Duilley in Alnes, expresse agains the lawis of this realme, daylie vsis the tred and handling of frie burgess^s, packis, peillis, sellis, stapill geir as giff they war frie burgess^s and residentis within our said burghe, to our havie damage and skaithe without remaid be prouydit; Heirfoir we charge zow straitlie, and commandis that, incontinent this our precept sein, ze pas in our soueran lordis name auctoritie and orderis lauchfulie summond, varne and charge the saidis Donald Finlaysone, Johne Tailzeour, Donald Tailzeour, and Donald Duilley to compeir befor us or ony ane of us within the tolbuthe of Innernes in ane burru court thair to be haldin the tuentie aucht day of Julij instant in the hour of caus, to answer at the instance of the said Procurator Fiscallis, or ony ane of them; That is to say, to heir and sie them and ilk ane of them decernit be our decretit of court to haue done vrange in the vrangus vsurpatione and vsinge of the said libertie as frie burgess^s, and thairfoir to heir and sie them to be punissit in thair bodies, guidis and geir thairfoir, conforme to the actis of Parliament maid thairanent, or ellis to elledge ane resonabill caus quhey in the contrar; The quhilk to do We commit to Zow coniunctlie and seueralie our full power be this our precept, delyueringe the sam be thow deulie execut and indorsat againe to the berar. Given under the subscriptioun of our commune clerk at our commandis, at Innernes the fyifteyn day of Julij the zeir of God Jaj vi^{ces} and nyne zeiris. Et sic subscribitur Alex^r Duff, notar, commune clerk of Innernes, vitnassinge heirto with my hand.

Upon the xii day Julij Jaj vi^{ces} and nyne zeiris, being Setterday, I William Gray, ane of the burru officiaris, past at the command of this vithin vreitlin Precept to the marcat croce of Innernes in tyme of the hail countray, and thair efter thrie hoes, I proclamit this summond, and maid publicatione heirof, summond the persones vithin continit to compeir befor the Prouest and Bailzeis of Innernes, within the

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1609
8 July tolbuthe of the samyn, the day and dait vithin contenit, in the hour of caus, to heir and sie thame decernit to haue done vrange in vsing of friemen libertie: this I did vith certificatioune to compeir at the Procuratour Fiscall instance vithin mentionat: this I did befor thir witness^s, Finlay Cane, Alexander Burnat, William McConchie, Walter Steuart, William Cuithbert, appeirand of Auld Castelhill, and Johne Chapman; and, for the mair witnessing, my signet is effixit heirto; Et sic subscribitur, Wm. Gray v^t my hand; and the saidis defendaris being oft tymes callit, and not compeiring, court tyme of day bidding, the perseuar accusit them of thair absenc, and desyrit decreit and process to be grantit; And the Judges being aduysit hes decernit and findis the saidis defendaris to haue done vrang in the vrangus vsurping and vsing of frie burgess libertie vithin thair boundis and preuelege, and ordanis thair bodies to be punissit, and thair guidis and geir to be eschet and to be inbrocht, conform to the Acts of Parliament and Lettres rasit thairon, and ordanis the samyn geir to be vnder arestment, and inventar to be maid thairof, to be furth cumand to the vse of the said burgh: Quhairvpone requerit and tuick Act of Court.

28 July
Dittay Maie That day comperit judicialie Donald McAndrew Roy, seyman in Innernes, and Magie Jenor, his spous, and producit the dittay following contrar Johne Maii, persecuing him for the caus following, quhairof the tenour of the dittay followis:—

Johne Maii, burges of Innernes, thou art accusit and indytit that quhairin the moneth of _____ or thairby in anno Jai v^{cc} four scoir fyifteen yeiris, but ony offence, deid, or accusatioune doin to you, ye enterit in ewil lagueg with Magie Jenor, spous to Donald McAndrew Roy, seyman in Innernes, and, efter monny iniurious wordis, ye pat violent handis in the said Magie Jenor, sche being grait with bairne, and littil space befor the tyme of hir delyuerance, and thair maist wickitlie and prouddie at the marcet croce of Innernes, without ony feir of God or respect to ony mercie or compassioun, dang and stracke the said Magie Jenor dyveris straickis in the vomb and bellie with your handis and feit, and made her bluid and bla, and left hir for deid, quhairthrow sche within twentie four horis efter the said dinging sche pertit with ane deid bairne, being ane man child, quaha deit immediatlie throwcht the grait straickis he sustein it in his mother vomb, be the quhilk ye have deservit the deith according to the lawis of this countrie, quhilk ye on navayis can deny.

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That day the said Johne Maii being warnit to this day at the instance of the saidis perseuaris, and being callit, compeirit personalie, and being accusit be Donald Mc Androw Roy and his spous Magie Jenor judicialie on the pointis of the foirsaid dittay giffin in be them, and the same being raid, and demandit quhither or no he haid committit the foirsaid fact according to the dittay, quha anserit and said he committit nocht the foirsaid cryme, and nais the same and the hail pointis mentionat in the dittay; quhilk the perseuaris desyreis the Judges to remit the same to the tryell of ane famus inqueist; quhilk the said Judges applyit thairto, and hes remittit the same to be cognoscit be the personis of inqueist following, quha being all summond to that effect to compeir this day, quhair of their namis followis: Alexander Bailzie of Dunzean, cancellar, Piter Waus, William Cuithbert Jhoneson, Finlay McVirrich, Thomas McConil, Robert Moncreiff, Thomas Patersone, Johne Cuming, Gilbert Duff, Androw McConil, George Cuming, William Patersone Johneson, Valter Steuart, Thomas Robertsone, David Cuithbert; Quhilkis personis of inqueist beinge all present and ressaut, admittit and suorne judicialie to try and declair the veritie on the pointis of the said dittay, quha thaireftir removit them selffis out of Judgement to the Counsal Hous, quhair they tuick with them the said Donald McAndrow and his spous persewar; And, in respect the said inqueist var ignorant of the dittay, demandit of the perseuaris gif thai haid ony probatioune or vitness^s to testifie the died to haue bein don be the defendar conform to the dittay, quha anserit and said that thai haid perseuit the said Johne Maii befor the minesteris, eldaris and deaconis of the sessioun and Kirk of Innernes, and haid exhibitit thair certain famous vitness^s to haue provin the committinge of the said fact, quhilk thai refere to the tryell of the Proces led and deducit thairnent, and quhatsumeuir the vitness^s thairin specifiet haid declairit and suorne deponit thairin they vill stand firm and stabill thairat; and hes renuncit, and be thir presentis renuncis, al forder probatioune and vitness^s that he may produce thairnent; and the said Proces beinge product, red, sein and considerit, the inqueist assyis foirsaid hes fundin, and be thir presentis cognoscis and findis thairbe the said Johne Maii, defender, maid frie thair of be the vitness^s, and absolut be the Minister and sessionaris conform thairto of the said crym, and hail pointis of the dittay laid to the said defendairs charge, as the said Proces, of the daitis

1609

28 July

Dittay Maie

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1609 the yeir of God Jaj vic^{es} and nyn yeiris, subscrivit be
28 July the Minister and Clerk of the Sessioune, at mair lenth proportis ; And
Dittay Maie thairfoir the saidis haill personis of inqueist, all in ane voce, but ony
variance, haiffinge God and guid conscience befoir thair eis, hes maid the
said Johne Maii frie of the said cryim, and aboluis the said Johne Maii
fra the said haill dittay and fra all persuit that the saidis persewaris may
imput to his chairage thairthrow at all tymes cuming, and simpliciter
discharges him thairof for ewer ; And, eftir their re-entrie in fac of
Judgement, Alexander Bailzie of Dunzean, cancellar, in nam of the said
inqueist hes fundin and pronuncis the said Johne Maii innocent of the
cryim, absoluit him thairfra, Lyickas the Judges interponit thair decreit
of auctoritie thairinto, and absoluis the said Johne Maii conforme thairto
fra the said dittay, and fra all persuit and inconvenient that may result
thairvpoune : Quhairvpoune Johne Maii askit and tuick act and rollment
of Court.

17 Oct. That day the Statutis maid be the Prouest, baillies and
counsall as follovis, viz :—

1. Item, statutis and ordanis that the haill townis mailles spiritual
and temporall be collectit and gadderit be the Magistrattis for the term of
Mertimes nixt, 1609, and all bygand restis preceedinge that term, to the
effect that the brige may be repairit and helpit with fyne geistis of firn
to be coft thairto with theis deuties.

2. Item, remittis to the baillies to mack statutis on breid and aill,
and to tack ordour with the missouris that thai be maid accordinge to
the juig.

3. Item, statutis that na vnfrie baxter presum to sell ony maner
victual, to vit, beir, malt, meill, quheit, flr, eittis, ry, in greit, onlie to vse
baickinge and brevinge, and the baillies to iniun (?) the penaltie in caice
thai contravein.

4. Item, statutis that na maner man presum to hald ony middingis
on the casy euerie Saturday vnder the pain of xl ss. to be tain of the
contraueinir *toties quoties*.

5. Item, statutis that ilk persone that beis absent fra the Kirk euerie
Sunday in tym of devin seruice sal pay 13 ss. 4d. *toties quoties*.

6. Item, ordanis geir to be collectit to caus and theick the tolbuith,
and to bige ane meit marcat, quhilk vil be xx lib. yeirlie rent to the toun
gif it beis biggit.

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7. Item, ordanis to prouid geir to satisfie Mr. Oliver his yeirlie pensioun of xij lib restand to him thir four zeiris. 1609
17 Oct.

8. Item, ordanis the baillies to put the Act of Parliament to executioun contrar idil beggaris.

9. Item, ordanis Alexander Robertsons, litstar, to pay for his stallinger vsinge that craft onlie ten lib. for this zeir; or ellis to gif ane hundert pundis money to mack him frie burges of this brucht, and the lyick to be done with Anton Andersone, Robert Pyper, baxteris, for usinge of thair craft, ilk ane of them to pay ten lib. to the toun for this zeir, or ellis ilk ane of them to pay ane hundert lib. *pro rato* for to admit them burges of this brucht.

10. Item, ordanis Ewin McMagnis, baxter, to pay for vsing his craft this yeir four lib.

11. Item, ordanis ilk ane of the saidis baxteris to baick frie menis breid euerie firlat stuff for xvid.

12. Item, ordanis Donald McMillar to pay to the toun for this zeir for the libertie of ane stallinger onlie to Michaelmes 1610 four pundis money, and to vse na byinge nor sellinge of stapil guid sic as skin, hyid, plaid, voll, salt.

13. Item, ordanis all vnfrie that vsis ony maner tred, that dwellis within the libertie of this brucht, to pay as salbe modifiet to the baillies for this zeir.

That day George Fuir and William McRachie, for the vrangus 2 Nov.
trublinge of George Cumingis hous, vyiff and barnis on the penult of October last, and invadinge utheris vithe durkis thair, and hurtinge of utheris thairwithe, and the saidis personis invading utheris also in Alexander Monro hous, and the said William in strickinge of the said George with ane batoun in the heid, and dravinge of his bluid, ar judgit in americiament of ten pundis ilk persoun; quhilk personis, beinge accusit, confessit the committinge of the said bluid and vrangus trublinge of thair nychtbouris houss: Quhairupone askit act.

That day William Cuming, cordenar, Thomas McPhaill, bow, Thomas Soudie, cordenar, Alister Symson, cordenar, Thomas Zovng, cordenar, Alexander Cuithbert, smyth, and John his brother, for the vrangus trublinge of Miller in Kinguissie vnder silence of nicht, and persuinge of him outvithe the portis as vagaboundis and brigandis, to have bereft him of his lyiff with zour durkis, and in taickinge

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1609 of him apprehendinge and layinge of handis on him this last moneth of
 2 Nov. October, and in ursurping of auctoritie, as gif ze var Magistratis of the
 toun, accordinge to thair awin grant ar judgit in amerciamment, and ordanit
 ilk persone of them to pay fourtie schillingis to the Judges.

That day William Cuithbert, apperand of Auld Castelhill, is becum
 actit souertie and law burrovis for George Fuir, flescher, that William
 McRichie salbe harmles of him in his bodie, guidis and geir in all tymes
 cuming bot be order of law, vnder the pain of ane hunderethe pundis
 money to be payit to the Judges in caice thir presentis be contravenit,
 vnder the pain of poindinge or varding, lyickas the said George Fuir
 and James Dempster ar becum actit for to releif the said William of the
 premiss^s, and the said George for the said James relief, vnder the panes
 of poinding or varding : Quhairvpon act.

That day Alexander Bailzie of Dunzean is becum actit souertie and
 lav borrovis for William McRichie, that George Fuir salbe harmles of
 him in his bodie, guidis and geir in tymes cuming bot be order of law,
 vnder the pain of ane hunderethe pundis to be payit to the Judges in
 caice thir presentis be contravenit, vnder the pain of poinding or varding ;
 and the said William McRichie is becum actit for his cautioneris releif of
 the premiss^s vnder the panes foirsaidis : Quhairvpon askit act.

That day Johne McAgo, crippil, is becum actit to content, pay and
 delyuer to Androw Annand, burges of Elgin, xxiiij lib., half merk money,
 viz. : xij lib xl d. money at Festrein evin nixt, and tuelf pundis xl d in
 compleit payment of the said principall soum at Vitsunday nixt in anno
 1610 zciris vnder the pain of poindinge or varding : Quhairvpon the
 said Androv askit and tuick act of Court.

1610 That day, in presens of William Campbell, baillie of the said burgh,
 5 Mar. hawing hard the hawie and lamentabill distres, skaithe and interesse of
 certen honest personis, citzens off the burgh, to wit, Mr: Johne Ross,
 Jhone Abraham, Johne Cuming, Alexander Bailzie off Dunzean, be the
 negligence, owersicht, and villipensioun of the giftis of God, and in
 speciall of the profet and benefeit that they and vtheris inhabitantis
 hawing entres to the Water of Ness and fisching thairof, quhilk in thair
 predicessouris tymes hes bein authorisit and supportit be beging off
 warkis, kistis, and cruowis, and other nesser ingenis for inhalding off
 the sallmond feische, quhilk now is negligentlie abosit, to the grait

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skaithe, damage of the saidis personis and vtheris inhabitantis, as saidis ; 1610
Theirfoir we the foirsaid bailzies, hawing God and guid conciens befoir 5 Mar.
his eyes, in heiring of the hawie complementis of the foirsaid personis hes
ordanit, and be thir presentis ordanis that the remanent proprietaris,
fewaris, tennentis, and possessoris of the said Watter of Ness contribuit
and skait ewerie ane of them according to thair occupatioun, and delyuer
to the foirsaidis personis complenaris, or to ony tua of them, the sowme
of four pundis money for ilk half cobill for bigging of tua kistis, flackis,
and vther necesseris, and for mending upsetting of the watter varck of
the said Watter of Ness, and the ressauris of the said contrubitioun to
be counttabill to the said wattermen according to thair debursing,
extending the said sowme to in the hail to thrie scoir four pundis money,
being sextein personis at four pund the man ; and ordaine ilk person of
them to mak payment thairoff within fyfitein dayes ; and to that effect
the Judge hes interponit his decret of autoritie thairinto for putting of
the said act to executioun within terme of law, and giff neidis beis
reform the said act, also oft as neidis beis, to the effect executioun may
pass thairvpone wnder the pain of poinding or warding : Quhairvpone
the saidis complenaris askit and tuick act of Court.

That day James Douglas and Alexander Vaus ar decernit to releiff
Johne Abraham of thair contributioun, ilk ane of them to pay for
thair awin pairtis the sowme of four pundis money abon specifeit.
Protestatioun tain be James Cuithbert elder contrar the airis mail of
Robert Vaus that they be compellit to relief him of the contributioun of
thair pairt inde for four lib. in respect he hes bot the voidsett thairof.

Jaspert Cumine consentis and obliss^s him to pay Johne Cuming of
the contributioun of his watter with that principall sowm at the
redemptioun.

That day Finlay McIlley in Innernes, being summond to this day 1 June
for the refusing to enter in vaird in the tolbuith be Malcolme Duncanson,
officiar, at command of Alexander Paterson, bailzie, for giffing off evil vordis
and languet to William Paterson Johneson, the day of Maij last,
quha proudlie disobeyit, and pat violent handis in the officiar, lyckas the
bailzie desyrit him to pass to vaird, quha refusit and pat handis in the
baillie, and thairfoir the said baillie and officiar gaiff in thair complement
thereon, and desyrit ordour to be tain thereanent to the effect that vtheris

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1610 pretend not to do the lyck ; the Judges hes remittit the tryell heiroff to
1 June the inquest.

Nomina assise: James Waus, Finlay McPhaill, George Cuming, Robert Stewart, merchand, George McConil Reoche, Johne Chapman, Thomas McCoul, Johne Cuithbert Thomson, Thomas Robertstone, Finlay McVirrich, Johne McVirriche, Murdo Polson, Valter Stewart, Johne Robertstone Laurensone, William Cuithbert Johneson, George McPhail, William Patersone, elder, Thomas Patersone Matheusone, William McConchie, George Duff, Thomas Merchand, Androw Fraser, merchand, Johne Cuming, Gilbert Vaus, quhilk personis of inqueist, efter tryel tain be them off Johne Cuithbert Thomson, and Robert Stevart, quha testifiet conforme to the brucht in disobeying off the baillie and officiar, and putting violent handis in them, be pronuncit judicallie be James Vaus, cancellar, hes fund the said Finlay in the vrang committing off the premiss^s and misusing of them; thairfoir the Judges hes decernid him in amerciamento, and hes ordanit the said Finlay to be jugit at the marcat cross on Saturday nixt, and to enter thairto at aucht houris in the morning, and to remain to the marcat dissolue; and, giff ever he be fund to commit the lyck, or to disobey ony officiar heirefter, he sall be punischid in his bodie, guidis and geir, and banished out of this brucht for ever. Dome giffin thairon be Donald Pepar, Dempster: Quhairvpone tuick Act of Court.

30 July That day compeirit Mr. James Bischope, Minister at Invernes, and producit our Souerain Lordis breif deulie execut and indorsat to this day, For seruing of James McPhaill as nerest and lauchfull air to vmquhill Androw McPhaill, of the dait at Edr. the xxvij day of Januar, 1609 zeiris, execut be Malcolme Duncanson, officiar, the 7 day of Julij 1610, and being red and callit, and quhar na persone comperit to oppone in the contrar, the said Mr James askit and tuick act of Court.

That day the said Mr James producit the Prouest and Bailzies precept, quhairbe the personis of inquest follovs vair summond to this day to pas vpone the seruic for serving of the said James as nerest air to vmquhill the said Androv his father, and, quhair na persone compeirit to oppone in the contrar, askit act of court.

Nomina inquisitionium: That day the personis of inqueist folloving, callit and compeiring, viz.:—James Vaus, cancellar, William Paterson

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zovngar, Alexander Merchand, Johne Cuming, William Patirson elder, 1610
Thomas Merchand, Thomas Robertsone, Johne Duff, Johne Chapman, 30 July
James Paterson, Johne Maii, Alexander Abraham, Johne Robertson
Laurison, William Paterson Finlaysone, Jaspert Cuming ; and, quhair
na persone nor pairtie compeirit to oppone in the contrar, the said
Mr James askit and tuick act of Court.

That day Johne Cuming is admittit Thesaurer of this brucht for 1 Oct.
vptackinge of the townis mailles, spiritual and temporal, conform to the
rentaill, fra the personis awand for the termes of Mertimes, Jai viccs
and nyn zeiris, Vitsonday and Mertimes Jai viccs and ten zeiris,
and Vitsonday nixt, Jaj viccs and ellevin zeiris ; quhilk he sall vse
diligence in seickinge and vptaickinge of the samen, and to mack
compt, rekininge and payment thairof ; and sic as he can nocht get the
Prouest and baillies sall caus him be payit of theis that will mack ony
delay in maickinge of payment of sic as thai ar addebit of the foirsaidis
termes ; for the quhilk the said Johne Cuminge sall allow in his comptis
ten merkes money as for his fie and panis, to be tain in the premisss ;
quha hes acceptit the said office of thesaurie, and hes gevin his aith of
fidelitie to vse the sam vprichtlie during the said space and termes
foirsaid : Quhairvpone tuick Act of Court.

The Justice Schireff and borru court off the burgh off 5 Dec.
Innernes, haldin vithin the tollbuith off the samyn be Johne
Cuithbert of Auld Castelhil, Prouest, William Campbell,
James Cuithbert elder, Alexander Paterson, and William
Paterson elder, baillies of the said burgh, the fyift day off
December, the zeir off God Jaj viccs and ten zeiris, the
suttis callit, the court lauchfullie fensit and affirmit as vse
is.

Thow Magie Fischar ar Indytit and accusit that upon the xxix day
off November last, 1610 zeiris, thow being greit with bairne in Magie
Neilson hous in Innernes, and thai tym of thi delyuerence being at hand,
thow maist vnmercifullie maisterful murdrest the birth off thai avin bodie,
being ane man cheild and quick borne, quhilk thow maist cruellie and
theifteouslie vnder silenc off nycht erdit him vnder the watter banck and
bray of the Watter of Niss, to conceil and hail they cruel murthour off

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1610 that infant born off they avin bodie, quhilk vas gottin in adulterie
 5 Dec. vith vmquhill Villiam Mcillichrist in Cullodin, being mariet thair,
 and sua gottin in adulterie, and sua iff possibil var thow hes deseruit
 doubil deith, committing first adulterie, and thairefter in murdering
 off they avin cheild efter he vas borne quick; quhilk thov can nocht
 denay; and, being accusit on the poinctis off this dittay, confessit that
 sche haid committit conforme as the dittay proportis: Quhairvpone
 the procurator Fiscal askit and tuick act off court, and the Judges
 hes remittit to the tryel off the Inquest following, viz: James
 Vaus, cancellar, Villiam Robertson elder, Villiam Paterson Johneson,
 Alexander Merchand, Georg Duff, Johne Cumming, Thomas Merchand,
 Androw Fraser McConil, Georg Cuming, Villiam Cuithbert Jhonesone,
 Johne Cuithbert Thomson, Robert Neilson, William Cay, George McConil
 Reoche, Murdo Polson, Thomas Robertstone, Donald Zoung, James
 Cuithbert Zowngar, Daudid Cuithbert.

That day the hail personis, being at suorne, deponit all in ane voce,
 hes conuictit the said Magie Fischar according to hir avin confessing in
 the hail poinctis of the dittay, pronuncit be the mouth of James Waus,
 cancellar, judicialie, in his avin nam and in nam of the Inquest; And the
 Judges ordanis the said Magie for hir demerittis to be hangit quhill sche
 die, and thairefter to be eardit. Dom giffin thairvpone be Malcolm
 Duncanson, Dempster off Court. Ita est, Alex^r. Duff, nors., scriba.

1611 That day compeirit judicialie George Mackconil Reoche, burges of
 7 Feb. Invernes, and gaif in his complent agains Thomas McOlley, skyner,
 induellar thair, beringe in effect that in the monethe of Marche, the zeir
 of God Jaj vi^{ces} and ten zeiris, the said Thomas McOlley accidentlie
 vpone ane mein occasioun maist cruellie and barboruslie voundit and
 hurt the said George McConil Reoche in the richt arme to the greit
 effusioun of his bluid, quhairthrow at the present he is nocht abill to
 vin his levinge, and hes vaistit his haill geir in curinge of the said vound;
 Quhilk deid beinge reid in presens of the said Thomas, and beinge
 accusit thairon, he referrit himself to the Prouest and baillies, and the
 said George amerciamment, seinge he knew the samyn to have cumin
 accidentlie: In Respect thairof, and the Judges knovinge and vnder-
 standinge the said Thomas greit repentance for the fact foirsaid done be
 him, theirfoir the Judges, with consent of the said George, decernis and

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ordanis the said Thomas McOlley presentlie to prostrat himself in *1611*
judgement, and craiff pardoune at God and at the said George for the *7 Feb.*
foirsaid offence; secundlie, decernis, lyick as the said Thomas con-
descendis, that duringe his lyiftyme he sall nocht duell nor mack his
residence in the burghe of Innernes frae this day furthe, and that he sall
eschew and flie the said George cumpanie, for offendinge of him, in all
tymes cuminge, quhairuer he sall haue occasioun to meit the said
George ather in burghe or land; In the contrar quhair of gif the said
Thomas sall do, than in that caice he to be callit and persewit for the
foirsaid fact nochtvithstandinge of ony pardoune grantit to the said
Thomas at the maickinge heiroff; and the said George McConil Reoche,
beinge mercifull on the tua conditionis foirsaidis, and na vther vayes,
remittis and forgiffis the said Thomas of the foirsaid fact and offence
committit be him on the said George, and of all that may result
thairvpone: Quhairvpone ather of them askit and tuick act of court.

That day Thomas McOlley aboune vreitlin is becum actit to pay
and delyuer to George Cuminge, burges of Innernes, twentie four merkes
money for vyne that gat betwix the day and dait heirof and martimes
day next vnder the pain of poindinge or varding: Quhairvpone
tuick act.

That day compeirit personalie in judgement William Robertsons *5 April*
elder, ane of the Procuratoris Fiscallis of the burge of Innernes, and
productit ane burru precept of the Prouest and baillies of Innernes, raisit
at his instance, and execut to this day, contra Donald Finlayson, in
Alnes, Johne and Donald Teilzeouris, thair, Donald Mc Duilley thair, be
vertew quhair of the saidis haill personis defendaris war all lauchfullie
summond, beinge personalie apprehendit, to compeir this present term
to hier and sie them and ilk ane of them for the ressonis and causs^s
contentit in the summondis productit, deprivit of all libertie and freedom
grantit to them be the baillies of the brucht of Innernes for vsinge of
tred and handlinge of ane frie burges, and that conform to the tennor
of ane act maid vpone the twelf day of maii sex hunderethe and nyn
zeiris; Be vertev of the quhilk act the saidis personis becom actit
judiciallie that within the space of ane half ane zeir efter the dait of the
foirsaid act they suld mack thair actual residence within the brucht of
Innernes, and thair suld remain, accordinge to the lawis of burruis; And,

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1611 for instructioun of the said lybellit summondis, the said Procurator
5 April Fiscall productit the act of admission, quhair the said personis defendaris
var admittit as frie burgess^s vpon the conditione foirsaid, and vther-
vayis thair admissioun to be null; quhilk vantit all solempnitie of the
creatioune of ane burges, as be inspectioun of the act of thair
admissioun may be sein, as also beiris duringe onlie the Prouest and
baillies of Innernes villis thair libertie to continew, and na vthervayes;
and forder, for instructioun of the saidis summondis, productit the foir-
said act be vertew quhair of the saidis personis actit them judicialie vpon
the day foirsaid to mack thair actual residence within the brucht of
Innernes, vthervayes thair admissioun and libertie to be nul, vnder the
signe and subscriptioun of the common clerk of the said brucht; And
thairfoir seinge it is the Prouest and baillies vill of the brucht of
Innernes that the saidis personis vse na forder tred of ane frie burges, as
also that they haue nocht fulfillit the tenor of the act in maicking of
thair actual residence vithin the brucht of Innernes; Thairfoir the said
Procurator Fiscall desyrit them to be simpliciter deprivit of thair libertie:
The saidis Defendaris, beinge oftymes callit and nocht compeiringe to
mack anser to the foirsaid caus, beinge al personal summond to the effect
foirsaid, the Procurator Fiscal foirsaid obtenit to pruff the contentis of
his libellit summondis *literatorie*: Quhairvpon the said Procurator
Fiscall requerit and tuick act of Court.

24 April That day the Prouest, baillies and counsall of the brucht of Innernes
beinge convenit within the tolbuthe of the samin accordinge to the
petitioune gevin in be Sir George Hay of Natherlif, kny^t, and for sundrie
guid plesour and to be done to the burghe of Innernes be the said Sir
George Hay, and for maintenanc of the liberties of the said brucht, hes
maid, creat, nominat and admittit, and be the tenor hierof mackis,
creatis, nominatis and admittis the said Sir George Hay frie burges and
gild brother of the brucht of Innernes, with all solempnities requisit, with
power to him to vse, hant and exers all maner of freedom, libertie and
previledge perteing to ane frie burges, quha hes gevin the greit solempn
aithe, the halie evangelist tuchit, that he sall mantein, defend the trew
religioune presentlie professit, and be obedient to his majestie, and to the

¹ Leader of the "Fife Adventurers" who attempted to colonise the Lews.

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Prouest, baillies, counsall of Innernes, mantein, defend the liberties thair-
of with his persone, guidis, and geir, and that he sall skat and lot, wailk 1611
and vaird with them, and he sall nocht haill nor conceill thair hurt and 24 April
harne, and that he sall purches na lordschipe ; quhairin, gif it sall happin
the said Sir George to do in contrar the premiss^s or ony heid thair of, than,
in that caice, thir presentis to be null ; lyickas the said Johne Cuithbert,
Prouest, hes put on his fingeris the gild ringue in the nam of the Father,
the Sone and the Halie Gaist, and hes ressaut the said Sir George in
thair societie vpon the conditiones foirsaid ; and the said Sir George hes
fund Alexander Merchand cautioner for the spyce and the vyne and the
Prouest gild hois : Quhairvpon askit and tuick act of Court.

That day the Prouest, baillies and counsall of the Burghe of Innernes,
beinge convenit within the tolbuthe of the samen, for guid considerationis
movinge them, and specialie for guid diedis to be done and performit to
them for the wiell and standinge of the burghe of Innernes and mainten-
ance off the liberties thair of be the Richt Honorabill and thair loving
nyichtbour, Sir George Hay of Natherlif, knyicht, burges of Innernes, hes
gevin, grantit and permittit, and be thir presentis giffis, grantis and
permittis to the said Sir George Hay his factoris and seruatoris in his
name Full pover and licence to tack in of the vatter of Niss, nocht ex-
ceedinge the third pairt of the vatter that rinnis in the vatter of Niss throw
the landis of Buicht for servinge of the said Sir George leid mylne and
irne varckis to be biggit on the saidis landis of Buicht, and to the effect
that the said mylne leid and dracht be nocht hurtfull to the salmond
fischinge of the Vatter of Ness, and for restraininge of all kynd salmond
fischinge to enter in the said leid ather at the intrie or outpassinge of the
vatter of of the said leid ; the said Sir George Hay of his awin frie motiv
vill is becum actit in the burru buickis of Innernes for him self and his
airis maill and successoris that befor the vatter inter in the said leid to
bige sufficientlie be flaickis of tymmer and vther ingenis sic sufficient
tymmer flaickis quhilk he sall bige baith at the intack and out rynninge
of the said leid as salbe sufficient to restrain all salmond fische to inter in
the said leid, quhilk flaickis and ingenis the said Sir George and his foir-
saidis sall uphald sufficientlie zeirlie and in all tymes cuming, or at the
leist sa lange as the said irne vark sal remain thair, Prouydinge aluayis
gif the said Sir George or his foirsaidis sall happin to lat the saidis flaickis
decay, or be cassin doune ather be violence of vatter, or be ony euil

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1611 disposit persone, in that caice the said Sir George Hay is becum actit and
 24 April astrictit in the saidis burru court buickis of Innernes, for him selff, his
 airis maill and successoris, that within fourtie dayis in vinter and vithin
 fyfitein dayis in symmer efter the breckinge and castinge doune of the
 samyn to bige and re-edifie the sam sufficientlie of new agane, quhairin
 gif the said Sir George Hay or his foirsaidis failzie, in that caice the said
 Sir George Hay is becum actit and astrictit in the saidis buickis, for him
 selff and his foirsaidis, to content, pay and delyuer to the Thesaurer of
 the burghes of Innernes beinge for the tym, to be furth cumand to the
 utilitie of the brucht of Innernes, the soum of fyiff hundereth markis
 money guid and vsuall of Scotland *toties quoties*, the saidis flaickis salbe
 lattin doune and nocht re-edifiet within the space foirsaid, and that by
 and attour the haill loiss^s of the salmond fischinge that the proprietaris,
 avnaris, and possessoris of the said vatter and fischinge sal sustein
 duringe the tym of the doune beinge and demolissinge of the saidis
 flaickis, vnder the pain of poindinge or vardinge ; Quhairvpon the said
 Sir George Hay, and Johne Cuminge in nam of the brucht as thesaurer
 and Procurator Fiscal, askit and tuick act of Court.

Actum in Pretorio burgi de Innernes vigesimo quarto
 die mensis Aprilis anno domini milesimo sexcentesimo
 undecimo.

That day the Prouest, baillies and counsal of the brucht of
 Innernis, vnder subscrivaris, beinge convenit within the said tolbuthe
 and counsal hous thairof for intreittinge of certain affaris tendinge to the
 viel of the said burge, and consideringe the said burghes is cituat in ane
 guid part of the realm, bot amangis greit men of micht and capitans of
 clanis, quha ar dayli inquisitine and desyrand to be admittit burgess^s
 and frie men of this brucht, and in respect his majestie hes ordanit be
 his awin mouthe, and also be his messieue and precept directit to the
 saidis Prouest and baillies and counsal of the said brucht, of the dait the
 day of the zeir of God Jaj v^{ccs}

at lenth proportis, that thai suld noch accept nor admit nobil men nor
 chiftanis of clanis nor ony persone of clan at na tym cuminge burgess^s
 nor gild brother of the said brucht ; theirfoir, and for the causs^s foirsaid,
 the said Prouest, baillies, and Counsal of Innernis, vnder subscrivaris, for
 them and thair successoris, statutis, ordanis and determinattis that thai sal
 nocht accept, ressaue, creat, nor admitt ony clanit man, nor ony vther

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persone, hie degrie or low degrie, burges and gild brother of this burgh 1611
for the space of sevin zeiris, except burges^s barnis of the said brucht, 24 April
suspending alwayes thair admissioun or any ane of them for the space
of sevin zeiris efter the daít hierof, except as is aboun exprimit ; and for
the mair corroboratinge and effectuatinge hierof the saidis Prouest,
baillies, and counsal hes suorne the greit aith, the hale euangelist tuitchit,
to stand ferm and stabil to the premiss^s duringe the space foirsaid, and,
in signe and testimonie of thair faith and treuth gevin hieranent, hes
subscrivit this present act with thair handis as follovis, day, zeir and
place foirsaid ; Quhairvpon Johne Cuming, and William Robertsons
elder, Procurator Fiscallis, askit and tuick act.

[Signed] Jhone Cuithbert, Prouest, Alexander Cuming, baillie,
Alexander Patersone, baillie, James Waus, baillie, Mr Jhone Ross ane
of the counsaill w^t my hand, Alexander Bailzie of Dunzeane, ane of the
Counsell, Wilzeame Patersone, ane of the Counsell, James Cuithbert for
myself and in name of Alex^r Cuithbert my father and as ane of the
Counsall consentis, W^m Robertsons, zounger, ane off the Counsell,
Willzeame Robertsons, elder, ane of the Counsaill.

The statutis maid be the Prouest, baillies and consal off 30 Sept.
the burgh off Innernes as follovis.

Item, it is statut that all maner of person that bringis ony guidis,
geir, merchandrice, turs, peitis, fewal, to this toun that they present the
marcat corss thairvith first or they sel the sam, and that nane by the
sam quhill it present the said marcat place, vnder the pain of confisca-
tioun thairoff.

Item, that all personis that bringis viueris to this toun, sick as
mutton, beiffis, to the marcat off this brucht, that they present the
talloun, hyidis, and skyne thairvith, and that nain thairoff be spilt, pairt,
nor dimissit, and that they haue the spair rib, breistis and schuderis and
cragis, and that the sam be nocht impairit of ony flesche it suld haue,
vnder the pain off escheting, and the presentaris to be cancellit as evil
doaris and suffer the law and punishment that aucht to follow thairupone,
according to the Act of Parliament maid thairanent, and that nain off the
said flessis be blavin, vnder the panis foirsaid ; and this I intimit,
quhairby nain pretend ignorance heiroff.

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1611
30 Sept. Item, that all bucheris and flesseris sel the stain off talloun for xl ss quhill the nixt statut, vnder the pain of escheting, and, giff ony man hes neid off talloun, that they pass to the flescher and seller thairoff and offer him xl ss for the stain, and giff he vil noch except the sam that the byar it salbe leisum to him to leiff the xl ss. with the seller and tack vith him the stain talloun, and the said seller and refuser to pay xl ss. for his falt and vnlaw *toties quoties*.

Item, I chairg, and command, in our Souverain Lordis nam, Prouest, and Baillies of this burght, that na persone quhatsumever transport, carie, or tack away out off this burgh, aither be sie or land, ony barkit nolt ledder at any tym cuming, ay and quhill thai obtain and get the Prouest and Baillies of Innernes licence, quhairby that the craftismen of the toun may get ledder to virk vark to satisfie the Kingis leigis, vnder the pain off escheting thairof, and all vther ledder that thai sal happin to haiff, and punissing of the contraviner ; and that I intimat to all personis.

Item, that all barkeris within this burght sel the berkit hyid for viii mark to the macking of the nist statut, vnder the pain of ten pund.

Item, that the cordenaris sel men schon, luggit, for 13 ss 4 d, the vnluggit schon, veil maid, for xii ss., the voman schon for ten ss., scollar schon for aucht ss., barnis schon vithin aucht or nyn zeiris auld for fyve ss, vnder the pain of xl ss. of vnlaw at euerie tym thai transgress ; and this I intimat.

Item, that na man giue thair aqua vite pot in borroving to ane vnfrie persone to brev aqua vite vnder the pain of escheting or brecking thairof.

Item, that na vnfrie broustar brev aqua vite, brogat, nor beir vnder the pain of escheting and deling thairof to the pair.

Item, that all maner of brostar vithin this burght reform thair mettis of aill, aqua vite, and vyne according to Judg met vnder the pain of xl ss euerie tym thai sall transgress.

Item, that all brostaris and brewaris of aill and aqua vite sel the point aill for x d, the muskin aqua vite for v ss, vnder the pain of xl ss. to be payit be the contrauinor, ay and quhill the macking of nixt statut.

Item, commandis and chairgis that na baxter baick the xii d leiff of quheit breid of na less vecht nor xvi vnce in the leiff, and that it be fyn stif, sufficient fyn stuf, veil backin, vnder the pain off x lib to be payit also oft as thi sal contravein.

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Item, that thai serue nichtbouris and baick to them the firlat for xvi d *1611*
quhen thi salbe requerit, vnder the pain of depriatioun, and vnlaw of *30 Sept.*
ten pund.

Item, that the iiij d leiff be xvi vnce vecht, fyn eit meil onmixt, vnder
the pain of fourtie ss. vnlaw, and delling of the breid to the pair.

Item, that all personis tack thair middingis and filthe of Kingis
casay vithin ten dayis, and hald the sam casay clein heirefter, vnder the
pain of xl ss. vnlaw quhov oft thi sal contravein.

Item, that na person giff for the leid of turris or peittis bot iii ss for
this vinter, in respect of the skantnes thairof, and fra that furth the pryce
of the quart aill according to the auld vse and vont past memor of man,
vnder the pain of vi ss., vnder the escheting of the laid : and this far I
intimat be oppin proclamatioun at the mercat cross, quhairbe nain
pretend ignorance heirof.

Actum in pretorio burgi de Innernes vigesimo quinto die *25 Oct.*
mensis Octobris anno domini Jaj vices vndecimo ; in pres-
entia Villielmi Campbel, Jacobi Vaus, et Alexandri
Paterstone ballivorum dicti burgi.

That day Nicolas Alberrie, Ingliss Smyt, is fund culpabil in hurting
and bluid latting off Nicolas Addis finger, and also in doing of the sam
in presens off Mr. Gavel his maister ; Thairfoir is judgit in amerciament
and ordanit to giue xl ss. to the said Nicolas Addis, and to sit on his
knyes and ask God and his maister forgiffnes, and the said Nicolas :
Quhairvpone requerit act.

That day thow Johne Ross art indytit for the cuming to Meikil *29 Oct.*
Kinkel in Julij last, in this instant zeir of God, and thair thow sta fra
Duncan McRorie, and brack his house, ane quantitie of gaid^r irne, ane
blew bonat and certaim leining zarne, and challancit with the in Urquhat,
quilk thow can nocht denye.

Thow art indytit for cuming to Meickil Kinkel and thair brack
Johne McAine house and sta fyue marck, tua curchis linning, and vas
challancit vith the, quhilk thow can nocht denye.

Thow art indytit that thow sta fra Johne Froster in Tain in the
moneth of Julii last four ellis lining, twenty-four peices of haicklit lint,

^r Gad, a bar of iron.

1611 and challancit with the be Duncan McRorie in Kinkel, quhilk thow can
29 Oct. nocht denye.

Thow art indytit for to cuming to Castel Lefferis¹ the xxii of this instant and thair brack Elspect Vic ffarcharis house and sta ane lining curch with tua neckis, with ane quantitie off lint, and by kniff, and challancit with the be James Mc erchar thair, quhilk thow can nocht deny.

Thow Johne Ross art indytit for bracking of the Kingis ward, and being wardit in the tolbuthe of Innernes, and being put in firmance be William Gray, officiar, at command of Alexander Patersone and James Waus, baillies, immediatlie efter thow was in Castel Lefferis, quhilk thou can nocht denye ; alledgis that Nein McConnas Ier tuick off the hespe and luit him out off presone.

Thow art indytit that efter thow brack ward thow cam in Donald Zoung, burges of Innernes, on the twentie-tua day of this instant, and thair in queet and pruid forme thow keipit they self secret, and zeid in behind his press, about fyiff houris at evin, and thair the said Donald wyiff haiffing na hope off ony evil lockit the dur, and thow being thairin onknavin to hir, and thow being of evil intentioun, hauing the deuil in they myind, and haiffing na thought off they creatour, thow sta away fourtie pundis money, sex blew bonattis, tuelff pair of Ingliss gairtantis, ane dusson by kniffis, thrie pair off gliffis, ane leiff succour candie,² ane quantitie off browne succour, vith ane pund off quhyt traping, ane elin halff elin off Loundon claith, quhilk thow packit vp in ane box, schot the lock, zeid the vay vith the same, and challancit vith the in Kinkel be Duncan McRorie, quhilk is presentit heir now in judgment as ane fang gottin in they hand ; quhilk thow can nocht deny.

Last, thou art indytit as ane commine theiff, out fang and infang, maisterless vagabund, and syn euer thair zeid sex quarter off claith in they cot thow hes being ay pykand and styand, and in sing thairof thi luig hes being naylit, and thow vantis ane pairt thairof, quhilk is sein giudiciale ; quhilk thow can nocht deny : the Judges hes remittit the hail confession and dittayis to the personis of inqueist.

Nomina Assise : Mr. Johne Ross, cancellar, Alexander Bailzie of Dunzean, Alexander Merchand, William Paterson, elder, Finlay McVirrich, Alexander Abraham, Johne Chapman, Johne Robertson Laurensen, Johne Duff, William Dick, Daudid Cuithbert, James Robertson, Thomas Merchand, William Patersone Johnesone, George Duff.

¹ Now Castle Leather, near Inverness.

² A loaf sugar—candy.

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That day the hail personis of inqueist all in ane voce hes convict *1611*
the said Johne Ross being al son (?) in the formar dittayis conforme to *29 Oct.*
his confessioun ; the Judgis ordanis him to be tain to the gallows of the
borrow mvir, and to be hangit thair onquhill he die : Dom giffin thair-
vpone be Malcolm Duncanson, Dempster of Court.

Actit in the tolbuith of Innernes in presence of Johne *19 Nov.*
Cuithbert of Castelhil, Prouest, Alexander Patersone, ane
of the Baillies, the nyteen day of November 1611.

That day compeirit judicialie Donald McAngus of Glengarrie, and
voluntarlie is becum actit in the burru court buickis of Innernes souertie
and law borruis for Johne Bouy McNicol, servitor to McConil, that Johne
McVirrich salbe harmles of him in his bodie, guidis and geir, and sal
nocht be trublit be him thairin, nor be nane quhom he may stope and lat
directlie and indirectlie in tymes cuming, bot be order of law, under the
pain off thrie hundreth merkis money to be payit, and Judgis in cace
thir presentis be contravenit, and the said Johne is becum actit to releive
his said cautionar of the premiss^s : Quhairvpone tuick act of Court.

That day Johne Jamieson, armorer, conforme to his confession, is
decernit to pay to Thomas Merchand four pund for Martimes terme 1611
zeiris off his buith, and aucht merk for ane bucklar sourd he detenis :
ordanis him to mack payment thairof vithin fyfitein dayis, vnder the pain
of poinding or warding : Quhairvpone tuick act of Court.

Instructions to the comissionaris appointed for keeping of *1612*
the kings magesteis peace. *16 Jan.*

I. The comissionaris and Justices of peace at thair first admittance
upon the benche, sall give the oath following—Thou sall swear that
thou as on of the comissionaris and Justices of the pace within the shyre,
acording to zor knowledge, witt and power, shall doe equall richt both to
ritch and poore, conforme to the laws and customes of the land and
statutes thairof, and that you sall not be of counsell with any person in
any querrell or matter depending before you, and that thou sall everie
quarter keepe the sessions, or oftner as thou sall be requyred, not having
any just impediment to the contrarie, and sall faithfullie and treulie dis-
charge your duties as a Justice of his majesties pace, and sall leave

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1612 nothing undone that may tend to the preservation of the sam : So help
16 Jan. you God.

II. Any one Justice sall hav power upon complaint of any person being thretned and fearing to be vorneged [wronged], to bind the pairtie complained upon, under such a pecuniall somme, to keepe the peace, as he sall thinke fitting ; as alsow to committ him until suretie be founden by him (the said complenant alluayis giuand his oath before the Justice that he hes just caus to dread him harme), and all such acts and bondes sall be keipit in record by him, and he sall mak deliverie of the sam to the clerck of the peace at the next sessions, to be keipit and registrat by him.

III. If any person being charged to mak his appearance befor a Justice of pace, and sall refus or delay without just caus, giff the pairtie be all landit gentillman, then the Justice to hois command is con[tra]venid sall informe the sam to soum of his Lords of his majesteis prive councill to the effect the partie of the qualitie foirsaid may be callit, and fyned for his dissobedience. And giff the dissobeyar be of a maner degree the Justice sall heirby hav power to command the next constabill, with assistance of the cowntrie, to bring any such pairtie before him.

IIII. If the Sereff or baillie sall condemne any person in a blood wyte, or otherwayis committ him in any paine proper for him to impone, the Justices sall hav no power of new to fyne that offender for that offence. But giff they sall find the person not condinglie punished In regard of the offence committed, they sall then informe his magesteis cowncell thair of.

V. If ether Sereff or Baillie or ether Deputis by collusion with the delinquent sall suffer any person guiltie to be quyted and cleared by assise, the pairtie once claired is not to be brocht farther in questiown befor the Justices ; but upon thair information the Judges ar to be called, censured, and seuearlie punished by his magesties Cowncell.

VI. The saidis Justices sall heirby haw power to proceed in tryall upon all persons committing ryottis, and breaking of the kings pace, vnder the degree of nobill men, prelati, cowncelleris and senatoris of the Colledge of Justice, and to punishe and fyn according to the qualitie of the cryme and estaite of the offender ; and concerning theis persons of heicher degree, the said Commissionaris and Justices sall vse all thair pouer conform to thair commissioun and instructionis for preuenting and

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staying of the ryottis, commanding the attemptaris in his magesties name to ceas, and to find caution for keeping of the peace and for their appearance befor his magesties counsell. 1612
16 Jan.

VII. The saidis Commissionaris and Justices sall put his magesties Actis of Parliament to due and full executione against maisterfull beggeris and vagabowndis, solitaris and idlemen, and vemen lurcking in euill huss^s, tyed to no certeing seruices, designit, reput and haleing as vagabowndis ; and thi sall punische and fyne thair recetteris acordingelie by competent pains.

VIII. The Commissionaris and Justices of Peace ar heirby authorized vith power and authoritie to giue order acording as thei sall think most conuenient, and vith lest griue to the subiectis, for mending of all hie wayis and commowne passage to or from any marcat towns vithin the scheir, and sall call befor them all such persoins as sall stread thois passage, or vther wayis sall mak thois hie wayis by ance casting ditches or fowssies through the sam to be in any schort noysome, ontrublesom to passingeris, and sall punisch and fyn them acording to the qualitie of thair offence.

IX. The saidis Commissionaris and Justices of Peace sall put his magesties Actis of Parliament to executione aganist the committeris and distroyeris of planteing, green wood, orcharges, yaires, hainnings [hedges], breckeris of dowcatis, and cranning hares, skailers of bees and bee skepes, useres of unlawfull games vith lying dogs, slayeris of black fishe and other fishe in forbidden tyme, fowlleris follouand in other mens landis, mackers of mure burne and mos burne forbidden tyme, and sall sitt, determen and proceed against them, conform to the saidis Actis.

X. The saidis Commissionaris and Justices sall put the Acts of Parliament to execution aganist forestallers and regreateris of mercatis, and sall proceed against them accordinglie.

XI. Becaus thire ar sundrie unnecesarie aill housses in the cowntrie quhalteris the reset of sundrie masterles men and rebelleris at the horne, and vtheris personis guiltie of diuers crymes, and ar the cheefest occasion of the stowthes, reiffes and pytrie committed alsueil in the day as nicht upon his magesties good subiectis, traweling in the cowntrie, the saidis Commissionaris and Justices sall tak ordor vith them, and minister justice upon them conform to the laus of the realme.

1612 XII. Vther as the vorkmenschip of sundrie craftismen in bruch or
16 Jan. landuart is nether sufficient nor doeth it keip any constant and resonabill pryce that so the craftismen meii sell vith aduantage eneuch, but thei exact of the liges quhat thei please, thairfoir the saidis Commissionaris of the peace hes power heirby to tak order theirin, and reddris the sam as accordis.

XIII. The Commissionaris and Justices of Peace sall put his Majestie's Actis of Parliament maid against malt makeris, quhairby they ar ordanit to put thair malt to the mercat and to sell the sam at the tymes subscriuit in the saidis Actis, and that thair malt be sufficient stuff, and anent the pryce of thair malt, to due and full execution in all pointis, conform to the tenor and according to punishe the transgresseres and violateris saidis Actis.

XIIII. The saidis Commissionaris and Justices of Peace sall put his maiesties Actis of Parliament to execution against setteris of cruves or nettis in dammes and uatteris, and keping of creives yares, slayeris and distroyaris of reid fische and smoltis in forbidding tyme, and to proced against them accordingle.

XV. The saidis Commissionaris sall put his maiestie's Actis of Parliament to execution anent measures, veghtes, and mettis, and thairof.

XVI. The Commissionaris and Justices of Peace sall according to their directionis apoint pryces to be tein for any hors or man for thair passage ower any ferrie in that cowntie, and sall call and punishe all contraweinaris.

XVII. They sall tak order that all lipper fokis sall be sequestrat, and not sufferit to hawe recet in any publict company, and sall sett downr order for thair intertainment, to be leifted out of the cowntie, in such forme as thei sall thenk meit vith leist greef and harme to the subiectis.

XVIII. They sall set downe order for governmentis in tym of plague, and to punishe seueirlie the dissobeyeris according to the qualitie of the delit.

XIX. They sall appoint at thair quarter sessions to be keepit in Agust and Februar the ordinar hyire and vages of laboreris, vorkmen an seruantes ; and vho sall refuis to serue upon the pryce thei set down by them sall be imprisoned, and farther punished at the Justices discretionis.

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XX. The Commissionaris and Justices of Peace in ewerie cownty *1612*
at their quarter sessions sall resolue quhat nowmber of Jaylles or prisons *16 Jan.*
ar fit and necessarie to be in that schir, and the best and most commo-
dius places for the same ; and vhere either these Jayles be presentlie
vanting or otherwise not sufficient enough for conteneing of prisoneris,
and, so requeiring to be builded or othervyise to be enlarged and amen-
ded, thei sall conclude and resolue vpon a certain summe of money, which
money sall perfite and accomlishe these vorkis, and then by distribution
thairfoir according to thair discretions sall rate euerie sufficient person
vithin the sam shyre either in land or goodis to a certain proportion of
money for building, enlarging or helping of the saidis prisons and jayles,
according to thair means and abilities, and sall appoint collectoris for
ingaddering of the sam, of vhom thei sall tak goode suereties for making
due accompt and payment, and sall appoint tua or thrie of thair owen
number, duelling most neere to the place quhair the saidis prisonis ar to
be builded or repared to haw the direction or charge of the saidis vorkis,
who vpoyn finishing thairof sall deliuer in thair accomptis of the disbur-
sing to the vhole bench at thair nixt sitting, and for [several words
undecipherable] everie one salbe assised vnto the Lordis of His Majesties
Counsell and Session, sall direct summar charges of horning and
poynding at the instance of such as sall be appointed collectoris by the
said Justices.

XXI. And becaus thair be a greit many personis aprehended and
committed vho, hawing no means of thair owin for their mantinance and
entertainment, vill othervyis strawe and famishe befoir thei can cum to
thair tryell, vho not the lesse in regard of the cryms thei have committed
can no way be put under suretie, or otherwise in faultis of lesse conse-
quence, ar unable to find sufficient caution to be maid fourthcommand,
and ansuerable at the next session, Thairfoir it sall be lafull to the
saidis commissionaris and Justices, at thair quarter sessionis, to rate
euerie parochie vithin the shyre for a veeklie proportion for thair enter-
tainment of these poore prisoneris, provyding thei doe not exceed the
summe of five shillingis scottis money at most, not vnder onnie schilling
at least, which soummes sall be upliftit for that vse by the maister or
reader vho sall serue at ewerie parochie from such deacons vho sall be
appointed to collect the sam, and the saidis sommes to be delyuered by
the constable of the parochie at the quarter sessions in presence of the

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1612 whole benche then convined to such persons as the saidis Justices sall
16 Jan. trust thairvith, and vho accordinglie sall make due accompt thairof in
paying the jayleris such raites as sall be allowed for the poore prisoneris,
and in making the rest forthcomming for such vse and intent of the lyke
natur as the saidis Justices sall appoint.

XXII. All magistrates of burroues and keeperis of any jayles or
prisons sall recav in thair prisons all such persons as ether sall be brought
by constables, or sent unto them by varrantis under the hand of any one
Justice of Peace.

XXIII. The Commissionaris and Justices of Peace sall heirby haw
pouer to punishe according to thair discretion all delinquentis vpon any
of the penall statutis befoir rehearsed, thei being first trayed by a conding
assise of xiii or xv persons, and fownd guiltie, and impose such punish-
mentis as in their judgment the qualitie of the trespasser sall deserue,
But in all crimes capitall thei sall no vay proceed without a speciall
direction and commission sent from the counsell to [undecipherable] of
them for that effect.

XXIV. They sall appointe sufficient collector for vplifting the
fynes and penalties vchich sall be imposed vpon any offendar, and ar to
tak caution for him for making due accompt.

XXV. The saidis fynes ar to be made fourthcomming ether to his
majesties Councell or to such Lordis of regalitie, or the Lordis Prelatis,
or small barrons, as by thair infetment, and heritable rightis can justlie
challenge or claim any right to the same.

XXVI. The Commissionaris and Justices of Peace, induring the
tyme of their sessions, sall haw of ewerie day of their aboad (so it doe
not exceed the number of thrie dayis at the most at one tyme) allowed to
each of them fowrtie shillings Scottis money daylie, to be uplifted and
paid by the collector of the fynes ; but nether Earle, bishoppe, Lord,
prive counsellor, or sessionar sall haw may [any?] allowance ; and all
such Justices as haw the benefeit of that allowance and sall be absent
from euerie ordinarie quarter sessions, or, vhen uthervise he is lauffullie
requyred by the custos rotulorum to ane perticular meeting, sall incurre
the penaltie of fourtie pundis Scottis money, not being lawfullie excused,
and the excuis allowed by the restis of the Justices their assembled.

XXVII. It is allvayis considered that these allowances to the
Commissionaris of the Peace sall be ratable uplifted of all fynes imposed

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by them accessing to his maiestie as to any other Lord or small barrone
quhatsomeuer. 1612
16 Jan.

XXVIII. The Lordis of Session sall direct generall and summar chairges of hōrning and poynding at the instance of the Collector appoynted in euerie cowntie for incaddering of the fynes and penalteis quhatsoeuer incurred, vpon ane simple chairge of fiftene dayis.

XXIX. The Commissionaris and Justices, at the end of ewerie quarter session, sall send to his maiesties cowncell a catalogue of all such persons as thei haw either committed or otherwise put vnder suertie, with a short abreuiat, of the caus thairof, to the effect that theirvpon the cowncell, as thei sall theinke meet, mey returne vnto them against thair next sessions, or to the custos rotulorum, in the mean vhyle thair farther direction.

Anent Constables and theur offices.

I. The constables ar to be maid choise of by the commissionaris and Justices of Peace in thair quarter sessions through owt vhole cowntery, tuo at the leist in ewerie parochie or according to thair discretions hawing consideration of the localatie thairof, in greait townes lyik vyise (not being citties nor free brughes) thei ar to appoynt the number of cunstables proportionallie to the greatnes thairof, (but in all brughes regall and free citties the constables ar to be chosun by the Magestrates of the sam) they ar to indiure and to be changed from sex moneths to sex monethes.

II. Ony vho sall refus to except the chairge, and to giue his oath for duetifull execution thairof sall be imprisoned and fyned at the discretion of the Justices of Peāce at thair next sitting.

III. The constables sall tak the oath following—thou sall suare that thow sall faithfullie and treulie dischaige zour office of constabularie vithin the parochin of etc. indiuring the tyme apointed to thow and sall not for fauor, respect or feare of any man, forbear to doe quhat becometh thow of zour office, and aboue all things thow sall regaird the keiping and preseruing of the Kings majesties peace and sall at euerie quarter sessions and meetings of Justices giue trew and due information of any breach which hes bein maid of his maiesties peace vithin the boundis of zour commandiment, and sall no way hyid cower nor conceaill the sam nor any of the proces and evidences which zow can giue for the electing and prouing thereof. So help thow God.

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IV. Ony of his maiesties subiectis vho sall refus or delay to concurre vith the constable in executing of his office sall be imprisoned and Commissionaris and Justices or otherwise censured and seuerlie punished by his maiesties cowncell according to the qualitie of the offence.

V. All the Constables, at the leist ane of ewerie parochie instructed vith commission to anser for the rest vithin the same parochie sall atend at ewerie quarter session, thair to giw information of all such misdemanors as haw happned in thois boundis since the last session and otherwise to giw to the bench farther satisfaction in any thing quhairin they sall be required and to recav fra the said commissionaris at the end of the sessions such order and directionis as thei sall then enioyne and appoynt them to doe.

VI. A constable may apprehend any suspect man vho for the most part sleepeth all day and valketh in the night and cray him to the next Justice of Peace, to find sowertie for his guid behavior, or vtherwise to be committed to prison.

VII. A constable sall arrest any person (other then such vhom regaird of thair office and chairge are authorized to doe the sam) vho shall be fund veiring hagbuttis, pistoletis and dags and sall cray them befor a commissioner of peace, vho is either to tak suritie for their apperance the next session or commit them prisoneris vntill thi doe the sam.

VIII. If any partie doe complaine to a constable that he is threatned by an other, then sall the constable apprehend the threatner and cray him vith the pairtie complenant befor the next commissioner of peace, and giff he refus to goe then sall thei carry him to prison.

IX. Upon apperance of any fray or stur betuix pairties the constable mey tak into him the assistance of his neighbouris for sundring of the pairties, and iff thair be any harme done to the constable or any of his assistances by them vho made affray thei sall be punished by the Justices at the next sitting.

X. When one hath maid an affray and then fleeth to an house the constable mey break open the doores thaireof, and albeit he sould flee further vithout the boundis of his chairge zet may the constable [follow?] and apprehend him in a fresh persute.

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XI. Constables sall stay and arreist all vagabowndis, sturdie *1612*
beggeris and egiptians and cray them befor the next commissioner of *16 Jan.*
peace, who sall tak order for thair committing or punishment according
to statute of parliament.

XII. Constables sall arrest all yld persons whom thei know to haw
no meanes to liue vpon and yet vill not betak themselves to any labor,
trade or occupation, and sall cray them befor a commissioner of peace,
who, efter examination, sall ether commit them or tak suretie of them for
thair appeirance at the next Sessions.

XIII. Any constable hawing apprehended a person gulty and
culpabill of slauchter, murther, thift or any capitall cryme vhatsoeuer
sall then requyir his nichtbouris to assist for saiff conuoying such
persons to the next commissioner, who sall then examine the cray and
set down hes deposition in vryting to be showne at the next sessions, and
thairefter sall send him saillie back to prison, and if any nobleman sall
acclame the richt of jurisdiction to proceed against the delinquent, the
said Justice sall recall suretie of the said pairtie who requeireth the
deffender to be delivered unto him that justice sall be duellie ministrat,
and caus deluierie of the said person be made unto him : aluayis the said
Commissionaris of Justice at the next Session sall certifie the haill matter
to the bench to the effect they mey inquyir vthither justice hes accord-
ingly bein ministred, and, iff any default be fownden, to aduerteis his
maiesties councell, that order may be tane therevith.

And ordeines the premises to be published in print.

finis.

Beggaris. That day Donald Greuache McConnel and Marie *18 Jan.*
Mck Milen his pairtner, in cace euer thei be found again in this
towne, to be executit to deith.

That day compeirit John Cumming Procurator Fiscal, for his entres, *18 May*
and in name of the relict and bairnis of umquhill Jhone Jenor, and
producit the Provost and baillies precept, dewlie execut and indorsat
to this day, be wertew quhairof William Paterson Finlason vas summond
to find caution to vnderly the law for the cruel slaying of vmquhill John
Jenor, burges of the said burgh, quhairof the tenor follouis :—

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yow, coniunctlie and seueralie, our ful power to this our precept, *1612*
delyuering the same be yow dewlie execut and indorsat again to the *18 May*
berar : Giffin vnder the subscriptioun of our commune clerk of court, our
signet is effixt, at Innernis the elleuint day off Maii the zeir of God
1612 yeiris.

Upoun the elleuint day off Maii Jai vi^{ces} and tuelff zeiris, I, William
Gray ane of the burru officers of Innernis, past at the command of this
within wreittin precept to the mercat cross of Innernis, and thairefter
thrie hoyes I lauchfullie summond and chargit William Patersone
Finlasone, burges of Innernis, be opin proclamatioun at the mercat cross
of Innernis, to compeir befor the Prouest and baillies of Innernis,
within the tolbuith off the sam, to vnderlye the law for the causs^s within
specifiet, in court tyme of day, the day and dait within specifiet, in the
hour of cause, with certificatioun as afferis : This I did befor thir
witness^s, Alexander Bailzie off Dunzeane, Johne Duff, Thomas McConil,
burgess^s of Innernis, and Evin Auchinleck thair, and for the mair
witnessing my signet is affixt heirto as vse is, with my subscriptioun
manuel. Et subscribitur, W^m Gray, w^t my hand.

That day the said William Patersone Finlasone, being oftymes callit
and nocht compeiring, and accusit on his absens be the Procurator Fiscal,
court tyme of day biddin, and in nocht satisfeing the contentis of the
said precept, the Judges thairfoir ordanis the said William Patersone
to be denuncit rebel, conforme to the precept : Quhairvpone William
Gray, officiar, past to the mercat croce instantlie, and hes denuncit the
said William Patersone, our souerain Lordis rebell, and put him to his
hienes horne efter thrie hoyes with thrie blastis of his horne, in
presens of Johne Abraham, Gilbert Duff, Robert Baillie, burgess^s of
Innernis, Androv Fraser, merchant, Johne McVirriche, burges thair,
and Androv Tolmi, officiar : Quhairvpone Procurator Fiscal askit and
tuick act of Court.

That day Jonet Brunto, beinge accusit as ane commun harlot, nocht
sparand na man, and fund as ane usand that form as ane craft, hes
voluntarlie becum actit to exil hirsellf presentlie, and that sche sal neuer
be fund in this toun again, nycht or day, vnder the pain of puttinge of
hir to deith and drouninge of hir, lyickas the Prouest and baillies hes
inhibit ony persone to gif hir ludgeing vnder the pain of xl lib : Quhair-
vpone beinge proclamit be William Gray, officiar : Quhairvpone act.

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1612
25 *May* That day Thomas Binnie, Inglisman, is decernit in the bluid latting of Nicolas Addis, Inglisman, with ane straick of ane ax in the heid and also in the arme, is judgit in amerciamento, convict, ordanis him to pay ten pund, and Eduart Roger is cautionar for the said Thomas that the said Nicolas sal be harmles of him bot as law will, vnder the pain of ane hundereth pundis; and the said Thomas actit for his cautionar relieff; and Joseph Simone is becum souertie for Nicolas Addis that the said Thomas sal be harmles of him bot as law vil, vnder the pain of 1⁰⁰ lib.; the said Nicolas actit for his cautionar relieff.

29 *May* That day Jonet McPhaill is decernit for the vrang stricking of Jonet Robertstone, dochter to Laurenc Robertstone, in the heid, and miscalling of hir and hir parentis; dom giffin thairvpone; ordanit to remain in vard quhill sche satisfe the partie: Quhairvpone act.

That day Donald McRay, burges of Perth, is decernit in the vrang bluid latting of Thomas Clerk, cagger in Elgin, in stricking of him vith ane greit irone key in the heid, and draving ane greit quantitie of his bluid; Thairfoir is judgit in amerciamento; dom giffin thairvpone; ordanit to pay fyiftie pund: Quhairvpone tuick act.

23 *July* Apud burgum de Innernis 23 die mensis Julij anno domini 1612 in presentia Villielmi Campbel unius ballivorum dicti burgi.

That day Androw Du Fraser, minister at Dalcros, in presence of James Waus, Baillie, is becum actit that James Dason vyiff sal neuir be fund to mack hir residence in this toun in tym cuming, accept at mercat tym, to remain tuentie four horis sa lang as thai duel vith him: Quhairvpon tuick act.

31 *July* That day William Paterson, youngar, is becum actit cautionar for entering of Georg Mc Conil Reoche befor the counsal of the burgh, quhen he salbe chargit, and that for the iniurius vords vterit be the said Georg to the Judges judicialie, and manissing of them, saying that god nor he suld stick himself bot he suld cause them troit to Edinburgh, quhilk is agains his aith of obedience quhilk he gave, and vas convict thairfoir: dome giffin thairon: Quhairvpon act.

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That day Mariorie Nein Thomas Mc Rorie hes set in tack to *1612*
Valter Stewart his spous the frieris croft sum tym occupiet be William *27 Aug.*
Davison for the space of fyve zeiris, thir entres to begin thairto at
Vitsonday 1613, paying thairfoir zeirlie Twa bollis victual at Candil-
mes; lyickas the said Mariorie nein Thomas is becum actit to
varrand the said fyve zeiris tack of the said croft to the said Valter
and his spous agains all mortal as law vil; Quhairvpon requerit act:
Befoir thir witness^s Villiam Campbel, James Cuming.

That day Donald Mc Illimichel persewis George Fuir, quhair- *25 Oct.*
vpon fryday last, 23 of October instant, the said Georg strack the
said Donald but ony offence doin be him with ane by knaif, and
hes cuttit his elbock ane greit cut to the effusion of his bluid, and
onabil to vin or virk, and thairfoir desyris the said Georg to mack
him ane condign satisfioun, and to repent for the vrang, and to
satisfie the leich; and comperit the said Georg Fuir, defender,
confess^s the stricking of the persewar with ane by knaif in the
elbock; the Judges decernis the said Georg Fuir in the bluid
latting according to his confessioun, and ordanis him to pay to the
Judges fyiftie pund, and ordanis him to satisfie the pairtie and the
leich as salbe modifiet be the Judges according to the defendar
hinderportand, Is Judgit in americiament, and dom giffin th'vpon be
Malcolm Duncanson, Dempster: Quhairvpon the said Georg is
ordanit to remain in ward ay and qll the premiss^s be satisfiet:
Qrvpon the laird of Strechin in name of the persewar tuick act of
cort.

That day Johne Robertson, son to vmqll Johne Robertson, burges
of Inn'nis, Is convict in the vrang trubling of Thomas Squeyar, in
his maling buith, 24 of October instant and draving of ane durck,
and, stricking of him thervith fornent his car pape, maid a hol in his
doublet; and trubling of the toun: Quhairvpon act.

That day Wm. Mc Conchie, skinner, burges of Innernis, voluntarlie *27 Oct.*
Is becum actit souertie and law borrowis for Jon Robertson Lauren-
son, burges thair, that Donald Zoung, burgess there, salbe harmles
and skaithles of him in his bodie, guids, and geir, navayis to be
trublit therein, nor his vyiff, famelie, at na tym cuming, derectlie nor

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1612 indereclie, bot as law wil, wnder the pain of four hundereth merks
27 Oct. money, the ane halff to the Judgis, and the wther halff thereof to the
pertie harmit; and the said Johne Robertson Is becum actit for his
cautionar releiff of the premiss^s: Quhairvpon tuick act.

That day James Cuithbert, burges of Innernis, son to Alex^r
Cuithbert, burges there, Is becum actit sourtie and cautioun to do that
law vil and all that accordis vt. the law to the Procutor Fiscallis of
Innernis anent the lousing of the Prowest and baillies of Innernis
arestment presentit at ther instance be wertew of ane burrou precept, in
the guidis and geir of umqll Allister Dow Mc Comas vic W^m in Drakie,
and his spous quha drownit in the myln burn of
Innernis satterday vnder silenc of nicht, 24 October instante, and to
be anserabil to the prowest, baillies of Innernis therefoir in caice it
salbe fund that thai haiff, or the procurator fiscalls, entries or richt
thereto: Qrvpon tuick act.

30 Oct. Actum penultimo Octobris an'o D'ni 1612 in pn'tia
Jacobi Vaus, Jacobi Cuithbert Senioris, Gullielmi Pater-
son, Justiceris, et Alex^r Paterson ballivorum burgi de
Innernis.

That day Wm. Conil Duy, litstar, Is decernit to pay and delyver
to Thomas Mc Inneis the soum off aucht merks money as pryce of
ane quhyt horss coft and ressevit be him fra the said Thomas, qlk
the said defendar refferis to the persewar aith, qa suir conform as saidis,
therefoir the Judges ordanis the defendar to mack payment to the
said persewar of the said aucht merkes money vithin fyfistein days,
vnder the pain of poinding or warding: Qrvpon tuick act.

6 Nov. That day Johne Robertson Lawrencson, burges of Innernis,
voluntarlie is becum actit in the burru cort buicks of Innernis sourtie,
cautionar, and law borrowis for James Deimpster, burges of the said
brucht, That James Mudie, elder, burges of Dundie, and James Mudie,
youngar, his brother son, burges thair, salbe harmles and skaithles of
the said James Dempster and all that he may stop and lat in their
bodies, guidis, and geir, and na wayes to be trubillit be him therein,
nor be na utheris quhom he may stop and lat as saidis, directlie nor
indirectlie, in all tym cuming, bot as law will, vnder the pain of four

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hunderethe merkes to be payit in caice thir presents be contravenit; *1612*
and the said James Dempster is becum actit for his cautionaris releif *6 Nov.*
vnder the pain of poindinge or warding: Quhairvpon the said James
Mudie, elder, and Jon Robertson for his releif, askit and tuick act of
cort.

That day as term of contineuatioun tain be the Judges for pro- *20 Nov.*
nuncinge of Decreit of removinge contrar James Cuminge for removing
of him furth and fra the Kingis myln of Innernis, office of millarschip
and knavschip and myln bannock thereof, as he quha was varnit xl
dayis preceeding Vitsonday 1612, to that effect, at the instanc of
Alex^r Bailze of Dunzean, Alex^r Cuithbert, James Cuithbert, his son,
Mr Jon. Ross, and haiffing instructit thir peices, to wit, the burru
Precept, their Precept of varninge, thair infestments on the said myln,
the . . . Julij 1612 zeiris, and now the said James Cuminge being lauli
varint and citit to this day to the effect foirsaid, and callit, com-
peirit, and haiffing na richt nor instructioun than nor yet now to
stay process and decreit; Theirfoir the Judges hes decernit the said
James Cuminge to flit and remoif himselff, his vyif, famelie, furth
and fra the Kingis myln, office of millerschip of the said myln,
knavschip and myln bannock thairof, houses and biggings thairof,
and ordanis executorially to output the said James and his foirsaidis
guids and geir, and input the said persewar fermoraris
guids and geir thair tenents and servands therein, within xv dayis,
under the pain of varding and outputting of the said James Cuminge
. . . Qrvpon the said persewars requerit and tuick act of cort.

Alex^r Duff, Clerk.

That day ane bruche struckin on all and haill frie and vnfrie brou- *1613*
stairs of this brugh, quhairof thair names followis, that ye and ilk ane *25 Jan.*
of zow, vranguslie and agains the law, hes transgressit the actis and
statutis maid be the Provest, baillies, and counsal of this burgh, that ye
suld not sell the pointc ail darar nor twelff pennies, the pointc of bier
fourtein pennies, the muskin of aqua vitie fyiff schilling, quhilk ze haiff
contravinit, and hes tain for the pointc of aill sextein pennies, and for the
pointc of bier xvjd. and 18d., and for the muskin off aqua vitie 8 ss., qlk
ze can not deny; and being proclemit at the markat croce, and vith the

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1613 handbel throue the streittis of the toun, that ze suld keipe the foirsaid
25 Jan. statutis ilk person vnder the pain off xx libs. ilk falt, and therfoir ze
haiff fallin in the said penaltie ; and, compeiring, being accusit ilk person
according to thair confessioun, and judget in amerciamment, and ilk ane of
the said frie burgiss^s ar ordain to pay ten ss. for the bracking of statutis
of the aquavitie, als meikil for the bier, and xx ss. for the ail, and the
unfrie broustars als meikil ; And the Judges, being indewit with mercie,
hes judgit ilk ane of the saidis personis in the said vnlaw, and
dom giffin thairupon : thair namis followis, viz. Jaspert Cuithbert
confess^s the bracking of statutis of ail and aqua vitie ; William
Paterson Johnson vyiff confess^s the brecking of statutis of
aquavitie ; Jaspert Villiamson confess^s the brecking of the statutis
of ail ; Alex^r Skinner confess^s the brecking the statutis of ail and
aqua vitie ; Johne Mc Virrich vyiff confess^s the brecking the statutis
of aqua vitie ; Alex^r Merchand confess^s the sam ; Johne Cuming
vyiff confess^s the sam ; Alexander Cuming confess^s the sam ; Johne
Maii vyif confess^s the sam ; Thomas Mc Coul vyiff confess^s the breck-
ing of statutis of ail and aqua vitie ; Murdo Poilson vyiff confess^s
the brecking of statutis of ail and beir ; Johne Duff vyiff confess^s the
brecking of statutis of aquavitie and ail ; Valter Stewart vyiff confess^s
the brecking of statutis of beir ; relict of vmqll Johne Jenor confess^s
the brecking of statutis of ail ; Johne Lowson confess^s the brecking
of statutis of ail, aqua vitie, and bier ; Robert Neilson confesses the
brecking of statutis of ail ; Georg Mc Couil Reoche confess^s the brecking
of statutis of bier. Vnfrie broustaris :—Alex^r Mc Ane Veil vyiff
confess^s the brecking of statutis of ail ; Thomas Clerk confess^s
the sam ; Bean Mc Co Cheil confess^s the brecking of statutis of
aqua vitie ; Thomas du vyiff confess^s the brecking of statutis of
aqua vitie ; Sandie Burnat vyiff confess^s the brecking of statutis of
ail and aqua vitie ; Villiam Stewinson confess^s the brecking of statutis
of ail ; John McCormik confess^s the sam ; Patrick Clerk confess^s the
sam ; Rorie bayn confess^s the sam ; Vm. Thomson confess^s the sam ;
Kennoch Brebnar confess^s the sam ; Vm. Mc Cowil Duy confess^s the
sam ; Thomas Murray confess^s the brecking of statutis of ail. Bewest
the vatter of Niss, Donald Mc Comas confess^s the brecking of statutis
of bier ; Johne Mc intailyeor confess^s the brecking of statatis of ail and
bier ; Johne Mc Robie Mc Couil vyiff confess the brecking of statutis

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of ail; Georg Berrie confess^s the brecking of statutis of bier; Johne *1613*
du Mc Allister confess^s the brecking of statutis of bier and ail; Allister *25 Jan.*
Mc Villiam vic Conil vic Farquhar confess^s the sam; Catherin Beddel
confess^s the brecking of statutis of ail; Elspet Marquis confess^s the
brecking of statutis of ail and bier; Donald Foular the sam; Alex^r
Grierson confess^s the brecking of statutis of ail; Vm. Vatson vyiff
confess^s the brecking of statutis of ails: Summa of all xxxi Lib.

That day William Robertson, Zoungar, persewit Finlay Mc Virrich *5 Feb.*
and Isbel Ross his spous to pay to him four libs ten schillingis as the
pryce off ilk boll off Ten bolls malt, crope anno 1611 zeirs sauld be him
to the said Isbel in the moneth of Aprile 1612 zeirs, qlk malt they ressavit
fra Wm. Boyd, maltman, or at the leist acceptit him ful debtor to delyver
them the sam than; qlk defendars, being accusit on the clam, nayit
that they ressavit the said ten bolls malt fra the said Wm. Boyd,
nor zeit acceptit they him as ful debtor to delyver them the said
victual; qlk the said William Robertson referrit simpliciter to the
said Isbel Ross aith of weritie; quha was suorn, deponit that sche
ressavit nain of the said malt nor na vther at hir command fra the said
Wm. Boyd, and that sche acceptit him not as debtor to delyver
hir the sam; Thairfoir the Judges absolvis the said Isbel Ross and
the said Finlay Mc Virrich hir spous for his entres off the said clam
off Ten bolls malt and preces thairof abov specifit: Qrvpon the said
Finlay and his spous askit and tuick act off court.

That day Johne McPherson in Casteleveris Is becum actit souertie *19 Feb.*
for James Mc Conchie McPherson, that he sal not nor na vtheris at
his command, In defraud of Thomas McNoyar in prejudice of him
ane letter of tack or set of the lands of Nather Culcabock, nor any
pairt thairoff of the myln and croft house and croft thairof, fra
the superior thairof, for the space of fyiff zeirs efter the dait heiroff,
under the pain off fyiff hundereth merkes money to be payit be the
said Johne McPherson, cautionar, and the said James Mc Conchie as
principal, conjunctlie and severalie, to the said Thomas McNoyar in
caice thir presents be contravenit, vnder the pain of poindinge or
varding: And the said James is becum actit for his cautionar releif
off the premiss^s; qrvpon tuick act; Befoir thir witness^s, James Cuithbert
Alexanderson, Patric Clerk, messenger, Thomas Merchand in Innernis.

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1613
3 Mar. That day comeperit Judicialie Johne Cuithbert of the Auldcastelhil, Provest of the Burghe of Innernis, James Waus, James Cuithbert, elder, Alexander Paterson, Williame Paterson, Zoungar, Baillies of the said Burghe, Williame Cuithbert, appeirand of Auldcastelhil, William Campbel, William Robertson, elder, William Paterson, elder, James Paterson, William Robertson, zoungar, William Cuithbert Johneson, burgess^s and commoun counsal of the said Burghe, with express consent and assent of Alex^r Merchand, James Cuithbert, zoungar, in Merkinsche, William Paterson Johneson, Thomas Merchand, George Duff, Johne Cuminge, Johne Duff, Finlay McVirriche, Johne McVirriche, Johne Maii, Robert Neilson, George Mc Conil Reoche, Johne Chapman, Thomas Paterson Mathewson, William Dick, Murdo Poilson, James Dempster, Thomas Mc Coul, Thomas Robertson, Finla Skyner, Alex^r Abraham, Jaspert Cuithbert, Valter Stewart, Androw McConil, James McAllister, Jaspert Williamson, Donald McPhaill, Androw Fraser, Merchand, Thomas Dalgleische, burgess^s of the said brut, and with consent and assent of the remanent burgess^s and communitie of the said burghe of Innernis, for themselffis and thair grieschip, terretorie, and servands remanen within the burghe grieschipe and terretorie thair of, on the ane pairt, Maister Johne Ross, burges of Innernis, Alex^r Bailzie of Dunzean, burges thair, Alex^r Cuithbert burges thair, and James Cuithbert his son, burges thair, feu firmoraris of the mylnis callit the Kingis mylnis, and commoun mylnis of the said burghe of Innernis, on the vther pairt, In maner, form, and effect as efter follovis, That is to say, For the causs^s vnder vreitlin The saidis parties *hinc inde* contendan tuitchinge the multuris of the saidis mylnis, hes in ane voce, for them selffis, thair successors, irrevocabill and for perpetuall memorie and commoun viell of the said burghe of Innernis, and thair famelie, servands, tenents to burghe and to land: Renuncis and Dischargis atheris vtheris of all causs^s, querrells, amerciaments, vnlawis, vrangs, debaittis, that ony of them may imput to vtheris chargis, and of all bygain abstractit multuris be the saidis Provest, baillies, counsall, and communitie of the said brut, fra the saidis mylnis, and of all actioun, contentioun, discord, convocatioun, gaddinge that hes proceidit or may proceid or follow be ony of the saidis perties aganis utheris, preceidinge the day and dait heirof thairanent for ever: Lyickas the saidis Provest, Baillies, Counsall and

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communitie, with the express consent and assent of the said feu firmoraris, Statutis and ordanis for perpetual memorie, and for the commun viel of baith the saids perties and thair successors, pronounces, Decreittis, and Delyveris That the said feu firmoraris, and all other feu firmoraris thair successors in tym cuming, sall grind all maner of cornis and victual that sall happin to grow on the grieschip lands and terotorie burgaige lands of the said burghe, insuckin and outsuckin, that sall ressaue and tack cobill and kill it within the burghe of Innernis and terotorie of the same, Twa bolls malt for ane peck multir, and ane lippie, beinge the fourt pert of ane peck, for the knavschip thairof allanerlie, and the twa bolls schillinge for ane peck multir schillinge, and ane lippie schillinge for the knavschip thairof allanerlie; And for everie seck beinge full of meill to pay ane lippie of meil allanerlie, And for the twa bolls quheit grindinge ane peck multir be straick, and ane lippie be straick for the knavschip thairof allanerlie; And for the grinding of the twa bolls peis ane peck multir and ane lippie knavschip be straick allanerlie; And for the twa bolls ry grinding ane peck multir and ane lippie be straick for knavschip thairof allanerlie; And for everie seck full of everie sort of meill ane lippie of meill allanerlie; Saiffand and exceptand flour off quheit allanerlie; Lyick as the saidis feu firmoraris astrictis them selffis and thair successors That they sall haif ane firlat, ane peck, and ane lippie in the saids mylnis equall and conform to the commun firlat and peck of the brut of Innernis, for vpliftinge of thair multur and knavschip in all tym cuminge, And to caus the millar to furneis twa horss^s to leid and carie the communis malt daylie, oulklie, and zeirlic to and fra the saidis mylnis in all tym cuminge; And the saidis feu firmoraris, for them selffis and thair foirsaidis, to be anserabill to the saids Provest, baillies, counsall, and communitie of Innernis and their successors That the saidis cornis and victual salbe wiell groundin, and to haif ane sufficient millar at the said mylnis, and twa famous servandis quha sall weir for thair habit bot coit and brichis, but ony covertor, everie vark day oulklie: Provyding that in caice the saidis Provest, baillies, counsall and communitie and thair successors get not thair malt, cornis, and victual ground that sal happin to cum to the saidis Kingis mylnis, within fourtie aucht hors efter the sam cum thair, Than, in that caice, it salbe leisum to the awnar thairof to pas

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1613 to ony vther myln they pleiss; Provydinge he craif twa witness^s to
3 Mar. beir testimonie quhair he hes avaittit on the grinding thairof the foir-
said space: Providinge also that the saidis communitie pas with all
outsuckin cornis and victual that cumis in the brut onground that
tackis not fyir and vatter in the saidis brut of Innernis and terotorie
thairof, to ony myln of the saidis Kingis mylnis, Castelhilmyln, and the
myln of Dierbocht, and that they pas not thairwith to na vther mylne
but ony contradictoun; And forder the saidis feu firmoraris, for them
selffis and thair successors, astricks them selffis and thair foirsaidis to
vphald sufficientlie the saidis Kingis mylnis in stanis, iron, and
tymmer vark requisit, with the myln and vark hous to be vphaldin vatter
ticht aboun, and sufficient in vallis, duiris, and thaick in all tymes
cuminge upon thair awin expenss^s, for preserveringe of the communis
stuff; And forder the saidis Provest, baillies, counsall, and communitie
of the said burghe, and the saidis feu firmoraris of the Kingis mylnis
of Innernis, for them selffis and thair successors, on the ane and vther
partis, be thir presents astrictis and thirllis to the said Johne Cuith-
bert of Auldcastelhil his myln of Auldcastelhil the haill multur and
knavschip off all cornis and victual quhatsumevir that sall happin
hierefter to grow on vpon his lands and baronie of Auldcastelhil, and
vtheris his lands and heretages quhatsumevir, perteinge to him
lyand in the grieschip burgaige and terotorie of the brut of Innernis, Or
to his vassals that halds of him ather in few, fogaige, heretage, blenche,
or tack, or vther vayes that payis ferm maill and deuetie to remain
and abyid at the said myln of Auldcastelhil and to be ground thairat
in all tymes cuminge as perpetuallie thirllit thairto with consent of
the saidis feu firmoraris and communitie foirsaid, for payment mackinge
thairat of sic multur and knavschip as is payit at the Kingis mylnis;
Providinge that the mettis and missors of the said myln of Castelhill
be equall and conform to the mettis of the Kingis mylnis of Innernis;
And forder, in caice it sall happin the saidis Provest, baillies, counsall
and communitie of the said brut. of Innernis and thair successors and
thair tennentis, servands, and all vther ferme sucknaris beinge oblissit
to the suckin of the saidis Kingis mylnis, remoiffis or sall happin to
remoif or away pas with thair cornis fra the saidis Kingis mylnis to
ony vther mylnis quhatsumevir, in privie or in quiet, publict, in part
or in haill, it beinge knawin, than and in that caice the saidis Provest,

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baillies, counsall and communitie, for them selffis and thair successors, *1613*
sal defend the saidis few firmoraris and their successors to mack the *3 Mar.*
samen cornis past to vther mylnis to pay the multur and knavschip
thairof to the saidis feu firmoraris and thair foirsaidis, als wiell as gif
the samen haid bein ground at the Kingis mylnis, and to caus them
be anserit for the sam for payment thairof incontinent in tym to
cum: Reservand to the saidis Johne Cuithbert of Auldcastelhill and
his foirsaidis the thral in maner as is aboun vreittin in all tym
cuminge: Lyickas the saidis perties discharges atheris vtheris *hinc inde*
be thir presents of all actis, bands, contractis, maid be thair pre-
dicessors to vtheris anent the premiss^s preceedinge the day and dait
hierof, dischargeinge the samen actis, bands, and contractis, haill
strenth effect thairof, forever: In Vitnes qhairof baith the saidis
parties hes submittit them selffis and thair successors, gif thai failze
in ony point of the premiss^s, to the judgement and judicatorie
of the Provest and baillies of Innernis and thair successors,
Provest and baillies thairof, as judges competent to decern in ony
point that sal happin to be brockin be ony of the saidis perties in the
premiss^s: quhairvpon baith the saidis perties consents that thir present
and effect thairof haif the strenth of ane judiciaill act, as it is ane
decreit of the Provest and baillies interponit thairto, that executoriallis
follov thairvpon vnder the pain of pointinge or vardinge: Quhairvpon
ather perties askit and tuick act of court.

Ita est Alexander Duff,

Notarius publicus communiss scriba burgi de Innernis
testan manu propria

Alex^r Duff clerk.

Williame Campbell, not., ane of the clerks, and as
counsolor

A. Fraser, Sref. clerk of Innernes, Witnes requairit to
the premiss^s.

That day compeirit Androw Fraser, Procurator Fiscal of Innernis, *27 April*
and perseuit Donald Mc Ray, burges of Perth, that wranguslie and aganis
the law he vsurpiti the libertie and friedom of ane burges in this brut in
haldinge of ane merchand buithe thir sevin zeiris bygan, in tappinge and
sellinge of all kynd of stapil guids and merchandrice to all vnfrie men

Records of Inverness

1613 and strangeris and vpland pepil, and daylie making his tred and
27 April vocatioun in this brut as gif he war frie burges and gild brother of the
said brut, but ony licent of altollerraince haid be him thairto, and in greit
preiudice hurt and skaithe of the comburgess^s and merchands of the said
burge quha skattis and lattis, walkis and wards, in all thingis tendinge to
our souerain lords will and the realme, quhairby they ar damniset be the
said Donald thairanent, and thairfoir desyris the judges to decern the
said Donald Mc Ray in the wrange committinge thairof, and to escheit
and confiscat all his guids and geir and merchandrice he hes thair for his
bygan contempt and vsurpatioun, conform to the Act of Parliament, and
to fund caution actit that he sal not use the lyck in tym cuminge vnder
the pain of fyiff hunderethe merkes money accordinge to iustice.

That day compeirit the said Donald Mc Ray, and, beinge accusit on
the pointis of the broche, confess^s the haldinge of buithe in sellinge and
tappin of stapil guids and merchandrice to all maner of person thir sevin
zeiris bygan, and in vsurpinge vpon the libertie of the burgess^s and gild
brotherin of the brut of Innernis but ony licence, and confess^s his error
thairanent, conforme to the heids of the broche in all pointis, and is cum
in will of the judges thairanent ; and the judges, beinge ryply advysit on
his confessioun, hes decernit this said Donald Mc Ray in the wrange
committinge of sic contempt and vsurpatioun conform to his confessioun,
and ordanis his hail movabill guids and geir merchandrice within the
buths and that to be escheit and confiscat to the utilitie of the said brut
of Innernis comburgess^s thairof, and to be inbrocht to thair use, for his
contemp and vsurpatioun of thair libertie but licenc for his bygan facts
and dieds maid be him thairanent thir sevin zeiris bygan, and is convict
thairin, and that be Malcolm Duncanson, dempster of court, and judgit
in amerciamment thairin, and ordanit to fund caution to abstein in tymes
cuming vnder the pain of fyiff hunderethe merks money toties quoties, to
be payit in caice he contravein: Quhairvpon the said Procurator Fiscal
askit and tuick act of court.

That day William Robertson, youngar, voluntarlie is becum actit
in the burru court buickis of Innernis coniunctlie and severalie sourtie
and cautionar for the said Donald Mc Ray, burges of Perth, that he
sal nocht vse, hant, nor exerceis ane frie manis tred in this brut in
tym cuming, nor hald buith, nor sell na merchandrice opinlie or
secretlie, vnder the pain of fyiff hundred merkes money to be payit

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toties quoties quhow oft he sal contravein, vnder the pain of poindinge *1613*
or varding; and the said Donald Mc Ray is becum actit to wairand *27 April*
releif the said William Robertson, zoungar, his airs, executors, and
assinis, of the said soum at al hands haiffand entres vnder the pain
foirsaid: Quhairvpon the said Procurator Fiscal askit and tuick Act
of Court.

That day the said Androw Fraser, Procurator Fiscal, persewit
Donald Fraser, son and appeirand air of John Fraser, portioner of
Moniack, for halding of buithe in this toun and sellinge and tapping
stapill guidis and merchandrice, and vsurping the libertie of the burgess^s
of the brut, quha compeirit confessit he coft iiij stain iron fra Donald
Mc Ray and tappit the stapil guidis and merchandrice to all vnfrie
men; thairfoir, accordinge to his confessioun, his haill guidis and geir
merchandrice is confiscat and escheit for his bygan vsurpatioun, his
guidis arestit, conform to the Act of Parliament; judgit in amercia-
ment and dom giffin thairvpon be Malcolm Duncanson, dempster:
Quhairvpon tuick act of court.

That day Johne Robertson Laurencson voluntarlie is becum actit in
the burru court buickis of Innernis souertie and cautionar for Donald
Fraser, son to Johne Fraser, portioner of Moniack, that he sal nocht vse or
hant ony tred or merchandrice or hald buith in this brut at ony tym
cuming, nor tap nor sel the sam, in preiudice of the libertie of the brut,
vnder the pain of fyvff hunder merkes toties quoties quhow oft he sal
contravein, to be payit to the thesaurer of the brut set, cumand to the
utilitie of the brut, vnder the pain of poindinge or varding; And the
said Donald Fraser is becum actit for the said Johne Robertson relief of
the premiss^s vnder the pain of poindinge or varding: Quhairvpon askit
and tuick act of court.

That day James Thom, seruitor to William Dollas of Budit, *28 April*
voluntarlie is becum actit in nam of his said maister and ful debtor to
pay and delyver to Duncan Forbes, burges of Cromartie, sex merks
money quhilk his maister borrowit, and for nyn firlots victual crop
1612, payit ten merks for ilk boll thairof, at Witsonday nixt, quhilk
failyeinge the hiest price that nyn firlots victual will gif at mertimes,
to be payit than vnder the pain of poindinge or varding: Quhairvpon
the said Duncan askit act.

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1613
18 June That day thou Donald Mc Aine Mc William Vic Miben, sum tym in Newmore, art indytit for the cuming vpon the xiiij day of Junij instant, vnder silence of nicht, to Alexander Mc Conchies house, burges of Innernis, and thair thou past in at his windo, and theifteouslie steiling away with the ane barkit hyid furthe of the bark sac of the said Alex^r, pertaining to Allister Hay, cordenar, and thairefter thou past thairwith to Thomas Paterson barne, and hid the same vnder certain timmer, qvhilk was apprehendit thair and thow . . . thairwith; Qvhilk thou can nocht deny; Qvhilk is present as ane fang; Thairfoir thou hes deseruit the daith: accusit confess^s the fang: convicts.

That day thow Donald art accusit as ane commoun vagabund, maisterles theif, out fang and in fang, ane idil lymmer, wattung on his majesties subjects to steil the sam and to leif thairon aganis the Act of Parliament, and ane evil member for the commoun weil, and ay steiland fen ever thair zeid sex quartars claith in thai cot, and ane commoun cutter of horss^s taills; Quhilk thou can nocht deny; Thairfoir thou hes deseruit the daith: confess^s he hes na maister: convicts.

Nomina assise: Alex^r Cuming, cancellar, Androw Fraser, merchant, James Mc Allister, James Robertson, Robert Moncreiff, Georg Duff, Johne Maii, Johne Robertson Laurison, Donald Mc Phail, James Abraham, Jaspert Cuming, William Cuithbert Johnson, Johne Lawson, Donald Souctor, Alex^r Robertson.

That day the said Inqueist, being all sworne, and passing to the counsal house, efter tryel and cognoscing of the said Donald Mc Aine lyif and conversatioun, hes all in ane voce fund the said Donald culpabil of the saids dyttayis; Thairfoir hes convict him thairin, pronouncit judiciaillie efter thair re entrie, be the mouth of Alex^r Cuming, Cancellar of the Inqueist: Quhairvpon tuick Act of Court.

That day the judges, according to the convictioun foirsaid, hes ordanit you Donald Mc Aine for they demerits they lug to be nailit to the pillarie at the cross to remain ane hour, thairefter to be scurgit throu the hail four streits of the toun; and, gif ever thou beis fund again in this burgh, thou sal be put to death: Quhairvpon Malcolm Duncanson, dempster, hes giffin dom: Quhairvpon tuick act of Court.

2 July That day Johne Wincister and Margaret Cuthbert his spous is decernit to pay to William Mc William Vic Farchar in Drakie fyiff pund,

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with sex schilling expenss, quhilk he gave to the said Margaret in borrowing, in respect thair being warnit to gif thair eith of veritie thairon and not compeiring is ordanit to pay the foirsaid soun to the said William within XV dayis under the pain of pouding or warding: Quhairvpon the said William tuick act of court. 1613
2 July

That day the said Johne Wincister is decernit to pay to William Mc William Vic Farquhar as cautionar for Bean Mc Aine Duy Vic Phail within XV dayis vnder the pain of pouding or warding: Quhairvpon tuick act of cort.

That day Johne Jamiesson, armorar, beinge accusit for deforcinge of Androw Tolmi, officiar, and, accordinge to his confessioun, in stayinge of the officiar to poud in his buith, and provin be Androw Mc Conil, for satisfeing of — Mc Claud, flescher, of sic debt as he obteneit in his contrar be decreit, and, nocht withstanding thairefter the said Johne beinge chargit, be the said officiar to ward his person in the tolbuith quhill be satisfeit the debt, beinge choppit with his officiar wand, wilipendit and wald noch obey to cum to ward, bot pat hands in the officiar; thairfor is decernit to tyn and amit his hail guidis and geir, and his person to be wardit quhill he find caution to remoif and banis himself of the toun, or at the leist to be in the judges wil for order tackinge with him of his guid reul in tym cuminge: Quhairvpon the Procurator Fiscal askit act of court. 23 July

That day Jaspert Cuithbert is becum actit for Angus Miller, millar at Castelhil myln, to persew befor the sessioun Mulmoirie Millar, his servand, for alledgit lyinge with his wyiff, and befor the Baillies for reset of the said Angus geir, and also is becum actit souertie and law burrows for the said Angus Millar that the said Mulmoirie salbe harmles of him in his bodie, guidis, and geir, and na wayes to be molestit thairin be him nor be na vther quhom he may stop and lat, directlie or indirectlie in tym cuminge, bot as law will, vnder the pain of ane hunderethe punds money to be payit to the judges in caice thir presents be contravenit, vnder the pain of pouding or warding: And the said Angus is becum actit for his cautionaris releif of the premiss: Quhairvpon askit act. 30 July

That day Duncan Mc Pherson being apprehendit be the said baillie in his toun of Inschis, alledgeing to haif oppressit and sornit upon his 31 July

Records of Inverness

1613
31 July tenant William Mc Cruer and persewinge of him, to haif tain ludgeinge of him perforce, and drawing of his bluid, being in ward in the tolbuith, and for his guid reul in tym cuming : William Mc Pherson, his brother, in Hiltoun, is becum actit souertie for the said Duncan and law borrowis that all the haill inhabitants of Innernis and tennets cottaris and servands upon thair grieschop landis, and vtheris dwelland vpon and within the terotorie, salbe harmles and skaithles of the said Duncan in thair bodies, guidis, and geir, and nawayes to be molestit thairin be him nor be na vtheris quhom he may stop or lat, drectlie or indrectlie, in tym cuming, bot be law and justice, vnder the pain of iij cc^s merks money to be payit to the judges in caice thir presents be contravenit : And to enter him befor the saids Provest and baillies of Innernis, to be judicatit be them for his wrange or fact crym he sal commit, to suffer thairfoir according as he sall merit at the discretioun of the Judges, vnder the pain foirsaid : Quhairvpon tuick act.

3 Aug. That day Margaret Nein Georg Mc Conil Reoche, spous to Johne Mc Aine Oig vic Vanin, beinge persewit be William Mc Fingoun, menstril, for the wrangus and maisterfull strickin of Elspect Nein Donald Vic William, his spous, vpon the xix day of Julij last, in the foirheid, with ane greit stain, be the quhilk brack hir harn pan, and bled meickil of hir bluid and fel deid in sound [swoon] to the ground ; and the said Margaret compeiringe, accusit nayit the sam ; in respect thairof certain witness^s war ressaut, sworn, and admittit, quha deponit that thai war ignorant of the matter, bot schaw hir lyand on the ground at the watter syid of Niss : Nochtwithstandinge the Judges, for cleringe of the tryel thairin, referrit the caus to the said Margaret aith of veritie ; sworn, deponit that in hir awin defenc vpon hir awin ground the said Elspet purpoislie set on hir with ane drawin knaif and wald haif strokit and slain her thairwith, and war not that sche liftit ane neif stain and cuist the sam at the said Elspet and hat hir thairwith in the heid sche haid slain hir ; And the said Judges, becaus of the said Margaret confessioun of the premiss^s, and for the said bluid lattinge of the said Elspet and trublinge of the toun, becaus the said Elspet was the onsetter, and the original of hir awin harm, hes decernit the said Margaret to pay the partie grevit and harmit ten merks for hir curinge, and expenss^s maid thairon to the leiche, with xx lib. to

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the judges for the wrang and committinge of the said Ryot; and dom 1613
gevin thairvpon, ordaininge payment to be maid thairof within xv 3 Aug.
dayis vnder the pain of poinding or wardinge: Quhairvpon tuick act.

That day everie ane of the broustars following, brecking of the 10 Aug.
statutis of the brut in selling of the point aill darrar nor xvi d., and,
conforme to thair confessioun, in selling darrar nor the sam, ar judgit in
americiament, and ordanit to pay to the Judges ilk ane of them 20 ss.
Item, imprimis Allester Mc Aine Weil wyif 20 ss.; Bean Mc Aine cheil
20 ss.; Johne Mc Cormick 20 ss.; William Mc Curmen; Gilbert
Mc Comas vic Kennoch; Androw Barbour wyif; Thomas du Mc Aine
Vic William; Angus Mc Conchie; Kennoch Brebnar; Jelis Cuithbert;
Magie nein William; Donald Foular wyif; William Watson wyif;
Thomas Stewinson, Brebnar; Elspet Marquis; Donald Mc Comas;
Johne Mc Intailyeor; William Mc French; Allister brebnar; William
Mc Conil Vic Ain; William Mc Millar vick Aine Wrick; Johne du
Mc Allister, burgess, wyiffis, ordanit to pay ilk ane 10 ss.; Thomas
Mc Phail wyif; Catherin Straichen; William Thomson wyif, Baxteris,
accusit for brecking the statutis in making of the leif [loaf] les nor xiiii
unce the leif; Robert Sinclair 4 lbs.; Ewin Baxter ij merks; James
Smyt, baxter, ij merks; Hector Mc Kenzie payit ij merks; Anton
Anderson 40 ss.; for brecking of the foirsaid act and statutis.

Cordenars:

Item, Johne Ker, frie brecking of statutis, and Robert Millar, his
prenteis; the said Johne hes payit xl ss.; Johne Pedison payit ij merks;
Angus Roy payit for his brother prenteiss 4 lib.; Johne Mc Conchie
payit xl ss.; Donald Mc Ay, taskman, payit xl ss.; Donald Davison,
taskman, payit xl ss.; Angus Lewissach payit 40 ss.; James Dick 40 ss.,
payit be Johne Cuithbert for him; Johne McFinlay vic Allan payit
40 ss.; Thomas Squear payit 4 lib. for wrang vsing of ane burges libertie
and tacking upe of ane buith.

Brebnaris are vnlauiit for breking of thair injuntionis of
thair craft ar put in vnlaw, ilk ane of them to 40 ss.

Item, imprimis Johne Mc Henrick, David Forbes, William Mc Illeich,
Arthor Dingval, Thomas Sueson, Johne Romson, Donald Clerk, Patric
Moir son, Johne doin Manis, George Watson, William Cumming, Thomas
Baittis, Huechon Robertson, Allister Gray, Androw Monro, Johne

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1613 Young, Donald Dow, James Roy, Kennoch Brebnar, Johne Mc Clow,
10 Aug. Alexander Henrie, Donald Mc Aine cheil, Thomas Gollan, William Beig.

31 Aug. Ultimo die mensis Augusti Anno domini Jai vi^{ces} decimo tertio.

That day Johne Mc Pherson of Elrick, Johne Mackfarqr in Culclachie, Donald Mc Robert in Durriss, and William Mc Illespick in Cantra, voluntarlie ar becum actit in the burru Court buicks of Innerniss coniunctlie, renuncand thair awin jurisdiction in this caice, souertie and cautionar for Isbel Mc Phail, relict of vmquhill Walter Stewart, to enter and present the said Isbel vpon fourtie aucht hours warning afoir the Justice or his deputis, or the Prowest or Baillies of Innerniss, in the tolbuith thairof, quhen ever ony ane of them salbe chargit thairto, vnder the pain of ane thousand pund money to be payit be them coniunctlie to the saids Provest and Bailies in caice they fail in the premiss^s, vnder the pain of pouding or warding: Quhairvpon tuick act; Befoir thir witness^s David Cuithbert, Georg Mc Phail, and Donald Mc Phail, burgess^s of Innerniss; And the said Isbel, and Donald Mc Phail hir brother, ar becum actit for releif of the four foirsaid cautionars of the premiss^s.

4 Oct.

4 October 1613 zeiris.

The names of the personis electit and nominatit Provest, baillies, and counsal for this zeir fra Michaelmes 1613 zeiris to Michaelmes 1614 zeiris.

Johne Cuithbert of Castelhil Provest; James Waus, William Campbel, Alexander Paterson, William Paterson, youngar, baillies; Mr. Johne Ross, James Cuithbert, elder, Alexander Bailie of Dunzean, Wm. Robertson, elder, Wm. Cuithbert, appeirand of Castelhil, Wm. Robertson, elder, James Cuithbert Alex^r son, Wm. Robertson, zoungar, James Paterson, Wm. Cuithbert Johneson, the names of the personis addit Assessors.

Ordanis everie Mounday to be the counsal day as occasioun servis vtherwayes, and to be present at the sound of the bel knellit to that effect; ilk persone that beis absent and personalie warnit and hering the bel sal pay vj d. sterling vnforgitt.

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The xxvi of September 1613 zeiris at the Paroche Kirk
off Innernis. 1613
4 Oct.

That day Johne Cuithbert of Auldcastelhil is electit Provest be the consent of the hail burgess^s of Innernis convenit this day in the Paroche Kirk of Innernis; James Waus, Alexander Paterson, William Campbel and William Paterson zounger are electit baillies; quha war sworn presentlie thairin to discharge the deueties in thair officis to Michaelmes 1614 zeiris: Quhairvpon tuick act.

Alex^r Duff clerk.

The names of the hail vnfrie broustars, baxteris, merchandis, flescharis, cordinars, and craftismen, buith haldars, admittit fra michaelmes last 1613 to michaelmes, 1614. 11 Oct.

Broustars.

Item, James Stewinson payit xl ss.; Alex^r Mc Lauchlan payit xx ss.; William Mc Richie payit xl ss.; Duncan Mc Conchie xl ss.; James Smyt xl ss.; William Watson xl ss.; William Sueson xl ss.; Thomas Stewinson, brebnar, xl ss.; Duncan Mc Aine Mc Finlay Boig xl ss.; Alex^r Grison xl ss.; Georg Mc Phail, Youngar, xl ss.; Elspet Marquis xl ss.; Alex^r Mc Aine Nielson, xl ss.; Bean Mc Conil Cheil xl ss.; Johne Mc Cormick xl ss.; Alex^r Burnat, xx ss.; Gilbert Mc Comas Vic Kennoch xl ss.; Thomas Dow Mc Comas Vic William xl ss.; William Stewinson xl ss.; Rorie Bain xx ss.; Angus Mc Conchie xl ss.; Alex^r Mc Ago xl ss.; Kennoch Brebnar xl ss.; Geillis Cuithbert xl ss.; May nik William Bulgalch xx ss.; Thomas Murray xx ss.; Johne Mc Ago Seyman xl ss.; Johne Kelach xl ss.

Bewest the wattir of Niss.

Donald Mc Comas xx ss.; Johne Dow Mc Allister xl ss.; James Mc Allister, his brother, xl ss.; William Mc Conil Mc Aine xl ss.; Johne Mc Millar xl ss.; Johne Mc Varrist xij ss. 4 d; Alexander Brebnar, maltman, xl ss.; William Mc French xl ss.; Thomas . . . 20 ss.; Alex^r Anderson xl ss.; Alex^r Mc William Mc Conil 20 ss.; Androw Mc Intailyeor xl ss.; Johne Mc Aine Oig xx ss.; Johne Mc Intailyeor xl ss.; George Berrie xx ss.; Alex^r Mc Robert xl ss. Onfrie Merchandis—Thomas Squeyar iiij lib.; James Thomson iiij lib.; Thomas Kennoch ij merks; Johne Mc Illiechrist iiij lib. The names of the Fleschars—Georg Fuird iiij lib.; Alex^r Mc Andy iiij lib.; William

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1613 Mc Clويد iiij lib. The names of the Cordinaris for buith halding and barking—Donald Mc Rob, Johne Cuithbert, for barking and buith halding xl ss. ; Johne Ker, for buith halding ij merks ; Alex^r Symson for buith halding and barking xl ss. ; Alex^r Mc Ago for barking iiij lib. ; Angus Roy for buith halding and barking xl ss. ; George Dick for buith halding and barking xxx ss. ; James Anderson for sic lyck xl ss. ; Johne Cuper for sic lyk xl ss. The names of armoraris, vrichtis, sadellis and onfrie craftsmen—Georg Kennoch xx ss. ; Rorie Wood 20 ss. ; Zacharie Dunbar 20 ss. ; Johne Jamieson 20 ss. ; Johne Gib 20 ss. ; Rorie Bain xij ss. 4 d. ; Thomas Murray xiii ss. 4 d. The names of the Baxtaris—Ewin Baxtar 4 lib. ; William McConil Duy, Litstar, payit 4 lib. Summa off the haill reset and chairg abov writtin exteinds to

Dischairg of the said Reset abov writtin. 18 October 1613.

Item, giffin to Mr. Johne Houestoun for his fie of the Gramair Schoil for the terme of Witsunday 1613 xl lib. Item, giffin Donald Pepper at comand of the Baillies 12 ss. for to by him schoin to ring curfuie (curfeu).

21 October. Item, giffin to Johne Cuming to pass South for rasing suspensioun anent Alter 6 lib. Item, send to James Vinram that he was super expedit 10 merks. Item, to raiss the nixt suspensioun to contein relaxatioun 3 lib. Item, to raiss lres [letters] aganis theis that slayis blak fische on the watter 3 lib. ; summa 28 merks.

25 October, 1613. giffin to William Reid, officiar, to summond the slayers of blak fische on the watter of Niss 13 ss. 4 d.

3 November 1613. Item, giffin to Johne Cain to gif to James Winram to raiss suspensioun continand relaxatioun on Altars horning the third tym 10 merks. Item, giffin him to raiss lres [letters] on Alex^r Cuming for rander of the infesment on the commountie of the brig end pertening the burgh 30 ss. Item, giffin him self for his fie ix merks. Giffin to Alexander Logan for extractioun of Alters horning executionis thair of 6 ss.

4 of November 1613. Item, giffin to Mr. James Bischope in his fie for the term of Martimes 1613 for his ministrie xlii merks 6 ss. 8d. In compleit payment of 50 merks stipend for the said term. Item, giffin Alexander Thomson to by can oil to the Kirk 4 lib. Item, giffin the four Baillies in thair fie 8 lib.

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16 November 1613. Item, giffin to William Fraser, messinger, *1613*
to summond Alex^r Cuming to rander the said Infestment befor the *11 Oct.*
Lords of Sessioun 6 ss. Item, giffin to Johne Cain that zeid with
William Campbel Edr: anent that actioun of Alter lii ss.

17 November 1613. That day giffin Jonet Cuithbert, spous to
Andrew Fraser, Notar, for the annual of ane hundereth pund borrowit
fra him to defend aganis Alter actioun, quhilk is giffin to William
Campbel to elec'd Alteris actioun of horning fra this day to Witsunday
1614 3 lib.

19 November 1613. Item, giffin to Rorie Bain to obtraid the
steepil dur xl ss. Item, giffin to the said Alex^r Thomson for his fie
of reiding and reuling of the knock orloge for the Martimes terme
1613 16 lib. Item, Alex^r Duff hes detenit in my hands quhilk the
toun is restand as super plus debursit be me of the last compt of
stallingars the soum of 20 lib.

27 November 1613. Item, giffen Robert Stewart to summond theis
that seyit the wattir lailie—13 ss. 4 d.

Last of November 1613. Item, giffin Alex^r Myln, messinger, to
report to James Vinram or William Campbel now in Edr., our
commissioun, to compeir befor the secreit counsal anent that geir crevit
be Gordoun anent Starconins prosecuting 26 ss. 8 d.

20 December, 1613. Giffin Patrick Clerk, messinger, to summond
alters men anent the reducting of the horning 5 lib. Item, to the boyis
that maid coppis thairof and to the relaxatioun 13 ss. 4 d.

17 Januar 1614. Derectit with Johne Cain to be delyverit to James
Vinram to raiss reducioun relaxatioun suspensioun and for thair names
and signet thairof 20 ij lib. Item, to Johne Cain for his fie 6 lib.
Item, giffin to Johne Mc Virrich for ane quheit plaid that was directit
be him to James Vinram 4 lib.

25 Januar 1614. Giffin Donald Mc Andrew Voir for to summond
Alters men on act and lres. [letters] to the sevintein of Februar 3 ss. 4 d.
Summa.

That day the Prouest, Baillies, and Counsal of the burgh of *26 Oct.*
Innennis, being convenit within the tolbuith of the sam, intretting on the
commun affairis of the said burgh, tending for the glorie of God and
commoun weil of the said burgh, To wit, the said Prouest and four

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1613
26 Oct. baillies above nominatit, Mr Johne Ross, Alex^r Bailzie of Dunzean, James Cuithbert Alexanderson, James Cuithbert, elder, James Paterson, William Robertson, elder, William Paterson, elder, counsal for the maist part of the said burgh, hes concludit on the statutis following, to remain as ane law in the said burgh to they be forder resolvit :—

Item, imprimis, statutis to Godis glorie that all the inhabitantis of this burgh cum to the Kirck ewerie Sunday to the preching befor noin and efternoin befor the leving of the sounding and knelling of the third bell in all tym cuming, under the pain of sex schillings scottis to be payit be the contravenar and to be poindit therefoir to the baillies ; and twa of the baillies, thair tym about, with twa officiaris and twa eldaris of the Kirck to attend thairon ewerie saboth day heirefter.

Item, it is statut that na broustar sell the point aill darar nor twelf pennies the poinct quhill the nixt statut.

[Then follow the prices to be charged for “luggit men schoin”, “on luggit men schion”, “dubill solit men schoin”, “women schoin”, and bairnis schoin”, but the amounts have been left blank.]

Item, it is statut that the leif of 4 d. leif aff eit breid [oat bread] be of . . . unce weicht quhill the nixt statut quhen the boll is at four pund.

Item, it is statut that the twelf pennie leif of quheit breid quhen the boll quheit is at . . . be . . . unce weicht.

It is statut that the baillies tak tryel and hald court anis in the moneth on theis that sal breck the statutis.

Item, that the poinct of beir be sauld for twa pennies mair nor the poinct aill sal gif at all time cuming.

Item, it is statut that all unfrie cremars^r that beis admitit stallangers that they sal haif na libertie nor powar to by or sel stapil guid in the burgh except sic as wyne, salt, iron, tallon, wol, plaidis, skin, and hyid, vnder the pain of confiscing and escheting thairof.

Item, it is statut that James Waus, Alex^r Paterson, baillies, and with them Johne Robertson, be visitors of wark of the brig, and to causs mend the sam.

Item, it is statut and ordanit that the Chapel Zeaird dyickis be edifiet be the persoun quaha sal obtein ane tack thairon and left sufficient at his ischiu.

Item, it is statut that the cross be mendit and pinnit, and frie stains bocht thairto gif it neidis.

^r See page 57.

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It is statut that Sanct Thomas Evin, being the twentie day of December zeirlie, be proclamit and haldin as ane fair in this burgh. 1613
26 Oct.

It is statut that na persoun presum to brew ail to sel in the grieschip vnder the pain of tiring of thair houss^s and casting doun of the sam.

Item, it is statut that the Ruid fair be haldin zeirlie in tym cumming in this burgh the twentie sex day off October.

Item, James Cuithbert, elder, William Robertson, elder, Androw Fraser, notar, are nominat and chosin Procurators Fiscalls of this burgh for this zeir.

Item, that na person presume to tack away aither be sie or land buy barkit ledder without liciens of the Prowest and baillies, vnder the pain off escheting, conforme to the auld statuts maid thairanent zeirlie past memor of man.

Item, James Waus, Baillie, is admittit Judge and baillie to sit and desyid on all questioun belonging merchands and merchandries affairs, forstallars, regratars, wrangis committit in this burgh be them betwix merchand and merchand, provyding that the vnlaws, eschetis, and vtheris gain excrescens thairof be distrubit as the counsal sal pleis ; and the said baillie to be anserabil for the sam this zeir according to his intromissioun.

Item, that na person by ony victual quhill it present the marcat pleis vnder the pain of escheting.

Item, it is statut that na person by ony victual in this burgh bot with ze comoun met.

Item, it is statut that na person ressave victual in thair hous that ar to present the marcat vnder the pain of twenty pund.

Item, it is statut that na person gif for the leid of turris bot the pryce of the point aill in all tym cuming.

Item, it is statut that the casay be clengt of filth and muck everie satirday vnder the pain of twenty pund.

The burru court and Justice court off the burgh of Innernis haldin within the tolbuthe of the same be 1614
3 Jan.
Johne Cuithbert of the Auldcastelhil, Provest, James Waus, William Campbell, and Alex^r Paterson, baillies of the said burgh, the third day of Januar, the zeir of God Jai vices^s fourtein zeiris ; the suitis callit ; the court lauli fensit and affirmit, as vse is.

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1614
3 Jan. Thoue Donald Roy Mc Gowin art indytit at the [instance] of Janett nein William vic Comas, relict off vmquhill Allister Dowe, cotter thair to Crystane Dunbar, relict off vmquhill Alex^r Cuithbert, Burges off Innernis, Donald and Androwe Allister Dowe, Agnes nein Allister Dowe, Donald Roy, vpone the first day of Januar instant, being Satirday last bypast, but onie offence done be the said vmquhill Allister Dowe to the, bot doing his maisteres liesom bissines in hir barne at the eist end of hir dwelling place and zaird of Innernis, thoue, haiffand na feir off God nor off his image¹ thoue drewe ane braid by knyayiff, and maist cruellie, barbarouslie, vnmercifullie strack the said vmquhill Allister Dowe thairwith with all they force in the wombe and bellie above the navill into the back quhill all his entrells gussit out and left the said vmquhill Allister thair deid but onie lyiff, quhairwith thoue was apprehendit in the mein tyme with the reid hand, and wardit quhair thoue art nowe present, and in signe the by knyayiff is in they sicht and presence quhairwith thoue did slaye the said vmquhill Allister Dowe; quhilk thoue can not deny.

That day Donald Roy being accusit vpon pointis of the said dittay be Janet nein William vic Comas and the foirsaid bairnis confessit judicialie that he fel in discentioun of words with the said vmquhill Allister Dowe, and that they zeid in handie grippis, and that the said defunct pat and cuist him vnder him, and that he drew the said by knaif, he being vnder the defunct strack him thairwith in the bellie and womb, luit out his entrells; quhilk he could not deny; quhairvpon the said relict for hir selff and in name of the said bairnis desyrit the sam to be remittit and cognoscit be ane inqueist: Quhairvpon tuick act of court.

Nomina assise: Mr. Johne Ross, cancellar, James Cuithbert, elder, Duncan Forbes, Androw Mc Conil, William Paterson, elder, Alex^r Merchand, Androw Fraser, merchand, George Mc Conil Reoch, David Cuithbert, Johne Abraham, Robert Neilson, Johne Lowson, Murdo Poilson, Gilbert Waus, Johne Chapman, Johne Duff, William Mc Conchie, Finlay Skinner, Jaspert Williamson.

That day the hail foirsaid personis of inqueist, being all admittit, and sworn the greit aith, efter cognitioun tain be them in the said dittay, and also conform to the said Donald Roy confessioun, being

¹ Image, meaning man.

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knawin to them, hes all in ane voce convict and fylit the said Donald Roy for the slaying of the said vmquhill Allister Dow conform to the said dittay in all pointcs, pronouncit judiciallie be the mouth of Mr. Johne Ross, cancellar of the assyis: Quhairvpon the said relict, and in nam of the said bairnis, askit and tuick act of court. 1614
3 Jan.

That day the Judges hes decernit and ordainit the said Donald Roy to be tain to the heiding hil, and thair his heid to be struckin of fra the bodie, and to die for his dimerits for the slaughter of the said vmquhill Allister Dow; and dome giffin thairvpon be Malcolm Duncanson, Dempster of Court, and his haill guidis and geir to be escheit: Quhairvpon the said relict askit and tuick act of court.

That day thowe Hector Mackenzie, Johne Mc Eaine Bwy and Jonat Lobane, ze and ilk ane off youe art indyitit at the instance of the Procurator Fiscall for the crewel vnmerceifull murther of vmquhill Margrat Nein Miller, servitor to Johne Maii, burges of Innernis, that, quhair sche, vnder cloud of nicht, vpoun the twentie thrie day of December last bypast, 1613 zeiris, tho being in quyet and peiciabill forme on hir maister affairis, seeking soume breid to bye, come to your dwelling hous, haiffing no evill in hir mynd bot to haiff levit vnder Godis paice and the Kingis, ze maist barbarruslie, ze and ilk ane of zoue, tuick the said Margrat be the gorget and thropill bone and keist hir to the ground, and thairbe stopit hir braithe till sche deiit; and thairefter ze and ilk ane of zoue, withe suptillitie for chinking of zour hainous and bluidy crym, efter the murther of the said Margrat tuick hir and transportit hir vnder the hether stak, thinking thairbe to be fred of the said murther; thairfoir ze and ilk ane of zoue ar act and pairt of the said murther and aucht to suffer the extremitie and rigour of the lawe and to die for zour demerittis; quhilk crym ze cane noch deny. 4 Feb.

That day the said Hector Mackenzie, Johne Mc Eaine Bwy and Jonat Lobane, being accusit vpoune the pointcs of the dittay, nayis the same; thairfoir the Procurator Fiscall desyrit of the Judges that the same suld be remittit to the tryall of ane inqueist, quhilk the Judges grantit: Quhairvpon tuick act.

Nomina assise: William Robertstone, elder, cancellar, Androw Fraser, merchand, Alexander Merchand, William Cuithbert Johne

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4 Feb. Sonne, James Abrahame, Gilbert Waus, Thomas Merchand, Androw Mc Conil, James Robertstone, James Cumming, James Cuithbert in Merkinsche, James Dempster, Donald Mc Phaill, Robert Foular, Thomas Robertstone, George Duff, Murdo Polsoune.

That day the foirsaidis personis of inqueist, being all present, sworne, the halie evangelist tutchit, and admittit, past to the counsal house of the said tolbuthe, and, haiffand taine tryall of certaine famous witnesses sworne, quha war presant, hes fund be thair despositionis the saids Hector Mc Kenzie, Johne Mc Eaine Bwy and Jonat Lobane to be clein saickles and frie and saiff of the hail pointis of the said dittay, in regard quhairoff the saidis haill personis of inqueist al in ane voice, but variance, absolvis and clengis the said Hector Mc Kenzie, Johne Mc Eaine Bwy and Jonat Lobane of the said fact and dittay and hail pointis thairoff, pronouncit judicillie efter thair re-enterie be the mouthe of William Robertstone, elder, cancellar of the assyis, for him self and in thair name, quha absolvit the saids Hector, Johne, and Jonat thairof; Quhairvpoun the Judges hes interponit ther decret of absolvitor in vberioris forma juris: Quhairvpoun the said Hector Mackenzie, Johne Mack eaine Bwy, and Jonat Lobane askit and tuick act off court.

29 Feb. That day Johne Lasrieis servitour to Androwe Barbour, and withe him Francis Tealour, for ane bucklar sword ressavit be them fra Thomas Morray and Margrat Cumminge his spous, relict of vmquhill Robert Stewart, quhilk sword pertennit to the said vmquhill Robert, ar becum actit conjunctlie and seueralie to warrand, relief, and skaithles keipe the said Thomas his spous and thairis at the handis of the airis of the said vmquhill Robert Stewart and al otheris handis haiffand ony pretending entres thairto, of ten merks to be payit be them to the said Thomas, or at the leist to delyver the said sword, vnder the pain of poinding or warding; Befoir thir witnesss, Androwe Barbour, Johne Cuithbert in Leithe, Johne Cumming, William Fraser, messengar.

8 July That day the haill frie and vnfrie broustaris, beinge all warnit to this day for breckinge of the statutis seance Michaelmes last in sellinge of the point aill darrer nor twelff pennies, and in sellinge of the point of beir darrer nor fourtein pennies, and in sellinge of the point aqua

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vite darrer nor twentie schillingis, and callit, compeiringe, being accusit *1614*
thairon, confessit to the breckinge of statutis ; Thairfoir the Judges *8 July*
decernis them in the wrange doinge thairof, and ar judgit in amercia-
ment, ilk persoun brouistaris in this brut, and ordanit to pay ilk ane of
them twentie schillingis value, and dome giffen thairvpoun ; and ordanit
to remane in ward quhill they pay the samyn : Quhairvpoun tuick act of
Court.

The names of the comparentis ffrie burgess broustaris : Johne Duff
confess^s, Finlay Mc Virriche, Murdo Polsoun, Robert Sinclair, Johne
Cumminge, Donald Fowlar, Jaspert Cuithbert, William Dick, George
Mc Conil Reoche, Robert Neilsoun, Thomas Paterson, Mathow Bouie,
Anton Andersoun. Vnfrie broustaris : James Stewinsoun, Alex^r
Mc Lauchlan, William Mc Richie, Duncane Mc Conchie, James Smythe,
William Watsoun, William Fuesoun, Thomas Stewinsoun, breb^{nar},
Duncane Mc Aine Vic Finlay Beige, Alex^r Griesoun, Alex^r Mc Aine
Viel, Bean Mc Conil cheil, Johne Mc Cormick, Alex^r Barbour, Thomas
du, William Stewinsoun, Rorie Bayne, Thomas Murray, Angus
Mc Richie, Kenoche Brebner, Megie Nein William, Johne Mc Gowe
wyiff, Hector Mc Kenzie, Dunald Mc Comas, Johne Du Mc Allister,
James Mc Allister, William Mc Millar, Johne Mc Virriche, Allister
Huechoun, William Mc Freusche, Thomas Munro, Allister Mc William
Coul, Johne Mc Aine beige wyiff, Johne Mc Intailyour, Allister Mc
Robert, Donald Reid wyiff.

That day compeirit judiciaillie M^r Johne Ross, Alexander Baillie of *15 July*
Dunzean, and James Cuithbert, Burgess of Innernis, feue firmoraris of
the Kingis mylne of Innernis, multuris, sequels thairof, and office of
myllarschipe of the samyn, and producit ane Burru precept of the
Prowest and Baillies of Innernis deuelie execut and indorsatt to this day,
be verteue quhairof James Forbes alias myllar at the mylne of Kilchul-
ludrum was summond to heir and sie him selff, wyiff, bairnis, familie,
servandis, subtenents, cottaris, guidis and geir to be decernit be decret
of Court to flit and remove from the said office of myllarschipe of Kingis
mylne, multures and sequelis, knaveschipe and myln bonnack, houss^s,
biggingis thairof, as the same, of the dait at Innernis the fyift day of Julij
1614 zeiris, and execut be Thomas Clerk, ane of the burrou officiaris of
the said brucht, the said fyift day of Julij *1614*, summond the said James

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1614 Forbes alias myllar, personallie apprehendit, and delyverit to him ane
 15 July coppe of the said burru precept to the effect foirsaid, in presence of
 William Reid and Androwe Bluy, officiaris, and that conforme to the
 said persewaris precept of warninge, deuelie execut and endorsatt be
 William Reid thair officiar fourtie dayes preceeding the Feist of Whit-
 sunday last 1614 zeiris, contrar the said James Forbes and his foirsadis,
 and delyverit him a coppe, personallie apprehendit, to flit and remove
 him selff and his foirsaidis fra the said mylne, houss^s and biggingis,
 multuris and sequelis, knaveschipe and mylne bonnack thairof, and
 office and myllarschipe of the samen, and commodities perteingne
 thairto, as the same of the dait the twentie thrie day of Aprill 1614 zeiris,
 subscrivit with thair handis and execut be the said officiar the said
 day and zeir of God foirsaid, In presens of Thomas Dagleis, William
 Mc Conil, Donald Slego, and sic lyick vpoun the twentie four day of
 Aprill, being Sounday, befor noine 1614, warnit the said James and his
 foirsaidis and red the samyn at the Kirk dur of Innernis to flit fra the
 premiss^s, befor the saidis witnessis ; and for instructinge of the said
 precipt of warninge the said Mr. Johne Ross productit his instrument of
 sasinge upon the quartor of the said Kingis mylne, multuris, sequelis,
 knavschipe, and mylne bonnack, office and myllarschipe thairof ; and the
 said Alex^r Baillie productit his instrument of sasinge vpoun ane quartor
 of the said Kingis mylne with the pertinentis sic as it is abov desynit,
 and office of myllarschipe ; Lyick as the said James Cuithbert productit
 twa severall instruments of sasinge quhair he is infest in the half of the
 said mylne, half multuris, sequelis, knavschipe, mylne bonnack, and
 office abov wreittin ; and conforme thairto the saidis persewaris desyrit
 process and decretit for removeinge of the said James Forbes and his foir-
 saidis fra the said mylne and office thairof abov desynit : Quhairvpon
 tuick act of Court.

That day compeirit James Forbes alias myllar and productit ane
 Letter of Tack and assedatioun grantit be the saidis persewaris to him
 vpoun the said office of myllarschipe of the said Kingis mylne of
 Innernis and for the space of thrie zeiris, his entres to begin thairto at
 Whitsunday in the zeir of God 1613 zeiris, and to the said lands, and
 to serve as myllar thairat during the said space, and to mack his
 residence and habitatioun thairat, and to greind all cornis that suld
 cum thair sufficientlie but onie complaint to be maid thairvpon duringe

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the said thrie zeirs ; For the quhilk the said James suld vbtack the half *1614*
of the knaveschipe and the haill bonnack of everie stuff that suld cum *15 July*
thair, as the said Letter of Tack, of the dait the twentie thrie day of
Januar 1613 zeiris, at lenthe proportis ; and conforme thairto desyrit
that pronouncinge of decreit in his contrar on the premissis suld stay :
Quhairvpon the said James askit and tuick act of Court.

That day the saidis persewaris alledgit that the said James Forbes,
myllar, had nocht maid his residence at the said mylne this zeir bygane
for serving and grinding of everie stuff that suld cum to the said mylne
conforme to his Letter of Tack ; In respect thair of the said Letter of
Tack aucht and suld be declarit null and of no avall in all tymes
cuminge, and that the said James Forbes and his foirsaidis aucht and
suld be decernit be decreit of Court to flit and remove fra the said
mylne, office thair of and pertinentis of the samyn abov desynit ; And
thairfoir the saidis persewaris desyrit process and decreit : Quhairvpon
askit and tuick act of Court.

That day the Judges with consent of the persewaris and defender
hes contenewit thair verdit and interloquitor vpon the premissis to
this day aucht dayes, beinge the twentie twa day of Julij instant, and
the same to remain in the same strenthe, force, and effect as it is now
but prejudice of pertie to the said day ; and the saidis perties apud
acta citatis : Quhairvpon the saidis persewaris askit and tuick act of
Court.

That day compeirit Mr Johne Ross and James Cuithbert, per- *22 July*
sewaris, and haveand powar of Alex^r Baillie, and desyrit process and
decreit to be pronouncit in thair favours contrar James Forbes alias
myllar for removeinge of him, his wyiff, bairnes, familie, servandes,
subtenents, cottaris, guides and geir, furthe and fra the Kingis mylne
of Innernis, multuris, sequelis thair of, knaveschipe and mylne bonnack
of the samyn, conforme to the process deducit and tennor of the last
act maid thairanent : Quhairvpon tuick act of Court.

That day James Forbes alias myllar, beinge callit at the tolbuthe
windo as vse is, compeirit, and adheiringe to his former Letter of
Tack, producit ane annegatioun [?] maid, and alledgis he aucht nocht to
be decernit to flit fra the said office and commodities thair of in respect he
is willinge duringe the twa zeiris that is to rune of the said Letter of

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1614 Tack to remaine and mack his residence at the saidis Kingis mylne,
22 July and serve thairat as myllar, conforme the said tack in all pointcs; and
for performinge thairof the said James Forbes alias myllar voluntarlie,
of his awn frie motive will, oncoactit or compellit, is becum actit in the
burru court buicks of Innernis, renounceand his awin jurisdictioun, that
he sal betwix the day and dait hereof and the twentie fyiff day of Julij
instant, being Mononday nixt, and in the day find ane sufficient and
responsall burges of the brut of Innernis, actit in the burru buicks
thairof sourtie and cautionar for him, that the said James sal mack his
actuall residence, wyiff, bairnis, and servandes, at the said Kingis mylne
of Innernis, and serve as the myllar thairat faithfullie for the space of
twa zeiris fra Whitsonday 1614; Qvhairon, giff the said James Forbes
alias myllar sal failze in findinge of the caution at the day abov
expressit, in that caice the said James willis, grantis, and condiscendis
that the said Letter of Tack and assedatioun grantit to him be the
firmoraris of the Kingis mylne duringe the space abov wreittin sall expyr
and be null in the selff and will grantit and condiscendit that the Prowest
and Baillies of the brucht of Innernis pronouncit thair decreit of
removinge in his contrar notwithstandinge the tack foirsaid, renouncand
the foirsaid tack simpliciter be thir presentis in caice the said James find
nocht souertie at the day aboun wreittin in manner as saidis: Qvhair-
vpoun the saidis persewaris askit and tuick act of Court.

That day Dauid Forbes alias myllar and Angus Myllar, subtenentis
in the office of myllarschiipe at the Kingis mylne of Innernis to James
Forbes alias Myllar, and they beinge sworne to this day to heir them be
decernit fra the said office, and beinge oftymes callit and the said
David nocht compeiringe, and the said Angus compeiringe court tyme
biddinge, and they nor nane of thair names haiffinge na titill nor entres
to instruct for stayinge of the process of removeinge, the said Angus
grantit willinglie to remove, and the said David beinge absent, are baithe
decernit to remove fra the said office, and ordanis executoraillis to be
directit for inputtinge of the persewaris thairin and outputtinge of the
saidis Angus and David, their guides and geir, thairfra: Qvhairvpoun
tuick ack of Court.

That day Alexander Cuminge is decernit, accordinge to his
confessioun, for the wrang takinge of the firmoraris boye at the Kingis

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mylne or Innernis, of the drawinge of his luge, and hittinge of him ane *1614*
chape with the branckis that was in the boye handis vpoun his feit, *22 July*
and is judget in amerciamment and vnlawe, and dome giffen thairon.

Statut 1. That day the Provest, Baillies, and Counsal ordanis ane *3 Oct.*
conscientius man of ilk craft be chosen to visie his craft, to try the fynes
of wark, and cause the statutis be observit, and report the same to the
Magistrats and Counsal, the brekars thairof, that thai may be fynit
conforme to the Act of Parliament Mary 6 Pa. caput 52.

Statut 2. Item, statutis that na craft tak on hand to admit ony
prentise or buith halder, nor hald court or conventioun, nor to tak
vnlaw, at na tym cuming in defraud of the toun without licens of the
magistrats and counsal, vnder the pain of punissing of them in thair
bodies, guids and geir.

Statut 3. Item, it is statut for the better reverence and obedience
to God, his majesties Lawis, and magistrats of the burt, that na person
presume to blasphem, backbyit, or speck irreverentlie to the office berars,
magistrats, in the executioun of thair office, privat or publict, vnder the
pain of tinsal thair libertie for ane zeir, and fourtie pundis to be payit ad
publicos vsus.

4 Statut. Item, gif ane person presume to drawe vapoun [weapon]
to the magistrat, to amit and tyne his libertie for evèr, and to pay ane
vnlaw of ^{j^{ccs}} libis., and to be wardit qvhill sufficient cautioun be fund in
tym cuming of his guid reul.

5 Statut. Item, gif ane persoun abuse or hurt ane magistrat the
pains contenit in the Act of Parliament to be inflictit vpon him.

6 Statut. Item, gif ane magistrat prejudge ane nichtbor be his office
or vthair wayis it salbe leisum to the pertie grivit to complain to the
counsal, and according to thair discretioun the fault to be reparit.

7 Statut. Item, it is statut that all prenteiss^s, taskmen, and buith
halders salbe revisit and in tym cuming admittit be the Counsal, and the
benefeit qvhilk salbe vpliftit fra them to be applyit to the commun guid.

8 Statut. Item, it is statut that all personis adebit of commun maills,
annuals, and vther deuetie belonging to the sam, sal compeir zeirlic in the
counsal house twa dayis befor Witsonday and Mertimes in presens of
the auditors that the Counsal sal appoint, and pay and delyuer thair
deueties and maills vnder the pain of the doubling of the sam, and this

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3 Oct. doubil to be vplifit fra the contravenar, and his persoun to be wardit but ony favour or forgiffnes thair of.

9 Statut. Item, that sic commun guid as is zeirlie movabil in vse to be set fra zeir to zeir be roupit conforme to the order.

10 Statut. Item, that the officiaris nor na vther persoun pretend not to ward ony man bot be the licens of ane magistrat quha man be anserabil for the samyn, and that na libertie nor oppin durris be grantit to ony warder in tym cuming, bot the jayllar to be anserabil for his reset and custodie, and the jayllar to ressave for his pains, to be mitigat at the discretioun of the Baillies.

11 Statut. Item, that the counsal convey aneis ilk fyftein dayis, and to tak tryel of all miss^s and set order qhow all thingis salbe reparit in tym cuming, and the counsal sworne to assist the magistratis aganis all men in thair office but feid or favour, and quhatever persoun that persewis the magistrat misregardit be ony persoun in the executioun of his office and assistis him not sal pay ane vnlaw of ten pundis.

12 Statut. Item, that the visitors of the breid and aill be verie careful tuitching the fynes of the samyn.

13 Statut. Item, That all maner of men tak away thair middings of the Kingis streits, and hald the sam clein, and cause sweipe the sam clein everie Sattirday afoir thair dwelings in tym cuming, vnder the pain of fourtie schillingis to be payit be the contravenar toties quoties.

Statut. That day it is statut that na vnfrie broustar brew ony aquavitie or bier in tym cuming vnder the pain of eschetinge and punissinge of thair persoun.

It is statut that all burges dochteris mariet with vnfrie men sal pay half stallinger broustar; and the burges bastard dochteris mariet with vnfrie men sal pay hail stallinger broustar silver.

4 Nov. Apud Innernis quarto die mensis Novembris anno Domini millesimo sex centesimo decimo quarto.

That day Duncan Forbes,¹ burges of Innernis, grants and confess^s him to haif receavit of the commun guid of the said Burgh and borrouit fra the handis off Donald Foular burges thair, as proper geir pertening the said burgh, the soum of Twa hundereth merkis money guid and usual of Scotland, qhair of the said Duncan haldis him weil satisfiet and payit,

¹ Duncan Forbes, merchant in Inverness, who purchased Culloden in 1625.

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renunceand all exceptioun, aith of pairtie, and remeid of law in the *1614*
contrair for ever ; Qvhilk soum of twa hundereth merkis money the said *4 Nov.*
Duncan Forbes, of his awin frie motiv wil, is becum actit in the burru
court buikis of Innernis to content, repay, and redelyver to the thesaurar
of Innernis or to ony vtheris in name of the Provest and Baillies of
Innernis haiffand thair powar, the said soum of twa hundereth merkis
money, within the said Burgh betwix the dait present and the Feist and
terme of Whitsonday nixt to cum in the zeir of God Jai vi^{cs} and fyfitein
zeiris, togither with the soum off fourtie pundis money agreit vpoun for
expenss in caice thir presents be put to executioun efter the foirsaid day,
vnder the pain of poinding or warding : Quhairvpoun the said Donald
Foular askit and tuik act of Court.

Duncan Forbes, Burges of Innernis, with my hand.

That day the saides Baillies beinge convenit in the said tolbuthe in *24 Dec.*
fense court in maner as saidis, and at command of the Provost and
counsall for order tackinge with the transgressors of the statutis of this
brut and for the commoun weil of the toune and tenentraye, and sup-
pressinge of darthe, war trubilit and injurit in judgement be Allister Mc
Comas Mc Sime in Inschis, and boistit manissit be him. [The Court fled
the bench without recording decision—for cause see under 9th January.]

That day Johne Muil Mc Bean being apprehendit and committit in *1615*
ward within the tolbuith of Innernis for slaying of black fische on the *2 Jan.*
watter of Niss in tym bygain, and becauss he culd get na man to cum
cautioun for to obstein thairfra in tym cuming, Thairfoir the said Johne
Muil Mc Bean voluntarlie is becum actit in the burru Court buiks of
Innernis that, in caice he be fund to slay ony fische or smoltis or salmond
fry on the wattir of Niss with ony maner of ingein or craft, or be art or
pairt with ony person in slaying thairof or reset of the sam, in that caice
wills, grants, and condiscends that the pains contenit in our soveran
Lordis act of Parliament for the secund falt and miss be inflictit and tain
of him ipso facto, vnder the pain of poinding or warding : Quhairvpoun
James Cuithbert, elder, Procurator Fiscall, askit and tuik act.

That day Johne Maii resignit in the handis of the said William *9 Jan.*
Campbell, Baillie, be staf and batoun as vse is, twa aickers feild land of

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1615 the Carse, boundan betwix Thomas Robertsoun land at the West, the
9 Jan. said Johne lands at the eist, the Scapeget [Scatget] at the north,
at the South, with all richt thairof, in favours of Johne Chapman and hes
airis maill, burgess^s recidents in this burt, to be haldin in feu heretage of
the Provost, Baillies, and Counsal thairof, for the zeirlye payment macking
of twa merkis money feu deuetie at the termes vsit and wont, and the
airis maill to dubil the sam soum at his entrie, provyding gif that Johne
Maii relevis Johne Chapman at the handis of Alexander Abraham and
pays to him ij^{cc} and xx merkis at Witsonday 1616 as he qvha is
cautionar for the said Johne Maii, than thir presentis to be null, failyeing
thairof the said land sal remain in wadset with the said Johne Chapman
and his foirsaidis apoun the soum of ij^{cc} pundis money, and na vther
ways to be redemit thaireftir ; and the said Johne Maii is becum actit
to warrand the said resignatioun to be valid to the said Johne Chapman
in manner foirsaid ; and the Baillie, vpoun the conditioun foirsaid,
resavit the said rsignatioun, ordaining sasing to be giffin to the said
Johne Chapman thairvpoun, qvha hes payit to Androw Fraser, Baillie,
iiij merkis dubil entrie : Quhairvpoun tuik act of Court.

Alex^r Duff, commun clerk, with my hand.

That day compeirit judiciallie William Robertsoun, elder, Burges of
Innernis, and with him William Gray thair, Procurators Fiscalls con-
junctlie and severalie constitut of the said burt, and gair in the broche
and dittay following aganis Allister Mc Comas Mc Sym, tennent to
William Patersoun, zoungar, burges of the said burt, in Inschis, anent the
offence doin be him to our Soveran Lord and Baillies sittand in judge-
ment, and desyrit the sam to be red and remittit to the tryel of the
inqueist following ; Qvhairof the tennor of the said broche in forme of
dittay followis :—

In the first Thou Alex^r Mc Comas Mc Sym, tennent in Inschis, art
persewit and indytit that vpoun the twentie four day of December last
by past, the burru court of Innernis beand lawfullie fensit be the four
Baillies, to wit Alexander Patersoun, William Campbel, Duncan Forbes,
and Androw Fraser, Baillies, sittand in judgement for administratioun
off Justice, ze most irreverentlie and barbarouslie com throw ze tolbuith,
crocit the judges and judgement seat with zour heid coverit, and nathar
wald reverence his Majestie nor his Judges placit in His Majestie seat,

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and thairefter in forme of bangstarie and oppressioun ze maist masterfullie tuik William Reid, ane of the burru officiaris of this burt, be the neck, and boistit him perforce to opin the counsal house dur to the effect ze nicht confer with sum malefactor wardit thairin callit Fanis Mc fanis vic Innes Duy in Balleblair, and, becaus it was refusit to you for sundrie guid ressonis the Baillies, ze maist barbarouslie past to the counsal house dur and dang at the samyn with zour feit and handis, and commandit the officiar maist imperiuslie to opin the samyn into you, and thairefter ze beand requerit be the Baillies present to desist fra the counsal house dur in ane frendlie maner with fair language, ze added contempt into contempt, gifand the Magistrats most injurriouse and deteistabil language, saying into them the divil pintil in thair airse, with sic vther abhominabil and injurriouse language not wirthie to be repetit or put in writing ; And the said Allister being accusit on the hail pointis aboun wreittin nayit the samyn, qvhilk the judges remittit to the tryel of the inqueist following : Quhairvpoun the said Procurators askit and tuik act of Court.

1615

9 Jan.

Secundlie, thow Allister Mc Comas beand chairgit be William Reid and Androw Tolmi, officiaris, in our Soveran Lordis nam to rander zour waponis qvhill ze suld be sensorit for zour trespass and offence doin agains His Majestie and His Hienes office beraris, ze refusit to rander zour waponis and zour self, bot dang the officiaris masterfullie fra you, and thairefter offerit to persew the Baillies sittand in judgement sua that the Baillies was forcit to raise out of judgement and to disarme you and tak zour waponis fra you perforce for saifing of them selffis fra forder inconvenient ; and the said Allister being accusit on the premiss^s nayit the samyn, qvhilk was remittit be the judges to the tryel of inqueist following : Quhairvpoun the saidis Procurators askit and tuik Act of Court.

Thirdlie, thov Allister Mc Comas art persewit and indytit that sen the tym of zour warding in the tolbuith ze most barborouslie bostit Donald Mc Aine Reoche alias Pepper, segstar, and wald not suffer him to ring the bells to the prayaris except he wald haif consentit to haif lattin out of ward James Mc Fleger in Drackie qvha was wardit with zour selff for certan causs^s : and in respect he refusit you to lat him out ze said ze wald tack ane ryid bone out of his heid, and desyrit him in contempt to tell the samyn to the Baillies. Be ressoun qvhairof, and for zour hie

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1615
9 Jan. contempt committit be you in diverse formes aganis our Soveran Lord His Hienes judicatorie and office, becaus zou haif not only tint and amittit zour haill movabil guidis and geir bot also zour very lyif conforme to the lawis of this realm ; desyring your L to tack tryel in the premiss^s : and, as the said Alester beis find culpabill, that vtheris commit not the lyick ; and the said Alex^r being present and being accusit on the haill pointis and offences aboun writtin, nayit the samyn, quhilk the judges hes remittit to the tryel of the inqueist following summonit to that effect to this day : Quhairvpoun the Procurators tuik act of Court.

Nomina inquisitionum : M^r Johne Ross, cancellar, burges of Innernis, Alexander Baillie of Dunzean, James Cuithbert, elder, James Wauss, Alex^r Mc Conil vic Farchar of Davochgarreoch,^r Hector Mc Conil vic Farquhar, his brothar, in Culcabock, Alex^r Merchand, burges of Innernis, Alex^r Cuming, burges thair, Johne Cuming, William Patersoun, elder, Androw Fraser, merchand, Androw Mc Conil, James Mc Allister, burgess^s thair, David Ross, Robert Sinclair, burgess^s thair, Anton Andersoun, Robert Moncreiff, William Stevinsoun, William Patersoun, zoungar, Richard Gordoun, burgess^s thair, William Mc Conchie, Finlay Mc Virrich, Johne Robertsoun, James Robertsoun, burgess^s thair, quha being all summonit to this day to pass vpoun the said inqueist, and being all admittit and sworne judicallie that they suld tak just tryel in the foirsaid offences and dittayis, and declair the veritie, past out of face of court to the counsal house, and thair, efter lang ressoning and degest comuning haid vpoun the foirsaid broche and dittay, and efter just tryel fund be them the said Allister Mc Comas in the foirsaid haill dittayis and pointis thairoff, and, efter thair reentrie in face of court, pronouncit be the mouth of M^r Johne Ross, cancellar of the said inqueist, and finde the said Allister culpabill in all the pointis of the saidis dittayis : Quhairvpoun the saidis Procurators Fiscalls askit and tuik act.

That day the judges, according to the convictioun foirsaid, hes judgit the said Allister Mc Comas in the amerciamento for committing of the saidis offences and decernit to pay the soum of thrie hundereth merkis, and to mack his humiliatioun within the tolbuith vpoun his kneis befor God and the Majestrats, and thairefter to mack his repentance in

^r Maclean of Dochgarroch.

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quheit habit in the Paroch Kirks of Innernis, Forres, and Elgin, on ane Saboth day in everie Kirk thairof in tym of Divein Service, and confess his offences doin to God and man, and crave pardoun at the greit God omnipotent, our Soveran Lord King Majestie, and the Kirk, and ordanis him to remain in ward quhill he find cautioun for satisfeing of the premiss^s; Quhairvpoun dom giffin be Malcolm Duncansoun, dempster of Court: Quhairvpoun the saidis Procurators Fiscalls askit and tuik act of Court.

1615
9 Jan.

Alex^r Duff, notar, clerk.

That day compeirit the hail proprietoris of the salmond fischinge of the wattir of Niss judicillie vnder subscribing, and vnderstandinge perfyictlie that the demolissinge watter barckis of Niss quhilk for the present ar greitlie decayit and cassin doun, quhilk is the greit caus of thair hurt and hinder of the fisehinge and commoditie thairof, Theirfoir they all with ane consent and assent ar becum actit in the burru court buickis of Innernis for them selffis and thair airis maill, beinge burgess^s of Innernis, and actual residentis thairin, that, betwix the day and dait hierof and the fyiftein day of Februar nixt to cum, laid and carie also mony stainis to the watter bray, and cary them in also greit quantitie and also meickil in carn as Johne Cuithbert of Castelhil, Provest, sal leid, quhais cairn salbe ane patroun for the rest, sua that everie ane of the said wattermen salbe actit and astrictit to leid also meickil in calrn for biggin of the slap of the auld grein hillock, vnder the pain of twentie pundis money to be payit be him that sal failzie thairin, to be applyit as the remanent wattermen sal pleis, vnder the pain of poindinge or warding: Quhairvpoun askit act.

10 Jan.

Johne Cuithbert, Provest, Alexander Baillie of Dunzeane, Jasp. Cuming, James Cuithbert withe my hand, J. Cuithberte elder withe my hand, Mr Johne Ross, Duncan Forbes, James Fraser, William Ross with my hand, De mandato Andrae Mc Conil et Wilhelmi Patersoun senioris scribere vestro ego Alex^r Duff notarius requisitus est manu propria, James Dempster.

That day Allister Mc Conil vic Farquhar in Davochgarroche, Alex^r Bailie Mc Sandie Roy in Davochfuir,¹ ar becum actit cautionaris conjunctlie and severallie for Hector Mc Allister in Davochcarne² and Donald his son, that thai sal not slay na black fische nor be airt or pairt thairof

¹ Dochfour.

² Now Lochend—the east end of Lochness.

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1615
10 Jan. in tym cuming vpoun the wattir of Niss, vnder the pain of twentie punds to be payit to the Procuratoris Fiscal of Innernis in caice thai contravein, and to present the contravenar within the tolbuith of Innernis; and thai actit for thair cautionars relief: Quhairvpoun Duncan Forbes in name of the Pror. askit and tuik act.

That day Farchar Oig, fischar, and Alexander Buddit voluntarlie ar becum actit that thai sal not slay na fische vpoun the wattir of Niss at na tym cuming with na maner of ingeinn accept cobil and net, vnder the pain of cutting of thair richt hands: Quhairvpoun the Procurator Fiscal tuik act of Court.

13 Jan. That day William Dick, cordener burges of Innernis, being accusit be the Procurator Fiscal for the wranguss melling, resetting, and intromitting with sex firlatts malt fra Johne Boyd, maltman, quha haid nain of his awin, out of Thomas Mc Conl Kil, the xi day of Januar instant, vnder silence of nicht, be him selff, his wyif, servands, complices, and vtheris at his command, quhilk richteouslie pertein it to William Pater-soun: quhilk malt the said William aucht not to haif ressauit because the sellar thairof haid nain of his awin, thairfoir auch to tyne his fredom, and his haill guidis and geir to be escheit and confiscat to be imployit to the vse of the burt, and, compeiring, anserit confessit the reset of the malt, and knew the sellar to be bot ane commun man, quhilk as he belevit nicht sell and by with him, and cuming in wil of the Judges: quhairfoir the Judges being merciful hes judgit him in amerciament, and ordanis him to pay twentie punds of vnlaw for his wrang; Dom giffin thairvpoun be the Dempster of Court: Quhairvpoun the Procurator Fiscal askit and tuik act of Court.

5 June That day James Stewart, servitor last to Lauchlan Mc Intoschie of Dunachtin,¹ for giffin of ane cuf and buffat to James Cuttis, servitor [to] the Erll of Engzie, vpoun the halffat with his hand, and James Waus, witnes, declarit the sam to be of veretie; and the said James Stewart accusit thairon confessit the wrange: thairfoir the Judges decernis him in the wrange trubling of the said James Cuttis, committing of ane ryot, trubling of the toun, breiking of the Kingis pace: thairfoir is ordanit to mack his humiliatioun and satisfioun to the said James Cuttis and that opinly, and to crave pardoun at God and the persone offendit, and

¹ Mackintosh of Mackintosh.

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to pay to the Judges twentie pund for his fyne : Quhairvpoun tuik act of Court. 1615
5 June

The quhilk day preceeding the Provost, Baillies, and Counsal of the burt of Innernis being convenit in the tolbuith thairof for desyding on certan commun offairis teinding for the weil of the burt, And, efter lang conferance, hes statut and ordainit, and be thir presentis statutis and ordanis, all in ane voce, for them selffis and thair successors, that na Provost that sal be electit in tym cuming within this burt sall not admitt ane burges of this burt of him self without the consent of the Provost, Baillies, and Counsal first obteneit thairto ; And in caice he do in the contrar he sal tyne his fredom of the burt, and for fault tyne and amitt all landis that he holds to the toun greschope land and nevir to be restorit to his libertie thairefter, nor to nain of the landis, nor beir office in the said burt thairefter : Quhairvpoun tuik act of Court. 9 June

That day it is statut be the said Provost, Baillies, and Counsal that no man sal solist to crave ane man to be maid burges of this burt befor his petitioun be giffin in to the counsal, vnder the pain of ten punds to be payit toties quoties be the solister quhowaft he sal contravein : Quhairvpoun tuik act of Court.

That day the Provost, Baillies, and Counsal of the burt of Innernis, being convenit for intreitting, commoning, and concluding of certan the commun affairis of the said burt, and for the publict weil thairof and inhabitantis of the sam, and for ratifeing and approving of certan auld actis and statutis maid be thair prediccursors for the commun weil of the said burt, and finding now as then the salmond fisching of the watter of Niss to be greit humblie prejudgit be incasting of roch and lymit hyidis and vther filth, and lint, in the said wattir, quhairthrow the passage of the said salmond fische is stayit : Thairfoir hes statut, decernit, and ordainit, and be the tennor heirop statuts, decernis, and ordainis that na inhabitant, merchand, barker, litstaris, or ony vther persoun presume or tak vpoun hand to lay ony hyidis or skinis, roch or lymit, or ony lint, or ony vther filthie wairis of litstars, in the said watter at ony time heirefter, vnder the pain of xl libs toties quoties, to be payit be the contraveinar, the ane half thairof to the burt, and the vther half to the wattermen ; and also statuts and ordainis that quhatsumever persoun that salbe fund 31 July

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1615 night or day in the Ile of the watter of Niss, or vpoun the watter wark
31 July thairof, with clippis, net, or drylochis or waspeiris, or with ony vther
ingein for slaying of fisch, or vther wayis beggan or ravan fisch aither in
the said Ile wark or at the watter syid or schoit with cobil net, except
the maister and thair fischaris, vnder the pain of ten libs. toties quoties,
and to be punist in thair persoun without favour: Quhairvpoun the
Procurator Fiscall, James Cuithbert, elder, askit and tuik act.

15 Sept. That day Donald Mc Robert in Darris^r for brecking of the Kingis
pace of the proclamit Ruid fair, trubling of the toun, in stricking of
Finlay in Lettercullin, servitor to Johne Bayne of Slego, with
ane naickit durck behind the heid, and committing of bluid, is convictit
conforme to persewaris being referrit to him, in the said wrang, and
decernit to pay fyiftie lib. for his vnlaw: Quhairvpoun tuik act.

That day Grant in Cromdail, for the bluid latting of
Georg Strachon, and stricking of him with ane knaif in the breist,
brecking of the Kingis pace, trubling of the toun and mercat, is convictit
thairin conforme to his confessioun, ordanit to pay fyiftie lib vnlaw:
Quhairvpoun tuik act.

That day Georg Strachon, for the bluid latting of the said
Grant, and stricking of him with ane durck throw the brain of the lyig,
brecking of the Kingis pace, trubling of the toun and mercat, is convictit
thairin conforme to his confessioun, and ordainit to pay xl lib. of vnlaw;
Quhairvpoun tuik act.

2 Oct.

The Heid burru court of the burt of Innernis, haldin
within the tolbuith of the samyn efter michaelmes, be
Johne Cuithbert of Auldcastelhil, Provest of the burt of
Innernis, Alex^r Patersoun, William Campbel, Duncan
Forbes, and Androw Fraser, baillies of the said burt., the
second day of October the zeir of God Jai vic^{es} and fyifteen
zeiris; the suitis callit, the court laulie fensit and affirmit
as use is.

That day Mr Johne Ross, burges of Innernis, is electit and admittit
Provest of the burt of Innernis for ane zeir, quaha hes giffin his aith for
faithful administratioun of the said office during the said space: Quhair-
vpoun tuik act of Court.

^r Dares, in the Parish of Dores.

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That day Alexander Patersoun, William Campbel, Duncan Forbes, *1615*
James Cuithbert of Eister Drackie, ar electit, admittit, and sworne baillies *2 Oct*
of the said burt conjunctlie and severalie during the space of ane zeir
according to the forme, quha hes giffin thair aith for faithfull adminis-
tratioun of thair offices during the said space : Quhairvpoun tuik act of
Court.

That day Alexander Duff, notar, is creat commun clerk of the said
burt during his lyiftym, according to the Act grantit to him thairanent,
quha hes giffin his aith for faithfull administratioun of the said office :
Quhairvpoun tuik of court.

The names of the personis electit Counsal of the burghe
for this zeir fra Michaelmes 1615 to Michaelmes 1616 zeiris :
Mr Johne Ross, Provest : James Cuithbert of Eister Drackie, Alexander
Patersoun, William Campbel, Duncan Forbes, baillies : John Cuithbert
of Auldcastelhil, Alexander Bailzie of Dunzean, Androw Fraser, notar,
auld bailzie, James Cuithbert, elder, James Waus, William Patersoun,
zoungar, William Robertsoun, elder, William Cuithbert apperand of
Castelhil, James Patersoun, William Patersoun, elder, Alexander Mer-
chand, William Cuithbert Johneson ; ordanis the 5 magistrattis and sex
of the Counsal sal conveyin and conclude vpoun all affairis quhilk salbe
holdin sufficient number.

That day thow Allister Mc Conil vic Androw vic Finlay art indyttit
that quhairvpoun the fyftein day of September instant, at son sett, thow
maist thiefteouslie sta and tuik away with ze out of Eister Drakie ane
littil browne horse quhilk was gerssan vpoun the Clay Pottis of the said
toun perteening to James Mc Illester as his proper guid and geir, and
thow immediatelie vnder cullour past with the Kingis lieges the coft
horse at the Ruid fair eist to m^r ray thinking thairbe thow suld not be
spyit, and sauld the said horse to Falconar, Smyth in Greis-
chill, and in signe thairof thow ressaut fra him fourtie schillingis in arles
pennie, and thow promisit to haiff giffen Donald Mc Robert in Darris as
brocht and hammel for the said horse, quhill ze haid bein doin, lyik as
the said horse was apprehendit with the said smyth quha gave ze as
warrant, and quhen zou was apprehendit and accusit thairon be the said
James Mc Illester zou confessit zou sta the said horse and was warrant
to the said smyth for the samyn ; quhilk now also zou can not deny :
Referris to the tryel of the inqueist.

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1615 Thou art indyttit for the thifteous steling of ane lang tuel of twelf
2 Oct. eln that wald contain fyif bolls beir, out of the barne of Eister Drackie,
tournit the said tuel being full of beir, and tuik and sta the sam with ze
pertaining to vmquhill Alexander Cuithbert in the month of October or
thairby 1610 zeiris, and sauld the sam in Innernis to quhom thou
knawis ; quhilk zou can not deny : Referris to the tryel of Inquest.

That day thou Allister Mc Conil vic Androw vic Finlay art indyttit
of the thifteous steling fra vmquhill James Bain out of his house in the
month of November 1614 and lay darvit in the sta of his horse quhill
midnight, and than zou raise and tuik away with ze schoin, hoise, and
vther necessaris, with fyif merkis, and disponit thairvpoun in Innernis to
quhom thou knawis ; quhilk zou can not deny : Referris to the tryel of
Inqueist.

Thou Allister Mc Conil vic Finlay, zou art indyttit for the thifteous
steling fra Androw Dow in Drackie in the month of September 1613 out
of his house, vnder silence of nicht, thou being weil intertinet, sta and
tuik away with ze ane wombil and ane ax quhilk thou disponit vpoun at
thai plesser ; quhilk zou can nocht deny : Referris to the tryell of
Inqueist.

Thou art indyttit for thifteous steling Kinmaillies,¹ in September
1614, fra Thomas Moir, gardenar thair, off ane gardenar scheir, hempe,
and lock, and certain apills, and disponit thairvpoun : quhilk thou can
not deny : sworn be Thomas Moir, vpgiffar : Referris to the tryel of
Inqueist.

Thou Allister Mc Conil vic Androw vic Finlay, thou art indyttit as
ane commun notorius theif, ane maisterles vagabond, infang thief, out-
fang theif, ane ivil member for the commun weil, and, sen thair was sex
quartars claith in thai coat, zou hes bein ay steland and pycker and ane
maniser theif ; quhilk zou can not deny : Referris to the tryel of Inqueist.

That day the Judges hes remittit the foirsaid dittayis to the tryel of
Inqueist as follows :—

Nomina assisse : That day Alexander Cuming, Androw Mc Conil,
James Mc Allister, John Cuming, John Abraham, William Robertson,
elder, Cancellar, Robert Neilson, William Cuithbert Johnson, Gillichrist
Mc Aine Glass, James Cuithbert in Merkinsche, James Cuithbert
Jamesson, Finlay Skinner, Jaspert Cuithbert, David Ross, George

¹ Kinmyles, near Inverness.

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Mc Conil Reoche, being all admittit and sworne, hes convict the said *1615*
Allister Mc Conil vic Androw vic Finlay in the foirsaid dittayis, *2 Oct.*
conforme to his confessioun, pronouncit be the mouth of William
Robertsoun, elder, cancellar of the Inqueist: Quhairvpoun tuik act of
Court.

That day the Judges, efter ryipe advyisment with the convictioun,
hes decernit zou Allister Mc Conil vic Androw, for thai demerritis
according to the convictioun, to be tain to the brige, and cassin doun in
the watter, and thair thow remain quhill thow die ; and dom giffen thair-
vpoun be Malcolm Duncansoun, dempster of Inqueist.

That day comeirit judicialie in judgement James Cuithbert, elder, *14 Oct.*
Borges and Thesaurar of the burt of Innernis, and William Robertsoun,
elder, merchand Borges, and ane of the Procurators Fiscalls of the said
Burt of Innernis, for them selffis, and for thair entres, and also for and in
nam and behalf off the Counsall, comburgess^s and communitie of
Innernis, and with adwiss and consent, and producit ane Burru Precept
of the Prouest and Baillies of the Burt of Innernis, dewelie execut and
indorsat to this day ; Be vertew quhairof John Grant of Glenmoristoun,
and William Patersoun, elder, Borges of Innernis, pretendit tennents and
occupiars of that landis callit the burru hauch of Innernis, with the park
and wod betwix the hicht of the hill and the hauche lyand betwix the
hillie mont and the watter, with the wod and park, war laulie summond
to heir and sic them selffis, wyiffis, bairnes, famelie, sub tennents, cottars,
guids, and geir to be decernit be decreit of court to flit and remove them
selffis furth and fra the said (sic) of that land callit the burru hauch of
Innernis, park and wod thairof, and to mack void and red the sam to the
effect the said complenars, counsall, burgess^s of Innernis, communitie
thairof, may enter thairwith, set, vse, dispone thairvpoun in all tym
cuming, as their proper landis and heretages ; quhairof the tenor of the
said Precept and executiones thairof followis.

Mr Johne Ross, Provest of the Burt of Innernis, James Cuithbert of
Eister Drackie, William Campbel, Alexander Patersoun, and Duncan
Forbes, Baillies of the said burt, conjunctlie and severalie, To our lovitis
Alexander Grieson our burra officiars and executors heirof
in that part, conjunctlie and severalie, special constitut, greitting ; Forsa-
meikill as it is humblie meint and schewin to us by our lovitis James

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1615 Cuithbert, elder, burges and Thesaurar of the burt of Innernis, and
14 Oct. William Robertsoun, elder, merchand burges and ane of the Procurators
Fiscalls of the said burt of Innernis, for them selffis and for thair entres,
and also for and in name and behalf of the counsall comburgesses and
communitie of the burt of Innernis, and with thair adwyiss and consent,
causit thair officiar by thair precept of warning fourtie dayis preceeding
the Feist of Witsounday Jai viccs and fourtein zeiris, laulie warne and
chairge John Grant of Glenmoristoun and William Patersoun, elder,
burges of Innernis, pretendit tennents and occupiaris of that landis callit
the burru hauch of Innernis, lyand betwix hil mont and the watter, with
wod and park, et lie haouch park and wod betwix the hicht of the hill
and the haouch, to haif flittit and removit them selffis, wyiffis, bairnis,
fameli, servandis, sub-tenents, cottaris, guidis and geir, furth and fra the
said burru hauch at the said Feist of Witsounday Jai viccs and fourtein
zeiris, and to haif maid the sam void and red to the saidis complenaris to
the effect thai may dispone thairon as thair proper heretage, quhilk thai
maist wilfulli refuss to do without thai be compellit, as is alledgit:
Quhairfoir, this Precept sein, ze pass in our soverain lordis naim and ours,
summond, warne, and chairge the said John Grant of Glenmoristoun and
the said William Patersoun, elder, to compeir befoir vs or ony ane of vs
within the Tolbuith of Innernis, in ane burra Court thair to be haldin
court tym of day the fourtein day of October instant in the hour of cause,
and thair to anser at the instance of the said James Cuithbert, elder,
Thesaurar, and William Robertsoun, elder, Procuretoris Fiscalls, for them
selffis and in nam of the Counsall and communities of Innernis, and to
heir and see them to be decernit be decret of court to flit and remove
fra the said burru hauch of Innernis, park aud wod thairof, fra the hicht
of the hill to the wattir, conforme to thair warning and infestment thairof,
with certificatioun and intimatioun as affairis: The quhilk to do we
committ to you conjunctlie and severalie our ful power be this our
precept, delyvering the sam be zou dewelie execut and indorsat again to
the berar: Giffin vnder the subscriptioun manual of our commun clerk at
our command, at Innernis, the sext day of October the zeir of God Jai
viccs and fyifteen zeiris. Alex^r Duff, clerk.

Vpon the sext day of October 1615 zeiris I Alex^r Grieson, Officiar
within constitut, past at command within vrittin Precept, summond
William Patersoun, elder, To compeir befoir the Provost and Baillies of

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Innernis within the tolbuith of Innernis the day and dait within conteinit, 1615
to the effect within specifiet, with certificatioun as iffeirs, and delyuerit 14 Oct.
ane coppie of this within written precept personalie apprehendit befor
thir witness^s, Patrick Clerk, Messenger, David Watson, Cremar,
Mr William Ross, Scoill Maister of Innernis ; and for the mair verifica-
tioun to this my indorsatioun is effixit vsit in sic caices, with my
subscriptioun manuall. Et sic subscribiter Alex^r Grieson, officiar.

Vpon the sevent day of October the zeir of God Jai vi^{ces} and fyfitein
zeiris, I Alex^r Grieson, ane of the burru officiaris of Innernis, past at
command of this within precept and efter the forme and tenor of the
sam to the toun and landis of Balmackaan, being the dwelling place of
John Grant of Glenmoristoun for the tym, summonit him quhair his wyif
and servandis was for the tym, and efter I haid knockit sex knockis at
the dur of the said dwelling, culd get na entres ; Thairfoir I effixt ane
coppie of this within written precept vpoun his said dwelling house dur,
and vpon the aucht day I summond him and delyuerit to the said John
Grant personalie ane coppie heirof to compeir befor the Provest and
Baillies of Innernis or ony ane of them within the tolbuith thairof court
tym of day the fourtein day of October instant, to the effect within
conteinit, with certificatioun and intumatioun as effeiris ; And this I did
befor thir witness^s Johne Mc Allister vic Aine, Finlay Grant, Androw
Dow, servitors to the said Johne Grant ; and for the mair verificatioun to
this my indorsatioun my signet is effixt vsit in sic caices, with my
subscriptioun manuall. Et sic subscribiter Alex^r Grieson, Officiar : and
for instructing of the said burru precept the saidis persewaris producit
thair precept of warning, with the execution thairof, quhair of the tenor
followis :—

James Cuithbert, elder, Thesaurar of Innernis, William Robertsoun,
elder, burges and Procurator Fiscill of the said burt, for ourselffis and for
our entres, also for and in name and behalf of the Counsall and hail
communitie of the burt of Innernis and with thair advyiss, heretabil
proprietars and titularis of the landis vnderwritin, To our lovitis Thomas
Clerk, Androw Tolmi, William Reid, our burru officiaris of the said burt,
and our officiaris executors heirof in that pairt, conjunctlie and severalie
constitut, greitting : It is our will and we charge zou our said officiaris,
This precept sein, ze pas fourtie dayis preceeding the Feist and terme
of Whitsonday nixt to cum in the zeir of God Jai vi^{ces} and fourtein zeiris,

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1615 and, conforme to the Act of Parliament, laulie warne and chairge Johne
14 Oct. Grant of Glenmoristoun and William Patersoun, elder, Burges of the said
brut. of Innernis, pretendit tennents and occupiars of our proper landis
callit the burru hauch of Innernis, with the wod and parck thairof, lyand
within the territorie of the burt of Innernis be south the said burt fra
the hicht of the hill to the watter, To flit and remove them selffis,
thair wyffis, bairnis, famelie, servandis, sub tennents, cottars, guidis and
geir furth and fra our said proper landis callit the burru hauch of Innernis,
parck and wod thairof, perteing vs heretable, lyand as said is, and to
leve the sam vod and red at the said Feist of Witsunday nixt to cum
Jai viccs and fourtein zeiris, to the effect we the said Thesaurer,
Procurator Fiscall, Counsall, and communitie of the said burt, men,
tennents, and servandis, and vtheris in our nam, may enter peciabile
thairto, set, vse, and dispone thairon at our plesur in all tym cuming, as
our proper heretage and landis, and delyuer ane coppie of this our
warning ilk ane of them personalie gif thai can be apprehendit, fallzeing
thairof to thair wyffis or servandis in thair names, or leve the same vpoun
the zett or dur of thair dwelling place and vpoun the ground of the saidis
landis in signe of thair lauchfull warning : Sicklyick that ze pass fourtie
dayis befor the said Feist of Witsunday Jai viccs and fourtein zeiris to
the Parroch Kirk of Innernis, within the quhilk Parroch the saidis landis
lyis, and thair vpoun ane Sunday befor noin, in tym of divin service,
preching or prayiaris, reid or cause be red ane coppie of our warning, and
thair, absent as present, warne the saidis personis to flit and remove fra
the saidis landis at the Feist of Witsunday Jai viccs and fourtein zeiris,
and thairefter effix the sam vpoun the maist patent dur of the said
Parroche Kirk, quhairbe that thai pretend no ignorance heirof ; with
certificatioun, in caice thai do in the contrar and flitts not, they salbe
callit and persewit for voilent occupatioun thairof, and sall pay the
proffeyts off the saidis landis conforme to the Act of Parliament maid
anent the warning of tennents : The quhilk to do we committ to you
conjunctlie and severalie our full power be this our Precept of warning,
delyuering the sam be zou dewlie execut and indorsat again to the
berar : Giffin vnder our subscriptioun for our selffis and for our entres,
and in nam and behalf of the counsall and communiti of the said burt, at
Innernis, the last day of Aprile, the zeir of God Jai viccs and fourtein
zeiris. Et sic subscribiter James Cuithbert, elder, Thesaurer of the burt

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of Innernis, W^m Robertsoun, elder, Procurator Fiscall of the burt off
Innernis. Alex^r Duff not. clerk. Vpoun the last day of Aprile the zeir
of God Jai vi^{cs} and fourtein zeiris, I Thomas Clerk, ane of the burru
officiaris of Innernis and officiar within constitut, past at command of
this within written Precept of warning, and, efter the forme and tennor of
the samyn, I laulie warnit and chairgit Johne Grant of Glenmoristoun,
William Patersoun, elder, merchand burges of Innernis, pretendit
tennentis and occupiaris of the landis within written, personalie
apprehendit, and delyuerit to ilk ane of them ane coppie of the precept of
warning within contenit to flit and remove them selffis thair wyiffis,
Bairnis, famelie, servandis, subtennentis, cottaris, guidis, and geir furth
and fra the burru hauch of Innernis, with the wod parck thairof, fra the
hicht of the hill to the watter, as is within contenit, at the Feist off
Witsonday nixt to cum in the zeir of God Jai vi^{cs} and fourtein zeiris,
and to mack vod and red the sam than to the effect the complenaris
within written thair men, tennentis, and servandis may enter peciabile
thairto, set and dispone thairon at thair plesur, and effixt ane coppie of
the said Precept of warning vpoun ane stobe vpoun the ground of the
saidis land and hauch within mentionat, and maid intimatioun to the
said Johne Grant and William Patersoun, elder, of the said warning, and
vsit the haille remanent order of warning prescrivitt in the Act of
Parliament maid anent the warning of tennentis, with certificatioun in
caice thy did in the contrar heirof they suld be callit for violent
occupatioun and compellit to pay the proffets of the saidis landis ; and
this I did befor thir witness^s Gilbert Waus, burges of Innernis,
Alexander Patersoun, son to William Patersoun, elder, burges thair,
William Reid, Androw Tolmi, burru officiaris thair, Alexander
Abraham, Finlay Skinner, James Cuithbert in Merkinsch, burgess^s thair ;
and for the mair verificatioun to this my indorsatioun my signet is effixt
vsit in sic caices.

Alex^r Duff, clerk.

And sic lyck vpoun the first day of Maii, being Sounday, befor
noin, in the zeir of God Jai vi^{cs} and fourtein zeiris I the said Thomas
Clerk, ane of the burru officiaris of Innernis and officiar within constitut,
past at command of this within writtin Precept of warning, and eftr
the forme and tennor zeid to the Parroch Kirk of Innernis, within the quhilk
the said lands lyis, and thair the said day befor noin, in tym of prayars,

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1615 causit Alexander Patersoun, son to the said William Patersoun, elder,
 14 Oct. reid the coppie of the Precept of warning within contenit, and thair,
 absent as present, warnit the said Johne of Glenmoristoun and William
 Paterson, elder, to flit and remove them selffis, wyiffis, bairnis, fameli,
 seruands, sub tennents, cottars, guidis and geir furthe and fra the burra
 Hauch of Inverness, wod and parck thairof, within mentionat, at the
 Feast off Witsonnday nixt to cum Jai v^{ces} and fourtein zeiris, and suffer
 them to dispone thairvpoun at thair plesur as thair proper heretag, and
 thaireftir effixt the coppie of the within writtin warning vpoun the maist
 patent dur of the said Parroch Kirk in signe of lawl warning, with certi-
 ficatioun in caice they fail zeit and flitts not at the foirsaid terme, they
 suld be callit and persewit for violent occupatioun, and compellit to pay
 the proffits of the said lands according to the Act of Parliament; and
 this I did befor thir witness^s, Gilbert Waus, burges of Innernis, Thomas
 Mc Coull, burges thair, Hector Mc Allister Vic Eachin in Lairge, the
 said Alexander Patersoun, Androw Tolmi, William Reid, burru officiaris
 of Innernis; And for the mair verificatioun of this my indorsatioun my
 signet is effixt hereto vsit in sic caices; And for instructing of the said
 Precept of warning the said James Cuithbert, elder, Theasurer, and
 William Robertsoun, elder, Procurator Fiscall, producit ane Instrument
 of Sasing quhair thai ar dewlie infest and sasit in the foirsaid Burru
 Hauch, parck and wod, fra the heicht of the hill to the watter, lyand as
 saidis, of the dait the sext day of Maii the zeir of God Jai v^{ces} four scoir
 and twelf zeiris, vnder the signe and subscriptioun of William Campbel,
 notar; and the saids Johne Grant and William Patersoun, elder, being
 oft tymes callit at the tolbuith stair and windo, and not compeiring,
 court tym of day biddin, and the hour of cause, and not compeiring nor
 na vther in their name; Thairfoir the saids James Cuithbert, elder, and
 William Robertsoun, elder, desyrit process and decreit contrar the said
 Johne Grant and William Patersoun, elder, for removing of them and
 thair foirsaidis furth and fra the said Burru Hauch, wod and parck thairof,
 conforme to the instructionis richt tittill producit; Quhairvpoun the said
 James Cuithbert, elder, and William Robertsoun, elder, askit the judges
 answer: Quhairvpoun tuik Act of Court.

That day the Judges, being ryplie advysit with the proces and
 instructionis producit be the said James Cuithbert, elder, Thesaurar, and
 William Robertsoun, elder, Procurator Fiscall, and hes fund the sam

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laulie vsit, laid, and deducit, and fyndis the sam sufficientli instructit ; 1615
Thairfoir the saids Judges hes decernit and ordaint, and be the tennor heir- 14. Oct.
of for final sentence decernis and ordanis the said Johne Grant of Glen-
moristoun and William Patersoun, elder, merchand burges of Innernis, to
flit and remove them selffis, their wyffis, bairnis, famelie, servandis,
subtennentis, cottars, guids and geir furth and fra the said burru hauch,
wod parck, fra the hicht of the hill to the watter, lyand as saidis, and
mack void and red the sam, and to desist fra forder occupeing laboring
thairof, and to permit the Counsall, communitie of Innernis, to posses
occupie the sam, and ordainis lres [letters] executorialls and precepts to
be direct for outputting of the said Johne and William and thair foirsaidis
fra the said burru hauch, wod and parck, lyand as saidis, and to input
the said thesaurar and Procurator Fiscall, counsall, burgesss, and comm-
unitie, them selffis, thair guids, geir, men, tennents, and servandis in the
foirsaid burru hauch, hauld them in peciabil possessioun thairof, conform
to their gift and infetments and sasingis grantit to them thairvpoun and
thair successors vpoun fyftein dayis chaig : Quhairvpoun the said James
Cuithbert, Elder, thesaurar, and William Robertsoun, Elder, Procurator
Fiscall of the said burt of Innernis, for them selffis, thair entres, and in
nam of the said burt, askit and tuick act of Court. Ita est Alex^r Duff
no^r publicus communis scriba burgi de Innernis testan. manu propria
Alex^r Duff clerk.

That day, according to William Stevenson confession, the Judges, 1616
haiving reuthe and compassionne in mercie, for drawing of ane durck in 2 Feb.
presence of Duncane Forbes, baillie, within the tolbuthe, being wardit at
the instance of the said baillie, the said William Stevenson fund in the
wrang for drawing of ane durck to the said Johne [sic] be the said Judges
and Counsel, and hes ordaint the said William to mack his repentance in
the stuill of the said Parroche Kirk, and thairefter to ask forgifnes at God
and at the said baillie for his fault, and lykwayes to pay to the judges xx
lib vnla within ten dayes, vnder the pane of poinding or warding :
Quhairvpoun tuick Act.

Apud Innernis penultimo die mensis martii Anno Domini 30 Mar.
Jai vi^{ces} decimo sexto In presentis magistri Joannis Ross
Praepositi Guilelmi Campbel unius balivorum dicti burgi.

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1616
30 Mar. That day the hail geir perteing to vmquhill Donald Buy, that was in his wallat and in his buith according to the Invitorie giffin vpe compysit and suttit be the Judges, extends to threttie fyif pundis auchtein schillingis aucht pennies money, quhairof James Robertsoun ressaut, according to his clam and according to his aith, that Donald Buy was awand him fourtie merkis money for merchandrice ; lyickwayes David Ross acclamit and gave his aith that the said Donald was awand him merchandrice and lent money nyn merkis half merk money, quhairof fourtie schillingis lent money and four merkis for lowsing of the arrestment put on his geir for the price of ane hyid that he awand to Huechoun Mc Rae, the rest for merchandrice extending in the hail to the said nyn merkis half merk, quhilk the said David ressaut ; and also Johne Lafries ressaut thrie pund money as for his house mail sen Witsounday last 1615 ; and as for the geir that Alexander Duff Johnson haid giffin to the said vmquhill Donald, because he ressaut na payment thairof fra the said vmquhill Donald, the said Alexander, sworne, gaif his aith that he was awand him for the said geir, quhilk geir being blew bonnats, knyiffis, and schiris, extending to Ten pundis wirth being extant, ressaut the sam again out of the said ledderin wallat : Quhairvpoun tuick act.

5 April That day David Cuithbert, burges of Innernis, is decernit to pay and delyuer to Sueyn Mc Queyn in Cumlachin the soum of twentie merkis money as price of ane garit kow tain as poind be Alexander Griesoun for custom, haiffand commissioun for the said day, vpoun the 15 September last 1615, on restorit, and the said Sueyn sworn vpoun the valor thairof to be payit vpoun Witsounday nixt with xi s. expenss for the officiar fies, vnder the pain of poinding or warding : Quhairvpoun tuick Act of Court.

28 June That day Donald Mc Comas persewit Catherin Cuming, spouse to Androw Mc Conil, for the wrangus trubling of Jonet Waus, his unrisch, in dining, kneing, drawing of her hair out off hir heid, and separating of her skin fra hir heid, being personalie warnit and not compeiring to mack anser, the wrang is remittit to the persewar probatioun, quaha exhibit Johne Williamson, Cordenar, sworne, deponit that Catherin Cuming drew the unrische hair, best and dang hir, and misusit hir. Robert Neilson, elder, witnes, deponit the samyn. Quhairvpoun tuick act.

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That day Johne Cuming, for speicking in fensit court in excusing the wrang off Murdo Poilson but licens first obtenit, is judget in amerciam-
ment; dom giffin thairvpoun; ordainis to pay iiiii libs. money for his vnlaw. Quhairvpoun the Procurator Fiscall tuick Act of Court. 1616
19 July

That day Johne Cuithbert, cordenar, for vtering misreverent speichis in fensit court, is judgit in amerciamment; dom giffin thairvpoun; ordainis to pay 40 ss. for vnlaw. Quhairvpoun the Procurator Fiscall tuick act of Court.

That day Murdo Poilson, according to his confessioun, for the wrang deteining of Martha Cogburn in ward within his clois and house, vsurping auctie, is judgit in amerciamment; ordainis to pay 10 libs. money for his vnlaw. Quhairvpoun the said Procurator tuick act of Court.

That day Androw Mc Conil and his spous being personalie warnit to this day to heir decretit condamnitor to be pronouncit in thair contrar for hurting, trubling, and drawing of Jonet Waus hair out of hir heid, breking of the Kings pace, quha is presentlie vnrische to Donald Mc Comas, are judgit in amerciamment and dom giffin thairvpoun; ordains to pay 4 libs. of vnlaw. Quhairvpoun the said Procurator tuick act of Court. 23 July

That day thou Donald Androw Mc Aine in Kilmunie ar indytit that quhairvpoun of Julij instant thou sta fra Androw Mc Intaillour out of his house in Innernis, vnder silence of nicht, out of his kist, fourtie merkis money, with thrie scoir peices hecklit lint, 7 quartars lining [linen] courtchaing, 7 quartars of ane twaland cordwair of lining, thrie pecks meil, with the said Androw coit and truisse quhilk is on they back, disponit on the premiss^s, and thou gave thairof to William Mc Rorie Vic Aine, cordenar, 8 merkis 5 ss. 8 d., quhairwith the hail premises thou was apprehendit, and the said aucht merkis present in thair sicht as ane fang: Quhilk thou can not deny: confesse the premisses. The Judgis remittis to the Inqueist. 26 July

Thou Donald Androw Mc Aine art indytit for the thefteous steling fra Alexander Taillour in Coniegavel in Maii last of ane gray plaid, in signe thairof thou sufferit ane assyis, for the quhilk thair lug was cuttit, quhilk the sam testifies as zeit: Quhilk thou can not deny: Confesse.

That day thou Donald Mc Androw Vic Aine art indytit for the steling of ane coit and ane pair of breickis fra Thomas Fraser in

Records of Inverness

1616 Kilravock in Junii last, for the quhilk thou is markit in the hand with
26 July ane burne iron, quhilk is to testifie in signe thou delyuerit the sam again :
Quhilk thou can not deny : confesse.

Thou Donald Mc Androw art indytit as ane maisterless vagabund, ane evil member for the commun weil, steling the leiges geir nicht and day, commun theif, out fang and in fang, and sen thair zeid sex quartars of clæith in thai coit thou hes bein ay steland : Quhilk thou can not deny : Confesse.

Nomina Assise: James Cuithbert Jamesson, cancellar, Johne Cuming, Androw Mc Conil, Johne Robertsoun, Jaspert Cuming, Thomas Dalgleis, Donald Mc Phail, James Cuming, Adam Stewart, Thomas Mc Noyer, James Abraham, David Cuithbert, Johne Lowsoun, Donald Foular, George Cuming.

That day the hail persouns of inquest foirsaid convicts the said Donald Mc Androw according to his confessioun in the hail pointcs of the foirsaid dittayis, Pronouncit be the mouth of James Cuithbert Jameson, Cancellar of the Inquest : Quhairvpoun tuick act of Court.

That day the Judges has decernit and judgit the said Donald Mc Androw, according to his confessioun and convictioun foirsaid, ane fang presentit for his demerits and facts, to be tain to the burru muir of Innernis and thair to be hangit vpoun the gallows, and to remain quhill he die: Dom giffin thairvpoun be Malcolm Duncanson, Dempster of Court : Quhairvpoun tuick act of Court.

2 Nov. That day Sandi Grieson, for the bluid latt out of Catherin Buy heid with ane battoun, is convict in the wrang committing thairof, is judgit in amerciamment; dom giffin thairvpoun; ordainit to pay 10 lib. vnlaw: Quhairvpoun tuik act of Court.

That day Catherin Buy is decernit in the wrang committing of bla vpoun Sandi Grieson wyif above the brow, convict thairfoir, judgit in amerciamment, ordainit to remain in ward till Mounday nixt till sche be brankit for this and mony vther offenses : Quhairvpoun tuik act of Court.

That day Johne Mc Conil, garne in Macheri, is convict for the wrang drawing of Johne Mc Aine vic Conil sumtym in Durris of his beird, drawing of the hair thairout, of hurting of his life, trubling of him, brecking of the Kingis pace, raising of tumult in the toun, giffing of mony

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sclanderous words, is judgit in amerciamento; ordainit to pay 10 libs. vnlaw : 1616
Quhairvpoun tuick act of Court. 2 Nov.

That day the merchands, burgess^s, and stallangers of this burt being 5 Nov.
silit to this day at the instance off the Procurator Fiscall of this burt,
and presentit be him for haiffing of wrangus wechtis and eln wands, and
selling of merchandrice thairwith, disseiving the Kingis legis, being callit
and compeiring productit thair hail wechtis greit and smal and eln wands,
being all tryit and weyit, ar fund sufficient wechtis and eln wands
according to the laws off the Realme : thairfoir the Judges hes absolvit
them fra all wrang and vnlaw that may follow thairvpoun preceeding the
dait heirof, quhair of the names followis Alexander Cuming, James
Robertsoun, Thomas Robertsoun, David Ross, Murdo Poilson, Johne
Clerk, John Robertsoun, Alexander Abraham, Johne Christisoun,
William Mc Conchie, Johne Poilsoun, Donald Foular, James Thomsoun,
Finlay Skinner, David Watson, William Patersoun, elder, Androw
Fraser, Merchand, James Waus, Finlay Mc Phail, William Patersoun
Johnson, William Abraham, Alexander Duff, Lawrence Cuithbert,
Thomas Dalgleis, Alexander Robertsoun; William Cuithbert, James
Mc Allister, James Cuithbert Jamesson, William Robertsoun, zoungar,
Johne Cuming, and quhair the saids wechtis and eln wands productit be
them ar fund sufficient wechtis and eln wands, and quhair thai ar maid
frei of all vnlaw and inconveinent that may follow thairvpoun preceeding :
Askit and tuick act of Court.

That day William Dick, cordenar burges of Innernis, being judicialie 29 Nov.
persewit be the Procurator Fiscall for transgressing of the statuts of the
burt in carding and taking away of ane greit numbere of barkit nolt
ledger, the 23 October 1616, but liciens of the Provest and Baillies and
Counsall, to the effect that the craftismen cordenars suld be servit for
serving of the Kingis leiges, and being inhibit also to tak away the same
be Androw Tolmi, burru officiar, at command of the Magistrats, being
accusit thairvpoun, confessit the wrang; thairfoir the Judges hes convict
the said William in the wrang doing thairof; and decernis him to mack
payment of ten punds of vnlaw : Quhairvpoun the Procurator tuick act of
Court.

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1617
24 Jan. That day William Denoin, servitor to James Cuithbert of Drackie, is decernit secundum alegata et probata to pay delyuer to Alexander Mc Ago, cordenar in Innernis, the soum of fourtie pundis money as price of ane black horse quhilk hind fuit in the cuit was brackin in the moneth of 1616 zeiris, quhilk horse fuit the said William tuik vpoun hand to haif halit and curit sufficientlie schort space thairefter to leid the said Alexander turris vnder the pain of the said soum, quhilk is incurabill, thairfoir the judges hes ordainit the said William Denoin to mack payment to the said Alexander Mc Ago of the said fourtie pundis money, with fourtie schillingis money for expenses sustenit, with the officiaris fies, within ten dayis, vnder the pain of poinding or warding: Quhairvpoun the said Alexander Mc Ago askit and tuik Act of Court.

13 Feb. That day Ewin Bayne persewit be Sweyne Mc Finlay Roy that quhairvpoun, the 12 of Februar, vnder silence of nicht, he trublit the said Sweyne in his awin house to haif bereft him off his lyif, and hes hurt Margaret Cuithbert, spouse to the said Sweyne, with ane durk in the arme, and the cry being, Alexander Griersoun and William Reid, burru officiaris, heiring of the tumult ran in to command the said Ewin to desist fra forder trubill, and to pass to waird quhill tryel war tain, quha with ane durk strack Alexander Griersoun in the heid, bleid him, quhilk thai producit presentlie, and, accusit heiron, confessit he promissit to gif Sweyne ane cuf quhairever he suld meit with him; and the said Ewin being examinat vpoun the premiss^s, confess the sam, and is decernit in the wrang doing heirop, brecking of the Kingis pace vnder silence of nicht, trubling of the toun and hurting of the perties and the officiaris; Ordainit to pay xx lib. to them and judgit in amerciament: Quhairvpoun Johne Cuithbert Procurator Fiscall tuik act.

That day Duncan Mc Intoschie of Obirarder is becum actit law souertie for the said Ewin Bayne that the said Sweyne, Alexander Grierson, and William Reid salbe harmles of him in all tym cuming bot as law wil, vnder the pain of v^{cc} merkis money, and is becum actit for his cautionar releif of the premiss^s: Quhairvpoun tuik act.

6 Oct. The names of the stallangaris admittit fra Michaelmes 1617 to Michaelmes 1618 zeiris, frie men's dochters lawfull payis half stallangers, bastard dochters payis haill stallangers that ar mariet with unfrie men,

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the hail stallangars are becum actit to cum to the kirk everie Sabothe 1617
day to heir the preching befoir and efter noin vnder the pain of depriving 6 Oct.
them of all libertie and paying of xl ss. toties quoties, [then follow
particulars of the various sums received, and of the discharge among
which are the following items]:—

Item giffin to Alexander Thomson martimes fie xxiiii merkis.

Item giffin to the four Baillies in thair fies fra Michaelmes 1617 to
Michaelmes 1618 zeiris viii lib.

Item to my self in my fie xl ss.

Item giffin to Alexander Thomson to by candil to the kirk quhill
Candilmes next iiiii lib.

15 November 1617. Item giffin to Jaspert Cuming at command of
the laird of Glenmoristoun in pairt payment of xl lib. for the twelf geists
of fir to the brig xvi merkis.

Item giffin to Androw Small messenger for the laird of Glenmoris-
toun teind taxatioun for the first terme off Martimes 1617 conforme to
his acquittance xix merkis in pairt payment of the said xl lib.

Item giffin to the said Androw Small for the laird of Glenmoristoun
land taxatioun of Culcaback and Knockintinnall for the said first terme
vi lib. l ss. conforme to the said Androw acquittance giffin thairvpoun.

28 November 1617. Item giffin to Thoas Mc Ray Vricht for helpe
to theck the kirk 10 lib.

3 December 1617. Item giffin to M^r William Ross, Maister of the
Grammar Scooil, for his Martimes fie 1617 xl lib.

Item payit for Androw Fraser notar his taxatioun for Martimes
terme 1617, iiij lib.

22 December 1617. Item payit to M^r Johne Howesoun for the
Martimes terme 1617 mail of the Schooil iiij lib.

That day thou Thomas Mc Androw vic William Guy^r in Culcabock 1618
art indytit, thou being present in ward, for the cruel winding of Rorie 7 July
Mc Ferchar vic Allister, Durris, vpoun the xv day of this instant moneth,
notwithstanding thou knawing thai self to be culpabill the said fact, thou
and Johne Mc Varraich, be his occasioun alluring the, brocht ane ledder,
and causit the cum furth and brek ward in hie contempt of our souverain
Lord, and thairefter the said Johne intertinet the in his house in Innernis

^r Thomas, son of Andrew, son of Black William.

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1618 and lay with him that nicht, quhilk aither of you can not deny, and maid
7 July violent insurrectioun agains the officiaris, quhilk thai confess.

Nomina assise : James Cuithbert in Merkinsche, James Cuithbert Jamesson, Johne Cuithbert Johneson, William Gray, Finlay Mc Virrich, Alexander Grierson, George Duff, Robert Sinclair, Johne Cuming, Cancellar, Patrick Andersoun, Murdo Poilson, George Mc Conil Reoch, Androw Barbour, Thomas Mc Coul, Donald Foular, Johne du Mc Allister, Zacharie Dunbar, Johne Poilson, Robert Neilson.

That day thou Thomas Mc Androw vic William Guy for breking of ward is convict be the haill inqueist, and thow Johne Mc Varraich for out taking of the said Thomas out of ward art convict also.

That day the saids personis being convict, the Judgis ordanis the saids Thomas and Johne Mc Varraich to be tain throw the four streits of the toun the morn on Saturday at aucht hors befor noin, thair to be scurgit, and thairefter thair luggis to be naillit to the tron, and to remain quhill vi hors at iwin, and thair backis ilk ane to vther, and to be bund with towis, and the said Johne Mc Varraich to be exilit and banisit for ever out of this burt and nevir to dwel thairin again vnder the pain of burning him on the cheik, and ordains Johne Mc Varraich to be first scurgit. Dome giffin thairwpoun be Malcolme Duncansoun, Dempster : Quhairwpoun tuik act of Court.

31 July That day James Cuithbert of Eister Drakie, Alexander Bailzie, Johne Cuithbert Alexanderson, James Cuithbert, elder, Mr Johne Ross, Johne Robertsoun, William Robertsoun, zoungar, Androw Mc Conil, James Fraser Mc Allister, Duncan Forbes, heretabill proprietars of the wattir of Niss, being warnit personalie ilk ane of them, to pay thair contributioun pro rato for repairing and mending of the salmond fische kist lyand within the wark of Innernis To Johne Clerk burges thair, quhilk he hes debursit, and warnit thairon at thair command for craftismen, for daills, buirds, naills, and vther materialls belanging thairto, extending to twentie thrie punds sextein schillings sex penies money, and for everie half cobil pairt thairof, extending to xxx schillings money ; and the saids persons being oftymes callit to giff thair aith of veritie on thair command, and to pay to the said Johne Clerk ilk ane of them the said threttie schillings money pro rato within ten dayes, vnder the pain of poinding or warding : Quhairwpoun the said Johne Clerk askit and tuik act of Court.

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The Heid Burru Court of the burt of Innernis haldin within the tollbuith of the samyn efter Michaelmes Be M^r Johne Ross Provest of Innernis, James Cuithbert of Eister Drackie, William Campbell, Alexander Patersoun, James Robertsoun, Baillies of the said burt, the fyift day of Octobre the zeir of God Jai vij^{cs} and auchtein zeiris ; the suittis callit the Court laulie fensit and affirmit as vse is : 1618
31 July

1. I command and chairge in our souverains Lordis nam Provest and Baillies of this burt that all persones resort to the kirk everie Saboth day to the preching befor and efter noin in tym cuming, vnder the pain of xl schillings on forgiffin, and depriving of all unfrie broustars, tredars, and craftsmen of all libertie for this zeir.

2. Item that all maner of persoun that bringis any winers, guidis, geir, merchandrice, malt, meil, and sewal fische, flesche, to this burt to sell, that thai first present the mercat croce and place thairwith or they sell the sam, and that na maner of persoun presum to by blok for the sam, ay and quhill it present the mercat place, vnder the pain of escheting thairof, and punissing of the contravenar.

3. Item that all persones that bringis beif, muttoun, to this toun and mercat, that thai present the talloun, hyid, and skin thairwith, and that it be not hinderit nor parit aff ony flesche that it suld haif, vnder the pain of escheting.

4. Item that na flesche be blawin vnder the pain of death.

5. Item that all fleschers sell the stain of talloun for thrie merkis half merk money.

6. Item that na persoun carie be sic or land ony victual or barkit ledder out of this burt, ay and quhill thai obtain the Provest Baillies licence, vnder the pain of escheting thairof according to the auld statuts.

7. Item that nain tak away talloun, woll, to be sauld or transportit to ony foirrein cuntry, vnder the pain of escheting thairof, and punissing of the contravenar.

8. Item that the barkars sell thair best hyid for vii merkis, vnder the pain of 10 lib.

9. Item that the cordenars sell the luggit men schoin for 10 ss.

10. Item that thai sell on luggit men schoin for ix ss.

11. Item that they sell women schoin for 8 ss.

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- 1618
31 July
12. Item that they sell scollars schoin for vi ss., vnder the pain of xl ss. vnlaw everie tym they transgres.
 13. Item that na broustar sell the point ail darrar nor xii d., the point bier for xiiii d., the muskin aqua vitie for v ss., vnder the pain of xl ss. als oft as thai cum to the Baillies to obtain licence to taist the sam gif it be wirth that price or better.
 14. Item that na unfrie Broustar brew ony aqua vitie, bier, or brogat vnder the pain of escheting, and punissing of the contravenar.
 15. Item that na frie burges in this burt gif furth or lend his aqua vitie pott to unfrie broustars, vnder the pain of confiscatioun of the pott, and xl ss. vnlaw, to be tain of the unfrie broustar that brewis ony aqua vitie with the samyn.
 16. Item that na baxter baick the leiff of quheit breid that thai sal sell for xii d. na less wecht nor xvi unce, and that it be fyne stuf, vnder the pain of 10 lib. quhen the boll is at ix marks.
 17. Item that the four pennie leif of eit breid haif xvi unce wecht quhen the boll is at vii marks money.
 18. Item that na man presume to hald muck or midding on the Kingis casay, and that thai cause sweipe and afoir thair yettis everie Saturday, vnder the pain of xl ss. als oft as thai contravein.
 19. Item that nain gif for the leid of turvis bot the price of the quart aill, vnder the pain of xl ss.
 20. Item that nain by meil or malt within this burt bot with the commun pek and firlat, and that nain sal sel bot with the samyn mett, vnder the pain of escheting, and vnlaw of xl ss.
 21. Item that na man by ony victual that is purposit to cum to the toun to be sauld quhill it present the mercat place, vnder the pain of escheting, and that nain sell the same vnder the pain foirsaid.
 22. Item that nain tak in meil in thair houses, vnder the pain of escheting als oft as thai contravein.
 23. Item that na craftismen, cordenar, skinner, baxter, tailzeour, nor na vther craftisman in this burt tak vpoun hand to tak, resett, or mak pactioun with ane prenteiss in tym cuming, ay and quhill thai obtain licence thairto of the Provest Baillies and Counsall, vnder the pain of depryving them of thair libertie quatever thai haif, and vnlaw of xl lib.
 24. Item that na stallangar taskman be ressavit be na craftismen in this burt, ay and quhill thai obtain licence of the Counsall thairto, vnder the pain of depryving of the contravenar of al libertie.

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25. Item that na man by block ony maner of waris in tym cuming 1618
quhill vii hors in the morning everie Saterdag, vnder the pain of escheting. 31 July

That day Jonet Gollan according to her awin confessioun is decernit 1619
to pay and delyver the soum off xx ss. money for the bluid latting of 29 Jan.
Thomas Mc Aine Crom, tailzeour, and to be joggit, and to be branckit
throw the toun : Quhairvpoun tuik act of Court.

That day George Dunbar, maission, is decernit to pay the soum of 1620
twentie pundis for cuffing of Johne Andersoun, and also is decernit in the 13 Jan.
soum of xx pundis money for persewing of him vnder silence of nicht and
drawing of his bluid, and trubling of the toun, in the soum of xx lib.
money, and for brecking off the law borrowis is decernit in the soum off
fourtie pundis money, and to remain in ward quhill he satisfie the sam :
Dom giffin thairvpoun.

That day Johne Andersoun is decernit to pay the soum of ten pundis
money for persewing of George Dunbar vnder silence of nicht, and to
remain in ward quhill he satisfie the sam, and to find law borrowis : Dom
giffin thairvpoun.

That day Anton Andersoun, burges of Innernis, is becum actit
souertie, cautionar, and law borrowis for Johne Andersoun, Sheref Officiar,
that George Dunbar, maission, salbe harmles and skaithles of him in his
bodie, guids, and geir, and all quhom he may stope or latt directlie or
indirectlie or ony either way nor be order of law and justice in tym
cuming, vnder the pain of one hundereth merkis money ; and the said
Johne is becum actit for his cautionar relief of the premiss^s vnder the
pains foirsaid : Quhairvpoun tuik act of Court.

Apud Innernis quarto die mensis Decembris anno domini 4 Dec.
Jai vic^{es} vigesimo in presentiis Jacobi Cuithbert de Eister
Drakie, Praepositi, Gulielmi Campbel, Gulielmi Patersoun,
Junioris, et Gulielmi Cuithbert Johnson, Ballivorum, dicti
Burgi.

That day James Robertsoun, litstar, for hurting of Francis Bischope,
his maister, is decernit be the foirsaid judges to be brocht out of the
tolbuith, quhairin he is presentlie wardit, on Saterdag nixt, convoyit with
the officiars at ten hors befoir noin to the mercat croce of Innernis, and

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1620
4 Dec. thair publictliche confess his fault doin be him to the said Francis, and to sit on his kneis and creve mercie and pardoun at the said Francis, and to delyver to him his durk in token of his submissoun and humiliatioun, and sic lyk is decernit be the said judges in ten pundis money for the bluid latting of the said Francis, and to pay twentie pundis money to the leiche, and ane merk daylie for the space of xv dayes during the quhilk space the said Francis was onabill to wirk his wark, and to remain in ward quhill he satisfie and obey the hail contents of this decreit : Dom giffin thairvpoun be Alexander Griersoun, Officiar : Quhairvpoun tuick act of Court.

1621
25 July That day Thomas Robertsoune, merchand burges of Innernis, is becum actit souertie, cautionar, and law borrowis for Francis Bischope, litstar, burges thair, that Cristan nein Dougal, relict of vmquhill George Mc Conil Reoch, Margaret nein Bean, and Marjorie Mack Mathow, dochter to the said Margaret, that thai, thair bairnis, servandis, and fame sall be harmles and skaithles of him and all quhom he may stop or latt directlie or indirectlie in all tym cuming in their bodies, guidis, and geir, word and deed, uthir wayes nor be order of law and justice, vnder the pain of One hundereth merkis to be payit to the judges : Quhairvpoun tuick act of Court.

25 Oct. The Justice and Burru court of the burght of Innernis haldin witin the tollbuith thair of be James Cuithbert of Eister Drackie, Prouest, Andrew Fraser, notar, Duncan Forbes, William Patersone, elder, William Robertsoune, zoungar, Baillies of the said burght, conjunctlie and seueralie, the tuintie fyif day of October the zeir of God Jaj vi^{ces} tuintie ane zeiris ; the suittis callit, the Court lauchfullie fensit and affirmit as use is.

Thow Johne Villiamsonne, skinner, art indytit for the cruel slauchter and murther of vmquhill Murdo Mc Ay vic Daid Rober^t in Cullodin, quhilk you committit zisternicht, being the 24 of October instant, vpon the feildis of ester Dempster within this burght, efter you being drinking in William Reid Mc Androw Roy his house, boistit, and gaue iwil speichis to the said vmquhill Murdo, appeillit him to the singular combat, and cuttit ane quantitie of stray and delyuerit the ane half to him and pat

^t Murdo, son of David, son of David, son of Robert.

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the wther pairt thairof in your purse, quhilk vas fund with the ; quhair-
vpone yov past furth immediatlie out of the said house and tuik thai
suord and tairge with ye, and followit the said vmquhill Murdo to the
said field quhair thow on besett him, and with the drawin suord sloggitt
and strack him in the bellie, quhairof he departed this present lyif
immediatlie, quhairof thow being tain with red hand remains zit
incarserit, thairfoir quhairthrow thow hes not only commit cruel murther
and slauchter bot also be offring of singular combat express agains his
maiestie lawis and actis of Parliament, quhilk thou can not denay, and
thairfoir thow aucht to die. 1621
25 Oct.

That day the said Johne Villiamsone being accusit on the said dittay
in judgement be Finlay Mc Ay vic Daid Rob and James Mc Ay
vic Daid Robe, brethéring to the said vmquhill Murdo, denayit the
samyn ; Thairfoir desyrit the samyn to be remittit to the tryel and cog-
nitioune of ane assyise as he quha vas pannalit : Quhairvpone tuik act of
court.

Nomina Assise : Johnne Cuithbert of auld Castelhil, cancellar, James
Waus, James Cuithbert, elder, William Robertsons, elder, Alexander
Patersone, James Cuithbert in Merkinsch, Androv Fraser, merchand,
Thomas Robertsons, Daid Vatsone, Alexander Tailzeour, James
Cuithbert Jamesson, Patrik Andersone, Jaspert Cuithbert, Robert
Neilsone, Thomas Mc Noyiar, William Gray, Robert Moncrieff, Villiam
Mc Conchie, merchand, Villiam Stewinsone, Francis Bischope, James
Stuart.

That day the said hail persones of assyise being all suorne in judge-
ment and admittit, and efter tryel and cognitioune tain be them of the
said cryme, hes all in ane voce convict and fylit the said Johne
Villiamsone to be the doar thairof ; Pronuncit be the mouth of Johne
Cuithbert of Auld Castelhil, cancellar of the assyise : Quhairvpone tuik
act of Court.

That day the Judges ordanis the said Johne Williamsone to be tain
to the heiding hill, and thair to be heidit, and to sinder the heid fra the
sulderis for the said slauchter committit be him : Dom giffin thairon,
and ordanis his hail guidis and geir to be eschetit : Quhairvpone tuik
act of Court.

James Duff, Clerk.

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1621 That day Mr Samuel Falconer of Kingorth, and Alexander Forbes,
2 Nov. seruitor to my lord duik of Lennox, commissionaris appointit be ane nobill lord, Johne Lord Erskin, for establissing keiperis of the seil for seiling and stamping of lether and tanning of hyidis, be thir presentis hes nominat and appointit Androw Fraser, notar, burges of Innernis, keiper of the said stampe and seil within the burght of Innernis and boundis thairabout following, to wit, from the schir of Nairn at the eist to the heicht of Straglass at the vest, including the Priorie of Bewlie thairin, with the landis and boundis of Vrquhart, Glenmoristoun, and Badezenoch, Abirtarf, Stratharig, Stratherin,¹ Strathnairn; quhilk hes acceptit the samyn and giffin his aith *pro fideli administratione* and to be comptabill to the said nobill lord or his deputis for the samyn as law will, and this present commissioun to stand to the Feist of Witsonnday nixt to cum 1622 zeiris allanarlie: Quhairwpone tuik act of Court.

That day the said Mr Samuel Falconer of Kingorth and the saidis Alexander Forbes, servitor to my lord Duick of Lennox, commissionaris appointit be ane nobil lord Johne Lord Erskin for establissing keiperis of the seil for seiling and stamping of lether and tannit hyidis be thir presentis, hes nominat Robert Dunbar, tutor of Auoch, keiper of the said stampe and seil within the hail boundis, landis and parrochins of the Diosie and commissariot of Ross, the Priorie of Bewli only exceptit, quha hes acceptit the samyn and giffin his aith *pro fideli administratione* and to be comptabill to the said nobil Lord or his deputie for the samyn as law will, and this present commissioun to stand to the Feist and terme of Witsonday nixt to cum Jaj vi^{ces} twentie tua zeiris allanerlie: Quhairvpon the said Alexander Forbes askit and tuick act of Court.

1622 That day compeirit judicialie Francis Bischope, litstar, burges of
5 Jan. Innernis, and with him William Gray, his Procurator, and producit our souerain lordis breif of lnyng of the landis wnder writtin et promisit de rato: Quhairvpon tuik act of court.

That day the said William Gray, Procurator foresaid, producit ane petitione following thairvpon, quhairof the tennor followis: Honorabill persons and nichtbouris of inquest chairgit to this day for lnyng of the roodis and particatis of land vnder writtin, I, Francis Bischope, litstar, burges of Innernis, desyris that the saidis roodis and particatis of land,

¹ Stratherin, now written *Strathdearn* in English.

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vith housses, biggings, and zairdis perteing and heretable lyand within the burght of Innernis bevest the watter of Niss, boundan betwix the landis as efter follouis, to wit, ane ruid of land boundan betwix the landis of William Robertson, burges of the said burght, and Johne Andersone, at the South, the landis of Johne Neilson at the North, and the hie kingis get that passes nar by the watter of Niss at the eist, the commun vennal at the vest, and also ane kill laroche or particat of land lyand within the said burght in the vest syid of the said watter, boundan betwix the landis of Finlay Mc Phail at the South and north, the landis of John Abraham at the vest, and the commun vennal at the eist, and siclyik of tua rodis land lyand bevest the watter of Niss lyand contigue betwix the landis of Johne Abraham at the South, the landis of Androw Mc William Voir, at the north, the landis of Johne Anderson, at the eist, the commun vennal at the vest, ane wther peice or particat of land lyand be vest the said watter, extending to fyif cuppillis and tua taill forkis, boundan betwix the landis of the said Androw Mc William Voir, at the South, the landis of Johne Robertstone at the North, the landis of William Robertstone at the eist, and the commun vennal at the vest, quhilk is to be instantlie lynit be your wisdomes according to the lawis of burght, and that I may haif right to that pairt quhilk I vant of the saidis roodis and particat of landis aboue rehersit detenit and haldin be wtheris nixt adiacent thaireto fra me; Thairfoir humblie desyris your wisdomes to cause lyn the samyn conforme to our Souerain lordis breif of lyning directit thairanent and as the said land beis lynit that ye cause the next adiacent nichtbouris keipe nichtbored conforme to the said lyning in all pointis and your wisdomes anseris, and that I may possess the said land peciablly but ony impediment, and your wisdomes anser humblie I desyr conforme to my richtis and infestment of the dait the 1621 zeiris.

That day the said William Gray, Procurator foirsaid, producit ane burru precept of the Prouest and Baillies of Innernis dewlie execut and indorsat to this day, be werteu quhair of the persones of inquest following var summond for lyning of the landis acclamat conforme to our souvrain lordis brief aboue specifiet, and being callit thryise at the tolbuith vindo as vse is, and quhar na person compeirit to oppone in the contrari, desyrit the inquest following to be admittit and suorne according to the forme quhilk the Judges hes remittit to the tryel of the inquest: Quhairvpon tuik act of Court.

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1622
5 Jan. Nomina Liniatorum : William Robertson, elder, cancellar, James Robertson, Robert Moncrieff, Johne Cuming, Thomas Merchand, David Bailzie, George Dunbar, Alexander Thomson, Robert Bailzie, Johne Poilson, Thomas Mc Ray, David Cuithbert.

That day the foirsaid hail persones of inquest being all callit, and being all present, hes suorne the greit aith, the halie euangelist tuchit, to pas vpon the ground of the said land and lyne the said land richtlie according as God sall guid their knowlege thairto : Quhairvpone tuik act of Court.

That day the said lynoris, convenit within the tolbuith efter the lyning of the foirsaid land, acclamit and dewe examination tain be them thairanent hes all in ane voce but varience decernit, ordanit and be ther presentis decernis and ordanis tua futt of ease drope to be betwix the landis of Francis Bischope and the kill and land of Margaret Nein Bean, and the said Margaret to haif na entres at the South, and ordanis Andrew Andersone, maltman, to big his back to the said Francis land ; quhairinto the Judges hes interponit thair decretit of auctoritie : Quhairvpone tuik act of Court.

29 Mar. That day Thomas Merchand, burges of Innernis, Androw Andersone, maltman thair, Johne Mc Intailzeour thair, ar decernit and ordanit be the foirsaid Judges coniunctlie pro rato to bige sufficientle and vphald thair pairtis of the dyikis, bigging next adiacent to the said landis and biggingis and yairdis perteing Francis Bischope, litstar, burges of Innernis, bevest the vatter of Niss, and that within tuentie four houris nixt efter thai be chargit thairto, and to keipe the said Francis harmles and skaithles in all tym cuming, with certificatioune the contravenar to pay the skaith ; and also to pay to the Judges fyif pundis money toties quoties thai transgress, vnder the pain of pouding or varding : Quhairvpone tuik act of Court.

10 April That day Johne Cuithbert Johneson, being accusit be Catherin Dunbar, spous to Francis Brodi, for the ryat committit be him this day, viz. sche being in hir awin buith foirnent the croce in the morning doing hir leisum bissnes the said Johne cam to the buith dur, cloisat and lokit the dur, and inclosat hir and hir seruandis thairin, and cariet the keyis thairof with him, and thairefter immediatlie he past to the duelling hous

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of the said Catherin, and thair closat four durris and tuik away the keyis *1622*
with him, quhairby sche vas constraint to cause brek vpe the buith dur *10 April*
and to lat hir and hir seruandis furth to hir greit preiudice.

That day comeirit the said Johne Cuithbert and confessit the
premiss^s, alledging he did the samyn vpon presumptioun and informa-
tioun that sche vas tacking some guidis geir and poise furth of the said
buith privile, quhilk pertenit to vmquhill Villiam Cuithbert, his brother,
quhilk he remittis to the Judges interloquctor.

That day the foirsaid Judges ordanis the said Johne Cuithbert to
remain in vaird ay and quhilk they tak ordour vith him, and decernis
him in lyik maner to cum to the buith and delyver the keys to the said
Catherine Dunbar, and siclyik to cum to hir house and thair to delyver
the vther four keys, and to confess his offence, and ordanis him to pay for
his ryat committit be him to the tounis thesaurer fyftie pundis money
and to remain in vard quhill he pay the samyn: Quhairvpon tuik act of
court.

That day Margaret Mck lintack, for the bluid latting of Elspet *2 Dec.*
Habburne, spous to William Robertsons, elder, is decernit to pay fyve
pundis money for hir ryat and to be joigit at the croce on Saturday nixt,
being the sevent day of December, and thair to remain for the space of
ane hour; Quhairvpon tuick act of Court.

Thow Johne Mc Aine Vyill art indytit for the thifteous stelling *1623*
away taking with zow and yuor compliss^s vnder cloud of nicht vpon *23 Sept.*
tyisday efter Lambesday furth of the cloise of Drakie fra Johne Fraser
thair ane blak ox with ane quheit spott about his baggis, and vas fund
with thow, quhilk thow can nocht deny.

And siclyik thow art indytit for the thifteous steling and away
taking with yow vnder silence of nicht furth of the toun and laidis of
Cullodin fra Johne Mc Virrich thair ane blak cow, quhilk vas fund with
yow, quhilk thow can noch deny.

That day the said Johne Mc Aine Viil being accusit on the foirsaid
dittayes, and also for absenting of him self out of his awin duelling house
in Drakie the moneth by gain be the saidis Johne Fraser and Johne
Mc Virrich and, being pannalit at the bar, confessit the samyn conforme

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1623 to the dittay, and thairfoir the saidis persones desyrit the samyn to be
23 Sept. remittit to the tryell of assyis, quhilk the Judges remittis.

Nomina assisse: Androw Fraser, commisser, cancellar, William Patersone, zoungar, Alexander Mc Aine Reoche vic Phail in Culblair, James Cuming, Alexanderson, Angus Mc Phail of Kinkel, Johne Bailzie, Anton Andersone, Johne Christie, Alexander Mc Lauchlan, James Thomson, Laurence Cuithbert, Murdo Poilson, Villiam Mc Conchie, merchand, Johne Poilson, Robert Bailzie, William Bailzie, burgess^s of Innernis.

That day the foirsaid hail persones of assyis being al present and suorne the greit aith and efter thair dew tryel and examination tain be them in the foirsaid dittayes and conforme to the said Johne awin confessioun hes all in ane voce but varience convictis him thairinn, pronuncit be Androw Fraser, cancellar of the assyise, efter thair re-entrie in face of Court: Quhairvpon tuick act of Court.

That day the foirsaid Judges conforme to the foirsaid convictioun ordanis the said Johne Mc Aine Viil to be tain to the brig and thair to cast him doun in the vatter and thair to remain quhill he die: Dom giffin thairon be William Reid and Androw Roy, dempster of Court: Quhairvpon tuik act of Court.

29 Nov. That day compeiritt Alexander Mc Intoschie of Auldauri, and with him Johne Cuithbert, Johneson, his Procurator, and gave in the dittay efter following contrar Alister Mc Gowin, coirdinar in Innernis, and desyrit the said dittay to be remittit to the tryel of assyis: Quhairvpon tuik act.

Thow Alister Mc Gowin, cordenar in Innernis, art accusit and indytit as airt and pairt takar with William Mc Aine Reoch and Donald Cam Mc Bean for the thifteous steling, consealing and away taking out off the said Alexander Mc Intoschie house in Far thrie pair of small lying scheittis, tua pair quheit plaidis, four smal queirches, tua smal lyning ruffis, thrie cod varis vith thair coddis, ane half stain cassit littil voll, half stain blak voll, ane naipkein of holland claith sewit about with goldin threid and goldin knappis, four clewis of littil zairn, 30 lyning sarkis, sex scoir cheis, tua stain butter.

That day the saidis Judges remittis the said dittay to the tryel of the assyis following: Quhairvpon tuik act of Court.

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Nomina assisse : Alexander Bailzie, of Dunzean, cancellar, Alexander Cuming, James Cuithbert, elder, James Patersone, James Abraham, James Cuithbert, Jamesson, Thomas Merchand, Anton Andersone, Robert Abraham, burgess of Innernis, Lauchlan Mc Pherson, in Cragi, Johne Mc Pherson, in Castellefferis, Johne Mc Intoschie Hectorson, in Culchunaige, Hector Mc Conil vic Ferchar, in Culcabok, Johne Robertson Laurensen, burges of Innernis, Alexander Mc Comas vic Sym, in Leyis. 1623
29 Nov.

That day the saidis persones of assyise being all present inclosit within the consal house and efter dew resoning and dew deliberatioun findis the said Alister Mc Gowin frie of the foirsaid dittay about vrittin, and efter thair re-entrie in face of court the said Alexander Bailzie, cancellar, pronuncit the samyn to the foirsaid Judges and clengis the said Alister Mc Gowin thairof, quhairvpon tuik act of court, and protestit for him self and in name of the remainder persones of assyis if ony error vas that the samyn vas ignorant than vfullie : Quhairvpon tuik act of Court.

That day Johne Cuithbert, Procurator for the said Alexander Mc Intosche, protestit for error of assyis and for persewing of the persone for the foirsaid dittay : Quhairvpon tuik act of Court.

That day James Patersone, burges of Innernis, and David Cuithbert, burges thair, ar becum actit in the burru court buikis thairof coniunctlie *pro rato* for Alister Mc Gowin, cordenar, that the said Alister Mc Gowin sal remowe him selff out of this burght and territorie within xxiiii howris efter the date heirof, and that he sal nocht nevir duell within this burght nor territorie in tym cuming, quhiltis failzeing ar becum actit as saidis to content, pay and delyuer the sowme of tua hundereth merkis money coniunctlie *pro rato* by and attour the punissing of the said Alister Mc Gowin wnder the pain of poinding or warding : Quhairvpon tuik act.

That day Thomas Guthrie, vricht in Innernes, for the bluid latting of Elspet Mk Pherson, seruitrix to Mr Robert Gairdin, Sheref Deput of Innernes, in the arm, and being present confessit, Thairfoir the said Judge decernis the said Thomas to pay the sowme of fyifte pundis money, and to remain in vard quhill he pay the samyn : Quhairvpon James Cuithbert, elder, Procurator Fiscal of the said burght, askit and tuik act of Court. 1624
15 July

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1625
19 Sept

At Inschis nyntein day of September Jaj vices^s tuenti fyue zeiris, In presens of Alexander Bailzie, of Dunzean, Provest, Duncan Forbes, ane of the Baillies of Innernes, James Cuithbert, of Drackies, Mr Johne Ross, elder, James Cuithbert, elder, Robert Bailzie, Johne Robertsone, Lawrenson, Androw Fraser, commisser, burgess^s of the said Burght chosin and electit be the personis wnder writtin for decyding of the differ efter specit.

That day anent the differ and question of merchis standing in debait betwix William Patersone, zounger, heretabil proprietar of the tua plewis land of Vester Inschis, on the ane pairt, and Johne Robertsone, Williamson, burges of Innernes heretabil proprietar of the toun and landis of Eister Inschis on the wther pairt : The saidis persones, with the saidis Provest, baillies and remanent freindis aboune writin, past to the ground of the saidis debaittabill landis, and haiffing cognoscit and tryit all differ and debattis and questiones betwix aither of the saidis landis they all in ane voce and with ane consent and assent decernis and ordanis as followis, viz. : beginning first at the vpper end of the buss^s and wod growing in the bourne that devydis the saidis landis of Eister Inschis from the saidis landis of Vester Inschis they ordain and tolleratis the said William Patersone his aires assignis and thair tenentis and possessoris of the said tua plewis land of Vester Inschis to haif ane common lonyng from the said vpper end of the saidis buss^s vphone the eister syid of the said burne, being vphone the said Johne Robertsone syid thair off, vpvard to the commun month^t and pasturage according to vse and vont in all tym cuming heirefter ; And ordanis all and sindrie the buss^s, voodis, girss and landis on the eister syid of the said burne as the samyn presentlie rinis from the fuird of the said lonyng duvard to the nethir end of the said buss^s to pertain to the said Johne Robertsone, his aires, assignis and possessoris of the saidis landis of Eister Inschis and all and sindrie the buss^s wodis, landis and girssing vpon the vester syid of the said burne as the samyn presentlie rinis, from the said fuird of the foir-said lonyng douvard to the nethir end of the said buss^s to pertain properlie to the said William Patersone, his aires, and assignis and possessors of the saidis landis of Vester Inschis in all tym cuming ; And ordanis the said burne and stryipe as it presentlie rinis from the nethir

^t Month—mount or hill.

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end of the said buss^s quhill the samyn rin to the merchis of Macheries and Little Drakie to be the merchis and diuisions betwix baith the saidis perties thair landis foirsaidis and fra thyne furth as the merche stans ar sett and pottit this present day in presens of the saidis freindis to the nethir end of baith the saidis perties landis foirsaid to be the proper meithis and merchis for devyding and separatin the saidis landis of Vester Inschis from the saidis landis of Eister Inschis in all tym heirefter to cum but ony impediment or obstacal to be maid be aither of the saidis perties to wther : Lyikas both the saidis perties by thir presentis bindis and obliss^s them, thair aires and assigis and successoris to warrand this present merching and diuision, and observe and keipe the samyn aither of them to wther in all tyme cuming bot reclamatioun or apellatioun ; and in signe quhairof baith the saidis perties hes subscrivit thir presentis with thair handis and hes causit this present act to be maid.

Wilzeme Patersone, w^t my hand.

Johne Robertstone, v^t my hand.

The Serif Court of the burght of Innernis and terrotorie thairof, haldin within the tolbuith off the samyn be Duncan Forbes, Provest, Alexander Patersone, William Patersone, zoungar, William Robertstone, zoungar, Frances Bischope, Baillies of the said burght, Sereffis of the samyn within them selffis be wertew of thair infestment, the penult day of Januar Jaj vic^{cs} tuentie sewin zeiris, the suittis callit, the court lauchfullie fensit and affirmit as vse is.

That day Georg Gib and Johne Gib liis father, wrichtis, ar pannalit for the crymes following : Ze Johne Gib, wricht in Innernis, and George Gib, zour son ar accusit and indytit for cuming to the duelling house of vmquhill Adam Peirie, tailzeour in this burght, wpon the xxix day of Januar instant, and efter offering of diuerse malicious speichis, contentious vordis and lies to the said vmquhill Adam Peirie, thow the said Johne Gib vent out with him at the dur, and haiffing fallin in straickis and buffattis with wther, and being wrasling together in the gutter, thow the said George Gibe cam furth with ane drawin durk in they hand and thairwith strak the said vmquhill Adam Peirie vnder the left pape throw the hart, and thair cruelie slew and murderit him to the deid without any speichis, quaha vas cariet into the house deid immediatlie, and ye haiffing fled as fugitives var incontinent takin and apprehendit with the ryid

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1627 hand, and ze and aither of zow ar airt and pairt of the said slauchter and
30 Jan. murder consauit of sett purpoise and foirthocht fellonie : Qhilk ze can
nocht deny, and thaiefoir aucht to die.

That day compeirit Androw Fraser, Sheref Clerk of the Sherefdom of Innernis, in name of the Seref Principall of Innernis, haiffing sein the saidis persones pannalit, and haiffing hard the said bill red, Protestit that the pannaling of the said John Gib and Georg Gib his son and putting of them to assyise for the crym aboun writtin sal nocht prejudice the Seref Principall.

It is anscrit by the Provest and Baillies of Innernis that thai ar Sereffis within them selffis and terrotorie thairof conforme to thair Infestment, and will sit as thair predecessoris did befoir.

Nomina Assise : Mr. Johne Ross, elder, cancellar, James Cuithbert, elder, William Paterson, elder, John Cuithbert, Alexanderson, Robert Bailzie, William Bailzie, Androw Fraser Mc Conil, Johne Robertson, Laurenson, Donald Grant, John Poilson, Thomas Fraser, Jameson, William Robertson, elder, William Stewinson, Androw Fraser, merchand, David Watson.

That day the hail assysoris, being suorne, past to the counsal house, and thair efter dew tryel and cognition tain be them all in ane voce hes convict the said George Gib according to his awin confession maid in judgement, and conforme to the witness^s deposition maid on the said cryme.

That day the assyisoris all in ane voce absoluis the said Johne Gib frae the said cryme and fact, and fra all airt and pairt consal thairof.

That day the said cancellor efter his re-entering in face of court his pronuncit the said convictioun in Judgement and absoluitor.

That day Johne Gib askit and tuik act and instrument on his absoluitor.

That day the Judges ordanis the said George Gibe to be brocht to the heiding hill and thair behedit to the deith, and his heid to be sundrit fra the bodie with ane aix : Quhairvpone dom giffin be John Fraser, dempster.

That day the foirsaid Judges ordanis the said Johne Gib to be vardit still quhill he be sensorit be them in his guidis and geir for bringing of his son to the inconvenient and accident aboun writtin : Quhairvpone tuik act of Court.

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That day Donald Mc Comas, maltman in Innernis, is decernit in the *1627*
sowme of ten pundis money for the bluid lattinge of William Tulloche, *5 Oct.*
maltman burges thair, with ane key in the face, and for drawing of his
durk to him, and ordanis the said Donald to remain in vard quhill he
satisfie the samyn : Dom giffin thairon : Quhairvpone tuik act of Court.

The burrow court of the burght of Innernis haldin at the *1629*
boundis of Eister Inschis be James Cuithbert of Eister *29 July*
Dreakie, Prouest, Alexander Patersone, Mr. John Ross,
zoungar, Robert Bailzie and Frances Bischope, Baillies, the
tuentie nynt day of Julij the zeir of God Jaj vi^{ces} tuentie
nyne zeiris, the suitis callit, the court lauchfulie fensit and
affirmit as vse is.

That day compeirit Johne Robertsons, Williamson, of Eister Inschis
burges of Innernes, and gae in his bill of complent contrar Johne Cuth-
bert, Alexanderson, of Littil Dreackie, burges of the said burght, Schaw-
and that the said Johne Cuthbert trublit and molestit him daylie in the
propertie off his land of Eister Inschis in takinge away of his zeird of his
manurit riggis and also in castinge of fail and diuatis pairt of
the said land in the month, and thairfoir desyrit remeid of law ; quhilk
bill beinge red in audience of the saidis Judges ordanit to be remitt the
tryel and cognitoun of ane inquest, quhilk, baith the parties beinge
present, condiscendit thairto : Quhairvpone tuik act of Court.

Nomina Inquisitionium : Mr John Ross, elder, cancellar, Alexander
Bailzie of Dunzeane, William Patersone, zoungar, Alexander Cuming,
Andrew Fraser Mc Conil, James Robertsons, William Bailzie, William
Cuithbert, Johne Robertsons, Laurensen, Thomas Robertsons, Robert
Neilson.

That day the foirsaidis persones of Inquest ordanis William
Robertsons, Williamson, to mak ane stauck at the newmost pairt of his
landis of Inschis narrest Littil Dreackie quhair the stanis alreddie ar laid
and on that pairt quhar the auld dyick vas fundit of auld, and the said
Johne Cuithbert to helpe the said Johne Robertsons to cast the stauck :
As also decernis and ordanis the said Johne Robertsons to bige ane ewin
dyick at the eistmost pairt of his land as they gae vpe to the month,
quhair the stanis are laid, and putt ewin to the burne vpvard, and that for
saissing of his awin cornes : And syik lyik ordanis the loning goinge vpe
to the month of the commintie betwixt the said Johne Robertsons,

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1629 Johne Cuithbert and Mr Johne Ross in al tyme cuminge ; And forder it
 29 July is ordanit that thair be sextein space in the gett goinge vpe to the month
 aboune the burne and assin tries: And also it is ordanit be the said
 Inquest that it sal not be leisum to the said Johne Cuithbert, Alexander-
 son, to cast ony flag or diuatis in the month of the Eister Inschis dowvart
 fra Lagchaltin^r as the get gois fra Torrannabrek syid at any tyme
 cuminge but licience and attolerance paid and obtenit be the
 said Johne Cuithbert fra the said Johne Robertsons: And this to stand
 as aine perpetual memorie: Quhilk premiss^s was pronuncit in judgement
 be the said Mr John Ross, elder, cancellar of the Inquest; Quhairinto the
 foirsaid Judges hes interponit thair decreit of auctoritie thairto: Quhair-
 wpone aither pairtie askit and tuik act of court and instrument.

1631 That day compeared Frances Bishop, burges of Innernis, and James
 1 July Abraham, Procurator Fiscal of the said Brugh, for his entres, and gave in
 ane burrow precept of the said Provost and baillies of Innernis complain-
 and on Andro Fraser Mc Conill, burges of the said brugh, that quhair the
 said Andro came vpon the sevintein day of Junij to the comoun carse and
 marish of the said brugh vpon the west syd of the landis of Merkinche
 within the flood mark thirof, quhair the comons of the said brugh and
 thair predecessoris past memorie of man have bein in use to won and
 cast fail and clay for the biggings, with the number of eight persons with
 him or thairby boddin in fear of wear, and there most barberouslie,
 wrongouslie and wilfully dang, hurt and abused the said Frances Bishop
 complenar his servants that was working at said the carse for the tyme
 and tooke from them their slaughter spaidis and cuttit in small peices the
 haille failis castin and won be them for the use of their master, comittinge
 thereby manifest oppression and mynd to appropriat the comon carse to
 his own use as giff it had been his proper heretage, and oppressinge of
 the neighboris thairof; Quhilk precept beinge read in judgment, and the
 said defender compearand with Johne Cuthbert Jonson, his procurator,
 and havinge no laughfull defences to object or propon in the contrar, the
 said Judges remittit the same to the tryell of the inquest following, viz.:
 —Mr John Ros, chancellor, William Bailzie, James Cuthbert, Jameson,
 Finlay Skinner, William Stevison, burges of Innernis, David Cuthbert,
 William Neilson, Thomas Robertson, John Robertson, Laurensen, William
 Gray, burgess^s thair, William Read, messenger, Bean Mc Conil chill,

^r Lag a' Challtainn, Hazel Hollow.

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Thomas Vaus, Thomas Murray, Murdo Polson, burgesss thair, and beinge put and suorne in presens of the said defender, past instantlie to the said boundis of carse quhair the said fail and clay was casten be the said pursuer, and, after due and mature deliberation takin be them thair-ament, hes found the haill carse of Merkinche outwith the dykes of the manured land and rigs thairof as the flood mark goes and flows, to be comontie to the brugh of Innernis in all tyme cuming to cast their divatts, flags and clay thereon as their predeassoris did in tymes by past and conform to the old use and wont quhilk they had in tymes bygain, and after their re-entrie in face of court the said chancellar pronouncit the samen : To the quhilk the foirsaidis Judge hes interponit their decret and authoritie therto, and ordanis that no person or persons cast ony flags, fail or divotts with an foot spaid on the said carse in tymes coming, bot onlie with ane slaughter spaid, and referrs the fyne and satisfaction to be made be the defender for the wrong oppression and inqurie done be him on the said comontie in dinging the persuers servands and cutting of fail and breaking of his burges aith to the Judges discretion : Quhairvpon the said Francis Bishop and James Abraham as Procurator Fiscall of the said brugh askit and took act of Court. Sic subscribitur,

James Duff, Clerk.

The above writtin act of the haill tenor above writtin to have bein registrat in this book under the said clerk his hand, quhair of I the present clerk of this brugh gave out extracts, after such extracting the leaff quhairon the samen was writtin was surreptisiouslie taken away after the samen book quhairin it was received be Finlay he fornemit Andro Mc Conil his son for reviseing thairof under some other fair pretext, quhilk I the present clerk doe avowe and attest as I am an famous and faithfull man, quhairthrow this act may be ane authentick to the said Inhabitants in tyme coming as formerlie : Quhairon act.

Ja. Cuthbert, cls.

Note.—From this time until 1637 there are but few entries in the Records.

Note.—It is to be noted that only a small portion of the page immediately following the one on which the foregoing entry is written remains, the rest having evidently been removed by means of scissors.

Records of Inverness

1633
4 April

Anent the lybellit summondis purchest and impetrat at the instance of Thomas Robertstone and James Abrahame, burgess^s and Procuratoris Fiscallis of the said burrowe of Invernes, aganes James Robertstone, burges thair, and certan vther nichtbouris of the said burrowe, makand mention that quhair at the giffin furth and settinge in few of the comun landis of the said burrowe callit the Carse to the nichtbouris and comburgess^s of the burrowe ilk fewar and persone his pairt and portion was than decyded be aickeris markit, meithit, and merchit, quhairby ilk persone knew and understoid his owin proper pairt and portion of the said fewe landis, and thairby thai peaciablie possessit and injoyit the samyn but ony impeding, quhilk laitlie that the said James Robertstone and the ramanent to quhom the saidis landis of the Carse was fewit, haiffinge coft and obtenit the possessioun of the said landis callit the Carse frau thair predecessours, hes at thair awin handis maist wranguslie, violentlie and unorderlie past the boundis appointit and designit to them in thair original infetment, and hes brokin and raisit the metes, methis and merches thairof, and hes riwin, intelit, schawin, occupiet and schoirne greit pairtis and portionis of the said comun Carse quhilk was reseruit furth of all fewis and dispositiones for the comun vse of the inhabitantis of the said burrowe: and by all order, warrand or licience haid or obtenit thairto they haif biggit and buildit barnes, byiris, barne yairdis, dungehillis and middingis vpon the reseruit communitie, and hes jonit the saidis novationes to thair saidis landis first fewit to thair predicessouris, and vil nocht suffer nor permitt the comonis and inhabitantis of the said burrowe to pastour thair guidis and bestiallis, nor to cast nor vin flags, fail, clay nor diuattis vpon the said reseruit communitie, myndinge thairby to appropriat the said reseruit comunitie to thair proper particular vse, to the greit preiudice and damnaige of the said burrowe, and inhabitantis unless remeid be prouydit; and anent the charge giffin to the said James Robertstone and remanent fewaris contenit in the said summondis to haif compeirit be the saidis Provest and bailies this day and place to haif anserit at the instance of the saidis Procuratoris Fiscallis coniunctlie and seueralie in the said maner, that is to say to haif hard and sein dew and lauchful cognition to be takin in the said mater, and to haif hard and sein them decernit to flit and remowe themselfis, vyiffis, bairnis, famelic, seruandis, cottaris, guidis and geir furth and fra the said novationes and vrangus

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riwin in land, barnes, byier and barne yardis, dung hils and middingis 1633
bildit and bygit vpon the said reseruit commontie outwith thair awin 4 April
proper merchis and meithis designit in thair original few infestment, and
to desist and ceis fra all forder occupatioun and laboringe thairof, and
from all molestinge, trublinge, and impedinge of the inhabitantis of the
said burrowe in vsinge the samyn as thair communtie accordinge to vse
and vont; and to be decernit also be decreit of court to content and pay
to the saidis complenaris the particular sowmes of money vnder vritin,
ilk ane of them for thair awin paitis as is eftir decydit for the profittis,
exces, and deweties of the said vrangus rivin land and biggingis zeirlie
and ilk zeir of the cropes and zeiris of God Jaj vj^{ces} sextein zeiris, 1617,
1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629,
1630, 1631, 1632 zeiris alredie bygain, and siclyik zeirlie in tyme cuminge
sua lange as thai violentlie and vrangus laboris the samyn; That is to
say, the said James Robertstone for his vrangus occupatioun of the landis,
barnes, byris, barne yardis, middingis and dung hilis, rivin in and buildit
be him vpon the said reseruit communtie zeirlie the sowme of

money wsual of this realme accordinge to justice, and
for the cost and expenss: And anent chairge giffin to the persones of
Inquest vndernamet to compeir this day and place to pass vpon the
inquest and tryel of the said cognitioun ilk persone vnder the pain of
fourtie pundis as the said lybellit summondis dewlie execut and indorsat
at mair lenth proportis: Compeirit the saidis Procuratoris Fiscallis,
persewaris and desyrit the said lybellit summondis to be referrit to the
tryel of cognitioun persones of inquest vnder vrittin: Compeirit also the
said James Robertstone, quho haiffinge no just ressure to oppone in the
contrar (except that he and Johne Cuthbert his procurator protestit that
the cognitioun to be takin in this mater sal not be preiudicial to his
richtis and infestmentis): The Judges causit, call, admit and be suorne
in presens of the said James Robertstone the persones vnder vrittin of the
maist famous nychtbouris and burgesss of this burrowe contrar quhom
no declinator impediment was maid: They are to say, James Cuthbert,
elder, Alexander Cuminge, Thomas Chewis, John Cutbert Alexandersone,
Johne Cuminge, James Cuthbert, zoungar, George Dunbar, Johne
Maii, Thomas Fraser Mc Alister, James Cuminge Alexandersone, James
Ross, Bean Mc Conil cheil, William _____, William Gray, Alexander
Tailzeour, all burgesss of the said burrowe, quaha var deiplie suorne

Records of Inverness

1633 in judgements and remowit furth thair of past ground of the said
4 April novationes committit be the said James Robertstone and his authoris,
and thair electit and nominat the said James Cancellar,
and eftir lange disputatioun haid amonge themselffis, visitinge, vewing
and perambulinge the said James Robertstone landis of the said Carse,
they all in ane voce, but ony discrepance, finds and declairis the said
James Robertstone and his authoris to have riwin vpon the said
reseruit communtie ane aicker land quhilk he hes joined to his sex aicker
narrest the riwer of Ness, and hes biggit ane longe dry stain dyik betwix
the said nowatioun and the said vater ; sic lyik that he and his authoris
hes buildit and biggit wpon the reseruit communtie and hanit greins of
the said burrowe tua barnes with ane byir, and ane corne yaird, with
diuers middingis and dung hillis at the south end of the said new riwin
in aicker of land ; and the said nowationes war ewir reseruit in the said
original few infestmentis, and that the samyn pertains propirly to the
comm^s of the said burrowe and aucht and suld novyes be tein, laborit, or
occupiet be ony particular persone or persones quhatsomever, bot to be
left void, red, and ley for the comun vse of the said burght accordinge
to vse and vont ; which cognitioun beinge devulgat in judgement be the
said cancellar eftir re-entrie of the saidis hail persones of inquest, in face
of Court, the Judges interponit thair decretit authorictie thairto, and
decerns and ordains the said James Robertstone to flit and remowe him-
selffis, vyiffis, bairnes, famelie, seruandis, tennentis, cottaris, guidis and
geir furth and fra the said new riwin aicker land and dry stain dyik
narrest adiacent the vatter of Ness vpon the vest syid of the said sex
aicker land fewit to his auctor, and furth and fra the saidis tua barnes
and byir, barne yaird, dunge hillis and middingis, buildit, biggit, and
occupiet be him and his auctoris vpon the said comun grein at the
south end of the said new riwin in aicker, and to lewe the samyn void
and red, and desist and ceis fra ony forder occupatioun of the samyn, to
the effect the communis and inhabitantis of the said burrowe may mak
thair comun vse of the samyn accordinge to vse and vont ; and forder
decerns and ordains the said James Robertstone to content and pay to
the saidis complenaris, Procuratoris Fiscallis foirsaid, the sowme of
for the violent and vrangus occupatioun of the said
new riwin in land, barnes, byiris, barne yaird, dung hillis and middingis
foirsaid zeirlye and ilk zeir of the saidis zeiris of God, beinge at the said

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zeir of God 1616 zeiris wnto the Feist of Whitsonday last bypast, as is 1633
particularlie aboun expressit, be resone the said communis war preiudgit, 4 April
hinderit, skaithit, and intrest mor nor the said sowme zeirlie throwch the
said vrangus riwin in biggingis, barnes, byieris, barne yaird, dung hillis,
& middingis abone specifiet, ordaining lettres and executionis to be
directit vpone this thair decreit foirsaid in forme as effeirs : Quhairvpone
the saidis Procuraroris Fiscallis askit and tuik act and instrumentis.

Extractit.

James Duff, clerk.

That day compeirit Johne Robertsons, Villiamsons, of Eister 19 July
Inshes, burges of Innernes, quha gaue in his bill of grivances, makand
mention that quhair William Ross, millar at Castlehil myln, and
Finlay Cam, millar at Derboch [Direbught], Androw McComas, millar at
Culcabok, at the myln of Dreake, and James Forbes,
millar at Bucht, be themselfis and thair seruandis, myln boyes, daylie,
ouckly and zeirlie thir dyvers zeiris bygain maist vranguslie and aganes
ane act, statut, and ordinance maid and ordanit be Prouest, bailles and
counsall of Innernes, transportis, caries and awaytakes be day and nicht
furth and fra the killis of Innernes, malturis of the samyn in greit, both
malt and victual, takinge fyir and vatter, and growinge vithin the
territorie and burgaige of Innernes, beinge land suckin and thrall to the
kingis myln of Innernes, transportis the samyn to wther mylins, viz. :—
the mylns aboue writin, that maist vranguslie respect of ony formar
actis and the fermoraris thair infeftmentis ; quhilk beinge reid, vyit, and
considerit, the saidis persones complenit vpone ar found and declarit to
haif doin vrange in takinge away furth of the saidis killis ; and for
restraininge of the said misorder, to the effect said ordour may be keipit
in all tyme cuminge, and the fermoraris to be *in toto* saif fra such vrangis
in tymes cuminge conforme to this present act ratifeinge the formar
actis maid thairnant, concludis and ordanis that it sal nocht be liesum
or lauchfull to the saidis myllaris or ony ane of them, directlie or
indirectlie, vnder quhatsumevir collour or pretence, to transport, middil
or intromett with any victual, malt, or wtheris out of the saidis killis,
or fra the saidis maltures, and that ilk maltmen or kilman to pay the
vnlaw and fyne of tuentie pundis money *toties quoties* thair contravein
in giffinge furth ony victual by the said kingis myln to the saidis

Records of Inverness

1633 myllaris of the said mylns, or to thair successoris millaris of the said
19 July mylns, ordaininge intimatioune to be maid of the inhibitioun ordanit to
be raisit be vertew of this act: Quhairvpone Johne Robertsons askit
act of Court.¹

¹ No record in Minute Book between 3rd October, 1636, when James Duff was Clerk, and April, 1637, when D. Cuthbert was Clerk.

Town Council Minute Books: Vol. V., 1637-1655.

The quilk day the saidis Provest, Baillies, and Counsell hes concludit and ordaint that Alexander Patersone, lat baillie of this brucht, in respect of his present necessitie, and being not able to furnische and susteine himself upone his awin proper meanis, sall haiff zeirlie of the towne of Innerness and of the commodities thairof, for his sustentatioun and mantinance in bed, burd, and cloithis, the sowme of four scoir poundis guid and usuall money of this realme; and the samen sowme to be payit to him proportionally at four seueral tymes in the zier to wit, twenty poundis quarterly, beginand the first quarteris payment of the said sowme instantlie at the date of thir presentis; And the said sowme of four scoir pondis money is heirby statute and ordanit to be payit to the said Alexander Patersone zeirlie indureing his lyftyme, and that proportionallie in forme and maner aboue specifiet: Of the quhilk sowme of four scoir pundis money forsaid the sessioun, be ane act thairof of the dait the tent day of Junii instant, hes grantit to the said Alexander the sowme of fourtie merkis money zeirlie for aberating and disburdining the towne pro tanto: Qrupone act. 1638
11 June

That day there was ane band presentit to the Counsell grantit by Erle of Seafort, as Generall over all companies and armies to be leved be North Spey, to be sub^t be this brught, all utheris noblemen and gentlemen hes done; the Counsell hes concludit to anser my lord Seafort that, as uther bruchtis in the Kingdome goes on with Generalls in sik caices, that they sall be most willing to go on in the lyk maner. 1640
19 Mar.

That day also the Counsell hes statut and concludit that everie man and inhabitant within this brucht and territorie thairof be stentit to thair power and meanis to furnische poulder and ball for satisfie of thamselvis and the countrey betwixt the [date] heirof and the tuentie fourt day of Marche, under the payments of hundreth pennies money; as also ordaines that till the poulder within this brucht be quilk

Records of Inverness

1640 first the nichtbouris be servit, and that the poulder be sauld at tuentie
19 Mar. four schelingis the pund of hand and the lead at threttie tua pennies the
pund.

21 Sept. That day the Counsell aboue nominat, haiffing tackin to thair con-
sideratione that this Monoday is the ordinar Counsell day quhen the
new Counsell suld be chosin for this next zeir, but sieing thair is com-
missioneris appoynted be the borrowes to com heir from certane brughtis,
both south and north, for certane affeiris perteing to the weill of this
brucht, and suld keip heir the 22 of September: Thairfoir the said
Counsell hes all in ane voice continewit the electione of the said new
Counsell quhill the said commissioneris come present, at leist quhill
Fryday next.

10 Dec. That day Lettres and instructiounes sent from the committie of the
estatis being red in presens of the saidis pruest, baillies and counselloris
and remanent merds. and honest men abouen namiet of this bruch, anent
the sowme of ane hundreth and fyftie thousand guildingis to be presentlie
advanced for payment of the same to the factoris of Campheir for armes,
ammunitioun, and uther provisione sent be the saidis factoris for the
defence of this cuntrey, and this bruch being requeyrit be the said
directiones to warrant James Cuthbert of Dreackies, thair present com-
missioner, to condiscend thairunto according to the remanent borrowes of
this Kingdome, as the persones aboune namiet all in ane voice hes heirby
statute and ordanit that thair be ane commissione sent to the said James
Cuthbert of Dreackies to voice and condiscend to the advancement of the
said sowme as the remanent borrowes of this Kingdome does according
to thair abilities: Quhairvpone act.

1641 The quhilk day the Baillzies and towne Counsell of the said bruche
2 Aug. of Invernes being convened within the tolbuith or Counsell Hous thairof
for treatinge vpoune such matteris as pertenes to the weill of the said
bruche, and the saidis baillzies and towne counsell haweing takene to
thair consideratione the many bygane miscariages and behaviouris of
Donald Foullar, elder, merchand burgis of the said bruch, and of his
said vyff and cheldrene, and speaciale the vnreverand, malicious and
approbrious spechis wtterit and exprest be the said Donald Foullar and

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Janet Robertsoune, his spous, againes George Abrahame, ane of the baillzies of the said bruch for the tyme, in the executioun off his office, for the quhilk in a court hauldine be the Prouest and baillzies off the said bruch vpoune the auchtene day of November Jaj vi^{cs} threttie nyne yeris, the said Donald Foullar wes decernet and ordainet to tyne his libertie within the said bruche for the space of a yeir, and to pay the sowme off fortie pund ad pios usus ; and siclyk that vpoune the nyntine day of the said moneth of November the said Donald Foullare being legallie persewit at the instance of the Procurator Fischall of the said bruch beffoir the Prouest and baillzies thair of for the time for abussing of his Majesties Lettres be selling of his wairis and merchandice with ane false and insufficient steane weight thir sextiue yeiris bygane, and that the samen was fund and perfytlie knowne to be fyve wnces deficient and less wiecht thane the ordinar and trew stanie weight quhilk is usit and alloweit within this kingdome ; and that thairfoir he was fund guyltie and deserved the censure contanet in the actis of Parliament maid againes useris of false weightis and measuris, as the saidis decreitis at mair lenth bearis, and that as yit no executioun hes followed vpoune the secound decretit judicallie abow wrettine, nor no satisfiounne offerit be the said Donald Foullar thairanent, but he and his vyff and Donald Foullar, younger, thair sone, continveing still in thair former malice, and inventis and plottis new conseatis of malice and contempt againes the Magistratis of the said bruch without any regaird ather to God or man, or yit to civill honestie ; and the saidis baillzies and towne counsell finding it maist incumbent to them to tak ordor with abuises of that kind for the peaciabie gouvernement of the said bruche in tyme cuming : Thairfoir they have givinc and grantit, and be thir presentis givis and grantis, full power warrand and commissiounne to James Ross, Prouest of the said bruche, to intent actionne and persew in a legal way the said Donald Foullar elder, ather criminallie or civillie, befor the Hich Court of Parliament, Justice Generall or his Deputis, or beffoir any wther Judge or Judgis competent within this realme, for wseing of the forsaid false steane weight, [to have] him censured and punished thairfoir in his persone and guidis conforme to the Actis of Parliament, Lawis and Practigis of this realme, and for this effect lybellis and procieds to reas and caus to put to executiounne advocatis, procuratoris and agentis, to imploy and to persew the saidis actionnes to the finall end and

1641

2 Aug.

Records of Inverness

1641 desisioune, and generallie all and sundrie wther thingis to exerce and
2 Aug. vse anent the premiss^s that to the office prorie [procuratory] in sik caices
is knowne to perteine, for the quhilk effect the saids baillies and towne
counsell promisis to hold firme and stable: Quhairvpone they maid
this act.

1642 That day the saidis Prouest, baillies and counsell all in ane voice
24 Mar. decerne and ordaine that the arne tries and timber cuttit be James
Cuthbert of Draçkies be oversight of James Ros, present Prouest, and
transportit be him to the brige of the bruch furth of the Ile, be transportit
and put in John Polson, ane of the baillies of the said bruch, his close,
thair to remaine under arrestment be the said Prouest, baillies and
counsell thair auctoritie, ay and quhill it be discussit quhidder the toun
or wattermen hes the best richt to the woodis of the said Ile, and that be
reaseone Duncane Forbes of Cullodin, ane of the quarter masters of the
water of Nes, for himselff and in name of the remanent, hes challengit
the said timber to apperteine to them as heretoris of the said water; and
siklyk the saidis Prouest, baillies and counsell decerne and ordaine that
no maner of persone, ather heritor or uther persone, tak upone hand
to cut doune or transport any kind of timber furth of the said Ile in any
tyme cuming, and that under the paine of fyftie pund toties quoties,
and that the said timber alreddi cuttit and arreastit be not mellit nor
intromittit with be any of the saidis parties under the paine of ane
hundreth punds money: Quhairvpone Act.

31 Mar. That day the said conventioun of the Counsell haifing tackin to
thair consideratioun that at the admissioun of Mr. John Annand and
Mr. Murdoch McKenzie, present Ministeris serveing the cuir at the
Kirk of Innernes, to the ministrie thairat, the hail stipend and benefice
of the crop and zeir of God 1640 dew to be payit furth of the hail
parroche of Innernes be the parrochionaris thairof was perpetuallie
mortifeit and allowit for buyine ane Manse and gleib to ane of the
said ministeris and to his successoris serveing the Cuir at the said
Kirk; and lykwayes haifing considerit that the said mortifeit stipend
of the said crop and zeir 1640 zeiris is not able to buy ane sufficient
and convenient manse and ane gleib to the said Minister without the
saidis Prouest, baillies and conselloris suld aduance the sum of fyve

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hundreth merkis money moir to joyne and eik with the said stipend, for the quhilk they haif gevin present securitie to John Cuithbert of Castelhill thairvpone; Thairfoir they all in ane voice decerne and ordaine for thair relieff of the said sowme of fyve hundreth merkis that the haill inhabitantis of the said bruch and territorie thairof be stentit and taxt for the said fyve hundreth merkis, and the saidis conselloris releiff, and ordaines stent masteris to be [chosin] and nominat to that effect conforme to the ordor useit in uther : Quhairvpone act. 1642
31 Mar.

That day compeirit befor the saidis Prouest, Baillies, and Counselloris Johne Cuithbert of Castelhill, Johne Cuithbert of Vestir Dreackies, James Cuithbert of Breachlie, and David Cuithbert, Toune Clerk of the said bruche, for themselues and in name of the remanent of thair kinsmen, freindis, and dependaris, nichtboris and come-burgess^s of the said bruche, and thair presentit and produceit befor the saidis Counselloris the bill and supplicatioune following, makand mentioune that quhair it is notour and weil [?] knowne that quhair the fornameit persones, freindis and as memberis of the Incorporatioune off the said bruche thir dyverse and sundrie zeiris bygane hes, in mantinance and defence of the civill govericament of the ancient [?] privilledges and liberties of the said bruche, sufferit sundrie wrangis incursiounes and prejudice be the malignant perverse and vicked dispositioun of the evill affected of sum within and about the said bruch quha ar iritat and incensit at them for mantaineing the said caus, and quha for their respectis does by all means possiable strywe daylie to overthrow the Magistracie of the said bruch, and to shak the samen hous, intending thairby to bring the common vealth and standing of the said bruch to ruine and distructioun, they ar to say, Alexander Baillzie of Dunzean, David, Williame, Johne and Robert his brethren; William Baillzie of Torrbrack, David, James and Johne his sons; with the remanent of that kin and allayances; quha vpoun the smalest occasioun thir fyve or sex zeiris bygane doeth convocat thamselues in hostill maner, thairby troubleing daylie the Kingis peace and tranquillitie of the said bruch in highe and proud contempt of all auctoritie; and laitlie the fornameit persones with thair freindis and followaris haveing conceawed ane deadlie hatred, rancur and malice, being all boddin in feare of veare, with suordis, tairges, gunes, pistollis and wtheris invassive 11 Aug.

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1642
11 Aug. wapones, the saidis petitiounaris being vpoun the tent day off this instant in ane civill and queyt maner at the buriall of ane, Christane Paterson, spous to Johne Gordoun, in honour of the toune and magistratis thairof, being requeryit thairto, lippneing for no harme, iniurie, or persuit, the saidis persones, out of ane forthought fellonie, at the least Williame Baillzie, elder, Baillie, strack Alexander Cuithbert Jamesone, behind his back, being in ane thronge amongst sundrie men and women, with ane cowed suord vpoun the head to the efussiou of his blood, thairby committing ane high ryot and attempt against the said Alexander and remanent of his kine and freindis, as nichtboris and come-burgiss^s of the said bruche, to the great hurt and preiudice of the remanent memberis thairof without remeid be provydit thairfoir; Quhairfoir the said petitiounaris humblie crawit and desyred the said Magistratis and Counselloris to tak the premiss^s to thair serious consideratioune, and to joyne with thame in the maist strick and legall maner that can best be thought vpoun that the insolentis and vrangis committit be the fornameit persones in tymes bygan and now latlie vpoun the said bruche Magistratis and memberis thairof may be crubed, and that sic publict enemies and evill effectit to the flourischeing and standing of the common wealthe of the said bruch may be censured and punished in thair persones and guidis in example to wtheris to attempt the lyk, in ane legall way, and to the effect to caus draw vp ane act of counsell quhairby the saidis counselloris sall mack and obleis thameselves to concurre and assist the petitiounaris as memberis of thair Incorporatioun in the legall persuit of the premiss^s, and to nominat commissiounaris from thair number to goe and repaire to the present Justic Court or to any wther Judicatorie competent to remonsterat and declair the sufferings, prejudice and wrangis bygan and latlie susteinat be the said bruche and memberis thairfoff. Efter readeing of the quhilk supplicatioune and being weil and ruple advysit thairwith, and haueing considerit the desyre thairof to be most equitable and iust, thairfoir they all in ane voice doeth heirby faithfullie bind and obleis thame as Magistratis and Counselloris of the said bruch that they sall concurre, assist and continance all lauchfull meanes possiabile the fornameit petitiounaris thair freindis and dependaris in the legall persuit of the hail premiss^s befor the Judge competent, ay and quhill the samen be brought to ane finall concluissiou, and the parties griewed restored to thair los^s and

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credit and for the present they haue nominat, ellectit and choysin Mr. *1642*
Walter Ros and Williame Patersone, younger, twa of the baillzies off the *11 Aug.*
said bruch, commissioneris for the toune to repair to the said meiting at
Elgine vpoun quhatsumeuer day the Commissioneris and Justices of
Peace sall happine to sitt, and thair in name and behalff of the said
towne to remonstrat and giue in the grivances aboun writtin befor
thame, and to insist in the legall persuit thairof, and generallie all wther
things requisit to exercise and doe thairin that they nicht doe thairin
themeselues if they war personalie present firme and stable : Quhairvpoun
the saidis petitionaris requyrit act, and in forder corroboratioun heirof
the saidis Prouest, baillzies and counsell hes subt. thir presentis as
followes :

James Rose of Merkinche, Prot.
Mr. Walter Rose, bailzie.
Johne Polsone, bailzie.
W. Patersone, bailzie.
Alex^r. Grant, counsoler.
George Abraham, counsell^r.
A. Robertsonsone, counsoller.
Thomas Waus, counsoller.
W. Pattersone of Inchis, counsolar.
Williame Neilsonsone, consaller.
R. Rose, counsouler.

De mandato Jacobi Robertsonsone, scribere.

Ego Jacobus Duff, nors. publicus.

equis

That day the Prouest, baillies and counsell of the said brucht *1644*
vnderstandand that quhow the haill nichtboures in the landward that *1 April*
holdis of this brucht ar oblist in and reasone, if this
brucht sall happin to be invadit or assaulted be any enemie of quhat-
sumeuer qualitie, to mantene and defend the samen with thair lyffs and
estattis, Thairfoir and to the effect that, in caice thair sall happin to be
any assault maid vpone this brucht to the effect everie man may be
ingadged in the querrell of the brucht, it is statute and ordained that all
maner of persones in the landward belong to this brucht and that holdis
of thame, duelling vpone the territorie thairof, sall vpoune tua houris -

Records of Inverness

1644 advertisement from the Prouest and baillies cum into the toune with their
1 April hail force and followeing for mantinance and defence of the samen, and that they stay and abydl with thame dureing the tyme that they sall happin to have adoe, and that ilk persone give obeydience heirvnto vnder the payne of loseing of thair liberties: lyk as it [is] also statute and ordained that in caice the nichtboures in the landward sall hapin to be first assaultit be invading of thair persones or away tacking of thair guidis that the hail body of the toune vpoune dew advertisement sall concure and assist with thame for thair saiftie and defence be directing ane competent number of thair body with them.

Ordaines that ilk ploughe in the landward holding of the toune sall send into the toune ane sufficient man to watch in the kirk quarter ilk fourt night.

Forsamekle as the present necissitie of tyme reqweyareth both wigilancie and dilligencie for preventeing of dangeris, and sieing commissioneris and intelligenseris might be sent and directit to sundrie corneris of the cuntrey, and tacking to consideratioun whow this common cause can not be managed nor mantained without chaarges and debursmentis, and since it is notur that thair is no moneyis in store in the thesauraris handis, thairfoir and to that effect that present moneyis may be had in caice the toune sall happin to have adoe, it is statute and ordimed be the Prouest, baillies and counsell of this brucht that the Magistrats vplift sic sowmes as sall be found requisit to be haid for the tyme for defraying and repeyment back againe, theis all in ane voice condiscend and agree that the sowmes sa to be vpliftit sall be imposed and stentit vpoune the hail body of the brucht, with conditione that the saidis Magistratis geve in perfynt compt to the Counsell schowing thair lauchfull debursmentis.

20 April

Tuantie day of Apryle Jai vi^{es} fourtie four zeiris: In presens of Duncane Forbes, Prouest, Robert Ros, Thomas Schieves, and George Abram, Baillies, James Ros of Merkinsche, Alexander Cuthbert, Robert Chapman, Alexander Barbour.

That day the nomination abouewritand being chosin be the Counsell to elect tuantie four able and sufficient men of the inhabitantis of this brucht to goe to Elgin to joyne with the arme now standing

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thair for defence of the cuntrey, the brucht being requyrit to that effect be the Committie of wer thair receiding, and Alexander Fraser 1644
20 April
McWarran [son of the Baron], ane of the burgess^s and merchandis of this burcht, being nominat ane of the said tuantie four men, and being requyrit be the said Prouest to goe in the said expeditione as ane burges and member of the toune, being many wayes oblidgit thairto be covenant and his burges aithe, yet nevertheles the said Alexander maist contemptuëlie and maisterfullie refusit the Magistratis and counselloris abouewritand to goe in the said voyage, in respect quhair of the saides Prouest, baillies abouewritand, be thameselves and haifing power from the Counsell to doe in this as they sall be answerabil, depryue and suspend and be thir presentes they all in ane voice depryue and simpliciter suspend the said Alexander Fraser of the office of ane burges and frieman, and of all profeit and commoditie that may redund or arryse to him thairby, in all tyme cuming, and declairis him not worthie and vncapable of the said office ; lyk as the said Prouest hes ordaint and ordaines Thomas Scheves, ane of the Baillies, to pas presentlie with ane officiar to arrest the said Alexander buithis quhill he find caution for abstinence and not usurping the priviledge of ane burges in any tyme cuming : Quhairvpon the Prouest in name of the remanent Magistratis and counsell requirit act.

That day the Counsell all in ane voice dischairgit Hew Monro, dreil 13 May
maister, of his charge over the brucht in all tyme cuming, and ordaines that he be satisfeit of his bygane pey accordinglie as he wes on tackin : Quhairvpon act.

The Counsell all in ane voice condiscendis that Duncane Forbes, Prouest, goe as thair commissioner to Turray to meit the Marqueis of Argyle thair, and ordaines for his expenses fourtie merkis.

The Counsell all in ane voice haif statute and ordained that ane 24 June
commissioner sall be chosin and directit to the Conventioun of Borrouis now appoyntit to hold at Kirkcaldie the first of Julij nixt.

The Counsell ordaines James Ros of Merkinsche, Robert Baillie, and William Cuthbert, with David Cuthbert, clerk, to joyne with Alexander Dunbar, thesaurer, to reveis the rentall büik, and to mak up ane perfytt roll of all the few dewties of the said brucht to the effect the said thesaurer may collect the samen.

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1644
24 June The Counsell all in ane voice haif electit, nominate and chosin James Ros of Merkinsche Commissioner for this Conventioun of borrouis to be holdin at Kirkcaldie the first of Julij nixt.

The Counsell ordaines to the said James to beare his expenss^s the sowme of ane hundreth merkis money.

19 Aug. That day the Prouest, Baillies and Counsell tacking to thair consideratioun the dangerous estait of the cuntrey, and whow that ane furrein, publict enimie, to wit the Irysche rebellis, hes enterit within the said cuntrey to the number of thrie thowsand, and that they haif alreddie advancit to Glengarrie for the present of intentioun to urge and force all maner of persones to joyne with thame in ane black and dolfull covenant just opposit to that nationall covenant laitlie subscrivit be the tua Kingdomes Scotland and Ingland : Thairfoir, and to the effect that this brucht of Innernes prove not slack nor deficient to thair power to oppoise the said publick enimie in mantinance of the said lait sub^t. covenant, haif thocht fitt and expedient that the number of fourscoir of the best, maist resolute, and best trained muskateiris be presentlie sent from this brucht to the hight of the cuntrey of Stratharick to joyne and assist my Lord Louattis forces thair in oppoising the saidis rebellis ; over the quhilk number they haif nominat and chosin Johne Cuthbert of Castelhill, captaine and pryme command, with power to him to mack choise of lyutennentis, ensigns, sergandis, corporallis and uther officiais neidfull, and mak thame suorne to the culloris, and he behaifing himselff wyslie and discretlie towardis the saidis sogeres as becumeth : Quhairvpone the said Johne askit act.

23 Aug. That day the Prouest, Baillies and Counsell of the brucht of Innernes vnderstanding that the Irysche rebellis haif left the cuntrey of Glengarrie and ar now within the cuntrey of Badenach, forcing men, tacking vp goodis, and burneing tounes, hes gevin and be thir presentis gives power and warrand to Johne Cuthbert of Castelhill to marche as Captaine in this present expeditioun towardis Badenache with the number of fourscoir sowlderis of the best and maist resolut men within this brucht, as they ar listit and gevin vp in the roll to the said Captaine, ordaineing ilk ane of the said number to render (?) anser and obey the said Johne Cuthbert as thair Captaine in all things that

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becumeth, according to the said Captaine's discretione; And siklyk ¹⁶⁴⁴
ordaines the said number to be at thair randivouize aganes this night, at ^{23 Aug.}
the leist be sex horis in the morneing, to the effect they may marche
tymeouslie towardis the said expeditioun, with certificatioun to ilk
person that ar nominat, and does not marche in the expeditioun, sall pey
fourtie pundis to the said Captaine, to be exactit be him and distribut at
his pleaswre, vnforgiven, to be assistit be the Magistratis and Counsell:
Quhairvpone act.

The forsaid day the Consell tacking to thair consideratioun whow ^{21 Oct.}
that for this zeir inschewing the toune be all apparence will haif verie
meikle adoe, and that the oft keiping of counsellis for regulating of
affairis is the onlie fitt way to kept the toune in guid ordor, and sinc
that vpone all exigence and occasioun that may fall furth, the hail
counselloris can not conveine, thairfoir it is thocht fitt and expedient and
also statute and ordained be us vnder subscriuearis, Prouest, baillies
and consell of the brucht of Innernes, that any sex conselloris, vpone
necessitie and vrgent affairis conveining with the present Prouest and
the four baillies, sall be ane sufficient quorum and ane perfynt number to
conclud anie busines, the Prouest and baillies being alwayes present:
Quhairvpone act.

That day thair wes ane Lettre presented to the Consell direct from ^{3 Dec.}
the Marqueis of Argyle, craveing and desyreing the toune of Innernes
to advance for the officiares and sogores of Buchannans Regiment the
sowme of four thousand merkis money, vpone conditione that the
estaitis sall repay the samen to the toune conforme to the said
Marquiesis Lettre.

Efter reiding and advyseing of the forsaid Lre., with the hail cause,
efter mature deliberatioun, they all, at the leist the greiter number of
the Consell, thocht fit and also concludit that no moneis suld be
advanced be vertew of the forsaid Lettre be reasone the toune hes no
common good or vther rent that may satisfie the samen without the
samem be stented promiscuouslie vpone the toune, quhilk without forder
order they all shune.

Notwithstanding of the formar conclusioun for not advancing
of money vpone the sicht of the formar Lettre, zeit vpone better

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1644
3 Dec. informatioun the haill Consell hes thocht fit and expedient that not onlie the said sowme of four thousand merkis money craved be the Marqueis of Argyles Lettre for supplieing Buchannanes Regiment sall be presintlie stented vpon the body of the toune, bot also sinc the toune hes severall workes to build and that the garisone must be furnished be the toune of coll and candle dureing thair aboid heirof; thairfoir they all in ane voice haist statute and ordained that the sowme of ane vther thowsand merkes money for vpholding and building the toune workis and buildingis of the toune be presentlie stented with the formar four for making vp in all the sowme of fyve thowsand merkis money for the vseis and caus^s aboue vrittin; for stenting quhairof they all in ane voice haif nominat, electit and chosin the persones followeing for stenting and imposing of the samen vpon the haill inhabitantes and vtheris haulding of the toune of Invernes according to thair free means and estait quhilk they haud of the said brucht; they ar to say, James Ros of Merkinsche, Johne Polson, James Robertson, Johne Robertson of Insches, Mr. Walter Ros, Johne Cuthbert of Wester Dreackis, David Robertson, William Neilson, Alexander Grant, Donald Tailzeour, elder, Alexander Grant, Robert Ros, John Forbes, fiar of Cullodin, and John Cuthbert of Castelhill.

14 Dec. - The Consell ordaines ane bank to be bait throghe the haill toune ordaineing all the inhabitantis of toune and territorie to satisfie thair pairt of the stent alreddie imposed vpon thame be the fornamed stentaris befoir tuelff houris on Mononday nixt vnder pain of directing pairties againes thame be the saides Prouest, baillies and Consell: Quhairvpon act.

The stent maisteris abounenamed all in ane voice haif elected, nominat and chossin the persones followeing for vplifting and resaueing of the formar stent of fyve thowsand merkis, viz.: for the Kirkgait, Johne Robertson of Poll; for the Eistgait, Donald Foullar; for Domsdaill, Alexander Barbour; for the Briggate and be west the Water, William Paterson, elder; with power to thame to vplift the said stent, and to be comptable for the samen to the Consell according to thair resset, and to grant dischairges to the nichbouris for thair pairt thairof.

That day, forsameikle as the Prouest, baillies, and consell of the brucht of Invernes haif taikin to thair consideratioun whow that for

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obtempering and obeying my Lord Marqueis of Argyles Lettre, with the ordoris dirict thairwith from Johne Denhame, Generall Commissioner of this Kingdome, annent the advancement to the officiares and souldioris of Buchannanes Regiment the sowme of four thowsand merkis money vsuall of this realme of Scotland for ane present supplie to thame, they all in ane voice haif condiscended ane stent to be imposed vpon the haill body of the brucht within the toune and territorie according to thair moyan, means, and estait ; thairfoir and in regaird that the condiscending to the forsaid stent and advancement of four thowsand merkis money hes beine vpon conditione that the samen suld be repayed back againe with the intrestes thairof to the toune of Innernes efter the forme and tennor of the said Marqueis and Commissioner Lettre and ordoris, it is thairfoir statute and ordained and lykwayes agreit vpon be the saides Prouest, baillies and consell that, if it sall happin at any tyme heirefter the forsaid sowme of four thowsand merkis money presentlie advanced and stented be thame conforme to the ordoris aboue written be repeyed to the toune of Innernes, or allowed to thame in any stent or impositioun be the estaites of this Kingdome, according to the said Marqueis Lettre and the said Commissioneris ordores, there in that caice the samen sowme of four thowsand merkis sall be repeyed back againe, at the leist allowed to thame in any stent or impositioun, according as the samen sall happin to be allowed to the toune, everie persone duelling within the said toune and territorie according to thair proportiouns of the said stent and the dischairge gevin to thame be the Collectoris thairvpon.

That day the Consell haif concluded, for the better effectuating of the business belonging to the weill of the brucht of Innernes in thir difficle tymes, that frequent meitingis of the Consell be keiped, and that the haill body of the Consell meit preceislie tuse ilk weik, and thairfoir ordaines ilk Mononday and Thursday to be the dayes of meiting, and that the pryme officiaris of the garisone vpon occasioun be lykwayes present with the Consell, and the tyme of meiting to be nyne houris in the morneing ; ordaineing ilk absent from the saidis meitingis to pay the sowme of xl ss. : Quhairvpon act.

That day the said Prouest, baillies and consell all in ane voice haiff statute and ordained that the Collectores appoynted for vplifting of the

Records of Inverness

1645
13 Jan. stent of fyve thowsand merkis money appoynted to be vplifted for the vse of the Laird Buchannanes Regiment, and for the publict workis and necessities of the brucht, and efter collecting of the hail stent in respect that thair is tua thowsand merkis money alreddie delyvered to the vse of the said Regiment according to the Lyue Collonell Buchannes resset, the Consell ordaines that the sowme nynteine hundreth and ten merkis money of the forsaid stent be delyvered and consigned in the Generall Majoris handis, thairin to remaine ay and quhill the toune be secured be the estaites for thair repyment according to the Marqueis of Argyle Lettre and the General Commissioner Johne Denhame's ordoris, according to the custome of thir borrowes: Quhairvpone act.

Forsameikle as thair ar dyvrse and sundrie comptes lying over in sewerall mens handis, speciallie the stent of the taxt and loane, the stent of the thowsand pundis for the peyment of tua zeiris of the Kinges ordinar taxatioune, and the peyment of the fyve hundreth merkis restand to Castelhill, and the sowme of sex scoir pundis money lying in Thomas Scheves handis, and since theis comptis or any vther debtes awand to the toune cannot convenientlie be reveiseit, sighted or examined be the hail Consell, thairfoir and to the effect the samen may be spidillie doune be ane select number, the Consell all in ane voice haif nominat, electit and choisin James Cuthbert of Dreackyes, Johne Forbes, fiar of Culloddin, James Ros of Merkinsche, William Neilson, Donald Tailzeor, and Johne Stewart, or, in absence of Johne Stewart, Alex^r Cutbert, as examinatoris and auditoris of all maner of comptes, stentes or debtes awand be qt sumever maner of person, with power to thame to conveine and call befoir thame all maner of persones that ar awand the saidis stentes or debtes, or that hes the samen in thair handes, and that the saidis auditoris and examinatoris of the forsaidis comptes produce thair dilligence against Thursday nixt, being the nixt Consell day: Quhairvpone act.

12 June The Consell tacking to thair consideratioune the manifold preiudices they haif and do susteine this long tyme by the want of ane Commissioner to represent and remonstrat thair severall burdinges, sufferinges and loss^s which they haif sustained this zeir by sea . . . tacking of thair shipes by pirrattes, and by the garisone now lyeing and quartered in this brucht almost now be the space of ane zeire or three quarteres at the

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leist, to the estates of this Kingdome, for remeiding and redressing 1645
quhair of they haif agreid and concluded that ane able man be presentlie 12 June
chosin to be ane Commissioner to be presentlie employed to be sent
south to the effect abouewrittin, and finding George Lesly, Shereff Clerk
of Innernes, ane fitt and able man for the employment, the Consell all
in ane voice haif elected, nominat and chosin the said George thair
Commissioner to goe presentlie south to this effect, ordaineing him to be
recommended with ane lettre of recommendatioune to the Estates, with
certane articles to be gevin him in wriet subt. be the Consell; and, to
beare his chairges dureing the tyme of his imployment in the townes
affaires, ordaines the sowme of ane hundreth pundes money to be
presentlie gevin to him : Quhairvpone act.

That day the Consell tacking to consideratioune that now be the 14 July
space of tua zeiris bypast Mr. Duncan McCulloche, minister serveing the
Iyrsche chairg at the Kirk of Innernes, hes not receaved payment of his
zeirly stipend of four hundreth merkis, they all in ane voice haif agried
and condiscended that the said Mr. Duncane McCulloche be dewlie and
tymly satisfied thereof, and, to the effect that the samen may be done
the better, the Consell ordaines that the samen be stented and purposed
be ane Committie of the persones vnderwrittin vpon such as peyis
nothing to the Ministers of Innernes, and vpon such vther persones as
they sall think fitt to be stented vpon according to thair power and
meanis, they ar to say, James Cuthbert of Dreackis, James Ros of
Merkinsche, Alexander Cuthbert, Williame Patersone, merchand, John
Stewart, Alexander Dunbar, Williame Neilson, with power to the said
number to impose and stent the said sowme in maner abouewrittin
according to thair conscience and knowledge, ordaineing the saidis
persones to meit the ane stent roll thairvpone : Quhair-
vpone act.

That day the Consell all in ane voice haif elected, nominat and 14 Oct.
chosin George Lesley, Shereff Clerke, as Commissioner for the toune to
goe South in thair affairis to the Conventioun of Borrowis appoynted to
meit at the first day of November nixt, mainlie for altering
the stent roll.

Records of Inverness

1646
24 June

That day the Conventioun of the Consell abouewrittin being convened for doeing and for sieing to the publict affaires of the towne, and haveing at lenth considered the great loss, varneing, and sufferinges susteined be the nighboures and inhabitantes of the towne of Invernes, dureing the tyme of the troubles, for ther constancie and affectioun to the publict caus, and now haveing resolved to represent thair meane stait and conditione to the estaites of the Kingdome, all in ane voice have nominat, elected and chosin Mr. Walter Ros, burges of the said brucht, thair Commissioner to goe south in this employment, thair to represent thair articles and grivances as they will be sett doune at lenth in writ, to the saides estaites, and ordaines and allowes that the sowme of thrie hundreth merkis money be delyvered and givin to the said Mr. Walter to beare his chairges and expenss^s; and to remaine in this chairge of ane Commissioner ay and quhill he gett our nixt articles and grivances helped and remedied by the saides estaites, at leist ay and quhill the sowme abouewrittin be spent and exhausted be him in ane competent way, alloweing to him dayli furth of the said sowme dureing his aboid in the townes affaires and employment the sowme of Liii ss. 4 d., and the first day of his expenss^s to be and begin vpon the tuantie sevint day of Juin instant; and if it sall happin the said Commissioner to retein home, haveing gottin his affaires dond befor the sowme be exhausted and spent according to Liii ss. 4 d. allowance a day, in that caice he obliss^s him to refund the superplus back to the toune efter his homecomeing; and if it sall happin the said Mr. Walter to stay longer in the townes affaires, he allwayes being oblist to doe his exact dilligence in all thinges according to ane faithfull Commissioner, or [before] the said sowme is spent, the toune and Consell hereby obliss^s thame to make vp his chairges and debursment according to the allowance aboue writtin: Quhairvpone act.

21 Sept.

That day ane supplicatioun belonging to Mr. Walter Ros being presented to the Consell be David Cuthbert, Clerk, in his name and at his awin desyre, togedder with the haill peperes and dilligence used be him as Commissioner for the toune in his last inplyment, and hawing hard the bill with the peperes presented, and finding that the same wer satisfactorie, and that Mr. Walter wes not present to answer to such thinges for his miscariage as culd be layed to his chairge, continues

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forder insisting with the peperes quhill Maister Walter his Pror., and in the meane the Consell ordaines the said Mr. Walter to be cited ather personallie or at his duelling place to compeir befor the Consell the sext day of October nixt, to cum thair to heir and sie his peperes tryed and examined and the trust put in him as thair faithfull Commissioner put to ane tryall to the effect he may receive approbatioune according to his deserving, and that he be warned to the effect forsaid, with certificatioun, if he compeir not the said day, the Consell will proceid conforme to the peperes alreddie gevin be him : Quhairvpone act. 1646
21 Sept.

That day Maister Walter Ros being conveyed and challanged befor the Consell tuching his carriage and behaviour as Commissioner for the toune in the lait employment put on him be the Consell annent the representing of the tounes loss^s, grivances and sufferinges throche thair adhearance and standing to the good caus to the estaites of this Kingdome, and efter that the said Maister Walter his haill peperes and proceedinges befor the estaites wer sighted, examined and perused be the said Conventioun of the Consell, they all, efter mature deliberatioune tackin with the said Mr. Walteris haill peperis presented and all that he culd aid or anser thairvnto be word, find that the said Mr. Walter hes not dischargid the office and dewtie of ane trustie and dilligent Commissioner in this his employment, and particularlie in the faultes and escapes following as manie poyntes remarked be the Consell : First, for his condiscendence as commissioner for the toune with Robert Hoome, late Governor of the said brucht, and that by wreit without geving first knowledge or notice thairof to the Consell ; Seconnding, for his home coming sua abruptlie from this employment wnto such tyme as he gat the affaires intrusted to him to ane better perfectioun, at the least his articles and demandes ansered be the estaites, and foralsmuch as the toune be thair act of Consell did obleis him to satisfie him ane dollor ilk day for ilk day he suld remaine in the toune's employment ; and Thirdly, for nominating of Williame Robertsons particularlie to the estaites, by [besides] all wther deserteris of the toune, without the Consellis consent. For theis transgressiounes, and wther oversights committed be the said Mr. Walter Ros in his lait employment as Commissioner befor the estaites, the Consell findes the said Mr. Walter worthie of censur and punishment, and thairfoir and for his escapes in this matter the Consell 6 Oct.

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1646 fynes and censures the said Mr. Walter in the sowme of ane hundreth
6 Oct. merkis money, to be payed to pious vses, and that he com in the
presens of the hail Consell and thair confess his error and crave thame
all pardoune : Quhairvpone act.

12 Oct. That day David Robertsons with James Abram and Johne
Robertsons ar appoynted and chosin be the Consell to collect and
vplift the remanent of that stent quhilk hes beine stentit for repara-
tioune of the brige, and the saidis persones ar ordained to give in exact
dilligence thairanent against this day aucht dayes, that is peyment,
wairding, or poynding of the disobeyares, and, if exact dilligence be not
produced against the said day, the said David Robertsons with his awin
consent is content to be anserable for the haill roll.

The Consell findis that Johne Marqueis is awand ten pund money
for the Anchorage, quhilk he obliss^s him to satisfie befoir Martiymes
nixt vnder the failzie of ten merkis.

Lykas the Consell all in ane voice settes and laittes to the said
Marcus the said Anchorage and dewes thair of for the haill space of ane
zeire, viz. : fra Michelmes 1646 to Michelmes 1647 zeires, with power to
the said Johne to vplift and receive the dewties vnder writtin furth of
the said Anchorage, viz. : from ilk ship comeing within the harbor or
dock of Innernes carieing tua top mastes, the sowme of xx ss. ; and for
ilk ship or barke carieing ane top mast xiii s. 4 d. ; and out of ilk boott
that caries frauchtes iiij ss. ; for the quhilk tack and sett the said Johne
faithfullie obliss^s him to pay and delyver to the toune or thair thesaurer
in thair name the sowme of tuanti pundis money to be payed at
Witsonday and Michelmes proportionallie.

1647 That day the Consell tackin to consideratioune whow both the Par.
14 June [liament] and the Leutenant Generall by thair ordor hes givin and grantit
the power of quartering the souldieris and officiares of the garisone in
the toune hand, and finding that throche want of dew quartering meny
inhabitanes have sufferit great preuidice this tyme bygane ; thairfoir and
to the effect the quarteris may be maid in ane iust and proportionable
way, and that non be overburdined more than ane vther according to
thair power, the Consell hes ordained Robert Monro for the Overgait,
Andro McBeane for the Eist gait, Robert Ros for the Kirk gait, and

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William Neilson for the Brig gait and be west the water, to joyne as accessoris with the present Magistrates to mak ane perfytt roll of the quarteres quhairby officiares and souldioris may be accommodat and placed as they sall think expedient, and that they quarter the number appoyntit be the Leiutenant Generallis ordor, and no more; and efter the roll is maid and perfyttit that the samen be gewin out under the Magistrates and Accessoris handis. 1647
14 June

The Consell talking to consideratioune whow that thir many zeires bygane it hath beine flenched and neglectit to find out ane way whow the Magistrates and toune consell suld be accommodat with ane sufficient dask in the Kirke, and now haueing at lenth found out the way whow ane dask may be haid, the Consell all in ane voice haue statut and ordained that the Magistrates agrie with ane sufficient craftisman, and that the dask be maid and set up in the best way it can be dewysit in that place whair the loft is aboune the Skinneres Dask.

That day Johne Forbes, present Provest, Mr. Walter Ros, Johne Polson, present Baillies, and Thomas Waus quha wes apoynted with wmqhill James Robertson, the four collectoris quha wer nominat be the Consell for vplifting of that stent of ane thowsand pundis money for satisfieing tua zeiris of the ordinar taxatioune extending to ane thowsand merkis, and fyve hundreth merkis to Castellhill for payment of ane pairt of that sowme promisit to him for the peyment of that gleib and manse coft from him for the vse of ane secound Minister, being conuened for mak compt and peyment, ilk ane of thame according to thair intromission with the said stent, the saidis persones exonerit thameselves as followes: in the first, the said Johne Forbes, Collector of the Brigend and bewest the water, be his roll is found comptable for the sowme of tua hundreth seventie tua pundis, quhairof peyit to Thomas Ros of Pristhill, Collector of the Kinges taxatioune, ane hundreth foure scoir pundis; mair found dewtie restand to himselff for his attendance at Par. and Conuentioune of Borrowes in the zeire 1643, ane hundreth threttie seuen pund 3 ss. 4 d.; and as zit resting wncollected by the persones vnder writtin, to wit, be Alexander Tailzeor vij lib., be Francis Bischope xl ss., be William Baillie, zounger, liij s. 4 d., be Thomas Fraser Jamesone xl ss., be Jeane Caskin xvi ss., be Andro Hossack liii s. 4 d., and be Donald McComas xxiiij s., making in the haill xviiij lib. vi s. viii d.; togedder 30 Aug.

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1647 with the sowme of v lib. xiii s. 4 d. gevin doune to persones considerit; all
30 Aug. makeand in the hail the sowme of ii cs. ii^{xx} xii lib., quhilk is the equall of his stent.

Lykeas Johne Polsonne being conveyned as Collector of the Eist gait his charge is found to be i^{cs} iii^{xx} viii lib. 13 s. 4 d., quhair of gevin to the said Thomas Ros i cs. xlvi lib. 13 s. 4 d.; Lykeas he presentlie delyrit in the Consell to be gevin Castlehill nynteine pundis: So restes vntackin up be Adame Flescher and vtheris that wer considerit of his quarter iij lib.

Mr. Walter Ros, ane vther of the saidis Collectoris, being convenit his charge of the Kirkstreit is found to be iij^{cs} iij^{xx} ix lib. viii s. 8 d., quhair of he peyit to the said Thomas Ros i^{cs} xxvii lib. 13 s. 4 d., and delyverit be him presentlie to be gevin Castelhill i^{cs} xlv. lib. vii s. 4 d.

Lykeas he gives vp restand as zit be the debitoris underwritin, viz. be Findley Skinner iij lib., be Gilbert Marnach xxiiij s., be William Dow xl ss., be the Laird of Streichines Land iij lib., be Donald McCormik xl ss., be Allister More xxiiii s., be Margaret Cumming xl s., extending to xvi lib. viii s., Quhilk in all compleites his stent.

Sicklyke be the roll of the Domisdail Streit Umquhill James Robertstone, Collector thair of, is found comptable for the sowme of ij cs. xl lib. xvi s. viij d., quhair of gevin to the said Thomas Ros i^{cs} xii lib. vi s. viii d., mair delyurit which did ly consignit thrie scoir pundis, quhilk wes presentlie delyverit to be gevin Castelhill, mair gevin up upon debitoris zeit resting, viz., be Donald McFerquhar 13 s. 4 d., be Johne Sinclair xxiiij s., be William Robertstone Johnesone xx s., be Johne Munro, Wricht 24 s., be Patrick Strachanes land 24 s., be Thomas Gardens land 24 s., be McFergus land 24 s., be Donald More McPhersone 24 s., be William Urhaird 13 s. 4 d., quhilk extendis to ix lib. vi s. 8 d., by the which debursment the defunct Collector is found dewlie restand xxxiiij lib.; with the quhilk abouewritin comptes and reckingings abouewritin full maid be the saidis Collectoris, the Counsell being ryplie and weill adwysit thairwith, they all exoner and dischaige the saidis Collectoris of thair intromissionis with the said stent, reservand power and libertie to the toune of Innernes to uplift such sowmes as they have gevin up restand be the persones contenit in the roll that have not peyit their stent; and sicklyke reservand power to the toune to exact the said sowme of xxxiiii lib. x s. resting zit be the said wmqhill James Robertstone: Quhairvpon the saidis Collectoris requerit act.

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The Consell settes the anchorage and schoir silver to Donald Foullar, merchand, for the haill space of ane zeire, viz:—fra Michelmes 1647 to Michelmes nixt to cum 1648 zeires, and that in maner as the said Johne Marqueis last taksman thairof possessit the samen, for the quhilk the said Donald, as principall, and Alexander Barbor, cautioner for him faithfullie bindis and obliss^s thame coniointlic and seuerallie to content, pey, and delyver to the toun the sowme of tuantie pundis money, the halff at Witsunday, and the vther halff at Michelmes thair-¹⁶⁴⁷
efter, lykeas the said Donald obliss^s him over and aboue the peyment of
the said dewtie to sett and put up thrie severall tries or beakines, ane att
Cairnearke, anevther at the Broome Buss, and the third a lyttle vnder
Markinsche Hous, and sicklyk sall furnisch and put in the ground sick
schoir tries as sall be found requisit for keiping fast shipes, barkis, and
boattis that sall happin to arryve at the port and harbour: Quhairppone
act. ^{4 Oct.}

The Consell findis it expedient that such merchandis of the toun as ar concerned in peyment of excyse for in or exported guidis and merchandrice according to the table of excyse suld be spockin with annent quhat satisfactiounes they will give the toun for the excyse of all guidis they have sold since the begining of the order of excyse; and to this effect the Consell nominattis the present Provest, James Ros, and Alexander Cuthbert to be the persones quha sall trait with the merchandis heir-annent, and they to report the merchandis anser this day aucht to the Consell. ^{22 Nov.}

The Consell ordaines William Crombie, Johne Grant, Gilbert Robertstone of Kindeis, and Jonat Robertstone, Donald Foullaris relict, to be chairgit as deserteris fra the toun in the tyme of the last troubillis.

The Consell givis the imployment of chairgeing the deserteris to compeir befor the Committie of Estaites to Alexander McPhersone, messenger, lykeas also they give the imployment of the chairgeing of Rosmarke and Channorie folkis to the said Alexander, and ordaines tuantie pundis money to be givin him for his payment out of the exyse money: Quhairppone act.

The Consell ordaines the Collectoris of the first sex monethes mantinance and of Mr. Duncane McCulloches stipend to exhibit and ^{29 Nov.}

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1647 present thair comptes of the said stent to the Consell this day aucht
29 Nov. dayes to the effect it may be seine who hes peyit or not, and whow the moneyis collected wes debursit ; the Collectoris names, David Robert- sone for the Brigait, William Neilson for bewest the water, Robert Chapman for the Eistgate, George Cuming for Doomsdaill, and Thomas Waus for the Kirk Streit.

27 Dec. That day George McCulloche, burges of Innernes, for giveing full obedience to the Consell in the way of residence and aboid in towne for tymes to cum, the said George is heirby cum actit and oblist in the Consell buikis of Innernes that he with his wyff and familie sall make his residence within the toune for all tyme cuming conforme to the meaneing of the act of restraint grantit be the estaites to the toune for restraining thair nichboris to remove dureing thair pleasour ; lykeas he faithfullie bindis and obleiss^s him that he nor his wyff or famelie sall desert out of toune in no tyme cuming conforme to the said act, and that under the paynes thairin conteinit, with this qualitie that the said George be nawayes stoped or hinderit to goe about his lauchfull affairis in the cuntrie and abroid as occasionne sall offer, he makeing always the toune of Innernes his retereing place and place of aboid : In signe heiroy he hes sub^t this present act with his hand.

George McCulloch.

29 Dec. That day compeirit Donald Findleysone, merchant burges of Inner- nes, and willinglie submittit himselff to the censur and decretit of the Magistrates and Conselloris presentlie conveyned for anything can be imput to him be the toune for his desertioun and withdrawing of himselff from the societie in the tyme of the lait troubles, and the saidis Magistrates and Conselloris being advysit with the nature and qualitie of his fault, they fyne and unlaw the said Donald for his said desertioun in the sowme of fourtie merkis money ; Lykeas they ordaine the said Donald to enact himselff that he sall never desert the toune in tyme cuming wnder the paynes contained in the ordor of the estaites granted to the toune to this effect, and ordaines the said Donald to remaine in waird quhill he obtemper the premiss^s : Quhairvpone act.

1648 The Consell tacking to consideratioun David Cuthbert, thair Clerk,
17 Jan. his daylie attendance and waiting on all meitinges qn. the town hes ado,

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and what lytle profeit redoundis to him thairby, they all in ane voice *1648*
thairfoir allow and ordaine the sowme of ane hundreth merkis money to *17 Jan.*
be presentlie delyrit and givin to the said Daid furth of the reddiest
moneyes ar alreddie collected of the exyse, quhilk sowme the Provest hes
undertackin to delyver of John Grant his exyse and desertioun money:
Quhairvpon act.

The Conselloris aboue nameit haveing tackin to consideratioun *12 Feb.*
whow that be vertew of Lettres of Captioun raisit at the instance of
James Ros of Merkinsche contrar Williame Cuming, eldest sone to
Alexander Cuming, burges of the said Brughe, Robert Ros and Alex-
ander Cuthbert, tua of the baillies of the said Brughe, wer chairgit be
Alexander McPhersone, messenger, to take and apprehend the said
William, and to deteine him in waird wntill such tyme as he suld make
poyment to the said James Ros of such sowmes of money as ar contenit
in the saidis Lettres, and whow that in obeydience of the said charge the
saidis baillies apprehendit the said William and causit thair Jewelor put
him in the surest waird the towne culd command, and he haveing
remainit thairin be the space of aucht weikis or thairby more, the said
Williame in end maid his escaipe and brak waird by stricking wp of the
lofting of the inner counsell hous quhair he wes wairdit for the tyme and
come out throw the said loft, and theirefter by cuting of the wther doore
with sum instrument or vther of the said Counsell hous, and by breacking
wp the lockes of the tolbuith doore, the said Williame maid his escaip as
said is; And the Counsell haveing seine the hail maner of the said
Williame his away goeing, and being werie sensible that he maid not his
escaip any way throch the sleuth or neglect of theis baillies quha apprehendit,
nor of the rest of the Magistrates quha ar thair ajunctis and
presentlie in office with thame, bot in the hous default and throch the
wnsufficiencie of it, and that in all equitie they and ilk ane of thame
aucht and suld be free of all danger or prejudice may follow or can result
wpon the said Williame Cuminges escaip; Thairfoir the convention of
the Counsell aboue nameit all in ane voice be thir presentis bindis and
obleisses thame and thair successoris in office that they sall defend and
manteine the present Magistrates, to wit, Jon Forbes, Prouest, Robert
Baillie, Robert Ros, Alexander Cuthbert, and Jon Stewart, baillies, and
ilk ane of thame, of all parrell, danger, and inconvenient that they or any

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1648
12 Feb. of thame can susteine as being present Magistrates of the said brught throch the said Williame Cuminges e^scaip and brek of waird ; And that they sall defend joyntlie wpon the townes chairges all actione and instance that sall happin to be moveit or intentit be the said James Ros or any wther in his name for makeing the saidis Magistrates or towne comptable to him for the debt the said Williame wes wairdit for: Quhairvponc the said Prouest and baillies requeyrit act.

3 April The Counsell finding the decay of the weyhous of the brughe to be a great prejudice to the common wealth thairof, and that the samen hes lyn idle throch meir slouch this whyle bygone, for re-establishing thairof they ordaine John McBeane, lait maister thairof, to enter thairto as the townis servande for a fourtnicht quhill he be adwysed quhat to offer for the samen to the towne be zeire, and ordaines him to exact for ilk staine's weying of inbrocht guidis, such as staiple wair, four pennies, and for all wther hamhald geir sex pennies, and the pryces to be satisfeit be him quha sall requeir the service, and that the said John be comptable to the towne for his intromissione ; to the quhilk premiss^s the said John willinglie agreit and condiscendit: Quhairvponc act.

For ane begining to the building of ane harbor at the dock of Inneres, it is ordained that fourtie pundis money be delyrit be Alexander Dunbar of the excyse moneyis to John Stewart, ane of the present baillies, to be givin to souldioris and vther craftsmen for wurking at the said worke, and ordaines Robert Baillie, Alexander Cuthbert, and the said John Stewart to have ane speciall and overseing cair of the worke, and hes adjoyned to thame Donal Foullar, William Baillie, youngar, John Abram, and Jon Conchie to be asisting to thame.

The schoir dewties of the brughe is sett to Donald Foullar, burges of the said brughe, to Michelmes nixt, with power to him to wplift and exact sic dewtie and schoir money of the leiges as is usuall and custom-able in wther borrowes, and the said Donald to be comptable to the towne for his haill receipt, and to make compt thairof vpon his fidelitie, to the effect the samen may be furth cumand to the towne's use ; Quhilk the said Donald willinglie undertuik, being personallie present, and promest faithfullie to vse his exact dilligence in collecting and uplifting the said dewtie : Quhairvponc act.

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In respect that the towne is now wrgit to receive a garisone of the Erle of Murrayes, and that quhill a way of mantinance be prowdyt for that garisone be the Estaites or be the said Erle of Murray, the towne is willing to give thame interteinment, thairfoir and to the effect this may be done in a proportionable way they think fit and expedient that the sowme of [blank] be presentlie stentit wpon the towne to be advancit wpon securitie to Collonell Home, who hes the present chairge of the garisone, to the effect he may distribut the samen himselff to the souldioris, wpon this conditione that the said Collonell give his awin band for repeyment of the sowme betuixt and Mertymes nixt: and for stenting of the said sowme the Counsell hes nominat and chosin the persones following, Robert Baillie, Robert Ros, Alexander Cuthbirt, thrie Baillies, James Ros, Jon Polson, Alex^r Dunbar, and Daudid Robertson, four counselloris, with power to them to stent the samen faithfullie and trewlie wpon ewerie man according to his power and abilitie, and to make ane stent roll thairwpon, and to nominat Collectoris for vplifting thairof, with this conditione that whatewer sowme is stentit and peyed be any inhabitant at this tyme salbe ather refundit to him in money or wtherwayes allowit to thame in first end of thair mantinance.

1648

4 Sept.

That day the merchandis and wtheris of the Gildrie of the brut of Innes haveing givin to the Counsell thair Petitioune and supplicatioune craveing, according to the laudable custome of wther Royall borrowes, that the ordor of ane Deane of Gild be sett up within this brut. also, and that ane able man be nominat and chosin to the effect to reull for this yeire; the Counsell haveing tackin in consideratioun the desyre of the said petitioune, they all in ane voice without any contradictioun find the desyre of the foresaid supplicatioune most iust and reasonable, and thairfoir think fit that the Judicatorie of the Gilderie for a flourishing comonwealth be raised wp and re-established in this brut. againe and that ane able and sufficient man of the merchandis be chosin as Deane of Gild to exerce this office for the zeire, he alwayes being subiect for his carriage and behaviour in the said office to the grand Counsell of the brut.; and thairfoir the Counsell all in ane voice have electit, nominat and chosin Johne Polson, merchand burges of the said brut., Deane of Gild for this zeire, with power to him to exerce the said office with als great power and authoritie as any wther Deane of Gild within any wther

10 Oct.

Records of Inverness

1648 Royall brut. of this Kingdome, he always being comptable to the
10 Oct. Counsell for his actione and proceidings, with power to him to choise any four of the Counsell he pleis^s to joyne alwayes with him for administering of justice, and to holde office and continew Deane of Gild Courtis to that effect als oft as he thinks fit; lykeas the said Polsone willinglie acceptit the office and did solempnelie sweir to exerce the samen faithfullie according to his conscience and knowledge: Quhair-wpone act.

The quhilk day Jon Willson, George Ruthven, and Patrik Ruthven, merchandis and burgess^s of Dundie, being convened and accusit be Alexander Barbour and Alexander McPherson, Procurators Fiscallis of the brut. of Inverness, for wronging the liberties of this brut., for keiping opin buithes thairin, and selling be small and great furth thairof at thair pleasour, and for breking bulk at severall places on this syde of Tarbat Ness with thair barkis and shipis without the first offer maid to the gildrie of the brught according to thair ancient and unquestionit privilege, the said Johne Willson confest his error in keiping buithis and cellaris in the toune by selling furth thairof to frie men of the brught, and for his oversicht thairanent becumes in the Counsell will and voluntarlie and of his awin accord maid offer to the Counsell of tuantie fyve corss dolloris for his fault and inlaw, quhill the Counsell acceptit. George and Patrick Ruthvens each of thame confest that they lowered barkis loadinges at Tayne, Dinguall, and Cromartie without any offer maid to the toune, as being ignorant of the toune's privilege anent breking of bulk without the first offer maid to thame, for the quhilk fault they both becumes in the Counsell will, and thairfoir willinglie maid offer to the Counsell ilk ane of thame of tuantie corss dolloris to be bestowit on common workis. [The offers were accepted.]

23 Oct. The quhilk day the Counsell haveing tackin in consideratioun whow that be particular instructiones at the present Provestes last being in the South they did warrand him to treat with Johne Kennedie, Provest of Aire, anent the supperplus of tua hunder pund stirling grantit to the toune be the Estaites, quhairof formarlie thair wes sexteine hundreth merkes extent, and whow at that tyme they ordered the said Johne Forbes, Provest, to compone and agrie with the said Provest of Aire in

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als fair a way as he culd, and to doe thairin as he thocht best and maist condeuceing for the weill of the toune; for cleiring the poynt the said Johne Forbes, Provest, declarit in Counsell upone his honour and credit that all he obteneit of the supperplus of the foirsaid sowme, after long paynes tackin be him, from the said Johne Kennedy wes simplie aucht hundreth merkis, for the quhilk he did queit all the rest, quhilk sowme he haid in his custodie reddie to be delyvrit, the Counsell alloweing to him in first pairt payment such sowmes as ar dewlie resting to him be the Counsell in thair formar imploymentis extending to the sowme of four hundreth and fourtie merkis; with the quhilk and with all the said Johne Forbes, Provest hes done in obteneing the said aucht hundreth merkis they ar weill pleased, and allowes and approves all that he hes done thairanent, and thairfoir allocattis and allowes to him in first pairt payment the foirsaid sowme of four hundreth and fourtie merkis, so that he is onlie lyable and comptable to the Counsell for the sowme of thrie hunder and thrie scoir merkis money.

1648
23 Oct.

The Counsell ordaines tua of the Baillies, with John Polson and Alexander Grant, to reweis the stent roll of the thowsand merkis quhilk wes stentit for repairing the kirk stiple, quhilk roll lyes in Daud Cuthbertis handis, and they to report thair dilligence thairanent to the nixt meiting of the Counsell.

1649
1 June

The Counsell ordaines in obeydience to the chaarge givin to thame that the sowme of ane thowsand pundis money quhilk is that pairt of the sowme of tua thowsand pundis appoyntit to be upliftit from the towne and landward for building ane new Kirke for the Irysche chaarge be stentit wpon the towne and territorie thairof, and for stenting the said sowme the Counsell hes nominat and chosin James Ros of Merkinsche, Johne Polson, William Cuthbert, Johne Stewart, Johne Hepburne, Alexander Patersone, Alexander Grant, and Robert Monro, who wer solempnelie and deiplic suorne, for stenting the said sowme in ane right and proportionable maner: Quhairvpon act.

14 June

That day compeirit Mr. Robert Forbes and Mr. James Dunbar, and gave wpe thair names to the Towne Counsell for giwing thair tryallis anent thair qualificatiouns and abilitie for dischaargeing the dewtie and

17 July

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1649 function of ane scholemaister at the present waiking (?) schole of
17 July Innernes. The Counsell hes assignit to the saidis Mr. Robert Forbes
and Mr. James Dunbar the 17 of August nixt to give tryall of thair
literatioune and qualificatiounes for the said functione at Innernes befor
thame and the brethrene of this presbitrie, and the man found most able
efter tryall to be presentit and preferit to the place; And the Counsell,
with adwyse of Mr. William Fraser, one of thair ministeris, hes givin out
in leassone to the saidis scolleres the 16 Od of Libri opidum of Horace,
the first 16 lynes of that Od to be handled be him the said day of tryall,
and that they use ane harrang befor they handle the leassone, and that
the said leassone be handled according to the custome of scolleres usit in
the lyke caices.

17 Aug. The Counsell haveing considerit ane act of Counsell grantit in favour
of Mr. Johne Abercrombie, quhairby the towne hes oblidgit thamselves
and thair successoris to content and pay zeirlye to the said Mr. Johne as
a pensioun for being the townes advocat tuantie merkis money, and that
now the said pensioun is resting thir sex zeiris bygone, the Counsell
ordaines the thesaurar to satisfie the said Mr. Johne the sowme of ane
hundereth merkis in contentatioun of all bygones, quhilk sall be allowit
him at the making of his comptis: Quhairppone act.

15 Oct. That day the Magistrates aboue writtin, with speciall advyis and
consent of the present Counselloris convened, did sett and latt, and be
thir presentis for the dewtie underwrittin, they sett and latt to Johne
Hepburne, merchand burges of Innernes, the dewtie and casualitie of
anchorage and schoire dewtie of Innernes, and that for the hail space of
ane zeir nixt and immediatelie following the said Hepburne his entrie
thairto, quhilk is heirby understood and declarit to begin at Michelmes
last, in the instant zeir of God Jaj vi^{cs} fourtie nyne zeiris, and from thence
to continew in his persone to Michelmes thairefter, Jaj vi^{cs} and fyftie
zeiris, with full power to the said Johne Hepburne and utheris in his
name intrustit with his power to uplift and receive fra the leiges for the
said anchorage and schoir dewtie the particular sowmes underwrittin and
no forder, viz.: for the anchorage of eache bot comeing with fraucht to
the schoir or harbor belonging to strangeris iiii s. 4 d.; for ilk bark or
schip with on topmast xiii s. 4 d.; for ilk schip with tua topmastis xx s.;

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and for each last of goodis, or last bulk importit or transportit in any sship, craer^r or uther wessell from strangeris not burgess^s or inhabitantis of Innernes, for schoir dewtie vi s. 8 d., and for each chalder wictuall be strangeris vi s. viii d.; townesmen and burgess^s of this brught to pey the halff, to wit, iii ss. 4 d., and, if neid be, with power to the said Johne Hepburne to poynd and distreinzie for the saidis sowmes: For the quhilk tack and sett aboue wrytin the said Johne Hepburne as principal, and William Baillie, youngar, as cautionar and souertie for him, be thir presentis ar becum bound and oblist conjunctlie and seuerallie and thair aires to content pey and delyver to the said Prouest, Baillies and Counsell or thair thesaurer the sowme of aucht scoir sewin merkis usuall money of this realme, and that proportionallie as followes, viz.:—the nixt halff thairof at the feast and terme of Witsoneday Jaj vi^{es} and fyftie zeiris, and the wther halff at Michelmes thairefter, under the failzie of xx lib. for ilk terme; lyk as the said Johne Hepburne obleis^s him to releve his cautioner at all hand; lyk as they both haue subscrivit thir presentis as followes: Quhairvpone ather pairtie tuik act.

Johne Hepburne
William Baillie, cawtioner.

The Counsell having hard and considerit ane bill givin to thame be Mr. Robert Forbes, skoole maister at the grammer skoole, craveing his by gone stipend to be satisfet him, and that the towne wold be pleased in regaird of the scairtie of the zeire to augment his stipend: For the first pairt the Counsell ordaines the thesaurer, Donald Foullar, to satisfie the petitioner since his entrie to the first of Mai nixt, being tua quarteris, and for the secound the Counsell hes augmentit the said Mr. Robert's stipend for this first zeire in ten pundis more nor he haid befor: Quhairvpone act.

That day the saidis Prouest, baillies and counsell, for causs^s seiming good to thame, dischairges the act of Counsell formarlie in favoris of Mr. Johne Abercrombie, advocat, for the pensioun of tuantie merkis zeirlie, and ordaines the samen act to be null and of noe force contrar the towne to thair prejudice in any tyme cuming: Quhairvpone act.

^r Craar or Crear, a small one-masted vessel.

Records of Inverness

1650
16 Dec. The Counsell ordaines for the better dispatch of business that tua monethis mantinance be tackin out of the reddiest moneyis of the excyse of this brughe wntill the mantinance of the brughe be stentit and collectit, and the saidis tua monethis mantinance to be deleryit to the Committie of ware of the Schyre to reck out thair commissioner to the Parliament, and whow soon the townes mantinance is collected the Counsell ordaines the saidis tua monethis mantinance to be givin in againe for makeing wp the excyse: Quhairvpone act.

23 Dec. Mr. Alexander Dunbar being found qualifiet to dischairge the dewtie of ane schole maister, enterit to the functioun of ane maister of schole at the gramer schole of Invernes the forsaid day, and the Counsell promiss^s him the lyke stipend his predicesor, Mr. Robert Forbes gott.

1651
26 Feb. The Counsell nominattis and appoyntes the four Baillies, with Robert Ros, Johne Stewart, Gilbert Robertsons, Alexander Barbour to proportiounne fyftie men wpone towne and territorie as being thair proportiounne of the present leavie for recruting the armie, to the effect the said numberis may be presentlie set afoot and put vnder the command of towne officiaris and sent to the generall randivouze of the Kingdome.

17 Mar. The Counsell ordaines the four Baillies, with the assistance and advyse of Robert Ros, Daud Robertsons, Alexander Barbour and Gilbert Robertsons, to list and inroll all the fensible men in towne and territorie, and to produce a diligence thairanent to the Counsell tomorrow.

The Counsell hes tackin thame to advyse whome they sall make choyse of to be Captaine over the Companie, is resolvit be thame to be put furth to the armie, and for listing the men that sall be found most able and neass^r to goe in the service, the Counsell nominattis to this effect the four Baillies, Robert Ros, and Gilbert Robertsons, and they to give in thair dilligence against monenday nixt.

The Counsell all in ane voice, according to the recommendatiounne sent to thame in favoris of James Forbes, hes nominat and maid choyse of the said James Forbes to be Captaine to lead and command the souldiouris is appoyntit to be put furth in the service be the towne of Invernes, and admittis him to all the benefeit and privileges of ane Captaine also frielie as any uther in the armie.

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That day the Prouest presentit in presens of the Conventioun 1651
abouewrittin the Kingis majesties lettre, quhairby he craves the advance- 15 May
ment of tua hundreth pund stirling from the towne of Innernes.

The Counsell ordaines all theis wha haue hors within this brought to 16 June
lead ane fraucht of staine and sand to calsay the schoole wyne, and
ordaines ane bank to pas to that effect.

That day the Magistrates and Counselloris of the said brughe being 1652
convened for receaveing the dilligence of Donald Foullar wha wes last 17 April
implyed from this brughe as commissioner to go to the meitinge of
Dalkaith to act in vice of Johne Forbes wha wes lait commissioner at the
said place for the said brughe, all thinges recommendit to his trust
according to the instructiones givin him to that effect; and the saidis
Magistrates and Counselloris, haveinge receavet full satisfactioun from
the said Commissioner and ane full accompt of all thinges intrustit and
recommendit to him, and for proveinge thair of productit ane lairge
wreiting in perchment, sub^t be four of the commissioneris of the Parlia-
ment of the Commonwealth of England for ordering and mannadgcing
affaires in Scotland, schowcing that the said Donald as deputie of the
said brughe of Innernes haid accepted of the Tender of the Parliament of
the Commonwealth of England, and thairfoir did authorise the nicht-
bouris and inhabitantes of the towne and brughe of Innernes accordinge
to thair formar rites and customes from tyme to tyme to nominate and
choyse thair Magistrates and officiares for the gouvernement of the said
towne and brughe and liberties thair of till farther order, which Magis-
trates and officiares from tyme to tyme ar thairby constitute to proceid
in the executioun of thair severall trustis accordinge as hath beine used
and accustomed, vnder the provisionnes contened in the said wreiting,
and that oathe conteniet thairin be administred to thame by such as ar
appoyntit to that effect as the said wreiting conteneinge severall vther
deuties ordered to be followed and performed, of dait at Dalkaith the
20th day of Merch last.

Productit lykewayes ane paper sub^t be the saidis commissioneris of
England declairinge that the abounewrittin brughe is tackin in the
speciall protectioun of the Parliament of England, and thairfoir, strictly
requer all officiares and souldioris, as all vther persones that sall haue

Records of Inverness

1652
17 April occasiune to trawail in the said brughe or conuerce with any of the inhabitantes of the samen, that they offer no violence or injurie wnto the persones or goods of any of the inhabitantes of the samen, nor take anything from thame vpon any pretext quhatsumewer without satisfioun givin, as the said paper, conteininge dyverse vtheris particularis, of dait at Dalkaith the said 20th of Merch last, at lenth beares; quhilk wreitinge and paper the said Donald Foullar declaired to be ane uniforme and common custome throthout the hail brughes of this natioune and is the onlie platforme followed and to be followed throthout all.

The saidis Magistrates and Counselloris efter deliverance approved the said Donald Foullar his haill proceidinges at the said meetinge, and that because theis paperis ar relative to the vther paperis sent to wther brughes, and declared that the said Donald hes done ane honest dewtie in all thinges recommendit to his trust: Quhairvpon act.

8 Nov. It is statute and ordained be the saides Provest, Baillies and Counsell that each Monoday in this inschecoming year be keipit constantlie as ane Counsell Day for consulting or doeing and regulatig the brughes affairis, and sieing thair hes beine great sleuth and slacknes in sum men anent thair coming to Counsell dayes, It is ordained that ilk Counsellor keip the said Monondayes meiting precislie be aucht in the morneing, and that non be absent efter the bell is rung out and the roll of the Counselloris nams called, under the payne of peying xii ss. vnforgivin: Lykeas it is ordained that the Counselloris meit wpon wther extraordinarie occasiounes, being lauchfullie warned be a tounes officiar, without they have a lauchful excuis for thair not coming, which they sall mak knowin to the Counsell: Quhairvpon act.

1653
29 April That day compeirit in Counsell Alexander Cuithbert, lait baillie and present Deane of Gild, of the said brught, and gave in the complaint and supplicatioune following, quhair of the tenor followes: The humble supplicatioune of Alexander Cuthbert, present Dean of Gild of the brught of Inverness, to the Magistrates and Counselloris of the samen brught, Sheweth that quhair your Honoris accordinge to the laudable custome of the wther Royall burrowes have beine verie cairfull for the advancement of the proffeit of the common wealth of this place, to set on foot the

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office and jurisdictione of ane Dean of Gild as a meaine verie usefull and reasonabill for promoweing the common good of this brught, which your Honouris all studied verie much the furtherance of, qwhich office and jurisdictione of ane Deane of Gild hes beine exerced and caried on in this place verie legallie and civillie thir aucht or nyne zeiris but intermissiounne or interuptiounne, and that your Honouris find the course not onlie laudable bot also profitable to the place, you wer pleased to continew the samen unalterit as zit ; Lykeas zor Ho^{rs} (instead of a better and more able) wes pleased to nominate and make choyse of me Judge in that office for this zeire, which I haue cairfullie studied to goe about with alse gret cair and fideletie as I culd, and haveing laitlie in a Deane of Gild Court, with the present Magistrates and many of the present Counselloris consent, pronuncit decretit contrar Charles McLeane, burges of this Brught, at the instance of severall nichboris, particularlie at the instance of George Cuthbert, merchand burges of this brught, the said Charles in obegeience thairof peyit all theis nichbouris except the said George, wha vponne his not ressaueing satisfactiounne did signifie and make knowin the busines to me as Deane of Gild, and desyrit that he micht have the benefeit of the law, and that I wold give ordor to put his decretit in executiounne contrar the recusant Charles McLeane ; Quhairunto I did willinglie agrie, and that becaus his desyre wes groundit vponne equitie ; Lykeas I gave ordor to on of the tounes officiares, to wit Charles McArthor, to pass and arreast the said Charles buith wntill such tyme as he gave satisfactiounne to the partie according to the decretit, which dewtie the officiar being about, and I myselff oversieinge the samen, the officiar wes most prouddlie and contemptuouslie stoped be Donald Foullar, ane of the present Baillies, and the said Charles, who cam doune the streit in ane violent and fierce maner, and threatined and minassed the officiar and me with many proud and insolent speiches not worthie to be repeatit in your Honouris eares ; bot particularlie the said Donald uttered that the said officiar durst not execut his office notwithstanding any coumand givin him, and if he wold offer to do any such thing they wold tuggle him ; which unbeseming carriage I desyrit micht be forborne by theis men and suffer the course of justice to have place rather than thair pernicious wills ; instead of givcing obegeience to the course of justice and yeilding to my just desyre the said Donald uttered that that decretit suld have no place in laying on any such arreastment, and that vponne

1653

29 April

1653 such unreasonable groundis as he proposed to himselff, quhidder richt or
 29 April wrong, and that it would not be in my power to put the samen to execu-
 tionne; and in reall sinceritie the busines is carried on in such bangasterie
 maner that if it be not lookit unto and resentit this office must doune;
 and for myselff I humblie desyre that, altho your Honouris wold forgett
 to looke on me as a Judge thus wronged, which I heir humblie lay down
 at your feit, yit for your owin subsistances and the honour of the place
 over whom God hes maid you oversiers, it wer expedient that ye wold
 take such course with theis proud contempneris of ordor and authoritie,
 as such barbaritie and uncivillitie be not tollerat, and by thair punish-
 ment, by being maid examplarie, vtheris may be put in such aw as they
 dar not attempt the lyke heirefter; and your Honoris answer I humblie
 crave.

The Counsell haue hard and considerit the complaint abouewrittin,
 and haueing also hard what Donald Foullar had to speak for himselff in
 answer thairto, and haueing seriouslie examined the wrong in everie
 circumstance, they find that Donald Foullar hes opposed the power of
 the Deane of Gild proudlie without any just ground, and thairfoir the
 Counsell, for his misdemeinour and uncivill carriage, hath suspendit, and
 be thir presentis suspendis him, from the office of his being Baillie, and
 that to the nixt Counsell Day, and forder at the Counsellis pleasour till
 forder advyse and consideratioune be tackin in the busines: Quhairvpone
 the Counsell hes ordained this act to pas.

1654 The Counsell tacking to consideratioune that Mr. Alexander
 30 Jan. Dunbar, Mr. of the gramer Schoole, hes dimitted his charge of the said
 Schoole in the towne's hands, the Counsell ordaines Alexander Fraser,
 sone to Alexander Fraser, litster, to be speikin wnto and agreit with to
 teache the childrene and attend the charge of being schoolemaster quhill
 ane able man be provydit.

The Counsell ordaines Alexander Dunbar and Donald Foullar, tua
 of the Baillies, to speake Ronald More anent timber for the bridge, and
 to report a dilligence to the nixt meiting of Counsell.

12 Feb. Alexander Fraser, sone to Alexander Fraser, litster, is admittit be
 the Counsell to the attendance and teaching of the childrene of the
 Gramer Schoole for the hail space of a quarter, quhill the Schoole be

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better prowdyt with a more qualifeit man, and the toune permittis to him for his service and attendance for that quarter fourtie merkis with all vther casualities allowit : Quhairvponne act. 1654
12 Feb.

That day Dauid Fouller, burges of Innernes, is becum actit in the Deane of Gild bookis as cautionar for Kenneth McFindley, chapman in Redcastell, that the said Kenneth sall not brek ward nor remove from the new tolbuith quhairin he is now wairdit wntill such tyme as he goe thairfra by leive of the Deane of Gild of Innernes, and that wnder the payne of thrie hundreth merkis Scottis to be incurrit and susteine be the said Dauid in caice the said Kenneth brek waird : Quhairvponne act. 22 April

The Counsell, finding that the Landward Parroche and John Forbes with thame ar of intencionne to intent and prosecute actiones against the toune, wponne what groundis as yit not weill knowin, thairfore the Counsell all in ane voice haue resolvit to defend thameselves and thir toune from theis mens malice be all legall meines, and at what tyme soever the toune or any of the inhabitants thairof happins to be cited, called, or perseuit be the Landward Parroche for whatsumever caus or occasionne, ordaines Alexander Barbor, present thesaurar of the said brughe, to aduance sua much money of any thing lyes in his handis or that sall happin to come to it heirefter of the tounes meanes as sall be able to defend any actionne of that nature, and when the tounes meanes faillies the Counsell willinglie to undergoes a stent for further ingathering of money to be disposed of alwayes at the Counsell's command : Quhairvponne act. 17 July

That day ane overtur of ane agriement being proposed whidder the debaittes betwixt toune and parroche wold be submitted to newtrall friendis it is wes weit [?] and agreit wnto that without the parroche wold consigne thair halff of the hundreth pund Sterling as the toune wes willing to doe in the Governoris^r hand they wold nawayes submit, bot this beand done they wold submit. Quhairvponne act. 18 July

Johne Stewart and Donald Fouller, tua of the Baillie's present, ar ordained be the Counsell to speake Johne Forbes, Prouest, anent the 25 Sept.

^r The English Governor of the Town under Cromwell.

Records of Inverness

1654 moneyis collectit be him from the tounes men towards a contributioune
25 *Sept.* for the king,¹ and to learne from him whidder he gane out theis moneyis
as yit upon that accompt, zea or not, and they to report his answer to
the nixt Counsell day, and sicklyke that they crave ane accompt of the
hundreth merkis wes givin him at his last goeing to Elgin.

27 *Nov.* The Counsell ordaines Alexander Barbour, thesaurar, to bestow
money presentlie wpone the keeping and mending of the decayed and
maist neasserie pairtis of the bridge that the samen may be maid passible
for the people that nou suffer prejudice in its default, and that small
timber be presentlie layed on theis pairtes without delay.

The Counsell ordaines the Baillies, the Deane of Gild, and Thesaurar
to bargane with Struy, the Chissolme, or the Tutor of Glenmoristoune
for i^{es} good jeastis to the bridge against the nixt Spring.

The Counsell hes admittit Allister Doun in Oberriachan, hangman,
and allowis all theis small casualities his predicessoris in that office haid.

1655 The Counsell is content to feu the peice carse outwith Laurance
16 *April* Cuthbertis dyke of his carse, all to the river of Nes, to the Governor for
the Staites use, provyding he give four scoir five jeastes to the bridge if
it can be haid, and if not to take thrie scoir, the Staites or Governor in
thair name to the toun for the zcirlie few deutie of the said peice ground
fourtie shillings Scottis money at tua termes Vitsunday and Martymes :
Quhairvpone act.²

¹ Charles II. in exile.

² There are no Records of the Burgh extant for the period between October, 1655, and
March, 1662.

Town Council Minute Books: Vol. VI., 1662-1680.

The quhilk day the Counsell wnderstanding that the garisone ar to remow schortlie and that this Burghe lyand in the mouth of the hylands quhair thair ar many disaffected personis subject to pouertie and giwin to thift and robertie, for prewenting of any such inwasions wpon this place the Counsell think it expedient and verie necessar that ewerie inhabitant of this Burghe be sufficientlie furnisched with waponis for thair own defence, and defending His Majestie's interest sua far as in thame lyes, and therfor they haue nominat and appoynted Baillie Hepburne, Johne Cuthbert and William Robertsons, thrie of thair number, to gett tryell and nottice how the inhabitantis of the Burghe are furnisched and served of offensiwe waponis for maintenance and defence of the samen aganest all inuasionis, they ar to mak ane narrow search quhat waponis ewerie man hes, and quhat waponis each man wantis, and to giwe thair particular judgment quhat particular waponis wil be necessar for ewerie particular man quhoes names wil be giwen in be tham to the Counsell in wrytt, and in the mean tyme allows Baillie Hepburne to caus mack ane partizatioun and bring the samen to the Counsell that efter adwysement thairwith the Counsell may caus mack moir: Quhairwpon act. 1662
31 Mar.

The Counsell appoyntis Baillie Hepburne to giwe ane perfyt roll to the officiaris of the wholl inhabitantis of this Burghe quha ar in capacitie to buy armes to be charged to be heir in this tolbooth Thursday nixt be aucht horis with such waponis as they haue, that such as wantis waponis may be ordered to furnisch waponis and by for thamselves. 14 April

The Counsell haue appoynted that Mr. James Sutherland, Minister, of this Burghe, be acquainted to keip this day aucht dayis, being ane Counsell day, that the Counsell and he may tack ane effectuell course with the witches that ar presentlie in hand.

Records of Inverness

1662
14 April The Counsell haue appoynted tuelff burgess^s to watch nightlie within this Burghe with ane overseer, and the four baillies ar appoynted to tack ane exact catologe of all the fensibile men, inhabitantis of this burghe, and to dewyd the samen watch proportionallie ilk night be ane of the said baillies, and not refer the samen division to any of the officiaris; the eldest Baillie is to tack the first month efter hes day, quhilk is the 14 day of Apryle, and sua furth monethlie per vices.

Siclyk the Counsell declairis and ordaines that all the said inhabitantis sall watch personallie, the Magistratis and Counsell onlie excepted, and the counselleris ar to furnische able and sufficient men in ther stead and place quhen ther or aither of ther tournis is to watch. It is furder heirby enacted and declaired that quhosoeuer according to the tenor of the abowe written act is lafullie charged and does not giue obedience is to pey fyw pundis scotis for the first fault, ten pundis for the second fault, and for the third fault he is to be fyned and deprywed of his burgeschip, besydis to be esteemed as a contumaceous and refractorie persone, and the pairtie owerseer is to resaue his watch all the tyme betuixt the first of Apryle and the first of October at ten o'clock at night, and is in ane formall way to disolue during that space ilk morneing at 4 o'clock, and for the rest of the zeir at 8 o'clock at night, and 6 in the morning, it being always wnderstood that quhatewer person withdrawis himselff in the night tyme without the owerseer's licence, and is not present quhen the watch is disolued, is to be holden as iff he appeared not all, and to be fyned as afoirsaid.

The Counsell enactis that in regaird the towne hes little or no pasturage, and that that pairt of the Carse quhich is beneth the place quhair the gibbet stood, betwixt it and the river syde towardis the sconce, wes spaired thir zeiris bygone so that now the Counsell find it weirie wsefull for graseing, therfor the Magistratis and Counsell doe heirby statute and ordayne that non presume nor tack wpoun hand to cast flagg, fail, or diwott in any tyme heirefter or tirr any pairt of the said carse exceptand onlie so much thereof as sal be employed for the wpholding of the dyck lyand towardis that samen syd, and least any pretend ignorance or throw want of knowledge quhatt is the platt of ground heirby inhibit the Magistratis appoyntis Prouest Rose and Baillie Dunbar to goe and pott the ground, and the transgressoris of this act to pey ten pundis Scotis *toties quoties*: Quhairwpone act.

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Baillie Dunbar, Baillie Hepburne, Baillie Fraser and Robert Rose, 1662
Gilbert Robertsons, with Mr. James Sutherland, the Minister, ar to heir 28 April
and try the witches presentlie in waird, iff they will adheir to ther former
confessionis, and to try of them quhat furdre they will confesse.

The Counsell, tacking to consideratioun Maister James Sutherland, 9 June
present Minister of this Burgh, his desyr of ane hundreth merkis to be
advanceit to him in payment of his Mertimes stipend qlk the towne is
obleist to pey zeirlie to the ministeris of Innerness during ther serveing
the cuir at Innernes, and the Counsell finding no readier way to obtem-
per his demand nor by borroweing of the samen sowme of the Hospitall
money, quhairfor the Counsell haue appoynted the Baillies, with Willeam
Baillie, thesaurer, to giwe band and securitie foir the said sowme of ane
hundreth merkis and the annual rent therof fra the dat of the band to
the terme of peyment therin specifit to Johne Hepburne, ane of the said
Baillies, in name of the Hospitall of this burgh, and the Counsell
obleiss^s themselves foir ther releiff: Quhairwpone act.

The quhilk day the Counsell abownamed and wndersubscriweing, 22 Sept.
tacking to ther consideratioune the petitioun wnderwrittin giwen in to
tham be James Cuthbert, thair present clerk, of quhilk petitioun the
tennor follow:—Unto the Right Honoll. Prowest, Baillies and Counsell
of Innerness. The Humble suplicatioune of James Cuthbert zour owne
clerk, Scheweth that notwithstanding zour honoris did nominat and
select me as zour burrow clerk, (for quhilk fawor I cannot enuch be
thankfull) zet haueing considered that quhat benefeit is had therby is
not sufficient to manteane me and my famlie civilie and as becometh
zour towne clerk without help had therto, may it please zour honoris
therfor to tack this my conditioun to zour serious consideratioune and
lett me haue the casualities of zour double entrie formerlie possess be my
predecessor, and zour Honoris anser I craue and sall pray: and being
ryplie and maturlie advysed therwith efter consideratioune of the samen,
and finding the samen weill ground, therfor we homologat and approw
the said petitioune in all poyntis, and ordaynis the petitioner to middle
and intromett with the said double entries of all landis and tenementis
holdene of us since his entrie to the clerkschip, and zeirlie and continu-
allie in tyme cuming during his service as our towne clerk: Quhairwpone

Records of Inverness

1662 the said James required Act of Court, and in furder testimonie and cor-
22 Sept. roboratioune of the premiss^s we subscriuwe as follow.

20 Oct. The Counsell have appoynted the clerk to remember them that they may appoynt ane dyet and tyme foir ryding about thair land merches.

1663 The Counsell haue condischendit and agried with Alexander Cuth-
5 Jan. bert, late Prowest, for the male and dewtie of the Clerkis chalmer, and the wault under the samen quhilk is the present prisone hous, foir ane zeir, they peying foir the chalmer zeirlie the sowme of tuentie four pundis Scotis money, and for the wault twenty pundis Scottis, and that zeirlie during the Counsell ther possessioun therof, at tua termes, according to wse and wont : Quhairwpon act.

26 Jan. That day Mr. Willeam Cumeing, Schoolmaister, being conveyid in counsell, and being inquyred quhither he resolued to keip his charge as Schoolmaister any longer nor Witsunday nixt, ansered that he resolued to serue the Counsell as Schoolmaister till Mertimes nixt iff they pleased to accept of him, quhairwith the Counsell ar satisfied, he alwayes adweising at Lambmes nixt of his resolutione anent he keiping or demitting of his charge : Quhairon act.

The said day the Counsell have appoynted and ordayned for the tyme to come that the warding place for all captiwis for debt sal be the leach Counsell hous, and that the officiar being then jeawiller that giwes libertie and friedome without the said hous to any persone haweing no Magistratis ordor therto sal be punished at thair discretioun and amitt and tyne his office and charge *pro prima culpa*.

The Counsell also ordaynis that no frieman or woman be permitted to enter the said warding place to wisit any prisoner wntill it be sex o'clock in the morneing in sumer and aucht houris in the winter, and that none be allowed to stay in the tolbooth with any prisoner efter sex houris at night in winter and aucht houris in summer, and, iff it sal be fund that the tolbooth door be opened aither befoir or efter the said respectiue dyetis, then *ipso facto* the jeawiller to lose his place, and that ilk night quhen the door is made lockfast that the wholl dooris be locket

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togidder, and iff contrarie be fund the jeawiller to be condignelie *1663*
punished in his persone, goodis, and ordained to tyne and amitt his *26 Jan.*
place: Quhairupone act.

The Counsell haueing perused ane act of Counsell of date the last *25 May*
day of M'ch 1662, by quhich Baillie Hepburne was appoynted and
ordained to cans mack ane new partizatioun and present the samen befor
the Counsell to be considered of, and also by quhich he with Baillie
Cuthbert and Captain Robertsons were ordained to tack inspectioun and
notice how the inhabitants were furnished with defensive and offensive
weapons and armes, and, efter examinatioun of them anent ther diligence
thirarent, they ar fund to haive neglected and forgott this ordinance ;
Quhairupon of new agayne the said Counsell have appoynted the saids
persones to prosecute the tenner and will of the said act and tack Speciall
and cairfull inspectioun of the saids inhabitants ther weapons and armes,
and to declare quha of the inhabitants ar furnished and quha ar not
furnished with armes, and give in ane particular accompt and list of ther
names the nixt Counsell day. Sicklyk the Counsell have ordained and
ordains ane act to be ordaineing James Richie to give trans-
feries to the hylanders and inhabitants of this burghe quha sell and went
acquavite within this schyr, als often as he salbe requyred therto be ony of
the Magistrats, or be Daid Scott, Alexr. McConchie, Mettie McConchie,
and Thomas McNoyer, fermorers of the excyse of acquivite, with pro-
visioun and assurance to him that the subscribing and granting of the
said transferie sall not be prejudiciall nor be ony maner of way ingadge
the same James Richie, or mack him lyable to this burghe for any
sowmes of money : Quhairupone Act.

The said day the Counsell, considdering that ther gratius King,
Charles the Second, by the grace of God King of Great Britain, France
& Ireland, Defender of the faith &c., his birth day wes imminent qlk. wes
to be solemenlie keiped on the tuentie nynt day of this instant moneth
of Maii in the best and most credible & honorable maner culd be de-
wysed, and considdering that on the samen day also his majestie arrywed
& landed in his owne Kingdome of England efter long exyle; quhaes
arivall qlk ingadgest them to the better incurragment in the said
solemnitie, and for evidenceing & promulgating of ther joy in behalfe of
his maties saffe and happie returne, the Counsell, haueing beine practised

Records of Inverness

1663 yeirlie since his maties ingress, haue appoynted that the wholl fensible
25 May men wethin this burghe & territories thair of be in the best armes & cloathes the said day to testifie & euidence ther joy & thankfulnes to God for so ferme & palpable a favor done to thir kingdomes as to restore our gratius King & prince to his awne throne agayne in saftie and peace: Foir traineing up, dreilling, and leiding, conducting of the said inhabitants suer furnished, the Counsell haue nominat & appoynted Captain Willeam Robertstone to continew in his former charge as ane of the tua captans ouer the quholl inhabitants and traird band of the said burghe, ordoring him in exerciseing them and ordoring ther fyreing, and to vse all wther dueties incumbent to ane captan the said day; also the Counsell haue nominat & appoynted Wm. Cuthbert to continew as liewtenant, James Cuthbert my sone ensigne, Dauid Scott & Wm. Cumeing, sergants, wnder his command; and the Cunsell haue appoynted Dauid Fouller to be the wthr captan for the said day, Johne Baillie Alexrson his liewtenant, and James Stewart to continew ensigne as formirlie, and Johne Cuthbert my naturall sone & Johne Munro sergants.

Ja. Cuthbert, Cls.

12 Oct. The Thesaurer is appoynted so to conduce with pairtie anent the said Chappell yeard as that no four footed beast be suffered to enter within the samen, bot that the grasse throf be mowin, and that he conduce for readdie money and bestow the samen for reparatioune of the dyk throf.

26 Oct. The Counsell haue nominat and appoynted Johne Stewart and Johne Hepburne, baillies, to goe to the presbiterie the nixt day they conwene within this burghe, and consult with them anent quhat day they will appoynt for calling in of able schollers to disput for the schoole of this burghe becaus the pnt schoole m^r is to leive his charge of the schoole at mertimes nixt.

The Counsell haue nominat and appoynted Baillies Stewart and Hepburne, with Willeam Baillie, thesaurer, to goe and sight Baillie Fraser his dealls, and tack Dauid Scott with tham, and efter they haue made pryce for the dealls caus transport else money of the dealls to the tolbooth as will serve to thattche the steiple of the said tolbooth be the said Dauid Scot his informatioun.

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That day the Counsell haue nominat & appoynted Castelhill, 1663
Prowist Rose, Baillie Stewart & Baillie Fraser to view that larache at 3 Dec.
the east port, and ane wther larache at the back of Daudid Robertstone his
hous & yeard, and tack notice & inspectioun qlk of the tua laraches is
fittest to be a place to build a schoole into, and report ther diligence the
nixt Counsell day.

The said day the Clerk is appoynted to drawe up ane contract
betwixt the towne and Mr. James Stewart, presentlie admitted school-
maister to this burghe, haweing winn the same by disput. Quhair-
wpon act.

That day also the Counsell finding that the act of date the 14 of 29 Dec.
Apryle 1662 zeiris anent the watch is not keiped in wogue, and that ther
ar few or no persons that giues obedience the charge, and the Counsell
finding that the reasen throf is that those intrusted does not look exactlie
efter the particular, Therefor the Counsell haue resolved to haue ther
thocht on a settled way foir regulating of the watch heirefter, that the
place or people com not to prejudice throw sloath or negligence, and to
the end the inhabitants may be the more able to discharge the dutie of
watchers and able men in the place, the Counsell hes appoynted the
persons following, wiz. Baillie Hepburne, Baillie Cuthbert, Captan
Robertstone, to tack inspectioun throchout the wholl towne quhat persons
wants armes and giwe in ane exact accompt the nixt Counsell day ; as
also that they informe themselues quhat weapons can be haid to buy,
that the said Magistrats and Counsell may proportioun tham amongst
such persons as wants armes.

That day also the Counsell appoynts the magistrats to caus wrytt to
Robert Barbour ther commissioner to extract from the clerk of the
tolbooth of Edinburgh the act by quhich notice is made that old Borlume
was arrested at the Ladie Iruine her instance foir the self samen sowme
for qlk sche persues the towne for dismissing of him as sche alledges out
of this tolbooth, being arrested heir also, to the end that iff possiblie his
arrestment ther may tack away the proces alledgit & intended against
the magistrats of this place, and also that act of burrow qrby the
comissioner from this place is not to ryd in parliament qll the difference
of place betwixt tham and Haddingtowne be decydit.

Records of Inverness

1663
29 Dec. As lykwayis the Counsell hawing enqyred Castelhill, Prowest Rose & Baillie Stewart ther report anent the conueniens of the schoole, quhider fittar at the east port or at the back of Dauid Robertsounes house, did report that nather of the places wes so convenient as neid wer; but iff the schoole suld be built in either of the places it wald be fittest at the east port, bot the Counsell considdering thir owne hous at the bridgend wes and is fitter nor they both to be the schoole, therfor they appoynted the thesaurer to caus mack the samen wryd & redd against Witsunday nixt and without delay goe about the repairing therof & mack the samen waterticht.

Moreower the Magistrats & Counsell being informed that severall of the inhabitants & cuntriemen putt in ther goats in the Ile, & daylie destroys the samen, so that it is lyk in schort tyme, without remeid be prowyled, altogidder to turne to ruine; Quhairfor they statute and ordayne that no man quatsomewer put in thr goats or kidds in any time coming wnder the payment of 12 ss. Scots each beast *toties quoties*, and appoynts the Mr of the water to put this act in executioun: Vpoun qlk haill premisses act.

1664
25 Jan. The Magistrats haweing receiued ane letter from the Chancellar of Scotland in name of the Privie Counsell qrby he requyred tham to returne ane accompt of ther diligence anent the tacking of the declaratioune be persons in trust within this Incorporatioune enjoyned be act of Parliament of date the 5th Januar instant, with ane act of Counsell laying downe the maner how the samen declaratioune suld be sub^t of the samen date, as also ane wther letter with ane wther act from the Clerk of the Counsell of the samen date, also requyreing as aforesaid the tacking of the said declaratioune, requyreing lykwayes the saids Magistrats to giue ane accompt of quhat money wes collected in this burghc for the distrest protestants in Polland, and how the samen wes employed, did present the samen in Counsell, and efter reiding therof, the Counsell being advysed therwith, hawe appoynted the samen declaratioune to be drawin wp werbatim as the samen is printed, to the effect the samen may be sub-scrywed be all concerned. The Counsell also appoynted som of ther number to try & searche the kirksessioun book quhither or no ther wes any such collection and how the samen wes bestowed, that a speedie diligence may be reported theranent; and, haweing fund nothing therof

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in the records of the sessioun, the Counsell ordained ane accompt of ther diligence to be returned to the said Clerk. Qron. act. 1664
25 Jan.

The Counsell also haue appoynted that ane hous be builded, conteaneing four cupples and tua ewen gaibells, besyd the hous appoynted for the Hospitall, and that to be ane Gramer Schoole ; the place quhair and maner how it sall be built is appoynted to be be the aduoyce and ordor of Robert Rose, Willeam Robertsons & Allexander Rose. They are appoynted to stent and proportioun the fail to be ledd therto on the towne & territorie. Also they ar appoynted to secure also many cabirs from Alex^r Baillie as will serue the said schoole, and to conduce and agrie with James Gordone, masone, and to doe all wther thinges necesser foir carieing on of that work, ay and qll the samen be compleit & finisched, ther entrie therto begineing this day or the morne. Qron. act. 4 July

That day also the Counsell finds that notwithstanding the bridge be helped this zeir, yet ane effectuall course must be tacken the nixt zeir foir putting the said bridge in a good conditioun, and to the end the samen may be gone about (notwithstanding quhat hes beine bocht from Foyr alreddie) they ordaine eichtie tries to be bocht from Skipper Geddes to be brocht from Norway ; and to this effect the Counsell nominats Baillie Stewart, Bailie Hepburne & Baillie Fraser, with Prowest Rose, Willeam Baillie, thesaurer, Willeam Robertsons, and Johne Cowie to be bargane mackers, with power to them to agrie with the said Skipper anent the pryces, anent the lenth, breidth, thickness and sufficienci of the timber, and ordaneing them to conduce with him imediatlie at his returne from the Boyne heir to Innernes. Qron. act.

The Counsell ordaysn that notwithstanding former acts made to that effect that now agayne, least any persone [pretend] ignorance, intima-tioun be made at the mercat croce be touck of drum, commanding & chargeing all burgesses quha ar not noblemen or gentlemen of qualitie, quha were hithertill made burgesses of this burghe to repair heir to the samen, and heir keip ther *forum et larem*, and scott, lott, wache, wark & warde with the place ; and this they are to doe within a moneth efter the day and date of thir presents, with certificatioun to suche as giwes not obedience (except such as ar excepted) ane new act of Counsell salbe made, declareing ther burges act to be maid woyd & null in all tyme 11 July

Records of Inverness

1664 coming as iff the samen had newer bein granted, and they randered
11 July incapable of any privilege or libertie within this burghe & liberties therof.
Qron. act.

13 Sept. The Counsell finding that, notwithstanding of ther act of Counsell
formerlie emitted & penned foir the right regulating of the captanes and
the people of the towne for watching, yet they find so much slacknes and
want of observance both in the captanes and inhabitants in thr respect-
iue trusts, that for the better manadging & governeing of the night
watchings heirefter the Magistrats & Counsell doe hereby appoynt
Baillie Stewart, quha is for the present eldest baillie, to owersie Alex^r
Rose, Robert Chapman, Willeam Duff and Wm. Robertsons ther nightlie
watchings, and to wisit them also often & sua often as he finds caus ;
Baillie Hepburne to wisit James Foulter, Alex^r Chisholme & Daud
Foulter, ther watchings ; Finley Fraser, baillie, to wisit Johne Baillie,
James Fraser and Duncan Forbes, ther watchings ; and Baillie Cuthbert
to wisit Robert Barbour, James Cuthbert and Johne Cowie, ther watch-
ings ; and maynelie besyd the noticeing quhat hes bein the tenner of the
former acts, that they specallie consider that the Captane be present
each night he beis in towne and in health, and in his absence that he be
supplied with ane prettie man in his wice, as also the liewtennend and
wther inferior officers, with certificatioune to such as salbe fund breackers
of this act they salbe fyned in tuentie pundis Scotts, besyds to be
punished in ther persones at the Magistrats discretioun.

26 Sept. That day also the Magistrats and Counsell, haueing tacken to ther
consideratione the prejudice they haue susteined thir zeirs bygone throw
the want of ane advocat to plead ther causes & actionis both offensiwe
& defensiwe befor the Lords of Counsell & Sessioun, and for preventing
of futur prejudice, the Counsell in one woce *nemine contradicente* haue
nominat & chosen, lyk as they for themselues and ther successors
nominats and chooses M^r George Mackenzie, advocat, to implead ther
actiones & causes constantlie, quither as persuers or defenders, befor the
Lords of Counsell and Sessioun, sua far as lawe and reasone will permitt
& allow. Foir qlks causes the Prowest, Baillies and Counsell for them-
selues & thr. successors giwes and grants to the said Maister George
McKenzie ane zeirliche pensiou of tuentie merks to be payed zeirliche to

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him be the thesaurer of Innernes at Candlemes, and this *1664*
act is to stand in force during the Counsell ther pleaser, and ay and qll *26 Sept.*
ane new act discharge the samen. Qron. act.

That day the Counsell haue appoynted that Robert Barbour, *3 Oct.*
Willeam Robertstone and Johne Cowie caus buy also many dealls as
will be ane ferieing coble foir transporting of tua horses and sundrie
foot over the water of Nes the tyme that the bridge is wnputtwp, and
buy also also many oacken boards as will be a bottom therto, qlk boat is
to be built with all expeditioun wpon the towne charges be the thesaurer.

Efter rousing of the ferrieing coble over the water of Nes, the samen *14 Oct.*
is sett to Robert Barbour for a month, wiz. from the 14 instant inclusive
to the 14 Nor. nixt exclusive, payand for the samen tuentie thrie pundis
Scots, and hes fund *caur.* for that effect, and is enacted
for his *caur.* releiff : Qron. act.

The Magistrats hawing represented to the Counsell that, in obedience *1665*
to his Maties Privie Counsell ther Letter, they have seasit one and *9 Mar.*
apprehendit aught men to be sent south to Leith for His Maties service
in the warre betwixt him and Holland : Qlk being represented to the
Counsell as ther dilligence the Counsell doeth allow therof and approwe
the samen, and desyres that the said men may be maid furthcomand
according to the comandes received be the Magistratis from the said
Privie Counsell, the Magistrates hawing represented unto the Counsell
that they did vrytt ane letter to the Earle of Rothes, president to the
Privie Counsell, desyring that ane warrand should be directed be him for
delyuring of the said aught men to the nixt adjacent brughe or shereff of
shyre, and so from shyre to shyre or brughe to brughe qll they come to
Leith, that therby great charges and trouble might be prevented to this
brughe, and it being put to the voice quether or not these aught men
should be presentlie dispatched and sent away wpon the townes charges
and be ther convoy, yea or not, it vas caried be the voice that the returne
of the letter sent south should be waited wpon, and qtt by it should be
comanded the samen aught and should be presentlie gone about how
shoone the letter comes to the Magistrates handes.

Records of Inverness

1665
9 Mar. The Counsell also appoints tua groates for mantainance in the tuentie four houres to each seaman, and sexpence to each fisherman, of the foirsaid aught men dailie during ther aboid in the tolbuith, and ay and whill they be sent south, beginnand the first dayes mantainance to them the day and dait of this present act. Qron act.

20 Mar. The Counsell being resolved this day to roup the croft commonly called the hard croft lyand beyond the water of Nesse, boundit narrest the north greene qlk sometime belonged to umquhill Francis Bischope, and fallin to the towne throughe not payment of the few dewtie be the airs male of the said umquhill Francis, hawing befor the roup and offer therof appointed and ordained ane merk to be the yeirly few dewtie therof and doubling therof at the entrie of ilk aire or assines, and the first termes payment of the said few dewtie to be Mertimes in anno 1665 yeirs and the nixt terme to be Witsunday in anno 1666, and sua furth yeirly att tua termes in the zeir, Witsunday and Mertimes in winter, be equal portions ; the Prouest, hawing ane sand glasse in his hand, did go to the said croft and roup the samen that whosoever should bid most for the samen should be preferrid ; Wherwpon David Fouller hawing biddin most for the samen obtained it, And is ordained not only to pay the for-said few dewtie zeirly but also to pay to the thesaurer the soume of four scoir fywe merks as the full pryce of the said croft. Qron. act.

12 June The qlk day in obedience to ane letter directed be the Bischof of Murray to the Counsell desyryng them to send some of ther number to Forras to meet with him, at which tyme he would impart qtt he had to say to them, did nominate and appoynt Prowest Rose, Bailie Fouller, and the Deane of Gild to meet with the Bischof according to his desyre, & report ther dilligence at ther returne ; the Prowest and William Duff are appoynted to giue them instructiones. Qrupon Act.

7 Aug. The Counsell tacking in consideratione the conditione of the gramer schoole and schoolmr., and finding that ther is ane absolut necessitie for looking out for a sufficient hous fitt for accomodatione of the children, as also that in the said hous ther be a chamber off loft grin their will be a bedd, a taffie, and a chimney for the use of the mr. ; and for making out of sick a hous for the use afforsaid the Counsell doeth appoynt Baillie

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Fouller, the Deane of Gild, and James Cuthbert Laurensone,¹ to look after the samen, and authorises them to promise in behalfe of the Magistrats and Counsell for sick a hous, furnished as aforsaid, the soume off fiftie merks yeirly for the space of three or four yeirs after Mertimis nixt, and appoyntes them to report ther dilligence peremptorly the nixt Counsell day : And as to the schoolmr. his bygane rests the Counsell appoyntes the Baillies to caus collect the rests of the bygane stent that ar as yet restand, that therwith the gramer schoolmr. may be satisfied & wther affaires of the towne the better suplied, and appoyntes them to give in ther peremptor dilligence the nixt Counsell day. 1665
7 Aug.

The Counsell finding that ther are great threatts & boasting maid for invading of them and the wholl incorporatioune of this brughe be my Lord McDonald his friends and followers, they find it expedient therfore to vrytt to certain particular gentlemen and noblemen (speciallie to the Earle of Murray) desyring ther presence hier vith such as they will be pleasit to bring along with them that they may give ther best adwyse and concurrence to the Counsell how to carrie and behave themselves ; as also they find it expedient for ther better securitie that Baillie Fouller, the Dean of Gild, and William Robertsonsone Jonsone,² proportioun vpon the able inhabitants of this brughe als manie men wpon such of them as they shall find they are able to receave and mantain, they being alwayes prettie able men brought from the countrey and non of them off the present inhabitants or such as are serving men in towne or territorie, and, they hauing proportioned as aforsaid, they are to give the rolls to the respective captaines appoynted for vatching of this brughe, wha are immediatelie to goe to the persons of ther respective divisions, and appoynt them to goe about ther dewties in furnishing out of men according to ther proportions : Bailie Cuthbert and Alexr. Ros are appoynted to goe and speak to the Lairds of Calder and Killravoch desyring them to come in to this towne and giue ther best adwyse. Qron. act. 18 Aug.

The qlk day the Magistrats & Counsell being informed that Johne McDonald of Leik and Finlay McDonald, servitor to the Lord 28 Aug.

¹ That is, James Cuthbert, son of Lawrence Cuthbert.

² That is, son of John Robertson.

Records of Inverness

1665 McDonald,¹ did come to this towne on Saturday last, being the tuintie
28 Aug. sixth of this instant August, and did desyre of the Magistrats and
Counsell to have present heiring as to qtt reparatioune and satisfioun
they were to requyre for qtt was ther sufferings from the inhabitants of
Innernes as they alledged, the said Magistrats & Counsell did appoynt
sex a'clock this day for heiring of them and ther demandes, and hawing
now conweined did send three of ther nùber, viz. Robert Ros, late
Prowest, Johne Hepburne & Finlay Fraser, Bailies, to learne quhatt was
ther desyre, wha, after hiering of the samen, did delyvr itt to the
Magistrats & Counsell as after followes, Imprimis, that ther should be a
Covenant or Band past betwixt my Lord McDonald, his friends and
followers, and the Magistrats, Counsell and Communitie of the Brughe
Innernes, by which both parties should be bound eache to other for
intertaining off offensive and defensive league, and by which it shall be
declared that, if the towne of Innernes be invaded be anie (the Kings
matie. excepted) they shall come the lenth of Innernes and defend the
samen, and in caice they be invaded that the towne of Innernes send ane
hundreth men to help them quhen and quher they shall hawe to doe ;
Secondlie, that the Magistrates and Counsell shall presentlie become
lyable in the sowme of ane hundreth thousand merks to them ; Thirdlie,
that the Brughe of Innernes shall quyt ther superioritie of the lands of
Drechie,² and that they shall not requyre hierafter any stent, taxatioune,
or any other imposition quhatsomewer for the said lands ; Fourthlie, that
the Magistrats and Counsell shall suar upon oath quhatt persons did
draw ther blood, and, hawing declared that, they should be delywred up
to ther mercie ; Fyfthlie, that quhatt armes, money, cloath, goods, horse,
coves, or bestiall vas lost be them the samen should be repayed to them
according as they wold depon the samen to be vorth and vanting on
oath ; 6thlie, that qrsoever the people of Innernes or any persone off
them sees my Lord McDonald, his friends, followers, or any ane of them,
that then and immediatelie they should lay doune ther armes one the
ground in token of obedience & submission ; 7thlie, that the Magistrats
and Counsell of Innernes pay quhatt soumes of money they will give wp
in account wch ther people are att the expensses off, since the tyme the
receave a bodie untill such tyme as they shall be disbanded. Thir var

¹ Lord Macdonald and Aros, of Glengarry.

² Drakies, near Inverness.

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the propositions maid be them in presens of the said Robert Ros and 1665
fornamed tua Bailies, and besyds them in presens of David Bailie of 28 Aug.
Davochfoore and Johne Grannt of Corimonie and Francis Bailie: to qch
propositions the Magistrats and Counsell returned anser be the said
persons that, the Clandonald disbanding ther men, they vould be content
to give a hiering to indifferent freinds, being conscientious and judicious
men, to speak off such overtours as they found necessar & expedient to
be maid use off for remowing of ther hostilitie, & mak a right under-
standing betwixt the towne and them. Qron act.

The Counsell having elected nominate & chosin ther present 20 Sept.
Provest vith Bailies Hepburne & Fraser to goe south and prosecute that
criminall action intendit befor the lords of Privie Counsell against the
Clan Donald for ther bygane threatts and boastings against the inhabit-
ants of this burgh, the Counsell thought it verie expedient that the said
commissioners shall do all with his Majestie's Commissioner of Scotland
for ane troupe of horse or tuo hundreth foote to ly at this place wpon the
publict accompt as ane garisone to mantayne & defend the samen
against the violence of ther enimies; quhairnent they haw givin full
power to the said commissioners, and ordayned this act to be penned to
that effect. Qron. act.

The Counsell, considering that the dayes of the election of the new
Counsell & Magistrats ar imminent, and that the saids Commissioners
vith severall wthers of the Counsell will not be att home the usuall dayes
of election, the Counsell thairfore have continued and delayed the samen
for the cause forsaid, and hawe ordained that the second Monunday of
the moneth of November and the second Tuisday of the samen be the
dayes appoynted for the said election. Qron. act.

The qlk day the Counsell being conveyned for taking ane account of 17 Oct.
the said Provest, Bailies Hepburne & Fraser Comissioneres appointed to
goe to Edinburgh in persuance of that criminall action intendit be this
brughe against certain of the name of Clandonald, anent ther procedour
thairnent, and after hiering of their dilligence be the Provest his
declaratioune, qrbly they are certainly informed that the saids comission-
ers had done all things necessar and expedient to be done according to
their power in persuance of the said action, and that they had left

1665 nothing undone in their default that could be done either be law or
 17 Oct. moyne, the Counsell therefore all in ane voice (hawing remowed the saids
 Comissioners out of Counsell) allowes and approves their actings,
 dilligence & behawiour thairanent in all points, and ordaines them to be
 thanked for the samen ; the said Provest, in further vindicatione of his
 dilligence, produced in Counsell ane act of the Privie Counsell qrbv a new
 citatioune is appointed to be wsed against the said Clandonald at the
 mercatt croces of Innernes & Forres, qlk shall be fund as valied as give
 they were personalie chergit ; in persuance qroff he raisit letteres and
 produced the samen in Counsell qlk the Counsell ordoured me [the Town
 Clerk] to give to ane messenger & execute the samen att the said croces.
 The Counsell, considering that they had advanced ane soume off money
 to the said Bailie Hepburne for their charges and expensses & to be
 waired on clerks labiour & wthers as they should find expedient, they
 therefore appointed Robert Ros, late Provest, the said Bailie Fraser,
 William Duff and Robert Barbour to tak count of the said Johne
 Hepburne of his said intromissione of the said money, he is to be counted
 with be aught houres on Saturday nixt, and to report their dilligence
 thranent the nixt Counsell day. Qrwp on act.

6 Nov. The Counsell, considering ane petition & supplication tendered to
 them be the fishers of Sligo, Kilmure, and Pitlundie, for themselves and
 in behalf of the remanent fishers bewast Chanrie Nesse, qrbv they
 desired the Counsell to discharge the tacksmen of the Shore Dues and
 Anchorage from exacting any custome or shore dewtie from them at any
 tyme when they come to this shore with gray fishes ; the Counsell,
 therewith being advised and estimating the samen reasonable, appoint
 and ordaine that no boat betwixt Chanrie Nesse & Bewly, on either syd
 of the water that comes to this brugh with gray fishes or herrin shall be
 liable in any anchorage or shore dew betwixt the date herof & Michel-
 mes next to come, and appoints that all emptie boatts that comes to the
 said shore during the said space and carries not a fraught away with
 them shall be also frie ; for qlks anchorage and shore dewties of the saids
 boatts thus frie the tacksman of the shore dewes is to be restand in his
 own hand of his tack dewtie for the foresaid yeir the soume of ten
 pounds Scotts. Qron act.

No entry in minute book from 27th Nov., 1665, to 19th March, 1666.

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The qlk day the Magistrats and Counsell, having met together 1666
anent the tounes affairs and for severall other ends tending to the well of 19 Mar.
the brugh, especiallye understanding that the register of the tounes
seasings since the moneth of November in the yeir of God 1650 yeirs
unto the first day of Janry. 1662 yeirs is tint and lost, whither before the
late clerk his death or since his death before the present clerk his entrie
is uncertaine, to the great detriment losse & prejudice of the whole
inhabitants of this brugh & territories of the same exceptane effectuall
means were found out to help the same; ffor remeid qrof, and to the end
no inhabitant within this brugh or territories therof who sall happin
aither to losse ther granted seasines, aither be fire (as God forbid) or be
stealth or any other unhappie way, be denudit or defraudit of ther lands
and heretages, bot that they may enjoy & bruik the samen peacablie &
securlie in all tyme comeing, have enactit, statute & ordained, & be thir
presents the saids Magistrats & counsell of this brugh statutes & ordaines
that all the inhabitants, heretors, & fewers who have coft any lands,
burrow roods, tenements, fishings, aikers, common tacks, or any other
lands within the liberties of this brugh since the said moneth of Nov-
ember the yeir of God 1650 yeirs untill the said first of Janry. 1662, and
have received infestment & seasing thirupon under the subscription of
the said late clerk, come with ther respective seasings to the present
clerk betwixt the date hereof and the first day of March next to come,
to the end he may booke & registrat the samen how soon they come to
his hands, & returne the principall to the owner after registration therof,
with certification to ilk person that doeth not bring ther seasines to the
said clerk betwixt & the first day of March next to come they sall have
no benefite of this present act. The Magistrats & Counsell having sein
& considered ane minute book under the late clerk his hand writ tho not
subscryved, or the rather undated, to cause pen this present act provyd-
ing alwayes that the seasines thus to be registrat be this present clerk
agrie with the date contained in the minute book, otherwayes the samen
seasing not to be registrat. Qlk seasings, being sua registrat be him,
sall be als valid & sufficient to the receaver as if the register qrin the
samen wes booked formerly were extant, and that the late clerk hed
subscryved the samen; declaring also that extracts therof or of any ane
of the said seasings under the present clerk his hand, or under the
subscription of any other clerk succidding him, sall be als valid and

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1666 effectuall to the extracters in all tyme coming as if the samen were
19 Mar. authentickly & verbatim booked and subscribed be the said deceast clerk. Qrupon act.

The said day the Counsell ther convenied having commissionat Alex^r Cuthbert, present Provest, Robert Barbour, present Baillie, William Robertson, present thesaurer, and William Duff, one of the Counsell, to go to Edinburgh to plead and agent the toune's affairs, speciallie to persue & defend that criminall action debaitable betwixt my Lord McDonald, his friends & followers, & the inhabitants of this brugh, and having advanced ane certain soume of money for defraying the charges and expensses thereof with all in case they should happin to come short of money to borrow and advance money for supplying their wants in that affair, did require them to give in their diligence & report thereanent, who in obedience thereto not only declared be word what had passed in the said affair and that they were greatunlie prejudged, hindered & crossed by supplications & crosse petitions tendered to the Lords of Privie Counsell by some ill-affected & malicious neighbors, viz. :—John Forbes, Duncan Forbes, Alex^r Forbes, Alex^r Chisholm, Thomas Watsone, W^m Cumming, W^m Baillie, younger; qrby they pretendit & protested to be frie of all personall & percuniall fynes (give any sould be) to be imposit upon this brugh for that unhappie tumult risin in August last betwixt the McDonalds, bot also in farder clearing ther diligence, produced ane act of the Privie Counsell under the clerk his hand of date

Secondlie, they produced the sex discharges qlk was sent south to them for vindicatioun of the payment of the Kings taxation imposit in anno 1633, qlk was payable to the Duke Hamiltoun; together also with ane discharge under James Baskin his hand for what was resting of that taxation, with the extract of the said James his commission of the samen dates. Item they produced the discharges granted of old be William (?) to this brugh in relation to the King's mantainance etc. Item they produced Robert Hamilton his discharge for ane soume of money dew to the Lords of Session of date (?). Item they produced ane extract under Sir Peter Wedderburn his hand of that commission and protestatioun subscribed & produced in presence of the Privie Counsell to the fornamed malevolent protestators, together with the Counsell ther returne and anser to the said protestatioun, qlk repeles

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the demand therof. Item they produced ane decreit of absolvitor pronounced be the Lords of Privie Counsell in favor of the Toun of Innernes & inhabitants therof against the Lord McDonald, his friends & followers, relating to the forsaid criminall action. Qlk hail papers, with the tounes great charter, with Balquhain's disposition & charter of Drumdeven (qlk were caried south be the said Commissioners at this last tyme for mantaining and cleering the Toune's propertie & libertie) were delyvered to the clerk; and after removall of the saids four commissioners out of Counsell, & examinatioun of their actings & doings in relation to ther said commission, and all other extrincicall employments qrwth they were ffatigated, the said tyme at the said place, having heard their report and considered of ther said diligence, and being well & ryplie advysit therwith, ffind qrbv that they have acted & behaved themselves faithfullie, trulie and honestlie as became men sua intrusted, and that they have done all that was incumbent, and not neglected any of the toune's affairs sua far as they were able, tending to the well therof: Qrupon the Counsell have allowed and approvin, lyk as be thir presents allows and approves of ther said diligence in all points, and appoints Baillie Hepburn, eldest baillie, to thank them for ther said diligence, and withhall ordains the said Baillie Hepburn, Baillie Foulter, Baillie Barbour, Robert Rose, late Provest, Charles McLean and William Duff, or any ffour of them to meett on Saturday next and take ane accompt of the said Wm. Robertson, Trer., of what money he received here and at Edinburgh for defraying the charges and managing the affairs of this brugh, and in payment of the forsaid soumes charged upon the brugh for the said taxatioun to Duke Hamilton and the Lords of Session, and ordains the forsaid persons who are to count with the said Trer. to make up ane true & exact inventar of what debt the toun is restand for qtsomever cause, and produce the samen the next Counsell day that a way may be projected for satisfieing the samen : Qron act.

1666

19 Mar.

That day the Magistrats and Counsell having met together for treating about the tounes affairs, and finding that John Semple and are come to the Citidale, and to sell, makè use & cast doune the samen and the sponce thereabout built, & appropriat the price therof to their own use, having His Matics great charter under the Great Seal direct from the Chancellarie & Precept of Seasing following therupon (qlk was sein & presentit in this convention).

30 July

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1666
30 July The Counsell finding themselves concerned in a part therof, knowing that a great part of the Sconce qlk lookes to the North & west parts respective is built on the tounes liberties and comontie qlk was never disponit to the Englishes, nor to any other person or persons qtsomever, neither yet did this brugh receive any benefite or good deed for the samen at any tyme heretofore, sua that they have good & undoubtit right to the samen, they therefore nominat & appoint Robert Barbour, Baillie, William Duffe, William Robertson, thesaurer, Charles McLean, and John Cowie, or any thrie of them, a baillie and the thesaurer being always present, (the foresaid baillie nominat for that effect or in his absence another) make civill interruption to the saids John Sempill & his copartiners or any others whom they sall appoint for casting down & demolishing of that part of the Sconce qlk is built on the tounes priviledge, liberties & comontie, and that how soone & qnsoever they sall find & see the saids persons or any of them enter and begin therto; anent qlk interruption this present act sall be ther warrand. Qrupon act.

The Magistrats & Counsell taking to consideration a letter directin by the Earle of Murray desiring the Magistrates of this brugh to subscriye the samen; Qlk letter craves of my Lord Comissioner the waiving of any quartering on the shyre for the excyse untill the tent day of December next to come, at qlk tyme by the letter ther is faithfull promise made of tuo quarters excyse. The Magistrats & Counsell, taking the said letter to consideration, & finding that notwithstanding the toun be taxed to the payment of tuo merkes per boll conforme to the act of Parliament, yet in regard to the Shyre of Innernes payes little or nothing, and for any thing can be sein be this Counsell are also like to do no dutie wherthrow the Counsell sees neither possibilitie nor probabilitie how the promise sall be performed; Qrfore the Counsell advises their Magistrats not to subscriye the said letter since they find that the toun are at the uttermost of their dutie, & the shyre does nothing. Qron act.

24 Sept. The Magistrates and Counsell have appointed the thesaurer to give thrie or four tries of the bridge timber to Castlehill to be putt wpon the Millne Burne for carying foot men dry shoid ower the said burne. Qron act.

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The qlk day the Magistrats and Counsell have appointed William Duff to deal with Daniel McKenzie of Loggie anent the excyse of the Lewis, to sie give he will give any contentment to the toune for the samen, he having intromitted therwith, as is alledgit, the time that the toune vere taxsmen of the Shyre of Innernes. Qron act. 1666
5 Nov.

That day the Magistrats and Counsell have appointed that William Duff caus raise letteres before the Secret Counsell against McLeoid and Daniel McKenzie of Loggie for ther vrongous intromission with the excyse of the Lewis on McLeods boundes preceeding Maii last, and appoints the thesaurer to give money for paying for the letteres. Qron act. 19 Nov.

The Magistrates and Counsell have statute and ordained, as be the tennor hierof the saids Magistrates and Counsell statutes and ordaines, that each burges and freeholder mak wp to himselfe ane ledder to ascend himselfe in his close and keeping, the shortest to be sexteene foote long at least, betwixt and the second day of Febri nixt to come under the paine of tenn pounds Scotts. Qron act. 3 Dec.

The Magistrates and Counsell have enacted, statute & ordained that no kart or slaidd be carried alongs the bridge with any loades qther on wheeles on wtout wheeles, and that no tumbling kart or slaidd on wheeles be carried empty alongs the said bridge in tyme coming, under the paine of fyve pounds unforgivin *toties quoties*, and the contraviener punished at the Magistrates discretion. Qron act.

The qlk Johnie Innes, officer, being accusid in presence of the Magistrats and Counsell for being in accession (being Jewiler [jailer] for the time) to the away letting of James Moire out of the tolbuith of this brugh (he being incarcerat be Æneas McIntoshe, baillie deput of the Regalitie of Spinie,) did reply that he had givin the keis under trust to Alexander Blackwood wha was warded for the time for civill debt, the receipt qrof the said Alexander Blackwood acknowledged, but vindicated himselfe from being in accession to the said escape the best maner he could. The Magistrates and Counsell, considering that the said Johnie Innes, as he was jeweller and intrusted with the keyes of the said tolbuith, aucht not nor should not deput any man or hand nor part with 1667
4 Feb.

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- 1667
4 Feb. the keyes directly nor indirectly under the haisard of his act of admission. They therefore have statute and ordained that the said Johne Innes be denuded of all publick trust, charge and employment under them and ther successors during all the dayes of his lyf tyme, and that his coat and bage of service be takin from him be the hangman at the toun croce, & thereafter be carried to the vault and theefes holle, there to remaine. qll the Magistrates and Counsell thr funder pleasure. Qrupon act.
- 15 April That day the Magistrats and Counsell haveing heard Prowest Rose, Prowest Cuthbert, Baillies Hepburne & Fraser, with Wm. Duff ther report anent agrieing with Robert Barbour for up-putting the Chappell yeard dyck, have appointed and ordayned that ther be ane lease and tack granted to the said Robert of the grase of the said yeard, and that for the space of nynteine zeirs nixt and imediatlie followeing his entrie therto (but interwall or breack of tack), qlk entrie is to be the day and date of thir presents. Lykas the fornamed Magistrats and Counsell doe heirby sett and in assedatioune lat (on the conditions wnder written) to the said Robert Barbour the forsaid Chappell Yeard & grasse therof for the said space of nyntein zeirs nixt and imediatlie followeing his said entrie and date heirof but interwall or breack of tack and but any quaralling or contradictione quhatsoewer. For qlk tack the said Robert is heirby obleist to putt wp sufficient dyck about the said yeard and to wphold the samen on his owne charges & expenss^s, the dyck to be of this qualitie that no beast quhatsoewer can loup over the samen nor enter therin during the said nynteine zeirs aither summer or winter; also the said Robert is heirby obleist to leawe the said dyck sufficient at his ishue, and that he sall caus plant the said yeard with ashe and playne tries. And it is heirby statute and ordayned that no strollers play within the said Chappell dyck nor gett leawe to enter therinto in tyme comeing. The thesaurer is appoyted to caus hing wp the doors of the said Chappell Yeard immediatlie at the said Robert his entrie. Qron act.
- 27 May That day the Magistrats and [Counsell] considdering that diwerse of the craftsmen dwelling within this burghe ar greatunlie prejudged in ther wocatiounes & callings be forrenderers & strangers residding without this burghe, quha resorts daylie to the samen and inhances the inhabitants

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ther craft, and therby randers them wncapable & wnable to beir any publick burden within this Incorporatioune, to the great prejudice not onlie of the craftsmen heir residing, bot also to the detriment of the publick ; Therfor the Magistrats and Counsell have statute and ordained, as be the tennor heirof they statute and ordayne that no inhabitant of this burghe quhatsomewer qualitie presum nor tack wpon hand to imploy any outlandische craftsmen residding within sex myles to this burghe (except the inhabitants) to work any work of quhat qualitie soewer in all tyme coming within this burghe & territorie therof, wnder the payne of fywe pundis Scots *toties quoties*, and that by and attor confiscatione of quhat work salbe caried to them. Quhairon act. 1667
27 May

That day the Magistrats being informed that James Wisman, 3 Dec.
messenger, had brought Mr W^m Leslie of Aikinwall, the Kings rebell, to this tounne, & intended to charge the Magistrats or any ane of them to accept of the said rebell of his hands and secur him in ther jeil, and finding that the said rebell liveth within the Shyr of Banff, and that ther is tua Shyres beside interveined and lyand betwixt this and the Shyr of Banff, and that notwithstanding therof the said messenger hes loup in ower all the Shyres and resolwes to trouble this burgh with him, in regaird qrof the Prowest convened this Counsell to be advised with them anent the Magistrats ther deportment in this caise, wha hawing speired the voice qther or not they should in obedience to the Kings laws accept of the said rebell & secur him the best way they can in ther jeil, yea or not, it was caried be comon consent of the Counsell conveyed that he should be received in obedience to the laws. In the mean tyme they haw appointed the present thesaurer to look to the securing of the inner hous of the tolbuith for the gentlemans better ease. Qron act.

That day the magistrats and Counsell have appointed that the officers get ane list under the Clerks hand to secure the persons given up in list to him be Prowest Rose & Bailie Fraser, whose names follows, 1668
25 Oct.
Duncan Buynach, Wm. Buy alias McKenzie, vmquhil George Cummings wyfe, James Hoomes, Wm. Monro, John McEwin, Donald McHamas, John Munro, maltmen, John Munro, chakster, Andro McKillican, Alex^r McEan glass, John Dick, cordener, Donald Young, John Young, tailzer, James Vrqrt., David Vrqrt, Alex^r McGovan, John Clerk, the Prowests

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- 1668 man, William Gray, Donald McGileson, beyond the water, Duncan
25 Oct. McEanvayn, Wm. McHuchcon, wentner, Alex^r McHuchcon, Wm. McKonchie, and Wm. McEan mullich, to the effect that they and ilk ane of them find sufficient caution actit in the burrow court books that they nor none of them sall doe harme or skaith to any of the inhabitants of this brugh, and particularlie that they sall not resett any of the inhabitants their chaff, straw, or draffe, directly or indirectly, in tyme coming, and that they sall not eat their corne or grass with ether kows or horse in tyme of yeir, and that under the paine of ane hundreth pounds Scots ilk person ; it being made out in presence of the Counsell that the said persons have kows and horse and have naither corne, grass, straw, chaff or draff of their own to mantain them. Qron act.
- 1669 That day the Magistrats and Counsell have appointed the clerk to
15 Feb. peruse his registers to try if he can find Vmqll James Robertson, elder, and Vmqll Wm. his son their seasings of the sex acres arable field land sold to the Englishes, and Vmqll Robert Vaus his and his fathers seasing of the lands sold be him to the Englishes, qron a part of the Sconce and Citadel is built, and report his dilligence the next Counsell day. Provest Rose is appointit also to use his endeavour to find out the said Vmqll James and Wm. Robertson their seasings on the said lands out of Gilbert Robertson his charter chest, and report his dilligence the next Counsell day.
- 26 May That day the Magistrats and Counsell, considering the great abuse and prejudice the inhabitants of this Burghe have susteained and ar daylie susteaneing be the washers of cloath at the riwer of Nes on both syds therof, and sicklyk be those that steipes thr hydys and skinnes in the said river, haue, for preweinting therof in the futur, statute and ordayned that none presume to wasche any kynd of cloathes on this syd of the riwer abow the way that leads to the water wnder the Kirk and Kirk-year, and that none presume to wasche on the wther syd of the water abow David Fouller his land, and that wnder the payne of tuentie pundys Scots *toties quoties* and that by and attor punisching of the contraweiners persone. Sicklyk the Magistrats and Counsell haue ordayned that none persun to weit or steip any kynd of leather in the said riwer in tyme coming abow the said way wnder the Kirk wnder the payne of fywe

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punds Scots *toties quoties*, and punisching the transgressors persone at the Magistrats discretione. And such as have any lether steiped abow the said place that they carie the samen away within twenty four hours nixt efter publicatione therof, wnder the forsaide payne. Qron act. 1669
26 May

The magistrats ordayne, for honoring the solemnitie on the 29 of this instant, that the tua eldest Baillies leid thrie companies each Baillie with the captains, and the wther tua Baillies to leid tua companies the men with thr captain. Qron act.

That day the Magistrats and Councill haue nominat and appoynted Baillies Hepburne and Fouller to speak with Willeam Trent and to try iff he will wndertack for the excyse, and prowyd for assosiats. 21 June

The Magistrats and Counsell haue appoynted the Baillies, with Prowest Rose, Prowest Dunbar, Baillie Jon. Cuthbert, and the thesaurer to meit and draw wp instructions to the commissioner for the burrows the morrow efternoone, and to furnisch him with money and able horse: Qron act.

That day the Magistrats and Counsell hauc nominat and appoynted Prowest Rose, Baillie Hepburne, and Baillie Rose to goe to Forres the morne, being the 24 day of this instant, and meit with the wther commissioners of the excyse and Justice of the Peace betwixt Spey and Nes, quha ar to meit at the said place anent the proportionating of the militia. Qron act. 23 Aug.

That day Baillies Hepburne and Rose, quha wer direct as commissioners from this burghe to the meiting at Forres, qr the commissioners of excyse & Justice of Peace betwixt Spey and Nes did meit wpon the accompt of the militia, being desyred to report ther diligence anent qt wes done at the said meiting, did anser therto that all that wes done that day ther materiallie wes that the conventioun appoynted the Earle of Murray to choose his officers & proportione the men, and did appoynt the next meiting at Forres. Qron act. 30 Aug.

That day also the Magistrats and Counsell nominat and appoynted the said Baillie Hepburne and Baillie Rose to goe to the said meiting at Forres the morne, being the last day of the said moneth, and ther meit with the remanent commissioners of excyse and Justice of the Peace, and

Records of Inverness

1669
30 Aug. act with them as they sall think expedient in relatione to the militia, and report ther diligence the nixt Counsell day. Qron act.

That day the Magistrats and Counsell haue appointit Castelhill, Prowest Rose, and Baillie Hepburn to speak to Mr. James Stuart, and to have his anser whither he intends to keip the School, yea or not, and report ther diligence the nixt Counsell day. Qron act.

6 Sept. That day the Magistrats and Counsell have nominat and appoyted Prowest Rose and Baillie James Cuthbert to go to Forres Thursday next, and meit with the rest of the commissioners of excyse and Justice of Peace betwixt Spey and Nes anent the proportioning of the militia, and report ther diligence the next Counsell day. Qron act.

14 Sept. That day the Magistrats and Counsell requyred the said Baillie Cuthbert to report his diligence anent what was done at the meiting at Forres anent the militia, did report ane ordor and productit the samen in presence of the Counsell, for imposing of ane moneth and halfe moneth sess for defraying Sir Lodowic Gordon his expenss^s in going south to the Privie Counsell he was direct for supplicating the Counsell for ease to the division betwixt Spey and Nes anent the militia, and for buying of armes to the soldours of the miltia, and reportit and declared that there was a meitting appoyntit to be held at Forres to the effect forsaid upon the 23 of this instant moneth. Qron act.

20 Sept. That day Baillie Hepburn and Charles McLean ar appointit to go to Forres on Thursday next and meitt with the other commissioners anent the militia. Sicklyk the said Prowest Rose, Prowest Dunbar, Baillie Hepburn, Baillie Rose and Charles McLean ar appointit to go the morrow to Castel Stuart and meitt with the Earle of Murray, and sound him anent the towns proportion of the said militia.

The Magistrats and Counsell being interrogat be the Prowest, whither or not they would allow the presenting of ane person pitched on by themselves to the School of Invernes, as they are patrons therof, or that ane edict sould be emitted and served for ane free disput to be the state of the questione yea or not, and, it being put to the voyce, is caryed affirmative as follows,—that is to say, that according to their friedome and libertie they present a man of their own appointment, without any

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dispute. In the second place, it is put to the voyce whither the Counsell shall determine presently by a voyce, or give they will weate it to the next Counsell day. As to the state of the former questione it is caryed be pluralitie of voyces that they shall pitch upon their own man and present him, but before presenting of him that they and he make their conditions, and consider upon the hail clauses to be insert in the contract betwixt them. Thirdlie, it being put to the voyce for present doing or weating, the samen is caryed for present doing. Qron act. 1669
20 Sept.

The Magistrats and Counsell, having requyred Castelhill, Prowest Rose, and Baillie Hepburn to report thr diligence anent speaking to Mr. James Stuart anent his demission from the School, did produce ane written and sett demission under his own hand, signifieng his frie and willing quyting of the samen, in regard he was called to the holy function of the ministrie, qlk dimission, with ane supplication tendered to them be Mr. John Cuthbert being sein and considered be the saids Magistrats and Counsell, having sein also ane letter directit to them be the Bishop of Murray in favour of Mr. Michael Fraser, having heard also ane desire in behalfe of Mr. Hary Baillie, all of them aiming at the School of this burgh, it was desired that the Provest would give the house their full voyce anent the thrie persons, who in obedience therto did put it to the voyce, whither Mr. Michael Fraser, Mr. John Cuthbert, or Mr. Hary Baillie, sould be Schoolm^r, it was caryed be pluralitie of voyces that the said Mr. John Cuthbert sould be Schoolmaster, and that ane presentation of him (to the said School) to the Bishop sould be penned. Qron act.

That day the Magistrats and Counsell having sein ane letter from the Bishop of Murray to the Presbitrie of Innernes, or such of them as should conveniently meet for tryell and examination of Mr. John Cuthbert his qualifications and abilitie for exerciseing the function as Schoolm^r of the said burgh, did nominat and appoint the said thesaurer and Charles McLean to go to the said Presbitrie with the said letter and report the Presbitrie's anser theranent the next Counsell day. Qron act. 27 Sept.

That day conforme to the ancient custome and privileged of this burgh, the Magistrats and Counsell abownamed being conweined within the new Sessione House of Innernes foir chooseing new Magistrats to rule this Burgh and effears therof this ensueing zeir, wiz. fra Michaelmes 28 Sept.

Records of Inverness

1669 1669 to Michaelmes 1670, did, in prosecution of thr laudable custome,
28 Sept. (efter prayer and supplicatione maid to God foir a blessing wpon the
work) select, nominat and choose the persones following to rule in maner
forsaid for this ensueing zeir, They ar to say,

Alexander Cuthbert, Prowest	} Baillies
John Hepburne	
Finlay Fraser	
Alex ^r Rose	
and Wm. Robertstone	

That day also Robert Barbour is continowed as Dean of Gild foir this
ensueing zeir.

James Stewart is elected as Thesaurer foir this zeir, quha is to haue
fourtie pundis for his sellarie. Qron act.

4 Oct. Baillie Robertstone is appoynted to goe to Forres on Thursday nixt,
and meit ther with the remanent commissioners of the militia, and know
of ther procedor, and report his diligence the nixt Counsell day.
Qron act.

11 Oct. That day the Magistrats and Counsell, haweing enquired Baillie
Robertstone anent his diligence at the meiting at Forres anent the militia
on Thursday last, did report that Sir Lodowick Gordoun, qm. they had
direct South to gett ease of ther proportione of the militia, sent ane letter
from the South to the meiting at Forres for ane commissione to buy
armes for the suldiers of the militia in this diuisione betwixt Spey and
Nes, and to send tua able men to the Parliament to plead for ease to
this diuisione. Qron act.

6 Dec. That day the Magistrats and Counsell appoyt that ane bank be
beaten throw the wholl streits intimating to all the captans of the towns
watche and ther companies that each captan with his companie in thr
toures per vices, ar to come to the watch and sett ther sentries be nyne
hours at night, and ar to continow wnremowed therfra qll fyw hours in
the morneing, and for warneing them therto (besyd the officers charge)
the double bells of the tolbooth ar to be tooled at the saids sewerall
hours at night and in the morneing.

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The Magistrates and Counsell also appoynt and ordayne all the captans to poynd or waird the absent sogers immediatlic efter the roll is called. Qron act. 1669
6 Dec.

That day Mr. James Stewart, late schoolmaister of this burgh, having tenderit ane supplicatione to the Magistrats and Counsell for the payment to him of the soume of Thrie hundreth fourtie sevin merks sex shillings eight pennies Scots money as yet restand to him be the burgh as remaines of his stipend since his entrie to the said school to Mertimes last, Qlk desyre the Magistrats and Counsell considered and find the said desire reasonable, and therefore they have appointit, and be thir presents they appoint, the above named David Foulter, out of the first end of the accompts resting be him to the burgh, to pay to the said Mr. James Stewart the soume of thrie hundreth and sevin merks sex shillings eight pennies, and that upon demand, and that in presence of Baillie Robertson, the thesaurer, Wm. Baillie, elder, and Charles McLean, to the effect the said Mr. James Stewart may grant ane ample and full discharge of his whole sallarie and bygone stipend preceeding Mertimes last, exceptand onlie the soume of fourtie merks Scots qlk compleits his whole stipend, and qlk fourtie merks the Magistrats and Counsell accept in and upon them as a debt, and oblidges them and their successors to pay the samen to the said Mr. James his airs or assignes with all possible diligence. Qron act. 1670
17 Jan.

That day Baillie Fraser is appoynted be the Counsell to wrytt south to Alex^r Fraser in Dundie to send the muskets and bandeleirs he conduced with him for north with the first occasione, and that in regaird the pryces therof ar payed to Robert Barbor be ordor from Johne Dunbar in Elgein, according to his last letter direct thereanent. Qron act. 7 Mar.

That day Bailie Fraser produced the act of Secret Counsell subscribed be the clerk, qlk act relats to the way of imposeing and lewieing of the foot sogers for the militia. Qron act.

That day the Magistrats and Counsell, tacking to their consideratione the great prejudice and ruine that wes threatned to this burgh and quholl Incorporatione therof throw ane sudden fyre ryseine with ane little tornach ordinarlie keiped within duelling houss^s, and the saids Magistrats and Counsell finding that the prejudice and ruine threatned

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- 1670 as it wes occasioned by the said tornach qlk latlie took fyr, so the ruine
7 *Mar.* and prejudice wes lyk to be so much the more as it wes among wth
biggin neir the bodie of the towne; Thairfor the saids Magistrats and
Counsell doe heirby enact that no such tornachs salbe heirefter built
within the towne, bot that they salbe built at a distance neir some corner
therof; as also the said Magistrats and Counsell doe command that all
quha have such tornachs in any place within the bodie of the towne
remow the samen betwixt and Witsonday nixt, with certificatione to
them, iff they failzie, the Magistrats will proceid against them as con-
temners of the act, and that by and attour to be lyable for the skaith to
be susteaned in caice of disobedience. Qron act.
- 28 *Mar.* That day the Magistrats and Counsell, considdering that, notwith-
standing be former act made against landlords for receawing of vagabonds,
idle and wnusfull persones and persones without testimonialls, zet they
find that ther ar ane great number receawed and keiped with in this
place, Therfor they by these presents appoynt ane of the baillies, with
ane of the Counsell, ane constable, and ane officer, to wicue ewerie
streit, and to imprisson such persones as they will find to be as is abowe
express, to the end that the Magistrats and Counsell may goe about the
tacking of some effectuall course with them, to be redd of them, and that
on the nixt counsell day, and ordayning that the saids baillies, coun-
sellers, constables, and officers goe about the said search be sex o'clock
on the efternoon of Fryday nixt. Qron act.
- 7 *April* That day the Magistrats and Counsell haveing conveined anent the
towns effears, specallie for nominating and chooseing of thrie commission-
ers to goe to Forres on Thursday nixt to meit with the rest of the
commissioners foir proportioneing the militia betwixt Spey and Nesse,
haue, in obedience to the Earle of Murray his desyr, nominat and chosen
the present Prowest, with Baillie Hepburne and the Dean of Gild, to goe
on to that meiting on Thursday nixt. Qron act.
- 18 *April* That day the Prowest produced ane letter with the double of ane act
of Parliament for ane woluntar contributione for reparatione of the
bulwark of Dundie presented, qlk wes ansered presentlie at the Counsell
table.

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That day the present Prowest and Baillie Robertstone, being enquired anent quhat wes done at the last meiting at Forres anent the militia, reported that, after ane long and tedious discourse and controversie amongst the commissioners then mett togidder ther, quhither men for the militia suld be layed on be the rent of the diuisione or be the numbers of the fensible men, zea or not, quhilk debaite wes caried in end be the major voice that the samen suld be the men according to the act of Parliament and act of Counsell relating therto. They reported also that Thursday nixt is appoynted as new dyet to meit at the said town of Forres for proportioneing and laying on the said lewie, at quich tyme the commissioners to be chosen to that meiting ar to carie along with them ane half-month cesse as the townes proportione of the stent imposed on the diuisione for defraying of the extrinsick charges anent the militia. 1670
25 April

That day Baillie Hepburne, Castelhill, Prowest Dunbar, Justices, and Charles McLeane ar chosene to goe to Forres Thursday nixt to meit with the wther commissioners for proportioneing the militia, and report ther diligence the nixt Counsell day. Qron act.

That day Bailie Rose and Charles McLeane being inqyred anent quhat wes done at Forres at the last meiting of the Comissioners for the militia, ther produced the double of ane act penned at that sederunt, mentioning that ther be new lists and rolls of the fensible men betwixt 16 and 60 be tacken up within the diuisione, in ordor qrinto they have ordayned that intimatione might be sent to the Comissioners of the diuisione to send ane transumpt of all men communicable as the act of date 3rd May, 1670, beirs; item, they produced ane discharge wpon the half moneths cesse wnder Johne Ogilwie his hands, of date the third day of May, 1670, qlk discharge is deliwered to end to be registrat. Qron act. 9 May

That day Baillie Fraser, with Johne Cuthbert, late Baillie, are nominat and appoynted to goe to Forres the morne and meit with the wther Comissioners for the militia, and report ther diligence the nixt Counsell day. 23 May

That day the Magistrats and Counsell haue appoynted Baillie Rose, the Theasurer, and George Cummeing to cleir compts with Wm. McBeane

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1670
23 *May* anent his debursements anent the little dock at the shoar, and report ther diligence the nixt Counsell day, and the Counsell ar to consider how to proceed as to the putting of the old dock in ane conditione to be wsefull to the Incorporatione.

4 *June* That day the Magistrats and Counsell, being conveined foir treating about the town's effears, and amongst the rest considdering that the Magistrats and the jeall of this burghe are daylle troubled with captiones, and ar charged daylie to apprehend and tack prissoners and keip them within ther said jeall, qlk breid to them ane great deal of cair and fascherie to them; they therfor on the forsaid considderatione haue enacted and ordayned that no prissoners put in waird for debt or arrested therin be wertue of letters of captione, salbe dismissed furth thereof (notwithstanding they satisfie the debt) qll they suspend, relax and charge the Magistrats with horneing to put them at libertie, or else pey eicht rex dollors to the thesaurer, and delywer to him ane sufficient discharge be the creditors of all the debt for qlk they sall happine to be warded or arrested, declairing the Magistrats and ther successors to be frie from ther challeing in all tyme comeing, bearing clauss^s of registratione. Qron act.

27 *June* That day Baillies Fraser and Robertstone, with the Deane of Gild, ar appoynted to treat with Alexr. Ross, Wm. Troup, messengers, and Wm. Ross, drummer, anent being any ane of them keepers of the tolbooth and jeall therof, and report ther diligence the nixt Counsell day. Qron act.

1 *Aug.* That day the Magistrats and Counsell haue enacted and appointit that all the hocksters formerlie in use to sitt at the cross be removed therfra and from ther own doors, except for selling of Scotts onzions and bread altenarlic, exceptand Rorie Fraser and Alexander Neilson, creamers, and such others of the saids hocksters as buy their freedomes as the saids Rorie and Alexr. have done, or otherwayes agrie with the Magistrats and Counsell theranent, the saids Rorie Fraser or Alexr. Neilson being heirby restrictit not to sell at the said cross any steple guids except preins and needles. They are also astricted not to buy butter nor cheese to be sold againe at the said cross except what

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they buy at the great fares of the samen burgh and other great fares *1670*
about, debarring them from buying any butter or cheese upon the *1 Aug.*
Frydays or any week dayes within this burgh to be sold again as said
is ; and, if it sall happin them to take [mere booths or keip ward houses,
then and imediatlie hereafter they are to quytt sitting at the cross and to
keip either cheese or ward house, and never thereafter allowit to sit at
the cross upon any accompt whatsoever, and, however that they are
made friemen, yet they quyttclame and hierby denude their airs of the
benefite of sitting at the said cross. The haill premisses they bind and
ableidge themselves to adheare unto under the pain of being amerciat be
the Magistrats by and attor performance of the premiss^s. Qron act.

That day also Wm. Andersone, Officer, is deposed of his office, and *3 Oct.*
ordained to cast off his reid coat and delywer the samen to the wthr
officers qll the Counsell be adwysed quhat furder punishment to inflick
on him foir his misbehaviour in his office. Qron act.

The Magistrats and Counsell haucing ane complaint tendered to
them be Robert Barbour, Deane of Gild of this burghe, against certane
of the name of Fraser (quha by exercising his office of deane of gild at
Beulie mercat) quha wiolentlie and in ane hostill maner, without ane caus
offered to tham, cam accompanied with the number of fourtie men at
least boden with weapons, and layd wiolent hands on him quhen he wes
going to his horse, bound homeward, and caried him back againe as
prisoner to the Lord Lowat his hous, and ther keipt and detained him
qll they past sentence against him foir the sowme of ane hundred pundis
Scotts as a fyne on him for his depportment as deane of gild at Beulie
mercat, and arrested him in the said Lord Lowat his hous for the said
sowme, quhairwpon and haill premiss^s he took instruments in Hew
Fraser, notar, his hands, quha wes pretendit clerk to that pretendit court.

The Magistrats and Counsell finding that they ar much concerned
in the recentment of the grosse and hyenous affront offered to their said
deane of gild, and consequentlie to themselves, doe ordayne the said
Robert Barbour to consult anent quhat may be the punishment may
follow wpon such a grosse and hyenous insolencie and ryett, and giue
ane accompt to the Magistrats and Counsell anent the advocatts ther
responce ; and in the meane tyme they appoynt Baillie Hepburne, Baillie
Rose, Prowest Dunbar, and the said Deane of Gild to project quhat salbe

1670 the speidiest and most effectuall way ffor marking out ffywe hundreth
 3 Oct. merks to be the said Robert Barbour his charges to ane accompt, and iff
 the samen be exhausted befor the action be brocht to a period the
 Magistrats and Counsell ar to consider of ane new way ffor his supplie
 wntill the determinatioune of the lords of priwie counsell be had in the
 particular ; and in the meane tyme the said Deane of Gild is impowered
 to persue the actioun with all wigour befor the lords of priwie counsell,
 and noways allowed to fall on any treattie with any pairtie or pairties,
 bot the samen is reserwed to the Magistrats and Counsell alenarlie in
 regard they find ther honour and credit so deeplie interessed as
 afsaid ; and with all the Counsell appoynts the forsaid persons to give
 ane exact accompt of ther diligence the nixt Counsell day. Qron act.

That day also the Magistrats and Counsell finding that the town's
 officers, without any warrant from the Magistrats, doe imprisson within
 the inner hous (quhich hous is altogidder appoynted and allotted for
 prissoners imprissoned for debt), and zet that the saids officers, without
 warrant as afsaid, doe secure and imprissone within the samen
 persones challenged and arranged foir thift ; the Magistrats and Counsell
 foir remeid therof doe ordayne that all persones arranged and challenged
 foir thift salbe secured in the wault, and that the inner hous be reserwed
 and keiped as a prissone hous for men putt in foir debt alenarlie, and
 ordaynes that the tua Lochabermen therin remaneing be furthwith
 caried to the wault, therin to remayne qll the Scherrieff administrat
 justice on tham. Qron act.

24 Oct. That day the Magistrats and Counsell haue nominat and appoynted
 Baillie Fraser, Castelhill, and Wm. Duff to speak to Belladrum at the
 buriell of Cullodin's daughter for ane accomodatione to be made betwixt
 the Deane of Gild and certane of the name of Fraser quha affronted the
 Deane of Gild at Bewlie fayr last bypast, and to report their diligence
 the nixt Counsell day. Qron act.

That day the Magistrats and Council haueing sein ane supplicatioune
 tendered to them be Wm. Andersone ffor his readmissioun as officer, and
 finding great signes and token of remorse and amendment in him,
 have receiued him to favor and restored him to his former office, with
 this conditione that on the werie first escap and fault he comits he salbe
 banished from this burgh never to returne thereto. Qron act.

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That day Dauid Urquhart, officer, foir ane grosse fault comitted be him, wiz. :—foir holding the prisson doirs opin on the prissoners the space of an quholl day, is appointed to sitt in the stocks be elewen hors, and to continew therin qll thrie hors efternoon, and to be denuded of his pairt of the jeawiller's [jailor's] fie from the present prissoners, and also foir the first fault he commits to be deposed from his office, and furdur punished at the Magistrats discretione. Qron act. 1670
24 Oct.

That day also the Magistrats and Counsell haueing seine ane supplicatioune tendered to tham be Robert Barbour, Deane of Gild, desyring that ane piece ground at the old dock be disponed in few to him, to build ane waakmilne theron, and the wakster's hous, with also much ground as may be ane sufficient dam foir furnischeing water to the said milne, and haueing considered the said supplicatioune they find the desyr reasonable, and therfor haue appoynted the Magistrats, with certain wthrs persones of the Counsell, to goe and tack a wiew of the bounds petitioned for, and to report thr diligence theranent the nixt Counsell day. The Counsell haueing requyred ane exact diligence from the saids persones anent the place quhair the said milne and waakster's hous salbe built, and anent quhat bounds they appoynted the dam to be in, did in answer therto giwe in ther diligence as follows, to witt, they find that the old fenther or frissie as the sea fills to the south therof, and westward to the way that leads by the minister's gleib to the links from the wester end of the old dyck, lineillie to ane little know or small heap of stoness lyand benorth the said old dyck, and from thence to ane wthr little hillock or know, from quich as wind and weather shears, lineilie eastward to the great stone at the wester end of the said dock, may be ane dam for the said waakmilne, including the samen milne within the saids bounds. They declair also that the wakster's hous, consisting of ffyftie foote in lenth and tuentie foote in breidth, may be built east and west on dry ground benorth the said dam without any prejudice to the comontie. The Magistrats and Counsell now conweined doe allow of the said report, and doe appoynt that ane chartor and seasing be extendit therwpon in fawors of the said Robert Barbour, his airs and assignes, for the yeirlye peyment of 13ss. 4d. Scotts money of fewdutie, payable at tua terms in the yeir, Witsonday and Mertimes in winter, be tua equall portions, and doubling thereof at the entrie of ilk aire or 1671
9 Jan.

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1671 assigne, with this special prowision that if the said milne dam and
9 Jan. waakster's hous be not compleitlie built and finished, and be fund wsfull
as ane sufficient waakmilne for serwing the lidges, within the space of
thrie zeirs immediatlie following the date hierof, then and in that caice
this present act, chartor and seasing to follow therwpon to be woyd, null
and of no effect in all tyme thereafter comeing as if the same had newer
beine made, giwen nor grantit, and the ground qron the samen is ap-
pyoynted to be built to returne to the burghe and belong to tham as
formerlie, and the said Robert and his foresaids to be sequestrat therfra,
and denudit therof, and be noways lyable in payment of the forsaid few-
dutie for the samen. And it is hereby specialie prowdydit that, iff the
milne and milne dam be fund wsefull to the said Robert, zet the said
dam and bounds therof not to belong to the said Robert more nor to
wthrs the inhabitants of the said burghe except in sua far as the samen
can be wsefull to him to keip water for the said milne. Quhairon ane of
the Baillies ar appoynted to goe to the ground and giwe seising *in
comuni forma*. Qron act.

The Magistrats and Counsell also find that ane waakmilne in any
place abowe the said milne on the liberties of this burghe is prijudiciall to
the watermen and werie dangerous to the inhabitants thr health; therfor
they discharge in all tyme comeing that no waakmilne be built abow the
said Robert his milne, bot iff any persone desyr to have the libertie of
ane saw milne abow the samen he sall be licencied to suplicat for the
samen. Qron act.

6 Feb. That day Castelhill and Baillie Robertsons ar appoynted to caus
prowyd eichteine pick [pike] by buying of tham or causing mack them be
workmen of this Incorporatione and they ar allowed to pey four merks
Scotts foir ilk pick. As also to try iff enie muskets of Linrt [?] work can
be had in towne or elshair, and to giwe accompt this day eicht dayes
peremptorie quhat they can gett done as to both. Qron act.

13 Feb. That day the Magistrats and Counsell haucing requyred Castelhill
and Baillie Robertsons to giwe ane accompt of the trust putt wpon tham
be the abovwritten act, and finding that they haue not giwen in any
diligence therof, they are therfor appoynted this day to wse peremptorie
diligence, and to giwe in ane exact accompt therof the nixt Counsell day.

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The Magistrats and Counsell, haueing seine sewerall rolls of men fitt *1671*
for the militia, haue weaved the rewising of them qll the nixt Counsell *13 Feb.*
day, and haue furder appoynted that the Counsell haue ther thochts
anent the fittest men for the militia, and giwe in mair rolls to that effect
the nixt Counsell day.

That day Baillie Robertstone is appoynted be the Magistrats and *24 April*
Counsell to mack search and inquirie throw the towne foir all the fixed
musketts of linrt [?] work and to [deliver] them to the thesaurer betwixt
and Thursday nixt peremtorlie, to the end that iff any be wanting they
may be had another way either fra Elgen or Dundie : and this to report
his diligence to the Prowest the morne at night. Qron act.

That day Robert Paull, sheomacker, being accused foir his mis-
behaviour and ill depportment to Baillie Robertstone by words and
threatteneing, and for his discourse to the prejudice of the rest of the
Magistrats & burghe, and to his hy contempt of auctoritie; gras it is
asserted that he on Monday, being the tint of this present moneth of
Apryle, came to Baillie Robertstone and disyred him in a minassing
threatteneing way to putt the persone of Johne Mc ferqr to friedome, the
said Johne being imprissoned be the said Baillies order, suearing
awoueing by great oathes in presence of God that he wald newer watch
in Innernes except he wald putt the said Johne Mc ferqr to libertie, and
being desyred be the said baillie to withdraw himselff from him and frie
him of his trouble he wes pleased of new to say to him that he wald
protest against him & the wholl Magistrats the nixt morne, macking
often use in a great rage of the word Magistrats, Magistrats ; & therefter,
haueing come the length of the guard, he wes pleased to desyr thos of
the guard to tack arnes against the Magistrats & towne ; & being
denyed be the wholl of them, and particularlie be Robert Winchester,
he wes pleased to call him and tham mussled beasts, fferder adding and
saying that iff ther wer also many forhammers in the towne as wald
breack wp the tolbooth door it wald be presentlie be mad oppine and
John Mc ferqr tacken out. The said Robert Paull, being accused in
presens of the Counsell on the heads of the said complaynt & accusatione,
denyed all. Quhairwpone the fiscall adduced sewerall and diuerse
famous witness^s to prow the accusatione, quha being suorne judicallie
and interrogat particularlie on the articles lyable did depone and declair

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1671 affirmatiue with the complaynt. The Magistrats and Counsell therffor
24 April haueing heard, seine, and considered the accusatione and complaynt
abowwritten with the witness^s thr depositions, and being ryplie adwysed
thrwth, find thrby that the said Robert Paull hes contemptouslie and
grosslie transgressed the lawe. They therfor haue decerned and declaired
the said Robert Paull to haue tint & amitted his libertie and fredome as
burges, and appoynts him to enter presentlie as ane stallanger, and to
remayne in ward qll he pey his stallanger fie, and giue in his burges act
to be torne, & that it haue no faith in tyme comeing. Qron act.

1 May That day the four Baillies ar appoynted be the Counsell to meitt be
tua afternoone and proportione the companies for the watch, and to
separat Johne Mc ferqr from Robert Paull, and putt the companies in
alse equall fitting as is possible. Qron act.

9 May That day the Counsell appoynts the Deane of Gild, the Thesaurer,
& Shoarmaster to sett good & substantious stoupes about the dock, and
tua or thrie wther stoupes adjacent to the river qr he and wthrs adjoynd
to him will find it requisit, and quhat is bestowed on the samen the
Counsell appoynts it to be payed by the thesaurer. Qron act.

21 June That day the Magistrats & Counsell haueing mett anent the town's
effairs, and speciallie anent quhat returne to giue to the Missive; efter
publick reading therof, it wes put to the voice be the Prowest quhither
or not they wald send ane Commissioner to the nixt ensueing conventione
of the burrows, yea or not, they, considdering ther straits & difficultie at
this tyme, haue all concluded to send non to this next conventione.
Qron act.

That day also the shoolmaister of the gramer shoole haueing
tendered ane suplicatione to the Counsell desyreing that ane doctor
suld be admitted foir his helpe, and that the said doctor suld haue ane
competent lywliehood for his incurradgment; the Magistrats and
Counsell haueing tacken the said desyr in considderatione, find the samen
reasonable, considdering that the shoole at present is numerous; they
pitch on Johne Monro to be doctor foir a zeir alenarlie, and longer if the
sai'ds Magistrats & Counsell be pleased with him, and he satisfied with
tham; and during the said zeir allows him to exact of ewerie sholler,

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also weill to burghes as landward, the sowme of sex shillings Scotts money *1671*
and that by and attour the 40 merks payable be the sessioun and the *21 June*
20 lib giwen to him be the shoolmaister ; and appoynts ane contract to
be drawne betwixt the Magistrats and him to that effect. Qron act.

That day the Magistrats and Counsell being conweined & tackeing *25 Sept.*
to consideratioun the conditione of the present Magistrats, and quhat
loss^s & prejudice may aryse to tham in relatione to putting of captions
to executions, and quhat may follow on the not tacking of a rebell altho
the Magistrats or any ane of them be charged, and anent quhat may
follow (a rebell being tacken) iff he sall happine to mack his eschape
quither out of the saids Magistrats ther hands or out of the tolbooth, be
way of escape or breacking of prissone, or any wther maner of way, they
find that the caice & conditione of the Magistrats of this burghes is farr
different from the caice & conditione of the Magistrats within any wther
burghes within the Kingdome ; and therfoir ffoir the incurradgment of the
present Magistrats and ther successors, and to prewent that the place be
not made destitute of Magistrats (the present Magistrats being unwilling
to accept of charge) they heirby enact and stricklie oblidges the quholl
Counsell and remanent inhabitants, alseweill to towne as territorie, not
onlie to be bound foir the relieff of the said Magistrats and ther success-
ors according to ther respectiue abilities & powers, bot also defend tham
and stand in ther defence and keip tham hairmless & skaithles in ther
persones, goods, and geir against any quho sall offer to persue tham be
lawe or wtherways. Also the Counsell ownes as ther concernement the
escape of Alexander Chisolme of Comer, quha escaped out of the tol-
booth in the month of October 1668, and obleiss^s tham to keip the
Magistrats than in charge harmeles & skaithles from all danger that may
aryse throw his escape. This act is to stand & continew in force during
the Magistrats & Counsell ther pleasure. Qron act.

Ther being ane decreit pronounced be the Dean of Gild court *30 Oct.*
against James Rose and Alex^r Fraser, millers at the Kinges Milne &
Milne of Deirbocht, foir haueing wnjust measures, be wertue qrof they
ar not onlie fyned for the samen bot also they ar imprissoned qll they
pey ther fyne, quhilk decreit was read in Counsell, and efter reading
therof the Prowest did interrogat the wther Magistrats & Counsell

1671 quhither or not they wald owne the said decret to be lawfullie pronounced,
 30 Oct. yea or not; to quich it wes answered be the quholl Counsell that they
 owne the samen, and wald manteane it to ther powar. Qron act.

4 Nov. That day the Magistrats & Counsell haue nominat & chosen Robert
 Barbour, Dean of Gild, to goe to Edinburgh, and to consult with
 adwocats anent quhat salbe the Magistrats & Counsell and comunitie
 ther cariadge & deportment in relatione to such persons as hes beine thir
 zcirs bygone incroacheing, and doth presentlie incroach, on and rywe in
 the towns comontie, as also quhat salbe the said Dean of Gild his way of
 proceidour against the Kings Milne foir ther measures, and to consult,
 as lykways prosecute in lawe quhat is fitting on the accompt of the
 Magistrats & Counsell to be done against them, quither as judges com-
 petent to them, or as being ther superiors; and foir carieing on of his
 charges the Counsell imposed wpon the burghe & territorie tua months
 cesse to manadge that debeat; and iff ther be any owerplus the samen
 is to be employed foir the wse of the bridge; and iff more money be
 requisit the Counsell is to find out ane way to prowde for the samen.
 And the Counsell appoynts that proclamatioun be mad intimating the
 premisses, as lykways that it be peyed to the samen collector according to
 the rule of the last tua monthes. Qron act.

18 Dec. That day also the Magistrats & Counsell haueing considered ane
 supplicatioun tendered to them be Robert Fraser, Alexander Neilson, &
 Donald Clerk, Cremer, complayneing on diwerse hucksters quha wer
 discharged, and as yet ar discharged, to sell any cremarie goods at the croce
 in respect they ar not frie men bot pretend that they may doe the same
 as they ar militia men; the Magistrats & Counsell therfoir ffinds that it
 hes beine ther meaneing that the militia men suld be frie of ther groat
 such as payers bot the samen, or ar within the samen, and allowed them
 to be in the conditioun of stallengers; Bot it being of weritie that they
 doe mack wse of selling ther tobacco, preines, & neidles, quilk is and hes
 become the priwiledge of friemen, the Counsell therfoir discharges all men
 except friemen alenarlie to middle directlie or indirectlie with the saids
 goods or sell any of them in tyme comeing; with certificatioun to the
 disobeyars they will be punished at the Magistrats ther discretioun.
 Qron act.

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The Magistrats & Counsell haueing tacken to considderatioune that ther wes formerlie ane act of Counsell appoynteing the fisch mercatt to stand in that wennell lyand at the backsyd of wmqll David Robertsons his hous, commonelie called the scholewyne, and the samen act haueing tacken effect for a certane space, and yet haueing worne out of wse so that the mercatt place (altho narrow) being tacken wp with it ; the Counsell ffinding the prejudice and incomodiouslies therof they appoynt in all tyme comeing that the fisch mercatt sall stand in the forsaid wennell, and that all fisch be sold ther, and to that effect that publictiene be made heirop at the mercat croce publictlye, least any pretend ignorance. Qron act. 1671
18 Dec.

That day the Magistrats and Counsell haueing receiued lres. from Robert Barbour out of Edr., showeing that Cullodine desyrs a comuning of him anent the debate be lawe betwixt the towne & the masters of the milns off Deirbocht, Castelhill, & the King's Milne, now in dependance befor the Lords : quhairnent the said Robert desyred the adwyce of the Counsell how to behaue himselff therein ; quhilk lre. being read in Counsell and considered, the Prowest put it to the voice quhat answer to returne, to quhilk the quholl Counsell now conweined in on voice dissasented to any comuning, capitulatione, or submissione in their saids actions, desyreing the Magistrats to wrytt to the said Robert Barbour signefieing ther mynd theranent, and ordoring him not to condischend to any such owerturs directlie or indirectlie, and considdering that Cullodine intends nothing bot to catch [advantage?] of him : appoynting him also to follow out his persute to the [fynal?] decisione therof be lawe with all wigour. Qron act. 29 Dec.

That day also Bailie Fraser is appoynted to goe and speack to the Earle of Murray and learne from him be way of discourse quhat way is proposed for carieing the proportiune of men layd on the diuisione to Leith, quhither the samen be done on the common accompt of the diuisione, or iff it be left to the particular leaders & burrows to be left to themselwes ; in the second place he is to informe himselff quhat is concluded to be the allowance of ewerie soger ; and thirdlie & maynelie that it be putt hom with all wigor to my lord quhy & wpon quhat accompt the towne of Innernes can be made lyable in any thing quhat- 1672
15 April

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1672 somewer about the thrie men, considering that the towne of Innernes is
15 April of the militia bot thriescore, and so falls to be to ther proportione of ane thousand men bot thrie men. Iff it be objected that the divisiōne is mad lyable to tua man more nor falls to them an the accompt of the foote, it is to be answered that be all compt & reckoneing it cannot fall on them bot on the accompt of the horsse quhich no burghe in Scotland is lyable, and so the towne of Innernes aucht to be in the conditione of the rest of the burrows. Iff it be objected that since the divisiōne is made lyable into fyftie tua by ordor of the priwie counsell they will *cum periculo* mack the burghe lyable conforme; to the quhich it may be werie weil ansered that tho the burghe of Innernes be so dealt with (quhich as is concluded in lawe & reasone they aucht not to be) yet be the cast the towne of Innernes will not be fund lyable in ther proportione of the tua bot the sexteint pairt & les, quhich is the eight pt. of ane man and les. The said Baillie is to report his diligence anent the premisses the nixt Counsell day. Qron act.

19 April The Magistrats & Counsell being conweined, & tacking to consideratione the urgent & pressing commands from the Lords of the priwie counsell ordering this burghe to outreich eight seamen foir his matie's servise, they, in obedience to ther commands and for the better effectuating of the samen, haue appoynted thrie months cess to be presentlie layd on, and haue also nominat the number of nyn to be the stenters and sewen of tham to be a quoram. The stenters ar—Wm. Duffe, Johne Cuthbert, James Steuart, Willeam Bailie, elder, Hew Robertstone, Andro Shawe, James McIntosche, James McLeane, & Wm. McBeane, elder, quha ar presentlie sworn and appoyted to meit be tua efternoone this day within the tolbooth to sitt & proportione the said stent; and ordaynes intimatione to be made heirof be touk of drum at the mercat croce presentlie, to the end that iff any hes to object against the stent and stenters they may mack ther applicatione to the Magistrats be ther supplicatione, and they sall haue heiring & be sattisfied according to justice. In the meantyme the stent rolls ar appoynted to be delywered to the clerk to be perused be all interessted, and that betwixt the dayt heirof & ten hors on Wednesday nixt being the 24 of this instant Apryle, efter quhich tyme all persones lyable in peyment of stent ar to pay ther respective proportione to Wm. Thomsone quha is

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appoynted collector therof, and is to haue for his collectione according 1672
to his seruice. Qron act. 19 April

That day the Magistrats and Counsell being conveined to treat 26 April
about the townes affairs, they haue nominat and appoynted the said
Dauid Fouler and Johne Cuthbert, merchand, with tuelwe able ffootmen
quha ar to be of ther choosing to goe the nixt morneing, being
Saturday the tuentie sewent of this instant, be ten a'clock in the
fornoone with the eicht seamen (quha ar to be sent south for his matie's
seruice in obedience to ane act of the priwie counsell of date the first
day of Apryle, 1672). They are to delywer the seamen be ten a'clock
on Monday, being the twentie nynt instant, at Forres, and not onlie
receawe securitie and oblidgment from Pluscarden & Gawen Watsons
for ther saff conwoy and delywerie at Leith, bot also securitie oblidging
tham to obteane ane sufficient discharge to the burghes on the
recept of the men at Leith or Bruntiland. They ar to receawe for the
seamen and ther own & guards expenss^s till ane accompt tua hundrith
& tuentie merks Scotts money, and giue the accompt at ther returne.
Qron act.

That day the Magistrats & Counsell haueing recewed the missiwe 10 June
direct foir keeping the conuentione of the royall burrows at Sanct
Jonston did ordayne ane commissione to be drawne and subt. to be sent
to Baillie Fraser quha is presentlie at Edin^r, quhilk wes done and sent to
him. The Magistrats & Counsell also haueing recewed ane discharge of
the eicht seamen sent south from Dauid Fouler, qlk he receiued from
young Pluscarden, they appoynted Baillie Rose to goe therwith to
Forres, and not onlie to meit with Pluscarden theranent and receawe the
discharge qlk Pluscarden gott at Leith on the delywerie of the said
seamen and bluecoats, bot also to meit with the rest of the commissioners
of the diuisione for the militia (the clerk of the meiting haueing written
to that effect) to know the ground of the meiting, and to report his
diligence theranent the nixt Counsell day. Qron act.

That day Baillie Rose being requyred to report his diligence anent 14 June
his acting at Forres the last tyme he was sent hither, declared that
hauing requyred the remanent commissioners to giue ane reason for

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1672
14 June laying on ane halfe men [?] on this burgh, gras they aucht not to bear any pairt; qrtō it was answered be them the proportione being castine they culd not and wald not alter the seamen ower agayne; qrwpon the said bailie protested and took instrument, and that because the proportione of the quholl diuisione wes bot ffiftie tua men qroff this burgh out worked thrie, and at the worst aucht not to be lyable to the eicht pairt of a man, as instrument tacken thron will ewidenc. As to that article qrby the said bailie wes appoynted to speack to Pluscarden and gett the discharge for the eicht seamen from him, qlk he receawed on the delywerie of them south, he reported that instead of the discharge he mett with ane charge of horneing qlk he produced (and qlk wes sent south to be suspended). And as to that article anent speacking to Lethine anent the taxatione, he produced Lethins lre. promising all rationally dealing on productione of the discharge qlk the burgh hes throf. Qron act.

22 July The Magistrats & Counsell haueing sein ane lre. direct from Edinr. to them be Bailie Fraser, quha is commiss^r for this burgh at the Parliament, qrby is informat that in regaird the Parliament wes then adjourned for ane fortnights tyme he might come hom iff it consist with the Counsell's consent; in answer qrof the Magistrats & Counsell appoynt that the said commissioner Bailie Fraser suld not com hom sua long as Cullodin stayed ther at the Parliament, bot to stay thr waiting his motione speciallie at the articles, lest he act on thing or wyt to the burghes prejudice, and for that effect appoynted me thr clerk to wrytt to him. Qron act.

5 Aug. The saids Magistrats & Counsell ffinding that ther is a great slacknes in keiping of the nightlie watch of this burgh, and that sewerall of the inhabitants, some wpon on accompt and some wpon another, does challeng exemption to themselwes from watching; and the Magistrats & Counsell finding a great deal of loosenes in the cuntrie and ane necessitie on them foir keiping of a strict watch in the burgh, they therfoir haue presentlie enacted and appoynted proclamacione be took of drum to be maid therof, declairing that no man, being ane inhabitant in the burgh, betwixt sextie and sexteine, being able in bodie, sall challeng to himself or expect to haue any immunitie from watching according to ther respective tours, except alenarlie the present and old Magistrats,

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Dean of Gild, and Thesaurer, quha ar allowed, quhen aither of ther tours occur, to watch be a sufficient prettie man, and that wnder the penaltie of ten merks scotts for the first fault, tuentie merks for the nixt fault, and for the third fault they ar to be punished be the Magistrats & Counsell as contumacious and disobedient persons, the Magistrats being alway in powar to tack in considderatione such as ar not able to watch tho within age. Qron act. 1672
5 Aug.

That day Master Alex^r Farquhar of Touley compeirand in presence of the saids Magistrats & Counsell, accompanied with ane mess^r quha efter chargeing of the Magistrats to put the said Touley to libertie out of the tolbooth of this burgh, did for instructione of his charge produce ane decret, with lrs. of horneing theron raised, requyring the Magistrats sie the said M^r Alex^r Farquhar subscrywe ane dispositione and assignatione of his quholl moweables and estat of land to his creditors for ther satisfacione, with suspensione, relaxatione, and charge to put to libertie. Quhilks being seine & considered be the Magistrats & Counsell, and seeing also the said M^r Alex^r subscrywe the said paper, they appoynt that the said M^r Alex^r be sett and putt to libertie, and that the horneing with the double of the suspensione be delywered to the clerk to be secured in the steiple for preserwatione therof; qlk accordingly wes done. Qron act. 2 Sept.

The saids Magistrats & Counsell being conweined anent the towns affairs, specllie anent the desyr putt hom to them in behalf of Hew Fraser of Culbockie, now prissoner in the tolbooth foir debt, desyreing that he may be putt at liberty & freedom out of the said tolbooth, and that becaus that he hes satled with all the creditors at quhaes instance he wes warded and arrested at this tyme; with qlk desyr the Counsell being adwysed and they interrogat be Bailie Rose quhither or not the persone of the said Hew Fraser suld be put at libertie out of the said tolbooth, the Magistrats & Counsell being sufficiently secured and discharged be his wholl creditors at quhoes instance he wes imprissoned and arrested, yea or not; Quhairto the wholl Magistrats & Counsell answered that sufficient discharges being giwen be the saids creditors to the Magistrats, with warrandice to frie tham from trouble in all tyme comeing, the Magistrats might putt the said Hew Fraser at liberty; qlk they homologat and allow. Quhairon act. 19 Dec.

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- 1673
29 Aug. That day the Magistrats & Counsell being mett to treat about the towns affairs, especiallie for provyding ane schoolmaster to the gramar school, qlk is now falne vacant be the dimission of Mr John Cuthbert, present schoolmaster; and considering that as they are undoubtit patrones therof they have the right of presentation, nevertheless the prowest put it to the voyce whither or not they would present according to their libertie, or be for a publict disput; whereto it was anserit that they were not fully resolved to give ther judgment, and therfore desired that interrogators be waved till the nixt Counsell day. Qrupon act.
- 22 Sept. That day the Magistrats & Counsell being conveyned to treat about the town's affairs, especiallie anent ane master to the gramar school, and it being put to the voyce whither they were for present doing or waving, it was caryed as formerlie for waving, qrupon it was ordained that all the Counsell keep peremptorly the next Counsell day and giwe thr judgments whither for presentation or a disput. Qron act.
- 6 Oct. That day also ane leit of shollers being presented in presence of the Counsell for teaching the gramer shoole for ane zier, and the Prowest haweing asked the woics, it was caried be pluraltie of woices in fawor of Maister Alex^r Rose, laull sone to David Rose of Erlfunlie, and therfor they hawe ordayneid and appoynted that ther be ane presentation extended in his fawor for presenting of him to the bischop and his substitute for tacking tryell of his qualifications and literatour for dischargeing the said office, and being fund qualified that ther be ane contract drawn to be subscriywed be the Magistrats and Counsell on the ane pairt and him on the other pairt, and that conform to the contract that past betwixt him and Mr Johne Cuthbert, present shoolemaster. Qron act.
- 1674
26 Jan. That day the Magistrats & Counsell conweined anent the towne's affairs, and finding that Alex^r Forbes hes tacken protestatione against the Magistrats for imprisnoneing of him on the accompt of Cullodine his stent, the said Alex^r be his tennent and a present possessor of his bigging, and the saids Magistrats & Counsell laying to heart his grosse misbehaviour in middleing with any such protestatione contrair the Magistrats of this burghe and contrairie to the dutie, submissioun and

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regard he as burges owed to the saids Magistrats, the said protestatione being ansered be the saids Magistrats, the Counsell finds it fiitt that the Magistrats ther said anser be sent south to Willeam Duff, ane of the present bailies, quha is now at Edin^r, that he may not onlie stop any suspinsione or charge to put to libertie, bot also that he may satisfie the Lords of Counsell and Sessioun in quhatewer calummie or aspersioun the said Cullodine shall lay to ther charge be or throw the warding of the said Alex^r Forbes or wpon any wther accompt. And the Magistrats ar appoynted to wryt to the said Bailie Duff for this effect, and to give him instructiones as they sall think expedient. Qron act. 1674
26 Jan.

That day the Magistrats & Counsell being conweined and ffinding by constant experience that ther is no trust can be reposed in the officers of this burghe, and it being of weritie that sewerall prissoners for considerable sums of money, and now particularlie Donald Fraser of Drummond, wer imprissoned within the inner jeale and prissonhous of this burghe, the saids Magistrats & Counsell tacking to ther consideratione how necessarie it is for tham to propose some effectuall meane for preserveing of the towne from prejudice throw the eschape of on or mor prissoners from out of the said jeale sua imprissoned; they therfor nominat and appoynt the eftermentioned persones to keip the keys of the inner hous ewerie on of them *per vices* weiklie, they ar to say Bailies Rose, Robertstone, Fraser, and Duff, the Deane of Gild, Thesaurer, Bailie Jon Hepburne, Finlay Fraser, Johne Cuthbert, James Cuthbert Lauresone, David Foulter, James Stewart, George Cuming, Andro Shawe, W^m McBeane, James McIntosche, John McIntosche, James McLeane, James Dunbar, Neil Tomstone, John Cuthbert, the clerk's sone; heirby declairing that iff any prissoner sall eschape be or throw the neglect of the keipers of the keys, the sowmes of money for quhilk the prissoner is or salbe warded or arrested sall be charged on the said keiper of the keyes, to quhom the samen salbe delywered, and in quhaes custodie they salbe the tyme of the eschape. And the Counsell appoynts the keys to be delywered to Bailie Rose this day, being fryday and the sext day of the month of Febr 1674, and that betwixt elewen and tuelue of the day, and sua furth *per vices* weiklie, the on to delywer the keys to the wthrs according to the roll abowexpressed, and that betwixt elewen and tuelue

1674
6 Feb. aclock on Fryday still. The saids Magistrats & Counsell also appoynts that the tyme of the wisiting of the jeall and prissone daylie be betwixt elewen and tuelue hours, and that ilk persone of the fornamed persones follow his ordor during his weik or tour, and that he tack along with him to wisit the said jeall and prissone sex persones of the inhabitants at least and manner as he sall think necessar. Qron act.

20 April That day the Magistrats & Counsell being conveined to treat about the towne's effairs, and being informed that Sir Johne Bayers of Cottis hes entered men to delue the bray of the Hauche, qlk belongs to this burghe and hes beine in thr possessioun past memorie of man, the Counsell therfor thinks it expedient to send tua of the Bailies, tua of the Counsell, with tua officers, with Alex^r Rose and Alex^r Fraser, present Bailies, Jon Hepbourne, and Jon Cuthbert, late Bailie, with Willeam Rose and David Urq^{rt}, officers, and to mack ciwil interuptioun to the said novatioun and incroachment on the town's priviledge, and tack the Clerk with tham, and tack instrument in his hands on the interuptioun, qlk is to be made be putting of the deluer from the delueing, tacking the spaid out of his hand, and turneing of the faile already delued. Qron act.

27 April That day the Counsell appoynts the said Prowest, Bailies Rose and Duff, the Deane of Gild, Bailie Finlay Fraser, and the thesaurer to meit and to wryt to Sir Robert Sinclair, as also to M^r Dunbar, in relatione to the debate lyk to be raised be the laird of Coats qr. the burghe, and iff they find it convenient that letters of laborrows be raised and ane advocatione, and that they send ane post of thr own in all hast. Qron act.

4 May That day also the Magistrats & Counsell appoynt Bailie Duff with Bailie Finlay Fraser to goe to the Marques of Huntlie's trusties, and deall with tham anent the novatioun qlk the Laird of Coats hes mowed and intends to mowe against the burghe, and gett the samen silenced qll the Marques come to this burghe, at qlk tyme the Magistrats & Counsell ar to giwe his Lo. all reasonable satisfacione; they ar to tack jurney Monday nixt. Qron act.

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That day the Magistrats & Counsell being conveined to treat about the townes effairs, did ordayne the said thesaurer to caus carie downe out of the tolboath steiple ane of the riwen bells, and delywer the samen to Alex^r Clunes, W^m Thomsons, and Donald Foulter, to be transported to London ther to be exchanged with ane wthr bell of alse good weicht and mettall as the towns bell, and to mack wp the troch they are to haue fyw pundis sterling money ; and iff they can not gett ane bell in exchang they ar to leawe the bell they carie wp to Londone with ane honest man as facer, quha is to caus cast the samen with all diligence, and not onlie leawe the bell bot also the fyw pundis sterling with him. Anent qlk premiss^s the thesaurer is to giue ane comission to the saids persones. And, iff it sall happine that he find fyw pundis sterling doe not the bussines, the Counsell promiss^s and obleiss^s tham to pey to the said Alex^r Clunes, W^m Thomson, and Dod Foulter sexteine pence of the testane [testoon] of quhat money will be necessitat to deburse on the said bell mor nor the said 5lb. sterling. And the thesaurer is appoynted to sie the bell weyed, and to keip ane not of the weicht of it. Qron act. 1674
18 May

That day the Magistrats & Counsell being conveined to treat of the towns effairs, ffind it necessar for furder securing of the inner prisson hous in the tolbooth, and prissoners therin arrested, warded and secured, that how soone the watch is conveined and sentries sett that tua of the watch be sett wp and putt in the loft abow the inner prisson ther to remayne qll daylight on the morrow according to ewerie companies tour, and wther tua centries in Willeam Bailies close in the back syd of the tolbooth, and ane wthr centrie of tua men to watch on the south syd of the tolbooth, qlk tua last centries ar to haue thr releiff according to custome, to the effect that care be had be tham that no prissoner mack his eschap out of the tolbooth. The Counsell also ordayns that Bailie Hepburne be fried from keeping of the keys of the tolbooth and inner jeall throf sua long as Commiss^r Gray is prissoner. Qron act. 17 Aug.

That day the Magistrats & Counsell finding that the Earl of Seafort and Lord Kintail haue presented M^r Gilbert Marshall, lat minister at Cromdell to be actual minister at the vacant charge of this kirk of Innernes, they therfor have nominat and appoynted Bailie Hepburne and the thesaurer to goe with the presentatione to the said M^r Gilbert, and 31 Aug.

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1674
31 Aug. to deall with him to accept of the samen presentatione and charge, and on his acceptance to goe along with him to the Bischop of Murry, and deall with his Lo. to grant collatione and institutione to the said Mr Gilbert, and that with all convenient diligence, that the place may be the sooner supplied. Qron act.

9 Nov. That day also Bailies Duff and Hepburne ar appoynted to speack to Sir Jon Bayers of Cotts, and to know from him wpon quhat accompt he caused middle with the towns customs at the Haichend [Haugh] and report ther diligence the nixt Counsell day.

1675
9 Feb. The Magistrats & Counsell being conveined about the towns effairs, and ffinding that ther is ane desyr tendered to them be James Moncreiff, merchant in Edinr, ffor serveing heretable to him and his airs maill and assigneys the fewdutie of ane barrell of oyle payable to them yeirlie out of the Isle of Cava in Orkney belonging to tham be *quem curat* [?] gift, and that for the yeirlie peyment in tyme comeing of 4s. Schilling Scotts, and doubleing of the fewdutie at the entrie of ilk aire or assigny: with quhich desyr the Magistrats & Counsell being ryplie adwysed and finding the samen reasonable, they appoynt the clerk to draw up ane few charter theron to the said James Moncrieff and his forsaidis conteaning claus of warrandice from ther owne proper facts and deids alenarlie and wther clauss^s irritant, wiz., that, iff thrie terms run in one, then the few to fall in the superiors hand. Qron act.

25 April That day ther being ane charter of confirmatione belonging to Hew Rose of Clava on ane decret of adjudicatione of the 4 aikers of the Carse &c., from Jon Polson, Johnesone, produced in Counsell to be subscriwed, the samen wes delayed qll he pey 20 lb. for reseauing of him as ther wassall. Qron act.

10 May That day also apoynts Bailies Fraser and Rose to speak to Sir Johne Byrs of Cotts, and ask him quhy he intends to possesse the Bray of the Hauch and mack property therof considdering that the Marques of Huntlie at his being in this place did ordayne that all thing debeatable betwixt his Lo. and the towne suld be silenced qll his owne returne agayne, and to report his anser the nixt Counsell day. Qron act.

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That day Bailies Fraser and Rose being requyred to report ther diligence anent speacking to Coatts, and to desyr him to desist from incroching on ther priviledges, and particularlie from pasturing on the garse groweing on the townes Hauch, they in answer therto report that the said Laird of Coatts affirmed he had ane speciall ordor and comand from the Marques of Huntlie to improw the said bray of Hauch to the best advantage, and therfor he wald not desist from pasturing theron qll he had funder ordor from the Marques. The Magistrats & Counsell being altogidder inclyned to stand hearing with the Marques and his substituts, and not tacking the said anser possitiue, appoynts Prowest Cuthbert and Bailie Duff to speack to the said Coatts anent the premiss^s and report ther diligence the nixt Counsell day. Qron act. 1675
24 May

Fforsameikill as Willeam Trent, merchant in this burghe, is obleist be obligatione to build and rear wp ane pier and bulwark at the dock of Innernes, for doeing qrof the Magistrats & Counsell haue granted to him fywe ziers tack of the anchorage and shore dues, with ane hundreth pounds Scotts Money, qlk was peyed to him in hand at the date herof, qlk is borrowed from the present Prowest; qlk sowme the towne accepts as a debt in and wpon them, and therfor the Magistrats & Counsell appoynts the thesaurer to pey the samen back agayne to the said Alex^r Dunbar, Prowest, of the first and readdiest money that comes to his hand; in the meantyme appoynts the said thesaurer to give band for payment of the said money at Michalmes nixt, conteaneing failzie and a[mercia]ment. Qron act.

The Magistrats & Counsell haue appoynted that the townes men caus lead ane thousand loads of stone from the sconce to the said dock as a supplie to the said W^m Trent to the said work conforme to ane roll giwen under the clerks hand be the Magistrats ordor.

The Magistrats & Counsell also ordayne the ten captains appoynted for watching the towne, with ther companies in ther respectiue tours, goe downe as they sal be requyred be the officers to clean the dock and ground of the peir and bulwark qll the samen be mad fitt & cleir for laying the wall of the bulwark, and also all wthr inhabitants that ar not in the captans rolls, conforme to a roll to be giwen to the officers; and all persons that beis charged to that work to bring out showells, spades, and wthr necessar instruments for clearing of the samen work. The captan is hereby impowered to exact ane merk Scotts from ilk ane of his

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1675 sogers that disobeys efter tymous adwertisement, and that *toties quoties*
24 May they and ilk ane of them failis. Qron act.

The said day the Magistrats & Counsell considerding that ther wes ane report mad to tham anent the intrusione and irregularitie of diwerse and sewerall inhabitants quho haue mad wp to themselves monuments and tombs of burieing places within the Chappel yeard without licence and warrand had from the Magistrats & Counsell to erect and build wp the samen, haue ordayned and be thir presents statuts and ordayns that in all tyme comeing no persone presum to erect or build up any monument in the said Chappel yeard without licence and attolerance had from the said Magistrats & Counsell (except such persones as had and hes wndoubted right therto formerlie), with certificatione iff any persone presume to transgresse they sal be lyable in peyment of ane hundreth pundis Scots as fyne, peyable to the thesaurer. Qron act.

7 June That day the Prowest with Prowest Cuthbert and Bailie Duff ar appoynted to deall with Coats as formerlie and gett his last possitiw anser in relatione to the bray of the Haughe conforme to the act appoynting Prowest Cuthbert and Bailie Duff to goe about the samen, dated 24 May last. Qron act.

11 June That day also Bailie Finlay Fraser, the Dean of Gild and Bailie Fouler, (quha wer appoynted to deall with masons for repairing of the back syd of the towns hous at the bridgend, being requyred be the Prowest to report ther diligence anent ther acting in that effair, did report that they agreid with Robert Nicolsone and Andro Ross, massones, to pey them for the rearing wp of the mason work of the said back syd and furnisching of pyners and workmen on ther owne proper charge the sowme of ffour score merks Scots, the Magistrats & Counsell furnisching all materialis necessar. The Counsell appoynts the thesaurer to pas securitie with the saids masons be the adwyce of the saids persons that agreid with tham. Qron act.

28 June That day the Magistrats & Counsell haueing heard and considered the supplicatione tendered to them be Alex^r Fraser, skinner in this burgh, and the proc. fiscall for his enterest, mackand mentione that the said Alex^r Fraser, goeing about his owne effairs within this burgh

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without any intentione of prejudice quhatsoewer to any persone, yet true it is that W^m McFrench and George Waus, haueing ane roll in ther hands, requyred me to pey to them halfe ane crowne as his proportione of ane impositione layd on him be the said George Waus and wthrs his associats, quhilk tumultuous and factious ways of walking without any warrand had from the Magistrats & Counsell aucht and suld be punished be fyne and wtherways in ther persone, considdering that ther way of procedore is not onlie tumultuous and factious, bot also is contrarie to autoritie and for furdur burdeneing of the quholl inhabitants iff this and the lyk be suffered to goe on, the inhabitants wilbe impowerished and necessitat to leawe this place for want of mantenance; and they haueing examined the said George Waus and W^m McFrench ther owne confessiones and declarationes, and finding that they haue gone about ane factious actione, and that they haue mad wp that roll without any warrand, the Counsell all in ane voice ordayne that the said W^m McFrench be americiat in 20lbs, and the said George Waus be not onlie fyned in tuentie pundis bot also be depriued of his friedome and libertie. Qron act.

1675
28 June

The Magistrats & Counsell being conweined anent the towns effairs, and tacking to ther considderatione the tennor of ane former act of Counsell of date the 24 Sep^r 1666, mentioneing that goeing about the electione of a new Counsell (as they ar to doe this day), it wes interrogat be the Prowest quhither or not these persons quha combyned togidder against the Magistrats & Counsell of this burghe, and protested against them befor the Lords of his Maties Priwie Counsell suld be capable of or trusted, to be counsellors this ensueing zier, quhaes names ar Johne Forbes of Cullodine, Duncan Forbes, his brother, M^r W^m Robertsons of Insches, W^m Bailie, yor., Thomas Watsone, Alex^r Forbes, Alexander Chisholme, W^m Cumeing, yea or not, qrto it wes ansered negative, saying that they aucht not be capable qll the Magistrats & Counsell wer fullie satisfied with ther ciuil deportment, as the said act of date forsaid at mor lenth bears; and it being putt to the voice this day quhither or not the said act suld holden inteir at this tyme, yea or not, it wes caried be the plurallitie of voices that the samen act suld continue in force against the hail persones therin mentioned, except Alexander Chisholme with quhoes deportment the present Magistrats & Counsell ar fullie satisfied,

27 Sept.

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1675 and they therfor declair him capable of publict trust amongst them.
27 Sept. Qron act.

22 Oct. The Magistrats & Counsell being conweined anent the towne's effairs, and considering the tennor of ane former act of Counsell of date the 24 of September 1666 zeirs, qrby the persones followeing, wiz. Johne Forbes of Cullodine, Duncan Forbes, his brother, Mr Willeam Robertstone of Insches, Willeam Bailzie, yor., Alex^r Chisholme, Thomas Watstone, Alex^r Forbes, and W^m Cumeing, suld not be receiued as consellors nor zet put in any publict trust qll the Magistrats & Counsell suld be fullie satisfied with ther deportment, as the said act of the date forsaid mor fullie bears ; and also considering ane latter act of date the 27 day of September last by past, qrby all the fornamed persons, wiz. Johne Forbes of Cullodine, Duncan Forbes, his brother, Mr Willeam Robertstone of Insches, Willeam Bailie, yor., Thomas Watstone, Alex^r Forbes, and Willeam Cumeing (except Alex^r Chisholme quha wes declaired capable) suld not be receiued consellors nor made capable of publict trust qll the Magistrats & Counsell wer fullie satisfied with ther deportment, qrby it is declaired that the former act suld be keiped inteir except against the said Alex^r Chisholme quha is declaired capable therby as said is, as the said last act of the date forsaid at length proports ; and the Prowest, efter perusall of the saids acts, did interrogat the quholl Counsell presentlie conweined how they wer satisfied with the saids persones ther deportment, and quhither or not the saids former acts suld stand in force against tham in tyme comeing, the quholl Counsell in on voice in anser therto did declair that they wer weil satisfied with the saids Jon. Forbes, Duncan Forbes, Mr W^m Robertstone, Willeam Bailie, yor., Thomas Watson, Alex^r Forbes, and Willeam Cumeing, thr deportments, also weil as with Alex^r Chisholme his deportment, and therfor the Counsell haue declaired and be thir presents declair the saids tua former acts of Counsell to be null and of no force, strenth, nor effect in tyme comeing, except in sua far as Alex^r Chisholme is concerned in the last act, and declairs the saids fornamed persons to be capable of publick trust within this burghe in all tyme comeing. Qron act.

1676 That day the Prowest haueing receued ane lettre direct to the
3 Jan. Magistrats & Counsell be the Chancellor of Scotland requyring them to

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subscrywe the declaratione as the samen wes formerlie done in anno 1666, *1676*
caused, after reading therof be the Clerk, to drawe w^o ane new ane efter *3 Jan.*
the samen streane, to the effect it may be subscriwed according to the
desyr of the letter, and sent south before the 15 Febr^e nixt. Qron act.

The Magistrats & Counsell, considdering that ther ar sewerall persons
strangers, also weill men as women, stollen in quyetlie to this burghe, and
haue tacken up ther lodging and dwellings as constant residenters, not so
much as speiring leawe or attolerance from the Magistrats or any ane of
them, contrair to the acts and statuts of this burghe, quhairthrow the
inhabitants suffer greatinellie in ther means quhat by stouth and wthrway ;
ffoir remedie qrof, and to the effect the burghe may be purged and clensted
of such pilferrers and idle persons, wanting calling and wocationes, yet
manteaned be the peying and trawells of honest persons within this place,
haue appoynted that search and diligent scrutinie be wsed for such persones,
and that they efter finding of tham be secured in the jeal of this burghe
qll ordor be tacken with tham for the towns exoneratione of them ; and
for that effect the Counsell haue appoynted Bailie Barbour with James
Dunbar, asisted with ane officer, to search the Kirk streit, David Fouler,
late Bailie in vic of Bailie Cuthbert, with James McLeane, to search the
Bridge streit, Finlay Fraser, Dean of Gild with Jon Stewart and W^m
Thomson, to search the wther syd be west the water, Bailie Rose, asisted
be James Stewart and the thesaurer, to search the East streit, and Bailie
Duff with Andro Shawe, with thr officer, to search the Castel streit ; and
to get notice also of what landlords did sett land to any such without
warrand, to the effect they may be fyned conforme to the act emitted
against tham, and to report thr diligence the nixt Counsell day. Qron act.

That day also the Magistrats & Counsell being conweined to treat *14 Feb.*
about the towns affairs, and speciallie calling to ther remembrance that
paper qlk was past betwixt the Magistrats & Counsell and the Gildrie
and crafts of this burghe on the one and other parts (the double qrof was
produced in Counsell this day), how the same was introduced on the
Magistrats and Counsell, and they made to subscryb the samen without
any premeditation theranent, qrupon the Prowest caused read the said
paper tuo severall tymes, and, after perusall therof and mature deliber-
ation theron, it is found that the samen paper (tho pretended to be for
setleing of peace and concorde within this Incorporation) is altogither

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1676
14 Feb. unwarrantable and contrair to the acts of Parliament, acts and constitutions of uther burrows, and contrair to the constant practise of this brugh from age to age, yea contrair to the decret pronouncd be the Lords for imposing and regulating of stents in anno 1664, to be a constant rule for the future. It is also found that that paper tends to no uther end bot to the uter ruine of the Brugh and privileges therof, Magistrats & Magistracie of the samen, and to be a ground work of sedition, convocations, and other turbulent abuses to be actit yeirlie at elections of Magistrats & Counsell and at imposing of stents, qch is found by daylie experience, particularlie by ther convocations at the subscriyving of the said paper, and thrafter on Saturday at night, being the twentie sevint day of October ther forsaid, they did convocat to the number of seven score persons at least, being ledd on be Alex^r Chisholm and W^m Cuming, and some of them being also armed, did utter most contumelious expressions both against the Prowest and Bailie Rose, who, being comandit to remove and go to their homes in the King's name, and quyte their convocation, they answered that they knew not Baillie Rose to be an herauld and would not obey him, and being asked be him who it was that said so, they in a mutinous way said and ansered all, all, all ; upon the forsaid considerations, and on the account of severall enormities and miscariages comittit be them in contempt of the Magistrats, and also it being found and clear that the paper in itselpe is false, in sua far as he names in the sederunt persons that were not present, some whom he alleedges to be present lying seek in their beds, others being abroad at their laull affairs. It is therfore enacted, statut and ordained be the saids Magistrats & Counsell that the said paper be declared null and no effect ; lykas the saids Magistrats & Counsell for themselves and ther successors declares the samen paper null, of no force nor effect, and sall be so declared in all tyme coming and as if the samen had never been made nor subscriywed, and never to have faith outwith or in judgment. Qron act.

1 May That day also the Magistrats & Counsell haueing sein and considered the supplication and desyr tendered to tham in behalfe of George Waus for restoring of him to his former fredome and libertie as burges and gild brother, and they being ryplied adwysed therwith, and finding (the said George being deprywed therof and fyned in 20 lbs scots conforme to ane Counsell act of date the 28 June 1675 zeirs) that the said George

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is fullie conwincid of his gilt and error and promiss^s never to fall in the lyk transgression be God's asistance: the Magistrats & Counsell therfor not onlie asoilzie the said George of his syne qrin he was americiat, bot also restore him to his former liberties *ad integrum* and as iff the said act sua far as he is concerned therin had newer bein penned nor enacted, declaring the samen to haue no faith nor credit outwith or in judgment in all tyme comeing against him or his airs. Quhairon act. 1676
1 May

The four Bailies, Dean of Gild, Johne Forrester, and the Mr Gilbert Marshall ar appoynted to meit with the Gilderie, and furder capitulat with tham anent the contrawersie betwixt the Counsell and tham, and report ther diligence the nixt Counsell day. 27 May

The Magistrats & Counsell also tacking to considderatione that the Gilderie insists in the discussing of the suspensione raised at the Prowest & Bailies instance against tham, the Magistrats & Counsell therfor find it necessar to defend thamselves, and insist in the declarator, and allows the Magistrats to bestow money theron and tack the samen from the tackfund of the Comon Good. Qron act.

That day the Magistrats & Counsell being conweined to treat about the towns effairs, and speciallie considdering that the land merches of this burghe hes not beine perambulat nor ridden thir diwerse and many zeirs bygone, they therfor ordayne that the quholl inhabitants, alsweill frie as wnfrie, prepair themselves Wednesday nixt being the 14 of this instant, be sewen hours in the fornoone, to convoy the Magistrats and ryd and perambulat the towns merches on this syd of the water, and ordayne that the quholl inhabitants be charged to keip the forsaid dyet wnder the payne of ten pundis scotts the frieman, and fywe lib. scotts the unfrieman, to be peyd be the delinquent and disobeyer for the publick wse of the burghe; that all the pyners also be charged to goe along with ther kairts horss^s and wther furniture for service that day. And this act to be intimat be touk of drum at the mercat croce immediatlie efter disolueing of the Counsell. Qron act. 12 June

That day also the Counsell appoynts the present Prowest, with Bailie Rose, James Stewart and the clerk, to goe down to the steiple and tack from hence Balquhynes ryt to the toun on Drumdiwane to be caried along with the said perambulatione. Qron act.

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1676
14 July That day the Magistrats & Counsell being conveined anent the touns effairs, specllie to gett informatione of quhat wes done at Edin^r be the late comissioner, wiz:—Alex^r Cuthbert, quhairanent the Prowest produced tua missiwe letters direct be the said Alex^r Cuthbert, thr comissioner, to the Magistrats & Counsell, certifieing tham that ther wer diwerse commissioners of Royall Burrows nominat & appoynted be the generall conventione of the Royal Burrows, to come heir to this burghe for satleing all differences and tacking away all animosities arysen betwixt the Magistrats & Counsell & diwerse of the inhabitants, also weill the Gilderie as the Crafts, quhow ar to meit at this burghe the last day of August nixt; and for furder informatione therof directed the extract of the act of Generall Conventione, qlk not onlie allows the away tacking of animosities bot also impowars the saids comissioners (quhaes names ar Sir Patrick Threaplane, Prowest of Pearth; George Broun, Prowest of Dundie; Gilbert Mollisone, Bailie of Aberdeine; Robert Panalds, Prowest of Montrose; Archibald Wilson, Bailie of Queinsferrie; David Donaldsone, Bailie of Breichin; Alex^r Mill, Prowest of Linlighgo; Ronald Bayne of Knockbayne, Bailie of Dingwall; Sir Robert Dunbar of Granghill, Prowest of Fores; Alex^r Graham of Drynie, Prowest of Fortrose; and James Rose, Clerk of Nairne; and sewen of tham to be a quorum) to mack ane new sett & forme as to electione of Magistrats & Counsell in tyme comeing: Quhilk beand read & considered wes thoct good of be the Counsell expecting furder informatione on the Comissioner coming home. Qron act.

That day also the Magistrats & Counsell being conveined, & informed that the Marques of Huntlie is incensed against this burghe be missinformatione alledging that the Magistrats incroach on the Castellands etc., they therfor hawe nominat Bailie Jon Cuthbert & Alex^r Rose to goe to the Bogge & fullie satisfie the Marques anent the townes deportment towards his lands & tennends, and to receiwe for defraying thr charges money from the theserer. Qron act.

14 Aug. That day also the Magistrats & Counsell appoynt the theserer to middle with and mack wse of the falne tries that fell in the Ile & secur the samen for the touns wse. Qron act.

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That day the theserer being requyred to report his diligence anent *1676*
securing the falne timber in the Ile, did in anser therto declair that he *29 Aug.*
wes impeded be the watermen pending a right therto as they ar heritors
of the watter, qrof the Counsell marwelled considdering that thr right
leads tham onlie to the fisching & not to the groweing timber in the
said Ile, therfor the Magistrats ordayne as befor, that the said theserer
meddle with such of the falne timber as is to the foir and mack wse
therof for the towns behoofe. Qron act.

That day also the Counsell appoynts the Magistrats to draw bill on
the theserer to pey to Jon Stewart fourtie nyne punds 8^d Scotts money, to
Donald McLeane the sowme of eichtie eicht punds sewen shillings four
pennies money forsaid, and to Willeam Trent the sowme of elewen punds
thrie shillings 4^d money forsaid, for bygone accompts restand to tham
for treats spent in ther houses with noblemen and wthrs, and returne ther
sewerall dischargés therof for all bygones preceeding the date of the
Bills. Qron act.

That day the Magistrats & Counsell being conweined about the *11 Sept.*
tounes effairs, and haweing seine accompts giwen to the theserer anent
the expenses of the Comissioners of the Burrows, directed be the
Generall Conwentione of the Royall Burrows, holden at Edin^r the first
tysday of July last, for remowing of all debeats & animosities &
mistacks arisen betwixt the Magistrats & Counsell, the Gilderie and
Crafts of this burghe, & the Counsell not being at leuser at the tyme to
rewise & examine the samen accompts, qlk wer expended in Johne
Stewart, Donald McLeane & Willeam Trents, they therfor appoynt
Bailies Cuthbert & Rose, the Dean of Gild & theserer, with Prowest
Rose, to rewise the said accompts and report ther diligence theranent
the nixt Counsell day. Qron act.

That day the Magistrats & Counsell being conweined anent the *25 Sept.*
touns effairs, speciallie to know quhat wes done in obedience to that act
of Generall Conwentione penned at the Conwentione, holden at Edin^r
the first tysday of July last, for regulating the differences latlie arysen
betwixt the Magistrats & Counsell & the Gilderie and traids of the
burghe of Innernes, quhairby the Comissioners of Pearth, Dundie, Aber-
deine, and wthr burrows wer appoynted to com to this burghe and saddle

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1676 all enormities & tack away animosities, &c, the Prowest for satisfacione
 25 Sept. to the Counsell and the quholl burghes produced in Counsell the decret
 pronounced be the saids Comissioners wnder the subscriptione of Sir
 Patrick Threapland, president laullie chosen be the remanent Comissioners
 & Mr Alex^r Edward, ther clerk, of date the second day of Sepr. 1676
 zeirs conteaneing diwerse & sewerall articles; Quhillk being read &
 considered the Prowest interrogat iff the Magistrats & Counsell wald
 allow of the samen, yea or not, quhairto it wes replied instanter efter the
 woices wer interogat that they did allow therof and wald fulfill &
 perform the hail heds and conditions conteaned in the said decret in all
 poynts and that without any discrepant voice or disassent. Qron act.

26 Sept. That day the Magistrats & Counsell being conweined according to
 the ancient custome within the new session (the Prowest haweing tacken
 oath of the new elected Councillors) and conforme to the decret of the
 Comissioners of Burrows relating to the election of the Prowest, Bailies,
 Dean of Gild & thesaurer, the Prowest efter prayer & suplicatione
 made to God Almightye for a blessing on this day work, did inquyr the
 quholl persones abownamed iff they wald follow the rule prescrybed be
 the Comissioners according to ther decret in all poynts, yea or not,
 quhairto it wes ansered be the quholl hous *nemine contradicente* that they
 homologat & allow the said decret in all poynts without any alter-
 atione, and therfor they doe continue the present Magistrats, Dean of
 Gild & thesaurer to excerce ther office for this ensueing zeir, wiz:—
 fra Michalmes Jai vics and sewentie sex to Michalmes Jai vics and
 sewentie sewen zeirs. The Magistrats named ar
 Alex^r Dunbar, Prowest
 Johne Cuthbert, bailie
 Robert Barbour, bailie
 Alex^r Rose, bailie
 W^m Duff, bailie
 Finlay Fraser, Dean of Gild
 George Cumeing, theserer

1677 That day the Magistrats and Counsell being conweined anent the
 22 Jan. towns effairs, specallie anent purgeing of the towne of malefactors &
 strangers (if possible) and therfor nominat & appoynted Bailie Duff

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with the present theserer and Androw Shawe to pas throw the Castel *1677*
streit and searche all the houss^s therin for all the idle persones that haue *22 Jan.*
no maisters nor testimonialls and to secure thr persones in the jeall of
this burghe qll they mack out thr testimonialls and ewidene to the
Magistrats ane honest way of lyweliehood without burdene or trouble to
the inhabitants that bears burden within this burghe, they ar appoynted
to goe about this diligence be four hours in the efternoone this day;
Bailie Cuthbert with Donald McLeane and Hew Robertsons ar ap-
poynted to goe about the samen diligence the forsaid hour of this day in
the Kirk Street; Bailie Rose, James Stewart & William Paterson ar
appoynted to use the lyk diligence in the East streit; and siclyk the
Dean of Gild with Johne Cuthbert & Willeam Thomsone ar appoynted
to goe about the lyk dutie in the Bridge streit & beyond the water the
said hour of the said day; and all of tham ar appoynted to report thr
diligence the nixt Counsell day. Qron act.

The Counsell hawing requyred the Bailies, Dean of Gild and the *29 Jan.*
wthr persons quho wer appoynted to mack search & scrutinie throw the
quholl towne for idle and unprofeitable persones and persones wanting
testimonialls, in anser therto the saids Bailies did produce certaine rolls of
persones wanting testimonialls, quhairwith the Counsell hawing adwysed
and finding the samen not satisfactorie nor so clear as the acts of
Counsell doeth ordayne, they therfor appoynt the Magistrats to look
efter all such persones as ar rather a burden to the place nor profeitable,
and to find out ther resettors, specallie those inhabitants & landlords that
hes sett tham houss^s contrair to the statuts made theranent, and to putt
the saids acts to due executione conforme to the tenor therof in all
poynts & fyn tham conforme therto. Qron act.

That day the Magistrats & Counsell being conweined & informed *26 Mar.*
that the Laird of Coats did imploy serwants to goe & delue the brea of
the Hauche bewest the towne qlk is in debeat betwixt the Magistrats &
Counsell and the said Laird of Coats in behalfe of the Marques of Huntlie
quha pretends right therto notwithstanding that the towne had poss-
ession therof past memorie of man: the Magistrats & Counsell therfor
did nominat & appoynt, & be thir presents nominat & appoynt, Bailies
Cuthbert & Duff, with the Dean of Gild & Bailie Hepburne to goe and

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1677
26 *Mar.* speack to Coats & interogat him wpon quhat accompt he suld middle with the said brea considering that the Marques of Huntlie himselff at his being in the castell ordored the said Coats not to middle with any bunds in debeat betwixt his Lo. & the towne bot to leawe the samen as they wer then wntill his Los. returne to this towne agayne, qroff the said brea is a pairt sicing he cannot deny the said ordor, and to report ther diligence to the Counsell the nixt day anent his anser. Qron act.

27 *Mar.* That day the Magistrats & Counsell being conweined anent the touns effairs, the Prowest did requyr Bailie Duff and the Dean of Gild & Bailie Hepburne to report ther diligence anent speacking with the Laird of Coatts quhy he suld caus delue the brea of the Haughe contrair to the comuneing that past betwixt the Marques of Huntlie and the Magistrats of this burghle the tyme he wes heir last, his Lo. haweing left all the bunds debeatable betwixt his Lo. & this toun as it stood at that tyme (the observeing qrof wes injoynd to the said Laird of Coatts) and to remayne as it wes till his Los. returne hither agayne; they in anser therto delywer as ther report that the Laird of Coats said that he supposed that the brea wes not comprehendit within the comuneing nor wald he doe the Marques or himselff that wrong as to questione ther right therof, and therfor wald not desist from delueing of the said brea. The Counsell hearing the said report, the Prowest did ask ther judgement theranent and quither or not ciwill interruptione suld be mad therto; they all in on voice desyred the bussines to be furder adwysed & mor deliberatlie considered of and that ther rights suld be furder consulted befor any interruptione. Qron act.

9 *April* That day the Magistrats & Counsell being conweined about the touns effairs, they have ordayned that Willeam Gordone, ther agent, be written to be the Magistrats desyreing him to delywer wp the townes Great Chartor with such wthr wrytts & ewidents as he hes and that to thetheserer or James Dunbar, elder, both of tham being gone south to exped som of ther owne effairs and aither of ther resetts therwpon wilbe a sufficient warrand to the said W^m Gordone theron. Qron act.

That day also the Counsell haue appoyted Bailie Barbour, the Dean of Gild with Bailie Hepburne, as they haue formerlie agried & satled with Andro Ross and Robert Nicolsone to rear wp the back of the

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tounes hous at the water syd wnder the brigend, so the continow ower- 1677
siers of the work & sie the samen finished with concurrence of the 9 April
theserer.

That day the Dean of Gild and W^m Cumeing, shereff clerk, ar 16 April
appoyted to goe to the Earle of Murray and returne him anser anent the
maltmen.

That day also Bailie Rose with the Dean of Gild ar appoynted to
goe the nixt presbitrie day and desyr tham to caus wisit the touns
Gramer Shoole.

Hew Robertstone, Andro Shawe & Willeam Patersone wpone a com-
playnt giwen in be Johne Innes, precentar, to goe & tack inspectione of
all wther shooles not warranted, and try quhat they teach to children, and
to report ther diligence the nixt Counsell day. Qron act.

Hew Robertstone, Andro Shawe and Willeam Patersone being re- 14 May
quyred to giue in ther diligence anent ther wisiting of the wnfrie shoos
conforme to ane former act of Counsell of date the 16 Apryle last did in
anser therto declair that they did sie sewerall children learning the
Prowerbs & sewerall wther books in Rorie Sinclers hous & Issobell
Fraser hir chalmer, & diuerse and sundrie children learneing to read &
wrytt in George Anderson his hous; qlk report sua mad, and the Magis-
trats & Counsell being therwith maturelie adwysed, and considdering the
great prejudice that may aryse to Johne Innes, present precentor, and to this
place also by reasone of keiping and wpholding sewerall shooles without
warrant had from tham; they therfor all in one woice haue discharged,
and be ther presents discharges the forsaid thrie shooles, with cer-
tificatioun to the wpholders of tham that iff they or aither of tham
presume wnder quhatsoewer cullor or pretext to teach a shoole heirefter
they salbe lyable in the peyment of 40 lbs. Scots *toties quoties*, & that by
& attour the dischargeing of the shoole. Qron act.

That day Prowest Cuthbert haueing by his supplicatioun tendered 28 May
to the Magistrats & Counsell requyring them to ordor ther jeawiller to
delywer wp to him the key of his wault qlk they mack use of as ther
prissone for malefactors, the samen being sett to them for rent thir
sewerall zeirs by gone; the Magistrats & Counsell haueing considered

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1677 the said supplicatione and finding the desyr therof resonable zet not
28 May able to gett any wthr within this burghe so fitt for a prissone as the said vault, they therfor presum to keip the samen for a zeir if possible and with the said Alex^r Cuthbert his own consent, and for that effect, & that they may haue the samen the easier, they appoynted Bailie Barbour to deall with him and satle for the rent therof for this ensueing zeir, quha being requyred this day to report his diligence anent cleiring of the said rent for the said vault, declaired in Counsell that the said Alexander Cuthbert condischendit to ane tack of the said vault for this ensueing zeir, wiz: fra Witsunday 1677 to Witsunday 1678, prouyding he gett the theserer his debtor, and that for peyment of ffour scor merks scotts money payeable at the termes wsed & wont, and that by & attour the rent of the clerks chalmer qlk is threttie sex merks money forsaid: quhilk agriement the Counsell approwe and ordayne the theserer for the tyme being to pey the saids soums extending *in toto* to the soum of ane hundreth & sextein merks scots, and that at the terms wsed & wont. Qron act.

2 July That day the Counsell appoynt the Magistrats to cast over the Militia rolls and to nominat militia soulders quhom they sall think most fitt & least prejudiciall to the comonwealth of this burgh. Qron act.

9 July That day the Magistrats & Counsell being conveined anent the towns affairs, and finding that diverse of the inhabitants incroaches upon the Kings hie way & makes dunghills & middings therupon contrair to the Acts of Parliament and prejudicall to the leidges; they therfore have appointit intimation to be made be towk of drum at the mercat cross be tuo hours this afternoon requiring ¶ comanding all the inhabitants that have any middings & dunghills on the Kings hie way betwixt this & the milne burn sall remove the samen within fourtie eight hours under the pain of confiscation of the middings & fyneing of the contraveiner at the Magistrats discretion. Qron act.

30 July That day the Magistrats & Counsell being conveined to treat about the townes effairs, speciallie anent prouyding money to pey for the timber that repaired the bridge, and for timber & wther materialls for repairing of the towns hous at this end of the bridge and macking the

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samen ane sufficient hous for ane honestman to duell in & to pey rent therfor; and the theserer being enquiryed be the Prowest iff he had any of the comon good wnspent, he did declair that he had none therof to the foir, as he will mack appear quhenewer the Counsell will. The Magistrats & Counsell therfor haue appoynted, & be thir presents appoynts, the said theserer to borrow money from the Hospitall theserer on the burghes accompt, and to giue band for the samen bearing annualrent from the date of the band obligatory on him & his successors theserers of this burghe, payable out of the first & readdiest of the comon good, it being always wnderstood that quhat money is in Willeam Thomsone his hands be first expendit & bestowed on the repairing of the samen hous be the owersyht of Bailie Barbour, the Dean of Gild & theserer, with Bailie Hepburne, quho wer formerlie appoynted for that effect. The said hous is appoynted to be sufficientlie roofed, sarked and slated. The Theserer and W^m Thomsone to furnische the slayt the reddiest way they can, & for that effect to deall with Johne Barbour. Qron act. 1677
30 July

That day also the Magistrats & Counsell being informed of the great abuse done be the swyne in this burghe to the inhabitants cornes etc., therfor they ordayne the four officers to search & ffind out these swyne & hoggs and to secur them in pound houss^s & keip & deteane them therin qll ther owners pey twelue shillings Scotts for ilk sow or hogge besyd the fyneing of them iff ther swyne be fund in the like transgression. Qron act. 10 Sept.

Regulation for the watch of the Brugh of Innernes to be observed from this day during the Magistrats & Counsell their pleaser, sett down at Michalmes 1677. 15 Oct.

In the first, that the Captain of the Guard be obleidgit to appear at the guard house every night from the first day of October to the first day of Aprill be nyne aclock at night, at qch tyme the bells tolls, and to continue with his company till sex hours in the morning during the said space, and after sex the captain is to apoint that four men sall stay till it be day light, tuo of them to walk about the mercat place and the other tuo to go about the town and back laines and to notice thift or any wther person who goes not about a lafull calling; and from the first of Aprill to the first of October the Captain is to appear at the guard hous

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1677 be ten a'clock at night, qch is the tyme the bells tolls, and to continue till
15 Oct. four hours in the morning at qch tym the drum beatts.

Secondlie, when the Captain comes as said is he is furthwith to appoint ane sufficient man with ane firelock as sentrie at the guard house door, and another at the Prowests door, who ar to cary in all respects as becometh sentries during their toure, and then also to appoint tuo men with their armes to stay within the Tolbuith and to notice the prisoners and what else may occur, there to continue till day light; and to send rounds about the town once each tuo hours to notice thift or any thing else may tend to the prejudice of the whole inhabitants.

Thirdly, the Captain is to read the names of the persons within his company when he appears as said is, and if any be absent then at the said tyme of appearing in the guard or during the whole night or in the morning when the guard goes off as said is (with this exception that if the merchant or gild brother be out of the town or seek, then he sending an sufficient man with the armes himselfe sould mak use of the samen, excuses him; bot as for the fisher or zeoman man that is out of the town or seek he is excused and not obleidgit to send ane for him); and if any want armes, viz:—such as the Magistrats & Captains finds able to have such armes as is subjoined in the roll after each mans name, and such as ar declared & ordained to have guns & muscatts are to have them chargit with powder & lead, and the firelocks to be fixed, and muscats to have their lunt & bandiliers; and all the inhabitants of this brugh to watch according to the rolls (the present Magistrats, Dean of Gild & Theasurer exceptit during their charge, and the old Magistrats, Dean of Gild & Theasurer be their servants sufficientlie mountit in armes).

Fourthlie, if any inhabitant transgress any of the former rules (intimation being made to the Captain & his company) each of them is lyable in the fynes following, viz: the merchant or gild brother is to pay *toties quoties* four pounds scots money; and the fisher & zeoman man to pay tuo pounds money forsaid *toties quoties*; the halfe of the saidis fynes to be decerint & cognossit be the Magistrats to belong the equall halfe to the Captain and the uther halfe to the Magistrat.

Fifthlie, the Captain if he fail in his dutie he is fynable be the Magistrats in twentie pounds scots money *toties quoties*, and to undergo what loss or prejudice any of the brugh or the town may sustain throw his default, remissnes or absence, he being in town and not at the guard,

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and being in health ; but if interruptit from his charge either by seeknes or being out of the town as said is his Lieutenant is to undergo the samen mulct and punishment so that he be absent & remiss in his charge ; and if the Captain be absent on the reasons forsaid the Lieutenant is to have what fynes falls due as said is. 1677
15 Oct.

The Magistrats & Counsell considdering & finding the harme & prejudice that the bridge susteanes throw transporting & carieing of dung & muck alongest the samen, therfor the Magistrats & Counsell prohibit & discharge all the inhabitants to carie or transport any muck or dung alonges the said bridge in tyme comeing be any maner of way nather be cairts, slayds, quhell barows or be creills on horseback wnder the payne of ten pundis scots *toties quoties*. Qron act. 17 Dec.

They statut also that no draff be transported alongest the said bridge in tyme comeing bot in creills on horsebacks or mens backs in ther owne optione, wnder the payne of ten pundis scots *toties quoties*. Qron act.

That day also it being mowed in Counsell that the Magistrats haw bein often desyred be the town's people to try the inhabitants of this burgh & territorie therof anent a woluntar contributione to be granted be them foir building of a ston bridg wpon the water of Nes quhair the present bridge stands: In anser to qlk propositione the motione wes interteaned, and for goeing about the samen handsomelie they hawe nominat & appoynted Bailies Fraser, Barbour & Duff, the Dean of Guild, the Thesaurer & James McLeane to deall with the inhabitants how soone & convenientlie they can, and to know quhat frielie & willinglie each man will bestow on such a good work and to caus record the samen, and mack report of ther diligence the nixt Counsell day. The Counsell also appoynts the Thesaurer to advance on ther expenss in that effair qll it come to the lenth of tuentie pundis scotts ; and efter report made be the saids comissioners the Counsell are to adwyse quhat furder expenss they will allowe to be spent on the samen. Qron act. 1678.
25 Feb.

That day the Magistrats & Counsell being conweined to treat about the touns effairs, speciallie anent the manadgement and wineing of stones ffor building & rearing wp of quhat is wnbuilt as zet of the touns 18 Mar.

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1678 bulwark & peir quhilk suld haue beine biggeit be the deceast Willeam
18 Mar. Trent, and considdering that they haue the consent of the creditors to win
& mack use of the stons belonging to the said W^m Trent in the sconce
(ther names ar, the present Prowest for his entres, Bailie Duff, James
Stewart, and Johne Barbour), quhoes consent is presentlie had at the
penning of this act; the Counsell therfor ffinding themselues in a
capacitie without ther owne prejudice to goe about the wineing of stons
for building & outreading of the said peir, they therfor nominat &
appoynt Robert Barbour, bailie, & James M^cLean, & Alex^r Dunbar,
Jonson, to wait on the said work & manadge the samen by causeing
winne and lead & imploy the said stons in the said work, and to receiv
the money from James Dunbar, elder, qlk wes stented for that effect.
Qron act.

13 May The Magistrats & Counsell being conweined anent the townes
effairs, haue in the first place ordayned ane intimatione to be maid be
touck of drum at the mercat croce efter disolueing of the Counsell,
comanding all the militia sogers to bring all ther militia armes & reid
coats and delywer the samen to ther respectiue leaders betwixt and
ten aclock the morne, with certificatione the persone deficient sall be
punished be the Magistrats as they sall think fitt, Qron act, and are to
adwyse quither they sall out reach the sogers as formerlie or be a stent.

9 Sept. The Prowest and Bailie Barbour haueing giuen & delywered ther
report anent agrieing with Alex^r Nicolson to outread & finishe the peir
at the water syd, declared that they haue barganed with him & promised
him fourtie punds scots money, the halfe qrof they haue delywered to
him in hand to begin the work with, and the wther half, qlk is tuentie
punds, at the compleiting of the work; he is also at the compleiting
therof to be admitted as frieman to his owne trad & burges of this
burgh: Quhilk paction & agriement the Counsell allows & approws.
Qron act.

The Magistrats & Counsell also appoynts the persones formerlie
nominat, to wit, Andro Shawe, James M^cLeane, Johne Stewart & Alex^r
Dunbar yor., to owersie the said work ther day about: and the Counsell
appoynts the sewerall captans with ther companies sall goe downe *per*
vices to clanig the harbor, and to back the work with the grawell of the

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harbourie. Ilk captan that failie being charged sall pay 5 lb, & ilk soger 1678
that disobeyes being charged sall pay 40 ss. for his disobedience. They 9 Sept.
ar to begin the morne & to bring with them showels, spads & barrows for
the better carieing on of the work. Qron act.

The Bailies being requyred to giue in ther report anent Margaret
Dingwall, hir oven, quhither or not the samen as it stands now wilbe
prejudicall to the neighbors, they declair that the samen is & will be
prejudiciall to the inhabitants & hold the towne in great hazard. Quhair-
wpon the Magistrats & Counsell comands that the said Margaret be
removed from the said owen & newer mack use therof in tyme coming,
& to that effect the said Margaret & Bessie Merchand, lyfrentrix, to be
charged to remow from the said owen & newer to putt fyr therin, or else
secur & put wp ane chimney at the syd of the hous & that be the adwyce
of honest and judicius men to the effect the neighbors & inhabitants may
be frie of skaith; with certificatione iff they doe in the contrar they wilbe
fyned & warded qll they fulfill this act. They ar to be charged be ane
officer for that effect. Qron act.

That day the Magistrats & Counsell being conweined anent the 1679
touns effairs, and ffinding that the tua months & a halfe month cesse due 3 Feb.
to His Majestic as the first moytie conforme to the act of Conventione
dated in July 1678 is collected; they therfor appoynt the samen to be
sent south to Sir W^m Sharp, principall collector thereof, with ane
sufficient bearer to quhom they ar allowed to giue wages for careing
therof. Qron act.

That day the Magistrats & Counsell, wpone considderationes knowne 29 Mar.
to themselves, haue appoynted the four Bailies to goe throw the quholl
four streits of the towne and tack notice & perfect inspectione & inwentar
of the armes in ewerie man his possessione, and for the better effectuating
therof they ar to tack alongest with them the assessors following with
the officer for ilk streit as formerlie, wiz., Bailie Fraser for the Bridge
Streit & beyond the water, & is to haue James McLeane with him & the
ordinar officer; Bailie Jon. Cuthbert for the Kirk Streit and Jon. Barbour
as his assessor, & the ordinar officer of the streit; Bailie Rose for the Castel
Streit, & to haue W^m Thomsonsone for his assessor, with the ordinar officer
of the streit; Hew Robertsonsone, Thesaurer *in wic* of Bailie James

Records of Inverness

- 1679 Cuthbert (being absent for the tyme), and Donald Fouller his assessor,
29 Mar. with the ordinar of that streit for the East Streit. Quhar to mack report of ther diligence by sufficient rolls of armes the nixt Counsell day, to the effect that a due course may be tacken with the wanters according to ther merit. Qron act.
- 7 July That day also the Magistrats & Counsell having receivit ane letter from Prowest Cuthbert, Comissioner for the burrow at this last Convention of Burrows, desiring that what moneys they are to bestow on him as their Comissioner with the missive dues and egs money may be sent south the laigh way with the first conveniencie, the Counsell finding that Baillie Duff is going south (God willing) Tuesday comes eight dayes, being the ffyfteint instant, the Counsell have [thought] it expedient & fit in anser to the said letter to send what money they have in the said Baillie Duff his company, and ordains the Thesaurer to provyd for the samen with all conveniencie. Qron act.
- 18 Aug. The Counsell thinks fitt that the Magistrats gett ane just accompt of the towns ewidents given out of the Steiple to Bailie Rose on his resett, to the effect the samen ewidents may be put in the Steiple agayne & ther be secured. Qron act.
- 15 Sept. That day the Counsell appoynts the present Prowest, Prowest Cuthbert, ane of the present Bailies, the Deane of Gild, James Stewart, with the Clerk to goe downe to the Steiple and ffind out Bailie Rose his resetts granted be him for redelywerie of the townes ewidents qlk he receiwd, and to receiwe the ewidents from him & secur them in the towns chest qr they wer, & on the resett of them to giwe him his obligatione. They ar to goe downe be tua efternoone this day. Qron act.
- 13 Oct. The Magistrats & Counsell also the said day considdering the good adwantag they may have throw ane sufficient and able adwocat to plead ther causs^s & actiones both offensiwe & defensiw befor the Lords of Counsell and Sessione, they therfoir hawe ffoir prewenting future skaith *nemine contradicente* in ane voice nominat & chosen Mr Rorie McKenzie of Allanes, adwocat, to implead ther causs^s constantlie, quither as persuers or defenders, befor the Lords of Counsell & Sessione sua far as law &

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reasone will permitt & allow. For qlks causse the Prowest, Bailies & Counsell for themselues & ther successors giws and grants to the said Mr Rorie Mackenzie ane zeirlie pensione of tuentie merks scots to be payed zeirlie to him be the Thesaurer of this burghe of Innernes at Candelmes, the first zeirs payment at Candelmes nixt, and sua furth zeirlie during this present act; and this act to stand in force during the Counsell ther pleaser and ay and qll ane new act discharg the samen. Qron act. 1679
13 Oct.

That day also Alex^r Rose, bailie, compearand in Counsell and macking it appear to them that quhat papers belonging to the Burghe wer delywered to him out of the Steiple wer returned and secured in the samen keiping place agayne, the Counsell therfor appoynt the hawers of his resetts on the said wrytts to restore the samen to him since the papers ar delywered back agayne be him. Qron act.

That day the Magistrats & Counsell being conweined about the townes effairs, specallie considdering that the bridge is on the decaying hand & lyk to ruine except ane speidie course be tacken for prewenting the ruine thereof, they therfor hawe appoynted the Thesaurer to prowyd fiftie tries to be planks for mending & repairing therof at present, and to tack with him ane able & qualified man for choosing the timber. 14 Oct.

The Thesaurer also is appoynted to caus sett on the rooff thache & finishe the touns hous at the bridgend, & iff he hawe no money to perfyte the samen he is ordayned to borrow money & pay annualrent for the samen on the towns charg or the wark be wndone. Qron act.

Note.—No entries appear in the Records between 20th October, 1679, and 1st March, 1680.

That day the Counsell being maturlie and deliberatlie advisit with ane petition given in be Mr John Cuthbert, burges of Innernes, ffind the desire therof reasonable, and therfor they nominat the said Mr John Cuthbert for their Clerk, and heerby apoints presentlie without delay ane act in ample form to be penned for his admission by which he sall be warranted to exerce the office of ane Clerk during the saids Magistrats and Counsell their goodwill and pleasure allendarlie, and hes willed the said Baillie Rose to take his oath *de fideli administratione* which accordingle is done be the said Baillie, there being no present Prowest. And 1680
1 Mar.

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1680 furder the Counsell ordaines that the said Mr John Cuthbert be not
1 Mar. impowered to choise any Deput without the consent of the Magistrats &
Counsell. Qron act.

15 Mar. That day the Counsell above named and undersubscribing, tacking to their consideration the petition underwritten givin in to them be master John Cuthbert, their present Clerk, off qlk petition the tenor follows: Unto your Wisd. Baillies and Counsell of the Burghe of Invernes. The Petition of master John Cuthbert, your towns Clerk: Humblie Sheweth, that wheras yor. Wisdoms were pleased by your Act of Counsell of date the first day of March instant to nominat & apoint me your Burrow Clerk, and that of your own frie motive & goodwill allenarlie (ffor qlk favour I hold my selfe ever bound to doe you all the service and good offices in me lyes) and understanding perfectlie that it was never your Wisd. designe to select and make choise of me as your servant without allowing me the hail casualties, emoluments & advantages, and giving me all the encouragements that former Clerks in this place my predecessors were in possession of and trysted with. May it therefore please your Wisdoms to take the premises to your consideration and by ane Act of Counsell declare the hail casualties, emoluments and advantages, and particularie that of the double entrie to belong and apertain to me for my service in the said office, and that in the samen maner and to the selfe same force and effect that former Clerks, my predecessors, possest the samen. Your Wisd. anser I crave and sall pray &c. The Counsell being ryplie and maturlie advised therwith, after consideration of the samen, and finding the samen weill grundit: Therefore they homologate and aprove, lyk as we the saids Baillies & Counsell hereby homologat & aprove of the said petition in all points, and ordains the petitioner to medle & intromett with the saids double entries of all lands & tenements holden of us since his entrie to the Clerkship, and all other the hail casualties, emoluments and advantages that former Clerks in this place, his predecessors, were in possession of, and that since his entrie as said is and continuallie in tyme coming during his service as our Town Clerkship. Qruon the said Mr John Cuthbert required Act of Court. And in furder testimonie and coroboration of the premises we have sub^t thir pnts. as follows, day & yeir forsaid.

Rob. Barbour, Baillie

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A. Rose, Baillie

1680

W^m Duff, Baillie

15 Mar.

Hew Robertson, Baillie

F. Fraser, Deane of Gild

J. Stewart, Thes^r

A. Dunbar, ane of the Counsell

Jo. Cuthbert, ane off the Counsell

Jon Barbour, ane of the Counsell

A. Fraser, ane of the Counsell

Robert Rose, on of the Counsell

George Cuming, on of the Counsell

A. Schawe, one of the Counsell

The convention of the Counsell above named, being conveyen'd for *23 Mar.*
treating anent thes affairs tending to the weell and utilitie of the toune,
and having maturlie pondered and deliberatlie considered of the great
and indespensabile necessitie that lyes upon them for carieing on and
accomplishing so great a work as a stone bridge on the river of Ness, to
nominat and select a person who shall not onlie be their Cashkeeper for
receaving in all the voluntar contributiones that shall hapin to be uplifted
& receaved be the collectores to be nominat be them for inbringing of
the samin from the noblemen, gentlemen, Royall Burrowes and respect-
ive parochines within the Kingdome, bot also who shall deburse and give
out the samin again for accomplishing the saids work: They therfor
(after due consideration hade of his honestie and abilitie for such ane
employment) nominat and appoynt James Stewart, present Thesaurer, to
be Cashkeeper of the hail soumes to be collected be the forsaid
Collectores for the saids work, to whom they not onlie give power to
receave the forsaid soumes of money to be uplifted be the persones and
for the causes above mentioned, bot also commands and appoynts him to
cleer of and satisfie all persones imployed or to be imployed for uprearing
and building of the saids bridge, and sick lyk to wair out and bestow
money for all materialles of whatsoever kynd for building therof,
declaring heerby, lykas they for themselves and successores Magistrates
and Counsell of this burgh, declaires that whatever soumes of money or
other things beis waired out and bestowed be him in order to the saids
bridge its building, whither to workmen of whatsoever degree, or for

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1680
23 Mar. materialles of whatsomever nature & kind, shall be sufficientlie provabile and cleerlie made out be the saids James Stewart his comnpt book or accomnpt. And funder they for themselves and their forsaides declaires that the said James Stewart shall not be bound to waire out anie soumes of moneys bot such as he receaves from the Collectores to be appoynted by them as said is or from themselves. And for the saids James Stewart, Cashkeeper, his trouble and paines to be waired be him in goeing about the saids imployment, and for his better incuradgment, the saids Magistrates and Counsell above named, for themselves and their forsaides, does heerby appoynt to him yearlie during his service in name of sallarie all and haill the soume of tuo hundreth merks Scots money, and that besydes the haill chaarges and expenses he may be put to in drinking with the workmen or in ryding to and again to quarries or any other maner of way he may be engaged to in order to his service in the saids imployment; qlk sallarie of two hundreth merks per annum and his other expenses to be waired be him as said is is to be allowed to him in the verie first end of his intromission. And funder the saids Magistrates and Counsell above named, for them and their successores, does heerby declare that the saids James Stewart his acceptation of bonds shall inferre no obligation upon him to advance money for the saids work except he recover the samin of the debitores. Qron act.

10 May The convention of the Magistrates and Counsell above named having assembled themselves for treating anent thes things tending to the weill and advantage of the brugh, and having considered of James Smith, M^r mason, imployed for building of the stone bridge, his desyre and request as to his freedom and licence for goeing this season the length of the water of Dye [Dee?] for building ane stone bridge therupon, they upon manie good considerationes condiscend to the said James Smith his desyre and suffers him to be absent from ther work until the last day of September ensueing, he leaving ane skilfull and sufficient mason for overseeing the masons that ar now working at the quarrie. And it is heerby speciallic declaired and provyded that the Counsell ther condiscending to this favour shall inferre against him no breach or passing from the condiscendance made and agreed upon betwixt him & them. Qron act.

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The qlk day the Magistrates and Counsell above named being 1680
assembled for taking inspection in the tounes affaires, and having required 24 May
ane accoumpt of Jon Barbour his diligence in the manadgment of the
trust committed be them to him for requiring the hail voluntar contri-
butiones that the respective Parochines, Burrowes and Colledges this side
of Aberdeene sould be pleased to allow for the building of the intended
stone bridge at this brugh on the river therof, who for cleering therof
produced in face of Counsell ane full and ample act of the Synod
of Aberdone empowering the hail Ministers within the said Diocies to
collect within their owne respective paroch churches ane contributione on
ane Sabath day to the forsaid effect, and after the uplifting and collecting
therof to delyver the same to the Magistrates and Counsell of Innernes their
commissioner impowered for uplifting the samin ; and sicklyk produced
letters directed from the townes of Aberdone, Bamffe & Peeterhead &c.
to the Magistrates of this brugh as also ane letter from His Maties
Universatie of Old Aberdone qrin all of them does seriouslie promise
their help and assistance for the accomplishing so great and necessarie a
work: with qlk accoumpts the Magistrates and Counsell above named
being maturlie and deliberatlie advysed, they *una voce nemine contradicente*
aprove therof, and appoynts Bailie Robertsons, the Thesaurer, and George
Cuming to coumpt with him as to his expenss. and report their diligence
against the nixt Counsell day. Qron act.

That day the Magistrates and Counsell above named apoynt Bailie
Duffe, the Dean of Gild, and Jon Stewart to goe the lenth of Tarnua and
speak my Lord Murray both as to the pryce of my Lord Dounes victuall
and as to his contribution for the bridge, and report their diligence the
nixt Counsell day. Qron act.

The qlk day the Magistrates and Counsell above named being 9 June
scepterlie convened for treating of materes tending to the advantage of
this brugh, in qlk convention ther wes ane leter of the Laird of McLeod
presented to them wherin he promised to advance them ane hundreth
pound sterling money of contribution for building of the stone bridge at
this brugh provyding his name and Coat of Armes be put on the saids
bridge, ane anser therto he imediatlie desyres. Qh leter the convention
of the Counsell above named having seriouslie considered of, and after
delyverie of the samin to James Stewart, present Thesaurer and Cash-

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- 1680 keeper, to be kept by him as the townes securitie. They condiscend
9 June to the saids Laird of McLeod his demand, and they apoynt ane letter to be sent to him quon their willingnes to the forsaid demand be made knowine to him. Qron act.
- 21 June The Magistrates and Counsell above named being conveyen anent the townes affaires and having considered of the great incroachment that is made by ther vassalles and nighboures yearlie through ther owne default in ommitting to perambulat ther merchies conforme to the ancient lawes of the Kingdome: they therfor statut and apoynt that in all tyme coming the Magistrates and Counsell, accompanied with the haill merchands, trademen and scholars within the brugh, perambulat the merchies of the brugh yearly evrie third Tuesday of June, begining the first yeares perambulatione tomorrow being tuentieth two day of June, and apoynts the Bailies to hold a Court tomorrow on ther March at Holme upon McIntoshe of Holme and his servants for beating of ther common heard for pasturing the goods belonging to this brugh on ther owne commontie at the Riggs end of Holme. Qron act.
- 12 July That day the said Magistrats and Counsell being conveyen anent the townes affaires, and being informit be James Stuart, Thesaurer, that Joseph Williamson is a great hinderer & retarder of the meassons and quarriers that are working at the quarrie at Readcastle for winning stones for the use of the bridge of this brugh; the said Joseph as present quarier aproprating the best of the stones for his own use. With which proposition the Counsell being advisit, for remeid of the said inconvenience apoint the Thesaurer to discharge the said Joseph from being any further quarier at the said work, and furder the said Thesaurer informing the Counsell that Willeam Durham and Arthur Sutherland [leaf of the Records awanting at this point].
- 28 Sept. The said day the Counsell have nominat & apointed the Prowest, Baillies Barbour & Duff with Jan. Cuthbert, late baillie; & William Rose of Merkinche, to go the lenth of Elgin, and meitt with the Bishop and remanent brethren of the Dyocie of Murray in order to the contribution for the bridge, and report ther diligence the next Counsell day. Qron act.

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That day also the Magistrats and Counsell having required the Prowest, Baillie Duff & Merkinche, who with Baillie Barbour & Baillie John Cuthbert were appoint be ane former Counsell act to go as Commissioners the lenth of Elgin and meett with the Bishop and remanent brethren of the Dyocie of Murray in order to the contribution for the bridge, who being required to give ane account of their diligence at the said meeting, did anser therto present ane act of Synod of date at Elgin threttint October instant wherby for the reasons exprest in the said act the respective soums of money therin contained and underwrn. are promisit as a voluntar contribution for the use forsaid, viz., the Presbitrie of Innernes, ffour hundreth merks ; the brethren of Forres, ane hundreth merks ; the brethren of Strathboggie, ane hundreth & ten merks ; the Bp. & ministers of Elgin ane hundreth merks ; and Aberlour & Abernathie to doe according to their abilitie ; and this besyds the contributions out of their several churches ; all qch wes ordained to be made effectuell at the next Synod to be kept at Innernes Aprill 3^d Tuesday 1681 ; as the said act bears. And furder the saids Commissioners reported be word of mouth what progress they made with the Marquess of Huntlie and severall other gentlemen in Murray in relation to the said voluntar contribution. The Counsell having considerit of the said Report, approve of the saids Commissioners their diligence. Qron act. 1680
18 Oct

The Magistrats and Counsell finding that the doors of the inner prison of the tolbuith of this brugh, qher the prisoners for debts stay, is unsecure, they therefore for remeid therof apoint the Thesaurer to cause make ane strong and sufficient iron door and that for the more securing of the saids noco of timber and of the said jayle. Qron act. 25 Oct.

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1680
22 Nov. That day the saids Magistrates and Counsell being conveyed anent the Touns affaires, and considering that those persons appointit as Captains thir severall yeirs bygone for overseing of the guard & watch of this brugh have become remiss & negligent in their said charge and throw their long continuance therin find the same to be a trouble to them, the Magistrats & Counsell therfore for remeid heiroy have thought fitt for the better attendance on the said guard to remove the said old Captains & place as many new in their vice for discharge of the said office punctuallie, considering the same to tend greatlie to the safetie of the place.

The said Collector is also appointit to take in Doctor M^cKenzie his roll and uplift the moneths cess allowit be the Magistrats & Counsell to him as sallarie for attending and visiting the sick & diseased persons of this brugh. Qron act.

1681
10 Jan. That day also ther being ane complaint entered be John Ross, burrow officer, and David Cuming, the Procurator Fiscall, for his interest, shewing that qr the suplicant Jon Ross on the 8 day of January instant did conform to the Thesaurers comand sease & aprehend David Bailzie residenter within this brugh for his stallenger fies as unfrieman and desired him to make payment therof or to enter prison, yet the said David Bailzie in manifest contempt of authoritie refused to make payment of the soumes due or to enter prison unless he were (as he said himselfe) torn in pieces; and therfor desires to take the said ryot to their consideration and punish the said dilinquent for his gross ryot and contempt, to the encouragement of their servants and the terror of uthers to comitt the like in all tyme coming.

The Magistrats & Counsell haveing causit call the said dilinquent to to their presents, did acknowledge judicillie that he refused to obey the said officer in any terms to go to prison, and strugled with him and the rest of the officers.

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The Magistrats and Counsell considering the gross ryot of the dilynquent, and finding by his own confession that the samen is sufficientlie provin, they appoint him to be caried to the mercat cross on Fryday next, being the fourteenth instant betwixt eleven & twelve hours in the fornoon, and ther jogged and a paper putt on his breast and his fault & crime written theron in capitall letters ; and appoint him to pay twentie pounds scots money of fyne, and to be imprisoned untill he satisfie the stallenger fie and fulfill the tenor of this sentence. Qron act. 1681
10 Jan.

The Magistrats & Counsell having required Alex^r Rose, Dean of Gild, to give ane account of the reasons of the novation the Gildrie have made use of in convocating the merchants of this brugh monethlie, but order or warrand of the Magistrats ; who in anser therto replied that they did nothing prejudicall to the power of the Magistrats, and for verification therof promised to give ane clear account the next Counsell day thereof in regard he is not rype to doe the same presentlie. Qron act. 7 Mar.

That day the Magistrats & Counsell appoint ane registrable discharge to be procured from Maurice Trent to the Magistrats & Counsell of Innernes and to be produced the next Counsell day discharging the Brugh of the soum of tuo hundreth & twentie pounds Scots money with annualrent from resting be the brugh for the expenss & charges debursed be the deceast William Trent, brother to the said Maurice, on the brughs account in entertaining the Comissioners appointit to meet heir for clearing the differences & mistakes betwixt the Magistrats, Counsell, Gildrie & Trades, and upon production therof appoint ane Act to be extendit. Qron the Magistrats & Counsell for themselves and their successors sall accept of the said debt in & upon them. Qron act. 21 Mar.

The Magistrats & Counsell now conveyed and considering that the secreetts of the Counsell and their actings are divulgit and that they are therein betrayed, have apointit diligent search to be made who they are that betray the said Counsell their secrets & actings in Counsell, and that against the next day. Qron act. 3 April

That day the saids Magistrats & Counsell having required the Dean of Gild to give ane account of his actings with the Gildrie, and this day 15 April

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1681 accordinglie having given in ane list of some acts that were past in the
15 April Gildrie meeting anent their monethlie meeting and severall uther acts
then past, with which the Magistrats & Counsell being advisit doe
approve of the samen.

The Magistrats & Counsell appoint Bailie Duff to buy from Maurice
Trent for the use of the stone bridge the Kirk of the Citadail as it now
stands above & under ground with the ground right qron it stands, and
that at the easiest rate he possiblie can ; which comission the Magistrats
& Counsell obleist themselves & successors to abyd at. Qron act.

9 May That day also the Counsell having considerit ane supplication
tenderit to them be Baillie Fraser anent ane peice ground bewest the
water comonlie calit the Chaplanrie of the Green, qrby he desires to be
receivit their vassel therin & pey ane few-dutie therfore, find his desire
reasonable, bot suspend their finall anser therto untill a fuller Counsell,
and that all the Baillies be present, and in the meantyme appoint some of
their number to go this day & view the ground, and report their diligence
the next Counsell day. Qron act.

16 May That day the Counsell appoint Baillie Barbor to go to Cromartie &
meit with the Touns of Elgin, Tayn, Nairn, or any thrie of their
Comissioners anent the reviseing & taking notice of the said brugh of
Cromartie its Comon Good to the effect ane perfect account be made
therof to the Convention of Burrows, and apoint the said Baillie Barbor
to call the saids Brugh their Comissioners to the said toun of Cromartie
the first Tuesday of June next.

30 May That day the Magistrats & Counsell considering the advantage the
town may reap be the fewing of that peice ground callit the Chaplanrie
lyand below David Foullers yaird rather then to have it wast qrby the
same may be encroached on by neighbours not concerned therin, doe
appoint imediatlie after the rysing of the Counsell the hail members
therof to go the lenth of the said peice ground and pott the samen with
march stones to the end the Counsell may be the more clear in agricieg
for the feu of the forsaid peice of ground. Qron act.

The Counsell considering of the charges of horning layd on the
Magistrats be Maurice Trent, merchant in Leith, & Alex^r Paul, merchant

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in Elgin, to infest them upon decreets of adjudication raisit at their instance against Mr Trents airs &c in the hail lands belonging to the said deceast W^m Trent, and finding that the saids chargers are unwilling to satisfie the dewis practicable to be payit to all superiors, apoint the Provest, Baillie Fraser & James McLean to speak to Charles McLean, trustee for the said Maurice, and sie whether he will pay ane years rent of the lands or pay ane years rent of the money for qch they adjudge; and if not appoint ane Letter may be sent South, and ane Suspension against him and the said Alex^r Paul. Qron act. 1681
30 May

The Counsell apoint also Baillie Barbor, Baillie Cuthbert, Mr Gilbert Marshall & James McLean to go to Chanrie and suplicat the Synod of Ross for ane voluntar contribution towards uprearing of the stone bridge of this brugh. Qron act.

That day also be twelve a clock or therby there went alongs to that peice of ground belonging to the Toun comonlie callit the Chaplanrie of the Green conform to the above written act emittet theranent, the Provest, Baillie Fraser, the Dean of Gild, Baillie Hepburn, and remanent Counsellors who in order to the said act causit pott the ground (for dignossing the Touns comontie there) by placeing and setting of four march stones at the North and South syds or ends of the said peice ground as follows: viz., one qrof is placed at the South-east nook or corner of that smiddie belonging to Moortoun now possest be Andro Brodie, smith, for the easter march; another at the South-west nook or corner of these houses belonging to Moortoun (qlk extend westward lineallie from the said smiddie) for the wester march of the said ground, both qch stones (with ane space betwixt the samen & Moortouns houses forsaid left for ane closs) are appointit to be the North march. Item another stone of the sd four is sett at the Southmost point or syd of the said peice ground on the west syd therof, and another stone at the eastmost syd of the said point (there being sex elnes & ane halfe elne or yeard betwixt both) and that for the South march of the said peice ground; which extends also in breadth at the North syd betwixt the two pottit stones to the number of fourtie seven elnes or therby; boundit the said hail peice ground with the space left for the closs be the toun as pertaining to them also as follows: viz., the saids houses belonging to Moortoun at the North, the way leading to the Ferrie of Keassok & Merkinche at the east, the hie way leading from the Toun of Innernes to Clachnaharrie, the Aird & Bewlie

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1681 at the west, and the touns Comontie at the South; upon potting of qch
30 May stones the Provest protestit & took instrument that the said pottit peice
ground with the space left for the closs betwixt the northmost stones &
Moortouns houses sall not be encroached upon in tyme coming as being
the Touns Comontie. Qron act.

9 June That day the Counsell being assembled for treating on affaires
tending to the Comonwealth of this brugh, and having required ane
account of Baillie Barbor, John Cuthbert, late Baillie & James McLean
(who with Mr Gilbert Marshall, minister, were appointit be ane former
act to go there) of their diligence in applying themselves to the Synod of
Ross in order to the voluntar contribution to be given be the respective
Ministers of the said Synod, they the said Baillie Barbor & uthers
appointit, in anser therto presentit ane act of Synod in favours of this
brugh, qrin each minister of the said Synod subscribes for their respective
soms & contributions payable the fifteinth day of Aprill jmvic eightie
two yeirs, extending in the hail the forsaid contributions conform to the
said roll presentit to the soum of seven hundreth threttie fyve merks
Scots money.

That day also the Magistrats & Counsell appoint ane proclamation
to be published tomorrow be elevin hours fornoon be touk of drum at the
mercat cross intimating that the peice of ground lyand bewest the water
belonging to the Toun comonlie callit the Chaplanrie of the Green is to
be rouped on Munday next be the Magistrats of this brugh within the
Tolbuith therof and sett in few or tack to any most bids for the same, as
it is presentlie pottit & marched with march stones be the Magistrats &
Counsell of this Brugh. Qron act.

11 June That day the Magistrats & Counsell being conveyned in treating of
matters relating to the Comonwealth of this brugh, and having interrogat
Robert Barbor, baillie, anent his diligence as Comissioner nominat be the
Magistrats & Counsell for this brugh to go the length of Cromartie and
meett with the Comissionrs of Elgin, Dingwall, Tayn, etc. to revise &
take tryell of the said brugh of Cromartie its Comongood, and learn what
way the samen is dilapidat & put away, who for report of his diligence
produced in face of Counsell ane report of the Brughs of Innernes, Tayn,
Nairn & Dingwall, subt. be their respective Comissioners that mett at

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Cromarty that day, dated the 2^d & 3^d dayes of Junii 1681 instant; Qron 1681
the saids Comissioners their actings at the said Brugh (having conveyed 11 June
the whole inhabitants therof to the effect above mentioned) is at lenth sett
down in the said subt. report as the samen at lenth bears, which report
with the accompt therwith produced in Counsell be the said Baillie Barbor
of the Comongood of Cromartie the Counsell appoint the Clerk to keep
in retentis to be furthcomand to all persons having interest in the said
matter when callit for. Qron act.

That day the saids Magistrats and Counsell being conveyed for 13 June
treating anent the Touns affaires, and considering ane former act of date
the nynth June instant appointing ane proclamation to be published at
the Cross intimatting that peice of wast ground lyand within this brugh
bewest the watter belonging to the Toun comonlie callit the Chaplanrie
of the Green to be roupd this day and set in few or tack to any most
bids for the same as it is presentlie potted and marched with march
stones, bounded, and of the breadth, lenth & measure therof as is at lenth
sett doun in ane former Counsell act also emitted theranent of date the
threttieth day of May last by-past. The saids Magistrats and Counsell
having in order to the said intimation gone about the prosecuting of the
said Roup, and there being ane protestation enterit in face of Counsell be
Alexander Chisholm, baillie to the Lord Lovat, for the said Lord Lovat
his pretendit interest in the said Chaplanrie of the Green, who protested
that no roup should pass of the same in respect it is unformallie and
illegallie gone about seeing no person having interest and possession
therin are called to the effect the samen might be cognossed. The
Magistrats and Counsell having considerit of the said protestation, and
finding the Brugh to have the onlie undoubit right to the said peice wast
ground, apoint the Roup to go on and the same offered to any most bids;
quhich after publict rouping in the Tolbuith and severalls having offered
therefore, Alexander Scheves of Moortoun did overbid all that offered, by
offering sex pounds Scots money yeirlie as few dutie for the said peice
wast ground and houses & biggings to be built thereon, and doubling of
the said few ferm dutie at the entrie of ilk air or assignay to the saids
lands; which offer the saids Magistrats & Counsell accept of and appoint
thé said Alex^r to have Chartor & Seasing conform to the practise usit in
such cases. Qrupon act.

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1681
27 June That day also the saids Magistrats & Counsell apoint, statut & ordain for the suppression of cursers & swearers that how oftensoever it sall happin any of the members of the Touns Counsell to hear & notice any person or persons qtsomever to curse or swear on the streetts or elsewhere within this Brugh & liberties thereof that they shall incontinent, as be ther presents they are authorised, to cause ane or mor of the burrow officers imprison any sua found cursing & swearing, there to remain ay & untill the Magistrats take ane course with the delinquents and inflict such punishment as their fault deserves; and also appoint the constables in their respective streetts to advert to the fulfilling of this act & obtemperance therof in all points. Qron act.

11 July That day also the Magistrats & Counsell considering ane complaint tenderit be the Procurator Fiscall declaring that forsamikle as Janet Leugach,¹ comonly so callit, was banished this place formerlie, never to return therto, for certain malefices by her comitted, yet nevertheless hes returnit to this place notwithstanding her said banishment without license of the Magistrats, and being ane vile & wicked person as is notourlie known since her last return, is therefore banished the second tyme, and that not onlie for former miscariages, bot also for miscarrying herselfe & transgressing groslye yesterday, being the Lords day, in tyme of divyne service, in the Hie Kirk of this brugh, by being drunk & vomiting therin to the great dishonour of God and contempt of His Church. The Magistrats & Counsell therfore appoint the said Janet (on her own confession of the fact) to receive the punishment following, viz: to be caryed to the Trone this day, being the 11 of July instant 1681, be twelve hours, there to receive ten stripes on the bare back be the hands of the hangman, and thereafter to be caryed throw the whole streetts and to receive sex stripes in each streett; and thereafter to be banished this place for ever never to return therto under the payne of being lyable to punishment at the Magistrats discretion. And all the inhabitants of toun & territorie are heirby discharged to harbour, receive, lodge or take in to their houses either the said Janet Leugach or any uther banished person qtsomever under qtsomever colour or pretext in all tyme coming under the pain of twentie pounds Scots money to be incurrit be them *toties quoties* they transgress this act, and ordain publict intimation to be made herof at the cross. Qron act.

¹ Gaelic *Lugach*, having crooked legs.

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That day the saids Magistrats and Counsell being conveyd anent *1681*
the Touns affairs, and considering the great stop & impediment the work *4 Aug.*
of building the stone bridge is lyke to meitt with by the want of stones,
quich is occasioned through Baillie Duff his not purchassing of ane
disposition to the church in the Citadell; and considering that the said
Baillie Duff hes by ane letter directed to the Provest certified that he hes
made ane finall bargain with Maurice Trent, and that the Toun may
friely medle with the said Church for the forsaid use notwithstanding the
disposition be not sent home, the Magistrats & Counsell upon the
considerations forsaid all in one voice agried and think it fit & expedient
that the said Church be immediatlie medled with towards the erecting of
the said stone bridge; and for the better effectuating therof they appoint
Alex^r Tailzeor to oversie the casting down & demolishing of the said
Church to the end the stones therof be aplyed to the use abovewritten.
Qranent this present act is declared to be ane sufficient warrand.
Qron act.

That day the Magistrats and Counsell being conveyd anent *15 Aug.*
treating on the Touns affairs, and considering the great damage the Ile
of this Brugh suffers through severall persons their cutting & destroying
of the green wood in the said Ile to the great detriment of the owners
therof and indecoring of the place, have for remeid heiroy appointed that
immediatlie ane intimation be drawn up and publictly proclaimed at the
mercat cross wherin all persons qtsomever be discharged and forbidden
(as be thir presents the saids Magistrats & Counsell discharge & forbid)
that no person or persons qtsomever under any colour or pretext cutt,
hew down or destroy any of the green wood in the said Ile under the
pain & certification of accompting & reputing of them as enemies to the
Comonweill of this brugh, and furder proceidit against conform to the
severall acts of Parliament published against cutters of green wood: and
scliffe discharges all persons to medle with any of the bees or bee-hyves
now a building or that sall happin to be built in the said Ile wnder the
pains & certification mentioned in the Acts of Parliament made against
destroyers of orchards & bee-hyves in all points. Qron act.

That day also the saids Magistrats and Counsell considering the
bad use and misinterpretation severall persons through their ignorance
putts upon the Lords of His Majesties most honourable Privy Counsell

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1681
15 Aug. their act discharging to give or take any Briminger groatts, under colour
grof severalls assume the boldnes of refusing all silver groatts tuo penies
and thrie penies though currant throughout the rest of the Kingdom ;
have therefore for remeid heirof appointit that intimation be made at the
mercat cross wherin all persons be comandit & ordained, as be thir
presents the saids Magistrats & Counsell command and ordain, that all
persons accept of all silver groatts, thrie penies and tuo penies of silver in
their payments & traffiqueings in all tyme coming, excepting the saids
Briminger groatts & broken or creasit money allenarlie, certifieing all
such as presumes to contravein this present statut and refuse the said
upright money they sall be persuit & insistit against as wilfull refusers
of His Majesties coyne and contemners of His Majesties authority.
Qron act.

29 Aug. That day the saids Magistrats and Counsell being conveyned anent
the Touns affairs and finding the necessitie there is of buying lyme for
the use of the stone bridge, have appointit the Thesaurer furthwith to
buy the said lyme for the use forsaid. Qron act.

26 Sept. The qlk day the saids Magistrats and Counsell being assembled for
taking inspection in the Touns affaires, and having required ane accompt
of Baillie Barbour anent his recoverie of ane disposition from Maurice
Trent in favours of the Brugh of Innernes of the Church in the Citadeall
therof, he for report of his diligence presentit in face of Counsell ane
Disposition from Joseph Helbie, carver, of Lyme hous in the Paroch of
Stepni, alias Stepni heath, administrator and heir apparent unto the
deceast Phineas Pett, one of his Majesties builders at Woolwich, som-
times His Majesties Agent for Woods in Scotland, heretable proprietor
of the thrie third parts of the kirk in the Citadeall, in favours of the said
Maurice Trent, as also another Disposition of Maurice Trent in favours of
James Stuart, present Thesaurer, and his successors Thesaurers of the
brugh of Innernes of the thrie third parts of the said kirk of the Citadeall,
with ane order for Charles McLean, merchant, to delyver up to the said
James Stuart the Disposition grantit be John Sempill to Phineas Pett and
the deceast William Trent of the said kirk of the Citadeall: Qhich papers
are instantlie delyverit to the said James Stuart, Thesaurer ; and the
Counsell ordaines the said Baillie Barbour to infest him and his successors
Thesaurers of this Brugh in the said kirk this day. Qron act.

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The qlk day the Magistrats and Counsell above named being convened anent ordering the Touns affaires, and being informed of and considering the complaint of the keepers of the guard & watch of this brugh qrbly they affirm that they are not well furnished with coal and candle which is a great discouragement to them to attend on the said guard, especiallie the long winters night, the Magistrats & Counsell for remeid heirof having callit before them John Mackintosh, elder, customer, who be vertue of ane former act dated 18 Octor. 1680 zeirs is obleidgit to furnish the guard with coal and candle each night for the custom peatts & twentie merks of augmentation, and having interrogat the said John Mackintosh why the guard is so ill furnisht, he in anser therto declared that if they would augment his sallarie he would furnish the guard sufficientlie in the said coal & candle without qch he was not able to doe the same. The Magistrats and Counsell therefore in consideration of the premises have augmentit, & be thir presents augment, the said Jon Mackintosh his sallarie for the said furnishing to the soum of twentie pounds Scotts money (in vice of the twentie merks), qch twentie pounds is to be payit to him by the Thesaurer zeirlie; for which and the custom peatts as formerlie the said John Mackintosh hes undertaken, & binds and obleidges him to furnish and provyd the said guard and watch of this brugh each night with coal & candle for ane zeirs space, viz: fra Michaelmes last to Michaelmes next, and that sufficientlie to their satisfaction fra nyne a clock at night to fyve hours in the morning each night punctuallie. Qron act. 1681
7 Nov.

The Counsell appoint the Thesaurer to cause repair the bridge instantlie and to suplie it with timber where it is necessar. Qron act.

That day the saids Magistrats and Counsell finding be Baillie Stuart, cashkeeper, his information that the voluntarie contribution for the stone bridge is slow of incoming and that in defect therof he wants money to pay the workmen, viz: quarriers & meassons, wherthrow the work is like to ceass & stop; and the Counsell having desired the said Baillie Stuart for suplieing the present neid untill money come in from the contributors, to advance of his own money to the said workmen, he willinglie condescendit therto. Wherefore the Counsell not onlie impower & authorize the said Baillie Stuart to advance in maner forsaid, bot also obleidges them and their successors, Magistrats & Counsellors of this brugh, to reimburse & repay such soums of money that he hes wared or

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1681
7 Nov. sall happin to bestow & ware on the said work of his own proper money, by and attour the saids contributions qn recovered, and that out of the readdiest money that comes to their hands. Qron act.

14 Nov. The Counsell appoint & authorize the Baillies to send to Aberdein for a fitt person to attend on the horologue of this brugh, in respect the samen clock is altogither neglectit and out of order be the remissnes & unskilfulnes of Jon Fraser, smith, present keeper therof, and for that effect to writt to Aberdein with the first occasion. Qron act.

19 Dec. That day the Counsell being maturlie advisit with ane petition givin in be Samuel Cuthbert, writer in Edr., qrby he desires to be admitted Clerk of this Brugh, find the desire therof reasonable, and therefore they nominat the said Samuel Cuthbert for their Clerk, and heirby appoint presentlie without delay ane act in ample form to be penned for his admission, by qch he sall be warranted to exerce the office of ane Clerk within this brugh during the saids Magistrats and Counsell their goodwill and pleasure allendarlie, and have willed the Provest to take his oath *de fideli administratione* which accordinglie is done and ordaines and allow the petitioner to medle and intromett with all and sundrie the Casualties emoluments and advantages that former clerks in this place his predecessors were in possession of in tyme coming during his service as clerk forsaid, reserving always to the Toun Thesaurer but prejudice to him to exact the yeirlie few-dutie of all lands at the entrie of ilk air or assignay, by & attour the clerks dues to which his predecessors had right and were in use to exact; and appoint that no Deput shall be chosen be the said clerk without consent of the Counsell. Qron act.

That day also the said Samuel Cuthbert, clerk, in order to the last act, hes nominat and appointit with consent of the Counsell David Cuthbert, writer in Innernes, as his Deput Clerk, during his pleasure, for whose fidelitie and carefulnes John Cuthbert, baillie above namit hes become enactit, bound & obleidgit as cautioner; and the said David is enactit for his cautioners relieff. Qron act, the premises to be performed under the pain of fyve hundreth merks Scots money, by & attour performance of the premises.

That day also the Magistrats and Counsell haveing called for the kyes of the Steeple of this Brughe the samen were presented in Counsell

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be John Cuthbert, Baillie, being fyve in number (grof the late Clerk had some in his custody). Qlk kyes of the said steeple and chartor chests therein the Counsell *una voce* appoyntit to be delyverit instanter to the persones following to be kept be them and made furth comand for the use of the brughe, viz: To the Provest tuo of the saids kyes, to witt, the uther key and the key of the chartor chest; to the Clerk, and in his absence to Baillie Cuthbert, his father, the key of the great hinging lock of the door of the said steeple; and the uther two keys wer delyverit to Baillie Stewart, viz., ane key for a chest within the steeple and ane uther for the check lock, all to be furthcomand to the effect forsaid: And the Counsell appoynt the Provest and present Baillies with Baillies Duff and Robertstone to goe alongs to the Clerks chamber, and ther take inspection of such peapers, writes and securities belonging to the Toun as are considerable and necessar to be carryed to the said steeple and secured ther, and that upon the morrow be ten a clock in the fornoon, and to report ther diligence the nixt Counsell day. Qron act.

That day also ane order to the Act of Parliament made theranent the Test and Oath appointit to be taken be all those in publict chairge and trust being presented in Counsell to the effect the samen might be taken and subscribit be the persones under namit in manner therin exprest, grof the tennor followes: We, Alexander Dunbar, Provest of Invernes, Finlay Fraser, John Cuthbert, Alex^r Rose & James Stewart, Baillies therof; Robert Barbour, Dean of Gild, George Cuming, Thesaurer, James Cuthbert, William Duff and Hew Robertstone, late Baillies, Mr William Robertstone of Inches, William Rose of Merkinshe, William McBean, James McIntoshe, Andro Shaw, David Rose, Robert Rose, elder, Robert Rose, younger, William Keollach, William Dallas, James Dunbar, Counsellors; Samuel Cuthbert, our principall Clerk, and David Cuthbert, his Deput, and David Cuming, our procurator fiscall, Solmnlie swear in presens of the Eternall God whom wee juvocat as judge and witnes of our sincere intention of this our oath, that we own and sincerlie profess the true protestant Religion contained in the Confession of Faith recorded in the first Parliament of King James the Sext, and that wee believe the same to be foundit on and agrieable to the written word of God. And wee promise and swear that wee shall adhere therto dureing all the dayes of our lifymes and shall endeavour to educat our children therin, and shall never consent to any chainge or alteration contrair therto, and

1681 that wee disown and renunce all such principles, doctrines or practises
 19 Dec. whither popish or phanaticall which are contrair unto, and inconsistent
 with the said protestant Religione and Confession of Faith. And for
 testification of our obedience to our most gracious Sovereign, Charles the
 Second, we doe affirme and swear by this our solemn Oath that the Kings
 Majestie is the only Supreme governour of this Realme over all persons
 and in all causes as well ecclesiasticall as civill, and that no souvraigne
 prince, person, pope, prelate, state or potentat hath or ought to have any
 jurisdiction, power, superioritie, preheminiencie or authority ecclesiasticall
 or civil within this Realme; and therfor we doe uterlie renunce and
 forsake all souvraign jurisdictions, powers, superiorities and authorities,
 and doe promise that from henceforth wee shall bear faith and true
 allegiance to the King's Majestie, his heirs and lafull successors, and to
 our power shall asist and defend all rights, jurisdictions, prerogatives,
 priviledges, preheminiencies, and authorities belonging to the King's
 Majestie, his heirs and lafull successors. And we farther affirm and
 swear by this our solem oath that wee judge it unlafulfull to subjects upon
 pretence of reformatione or any other pretence whatsoever to enter into
 covenants or leagues or to convocat, convene or assemble in any conven-
 ticles, conventions or assemblies to treat, consult or determine in any
 matter of state civil or ecclesiasticall without his Majesties speciall
 comand or express licence hade therto or to take up arms against the
 King or those commissioned by him, and that wee shall never soe rise in
 arms or enter into such covenants or assemblies, and that there lyes no
 obligatione on us from the Nationall Covenant or the solem League and
 Covenant (so comonlie called) or any other maner of way qtsomever
 to endeavour any change or alteration in the government either in
 Church or State as it is now established by the laws of this Kingdome.
 And we promise and swear that wee shall with our utmost power
 defend assist and maintain his Majesties jurisdiction against all
 deadlie. And we shall never decline his Majesties power and juris-
 diction, as wee shall answear to God. And finallie we affirme and
 swear that this our solemn oath is given in the plaine, genuine sense
 and meaning of the words, without any equivocation, mentall reser-
 vation or any maner of evasion whatsoever, and that wee shall not
 accept or use any dispensation from any creature whatsoever; so help
 us God. The said Alexander Dunbar, Provest haveing causit the

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said Test to be openlie read in the audience of the Counsell, at reading qrof they all stood up with born up hands in reverend and devout maner. And after reading therof the said Provest himselfe did solemnlie swear in maner above rehearsit and to the effect above specifit, and gave ther oaths solemnlie one ther knees as becometh, & sub^t the said Test in maner following: Sic sub^r. 1681
19 Dec.

(Then follow a copy of the signatures).

That day also conform to ane act of Counsell of date the nynteint day of December last by past, qrby Samuel Cuthbert, Writer in Edin^r, is nominat Clerk of this Brugh, and qrby ane act is appointit to be penned in ample form for his admission, the said act being presented in Counsell to be sub^t be the whole Counsellors, the Provest having put it to the voice of Counsell if they would subscribe the same, they *una voce* aprove therof and did subscribe the said act of admission, bot at the subscribing of the same Finlay Fraser, Baillie, & William Rose of Merkinche, protestit & took instrument that they be lyable onlie for double entrie conform to their chartors; wherupon the Provest protestit & took instrument that the Toun be not prejudgit of their few-duties by & attour the Clerks dues of double entrie wherof they have been in use of payment past prescription. 1682
9 Jan.

That day also the Magistrats and Counsell appoint that in all tyme coming no infestment or seasing of lands holdin of the Toun be passed be any Baillie untill first the few duties of the saids lands be payit to the Thesaurer, with certification the said Baillie passer of the seasing and the Clerk not adverting heirto sall be lyable for, and pay, the said fewdutie to the Toun Thesaurer of the saids lands. Qron act.

That day also the Magistrats & Counsell finding that ther are severalls of the inhabitants that have not as yet sub^t their obligations in the Cash-keepers book for their contributions to the stone bridge have for the better effectuating therof appointit the Provest & Baillies to meett Thursday next at the Clerks Chamber & convey the saids inhabitants and to move & cause such of them as have not done it alreadie to subscribe the said book each one for their respective contributions. Qron act.

- 1682 That day the saids Magistrats & Counsell being conveyined anent
 13 Feb. the Touns affairs, and considering that James Kennedie, knockmaker at Aberdein, is presentlie in this brugh for indenting with them annent keeping of the touns knock, they appoint Baillie Fraser, the Dean of Gild & Thesaurer to meett with the said James this day and endeavour to agrie with him to keip the said knock for the bell money, and to report their diligence with all conveniencie. Qron act.
- 14 Feb. That day the saids Magistrats & Counsell being conveyined to the effect underwritten, and having required Baillie Fraser, the Dean of Gild & Thesaurer to report their diligence annent agrieing with James Kennedie for keeping the touns knock, they for their report declared that the said James will not midle with nor accept of the hand bell money, bot is content to accept of ane hundreth pounds Scots money as ane yeirlye sallarie for keeping the said knock. The Provost having put it to the voice of the Counsell if they will bestow the said hundreth pounds as a standing yeirlye sallarie for the said knock-keeper, they *una voce* approve therof, and appoint the Magistrats to indent with him annent the premises and prefix the time of his entrie and the number of the yeirs he is to attend. And forasmuch as the said knock-keeper was callit heir apoints the Thesaurer to agrie with him annent his charges & expenses hither & homeward and advance and pay the samen to him presentlie. And the Counsell appoint ane intimation to be published at the cross instantlie showing that the said hand-bell money & macking of the graves money (which is to be set to the best availl) be roupd on Fryday next be eleven acloak in the fornoon in presens of the Magistrats within the tolbutth of this brugh. Qron act.
- 23 Feb. That day the saids Magistrats & Counsell being conveyined annent the Touns affaires, and considering that James Cuthbert, late Baillie, hes destinat, givin & grantit the soum of thrie hundreth & ffourtie merks Scots money as ane voluntar contribution for the stone bridge of this brugh, qlk soum is resting to him be David Fouller, late Baillie of Innernes, be vertue of ane tack of the salmond fishing pertaining to the said James, in & to qch soum & tack sua far as it relates to the same is assignit be the said James Cuthbert to James

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Stuart, Baillie, Cash-keeper of the saids contributions: therefore the 1682
Counsell for the more speedie payment of the said money have 23 Feb.
appointit the said tack & assignation to be instantlie registrat & the
said David Fouller chargit to make payment of the forsaid money as
accords of law. Qron act.

That day the Magistrats & Counsell being conveyid about the 27 Feb.
Touns affairs, and considering what prejudice the inhabitants of this
brugh may sustain by these Letters of Intercomoning raisit be the Laird
of Mackintosh against the Brae Lochaber men if the samen be not
advertit to, have for preveining therof appointit & ordained ane pro-
clamation to be presentlie intimat at the cross inhibiting & discharg-
ing, lyk as be thir presents the saids Magistrats & Counsell inhibits &
discharges all the inhabitants of toun & territory to converse with,
speak, meett or have any dealling qtsomever, or sell any powder,
lead or uther weapons in tyme coming during the tyme of the
intercomuning to such of the said Brae Lochaber men or their
tennants & servants as are containit in the saids Letters of Intercom-
uning under the paines containit in the samen Letters. Qron act.

That day the saids Magistrats & Counsell have appointit Baillies 25 Mar.
Stewart & Robertson to go for Chanrie on Tuesday next to the
Synod to hold there the day of Aprill next to speak & meett
with the Bishops & Ministers there annent their contributions for the
stone bridge and to report their diligence the next Counsell day,
and appointit me to delyver to Baillie Stuart the extract of the Act
of Synod of Ross annent the saids contributions, which I accordinglie
delyverit to him this day in the Clerks Chamber. Qron act.

That day the saids Magistrats & Counsell being conveyid 28 Mar.
annent the Touns affaires, and considering that be the dimission of
Mr George Dunbar, Schoolmaster, it is necessar there be ane fitt &
qualified person chosen in his wice, and the Provost having nominat
Master John Monro, late governour of the Lord Lovat, as a fitt
person for the said charge, and having put it to the voice of
Counsell if they think him ffit for the samen, they all in one voice
approve therof. Qron upon the said Mr John Monro being callit before

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1682 the Counsell appeared personallie and acceptit of the said charge for
28 Mar. ane yeir, viz., from Whitsunday 1682 to Whitsunday 1683; and the
Counsell not onlie appointit & admittit him to the said charge as
Schoolmaster of this brugh & casualties therof according to use &
wont, bot also appointit him to go to the Bishop of Murray to get
his approbation; to which he consents, and promisit to use diligence,
for that effect and to return to his said charge. Qron act.

3 April That day the Counsell appoint Baillies Fraser, Cuthbert & Duff
to go betwixt & this day eight dayes to the Bog to the Marqueis
of Huntly anent his contribution for the bridge: and in ther way to
speak to the Lairds of Grant, Kilravok & uther gentlemen in that
way, with such Brughs as they pass throw, especiall the Lairds of
Brodie, Leathin & Culbin, anent their saids contributions, and to be
peremptor with them so as not to truble them heirafter theranent.
Qron act.

24 April The Counsell having required Baillies Fraser, Cuthbert & Duff to
report their diligence in going to the Bogg & uther places anent
the contributions for the bridge, declare that the Marqueis Huntly
promised to send his contribution shortly, and that Duffus promisit
to call his friends theranent, and declared that Culbin promisit ane
hundreth merks Scots money, and that Kilravock promisit twentie
pounds Sterline money to be peyit at Mertimes next as ther contri-
butions for the said work; and as to Brodie that he said he had
given sevin dollars of contribution at his parochie kirk & would give
no more. Qch report & diligence the Counsell approve. Qron act.

22 May The Counsell appoint Baillies Cuthbert, Stuart & Robertson to go
to Readcastell on Thursday next to visit the quarrie and to engadge
Joseph Williamson with the said work concerning the stone bridge
and sett the same forward with all possible diligence. Qron act.

The Counsell appoint the Cash-keeper to put the decreets to
execution anent the contributions for the bridge against those decernit,
and appoint him to receive such money as M^r James Wallace brought
from Orkney for the use of the bridge extending to the soum of
and to discharge the same *pro tanto*. Qron act.

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That day the Magistrats & Counsell being convened annent the 1682
Touns affaires, and it being movit in Counsell whither or not the 12 June
charges givin to the vintners & brewers at the instance of
Fountain Master of the Revells & Lottaries, &c, should be a publict
concerment of the whole brugh and defendit on the Touns charges
& expenses, or upon the privat charges of the particular brewers &
vintners that are charged to give bonds not to keep games in their
houses, yea or not; and the Provest having put it to the voice of the
Counsell, they find that it is the Touns publict & generall concern-
ment, and appoint the Touns Thesaurer to suspend the said charges
of horning on the Touns expenss^s on the parties chargit ther giving
in ther bonds to the Privie Counsell. Qron act.

That day the Magistrats & Counsell having required Baillies 10 July
Cuthbert and Robertson to give ane accompt of their diligence in
going to Innerarnie to meett with the Laird of Mackintosh & his
friends annent their contributions for the stone bridge of this brugh,
they in anser therto report & declare that they mett with certain of
the name of Clanchattan who granted the bands underwritten upon
the forsaid accompt, viz., Donald McQuein of Cluni gave bond for
twentie pounds Scots money; Robert Mackintosh of Beacher, for
twentie pounds money forsaid; Alex^r Mackintosh of Far, for fyftie
merks money forsaid; Gillies McBean of Litle Draikie, for ane hun-
dredth merks money forsaid; John McIntosh in Ellarick, for fourtie
pounds money; Lachlan McIntosh of Stroan, for fyftie merks money;
Donald McBean of Faylie, fourtie merks money forsaid; Bayn
McGillivray in Dunmaglass, twentie merks; William Mackintosh of
Borum, for ane hundredth pounds Scots money; John Mackintosh of
Dalmiggavie for fourtie pounds; William McGillivray in Larges,
twentie pounds money forsaid; Farqhar` McGillivray of Dunmaglass,
for ane hundredth merks money; & Lauchlan Mackintosh of Aber-
arder, for ane hundredth pounds money; all qch soums are payable at
Mertimes next to come with ane bond grantit be Lauchlan Mackintosh
of Kinrara for the soum of ane hundredth pounds Scots money, or
twentie four bolls bear payable at Whitsunday next to come. Qlks
bands be appointment of the Counsell were instantlie delyverit to the
Cash-keeper, viz. Baillie Stuart to be furth coming for the use of the
stone bridge. Qron act.

1682
17 July The Counsell considering the great prejudice the brugh sustaines throw the great number of curr dogs kept therin, especiallie their spoiling & abusing of the corns, yairds, fruits, seeds & plants therin, their spoiling bigging in the thach therof, their throwing down yaird dykes, their troubsomnes in the night, the inhabitants as they go under silence of night in the streets being bitten & hurt by the said dogis, with severall uther enormities by them comittit; the Counsell therfor for remeid have appointit statut & ordained that the owners of the saids cur dogs cause furthwith kill their saids cur dogs or pay tuo shillings Scots money to those will kill the samen for each dog, and that imediatlie after intimation heirof, with certification to the disobeyers or havers & keepers of any such cur dogs in tyme coming that they sall incurr fourtie shillings Scots money *toties quoties* they transgress this act & statut. Qron act.

That day also the Counsell considering that the time & season of the yeir is so far spent that it is too late now to begin to the stone work of the bridge considering that what will be layd therof now hes no tyme to bind sufficientlie: and also considering that James Smith, master measson, who undertook the said work promised to call his son heir to assist him therin before he sould furder midle with or begin to the said bridge (the tuo bows alreaddie putt up having fallen in his default) and that he promisit also to find caution to make sufficient work: the Provest having put the said overtures to the voice of the Counsell, they *una voce* declare that it is too late now to begin the said measson work for this present season & yeir, and that it is most necessar that the said master measson call his son heir, and find caution before he begin the said work. And the Magistrats & Counsell considering that it is necessar the stone & timber bridge be both secured for this winter for the violence of the speatt in the river till furder advisement, and untill the mayn work be convenientlie begun, appoint David Scott, carpenter, to use his endeavour & all means possible for securing the said bridge for this winter with timber work, and to begin therto incontinentlie: who being callit before the Counsell for that effect did undertake to doe his endeavour to secure the said bridge as said is. Qron act.

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That day the Magistrats & Counsell nominat & appoint Donald *1682*
McLean, burges of this brugh, to be sent to Sir Donald McDonald of *14 Aug.*
Slate, annent his contribution for the stone bridge of this brugh, and
to take his journey thither after the return of ane post to be sent
there presentlie. And Baillies Robertson & W^m Duff, yor., are ap-
pointit as formerlie to go to the Lairds of Grant & Leathan annent
their contributions and to report their diligence respective. Qron.

That day also the Counsell appoint the former act of Counsell or
statut as to carying draff alongs the bridge in creills on horses, or on
mens backs to stand in force, and discharges all carts & slades to pass
alongs the bridge whither empty or full in all tyme coming under
the paines exprest in the former acts past therant, and appoints
the officers to put the saids former acts with thir presents to all due
execution qn transgressed. Qron act.

That day the Provest having movit in Counsell that Alex^r *19 Aug.*
Mackenzie of Culcowie and Sir Rorie Mackenzie of Findon are
offering securitie either within this brugh to satisfaction, or the said
Sir Rorie his own securitie for dismissing of the said Kilcowie furth
of the tolbuith of this brugh where he is incarcerat at the instance of
Charles Earle of Mar be vertue of Letters of Caption for the soum
of four thousand & four hundreth merks Scots money, with certain
annualrents & expenses; and arreistit there at the instance of Alex^r
Russell, yor., merchant in Elgin for fyve hundreth merks Scots
money of principall with annualrents & expenses as the respective
charges caption beir: And the Provest having put this overture to
the voice of Counsell, they *una voce* approve that sufficient caution
be found & acceptit of be the Magistrats to the effect forsaid and
the said Culcowie dismissit therupon, providing the Cautioners be
sufficient & within this brugh. Whereupon the Counsell (being most
willing to conferr all the kindness in them lyes on many consider-
ations upon the said Culcowie) did appoint the Dean of Gild &
Baillie Duff to go to the said Rorie (being in toun) and learn & be
informit of the cautioners, who having returnit his anser, declared
that they themselves, to wit, the said Robert Barbour, Dean of Gild
& W^m Duff, were the cautioners proposed, and declared they are
content to become cautioners to the effect for the said Alex^r

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1682 Mackenzie on his dismissal. The Provest having put it to the voice
19 Aug. of Counsell if they will accept of the saids cautioners they *una voce*
accept of them, and be thir presents authorizes the Magistrats to
dismiss the said Culcowie out of this tolbuith on sufficient & ample
securitie & obligation to be grantit be him and his saids cautioners
qrby they sall be obleidgit conjunctlie & severallie to liberat the
brugh of the forsaid souns of money, with this speciall clause &
article to be obleidgit to report ane discharge of the said debt from
the Earle of Mar betwixt & the day of nixt to come.
Wheranent & annent dismissing of the said Culcowie with all hazard,
expenes & inconveniencie may follow therupon the Counsell are
heirby obleisit to warrand the saids Magistrats at all hands. Qron act.

2 Sept. The Counsell considering that David Thomson, smith in Tayne,
is in toun and is willing to accept the charge & attendance of the
knok of this brugh for a competent sallarie, who appearing before
the Counsell declared his willingnes to accept of the said charge, and
undertook to begin therto & come to reside heir within ten dayes
next after this date: And the Counsell for his encouragement allows
him the hand-bell money of this brugh as Donald Deass hes it at
present as a yeirlie sallarie for his said service; qrof he be thir
presents accepts. And the Counsell authorizes the Magistrats to
indent & agrie with the said David Thomson for the space of thrie
yeirs compleit after Mertimes next: and for his furder encouragment
the Counsell appoints the said David his freedom & libertie of this
brugh to his own trade to be grantit to him imediatlie as he enters,
ann heirby declares him to be frie of watching and all publick
burdens in this place, viz: stents & impositions during the said thrie
yeirs tyme, or longer as the Counsell or their successors in office
sall find him deserving. And further the Counsell allows the said
David to have a proportionall part of the dutie payable be Donald
Deass for the said hand bell betwixt the tyme of his entrie &
Whitsunday next, of which wages & sallaries the said David
Thomson heirby accepts in full satisfaction of all other thing
qtsomever he can ask or crave for his said attendance. Qron act.

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That day also the Counsell having conveyed the generality of *1682*
the touns men, especiallie the Gildrie, annent treating with them *11 Sept.*
concerning the stone bridge, (the Mr meassons to wit James Smith,
& Mr James Smith, his son, being in toun in order to the said
bridge) who appearing in face of Counsell have appointit them (to
wit, the said Gildrie) to meett the morrow be tuo a'clock afternoon
with Baillie Stuart, cash-keeper, Baillies Duff, Robertson & James
Dunbar, who are appointit to satisfie them as to the accompts &
collections of the contributions for said bridge, that thereafter a way
may be projectit with ther concurrance for setting forward of the
said work & provyding money to that effect. Qron act.

That day the Counsell having callit in the Gildrie annent the *13 Sept.*
bridge to know their willingnes to concurr in setting forward the
work therof and contributing & assisting to provyd money necessar
therto, who compearing be Charles M^cLean, W^m Cuming, James
M^cLean, John Barbour, & uthers who, for themselves and in name &
behalf of the remanent touns people, did signifie & declare their
willingnes to go alongs with the said work, and that the people of
the toun are unanimouslie willing thereto and to contribut to their
outermost for setting forward therof. Qron act.

Who being conveyed annent the said affair of the stone bridge, *14 Sept.*
and the Provest having put it to the voice of Counsell if they think
& judge it fitt to bargan and make ane new agriement & paction
with James Smith & Mr James Smith, his son, master meassons for
building of the said stone bridge on the river of Ness, the Counsell
una voce approve therof, and appoint and authorize the Magistrats to
cause extend & draw up the indenters & securities betwixt them
thereanent. And for the more frie & unanimous going on &
proceeding in the said affair, the Counsell call in the Gildrie,
inhabitants & touns people to know their minds & have their consent
therto, who compearing in face of Counsell did unanimouslie consent
that the Counsell agrie & paction with the saids master meassons
annent building the said bridge, and refers the terms & conditions
of the agriement to the Counsell & promises to abyd therat. And
for their furder unanimitie in going alongs with so good and necessar

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1682
14 Sept. a work tending so much to the weill & utilitie of the Brugh, the whole inhabitants unanimsly consent that after the contributions that are already promisit & upliftit & made effectually, and are exhaustit & spent on the said work or it be finished that the Counsell thereafter contract debt on the brughs charges (if found necessar) for finishing the said work, the contributions being exhaustit as said is. Qron act.

The Counsell appoint Baillies Duff & Robertson to speak to Provest Cuthbert, Mr John Cuthbert & Mr Thomas Fraser of Haughs, their relicts annent a contribution to be grantit be them to the stone bridge and report their diligence the next Counsell day. Qron act.

26 Sept. That day also the Magistrats and Counsell having required the fyve new Counsellors to take the Test & Oath administrat to all those in publict charge & trust within this Kingdom, they, to wit the said John Hepburn, William Duff, yor., William Cuthbert, Donald Fouller and William Paterson did embrace the same whilk was administrat to them be the said Provest, and that after repeating each word therof and kneelling at subscribing of the same as becometh as the said Test & Oath sub^t be them at lenth bears. Qron act.

2 Oct. That day also the saids Magistrats & Counsell considering that they are impowered be vertue of ane Act of Parliament dated in September Jmvi^c & eightie one yeirs to uplift & exact ane toll at the Bridge of Innernes of the quantitie, & for the space expressit in the said Act, have therfore appointit statut and ordained, that the toll & small customes under^{w^m} be upliftit immediatlie after publication heirof at the bridge of Innernes for helping to defray some part of the expenses therof and upholding the same, and that conform to the said Act of Parliament emittit theranent giving order and warrand for exacting and uplifting of the samen: viz.—Sex pennies of each horseman or horse & load; four pennies of each horse or kow; and tuo pennies for each footman; and sua furth proportionallie for all sheep & uther bestiall passing alongs the said Bridge also oft as they pass and repass the same, and that by &

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attour the pettie customs of the said brugh as the said Act of 1682
Parliament of date at Edinburgh the seventient day of September 2 Oct.
1681 yeirs at lenth bears: And ordains thir presents to be published
at the mercat cross of Innernes instantlie that none pretend
ignorance. Qron act.

That day the saids Magistrats & Counsell being conveyned 9 Oct.
annent the Touns affairs, and considering that there are severalls
beyond the water that repyne for paying of daylie toll at the Bridge
and are content rather to give a modified contribution then to be
dailie paying at their passage, the Counsell therfore appoint the
persons following, viz., the Provest & four Baillies, the Dean Guild
& Thesaurer, Baillie Hepburn & Baillie Rose or any fyve of them to
agrie with such persons as make their aplication & are willing to
give their saids contributions and to obtain their securities therfore
or payment therof: And the Counsell appoint that all poor people
within Toun & Paroche (being parishoners) that are not weill able to
pay toll at the bridge be exempt & frie on the Saboath day in
coming to and going from Sermon from paying of the said toll: and
that the coal wives be frie of toll at inbringing of their hadder &
broom, bot appoint them to pay the same at their return homewards.
Qron act.

The Magistrats & Counsell appoint & ordain the toll master at
the Bridge, viz. close the porch at the Bridge each night
at ten a cloak, and after locking of the same to delyver the key
therof to the Captain of the Touns Watch or Guard to the effect
they may advert to & watch the wester syd of the water as well as
on this syd the same; and furder appoint the said Captain with sex
persons of his company to pass the round on the west syd of the
water nightlie, and appoints the said key of the bridge port to be
re-delyverit to the toll master each morning be four a cloak for
opening the same & attending the toll. Qron act.

That day the Counsell having challenged the said William Rose 16 Oct.
of Merkinche for erecting a barn yaird on the touns comontie neir
the ministers gleib, acknowledged it was throw a mistake having
aprehendit the said ground to pertain to Provest Cuthbert (whose

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1682 barn adjoining his posseses) bot being now convinced of the
16 Oct. contrarie promises to remove the said barn yaird after removall of
such corns of this cropt as he hes therin. Qrupon the Counsell have
attolerat him to keip his corns there for this yeir onlie in respect he
hes no uther accomodation for the same, and prohibit the said W^m
from having his barn yaird any longer there. And siclyke ordain
him to remove his midding at the Sconce within ten dayes after the
date heirof with certification as effeirs. Qron act.

13 Nov. That day the Counsell considering ane obligation presented to
them grantit be W^m M^cIntoshe now of Conadge as principall, Jon
Forrester of Culnald, Shereff Clerk of Inverness, & David Denoone in
Castle Stewart, Chamberlane to the Earle of Murray, as cautioners for
him for the said W^m M^cIntoshe his libertie to be granted to him to
the outter tolbuith, find it & have resolved it most fit & expedient
that the saids Jon Forrester & David Denoone grant ane band *per se*,
obligdeing them that the said W^m shall not escape furth of the said
tolbuith of Inverness, under the paine of ane thousand merks money
Scots, by & attour to releive them of the payment of the sumes of
money for qch he is imprisoned at Sir George M^cKenzie of Roshauch,
his Maties. Advocat, his instance, viz., thrie hundred & fourty pounds
money of principall with the annualrents therof & penalty; and of
the principall sume of two thousand merks money with the annual-
rents therof & penalty specifeit & contained in the saids letteres of
caption raised at the instance of the saids Sir George against the said
W^m M^cIntoshe dated the nynth of June Jmvis & eighty ane years,
and of all other encumberances the said Counsell & their successors
in the saids offices shall sustaine or incurre throw the said W^m
M^cIntoshes escape furth of the said tolbuith. And the Counsell
authorizes the Magistrats to accept of the said band from the saids
persones, untill new arrestments be layd on the said W^m M^cIntoshe
of Conadge and on respect therof to grant to the said William the
liberty of the outer tolbuith untill new arrestments be layd on as
said is. Qrupon act.

1683 The Counsell appoynt for the better erecting & building of the
8 Jan. Chappleyaird dyck that for each corpse that shall be interred in the

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said Chappelyaird in tyme coming their relations shall pay to the
brugh the pryces following, viz: for each gentleman & eminent
burges, ane shilling sterline; and for each yeoman or tennent in the
landward, & for each meaner burges or inhabitant or tradesman or
any other meaner person in the brugh, ane sex pence money forsaide;
and that for themselves & their children & servants: and appoynt
Andrew Schaw to be collector therof till it be roup'd: And this act
to stand till the dyck be completely built & no longer. And the
Counsell appoynt the Magistrats to roup the same with conveniency;
and that the bellman open not a grave untill first the forsaide dues
be payed, under the payne of paying the same and imprisonment:
And ordaines thir presents to be intimat at the mercat croce & other
places neidfull. Qrupon act.

That day the Counsell considering ane act of Privie Counsell
directed to the Magistrats of this brugh ordering & warranting them to
set the person of Col M^cDonald, son to the deceast Archibald M^cDonald
of Keppoch, at liberty out of the tolbuith of Inverness for the reasons
therin exprest; and considering that since the intimation of the said
Counsell act the said Col M^cDonald is arrested in the said tolbuith
be order of the Comissioners of Assesement upon accompt of the de-
ficiency of the cesse due & payable be Keppoch for his lands. The
Provest having speired the votes of the Counsell anent qt. to be done
in the said affair, have resolved & concluded that the said act of
Counsell should be obeyed; and willed & authorized the Magistrats
to set the said Col M^cDonald instantly at liberty notwithstanding of
the said arrestment, and ordained the said act of Privie Counsell to
be insirt & registrat in the Counsell books of this brugh that extracts
therof with this act may be given to such as are concerned: as also have
ordained the said principall act of Counsell to be keipit be the Towne
Clerk to be furthcomeing to the saids Magistrats for their warrantice
anent the premisses: of the wch act of Privie Counsell the tenor
followes: At Edinr, the first day of Februar jm vi^{es} eightie thrie years.
Anent a petition presented by Coll M^cDonald, son to the deceast
Archibald M^cDonald of Keppoch, Shewing that qr. the petitioner
being the said two years bygone at the Universitie of St. Andrews
& in December last being informed that his father was dead he went

1683 North in order to his interment with intention to returne to his
 10 Feb. studies, and having gone the lenth of Inverness did send some of his
 friends to the Laird of M^cIntoshe (wt. qm. the petitioners father had
 former differences) & offered ane accomodation & his full resolution
 to submit himself & his interest to a legall decision or amicable de-
 termination, the Laird of M^cIntoshe in returne to his message and
 humble desyr by his owne clandestine warrand caused sumarly ap-
 prehend the petitioner & count him prisoner within the tolbuith of
 Inverness (wtout. the least probation of his guilt or breach of the
 peace). The petitioner did therupon conceive himself extremly
 wronged & that his imprisonment was illegall & unwarrantable,
 M^cIntoshe being both judge & party & having seazed upon the
 petitioner under trust wtout. any cause, but yet the petitioner to
 evite any further trouble caused offer caution for his appearance qn.
 he should be called & required, M^cIntoshe to cause put him to a
 tryall if he had anything to lay to his charge, wch was refused, as
 by instruments taken therupon produced is apparent; and the peti-
 tioner being thus unwarrantably seazed upon & a minor & not able
 to doe for himself he is necessitat to make application to the Lords
 of Privie Counsell qo. under His Matie. are intrusted alsweill wt. the
 protection of the inocent as the prosecution of the guilty; and the
 petitioner being resolved upon all events to submit himself to his
 Maties. Lawes & to live peaceably under the government, humbly
 therefore supplicating that the Counsell would take the petitioners
 condition to consideration and ordaine the Magistrats of Inverness
 wtin. whose tolbuith he is prisoner to set him at liberty in respect of
 his unwarrantable imprisonment as said is, and that he is content to
 find caution to appear before the Counsell at such a dyet as shall be
 appoynted, upon a lawfull citation to anser to anything that can be
 layd to his charge. The Lords of His Maties. Privie Counsell having
 heard & considered the forsaid petition, Doe heirby give order and
 warrand to the Magistrats of Inverness to set the petitioner at liberty,
 he finding sufficient caution acted in the books of Counsell to sist
 himself at the Counsell bar the fifteinth of March next for giving
 such security for the peace as the Counsell shall think fit to appoynt,
 and that under the penalty of ane thousand pounds Scots money
 wch. caution he hath found accordingly. Extracted by me (sicsubr.)
 Will Paterson, Cls. sti. con. Qron act. Sa. Cuthbert, Cls.

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That day there was ane missive letter presented in Counsell direct 1683
be the Magistrats of Aberdein to the Provest, Bayles and Counsell of 16 April
Inverness, dated the nynteinth day of March last, bearing that the
sai'ds Magistrats & Counsell of Aberdein in July last obtained ane act
of His Majesties Privie Counsell for ane voluntar contribution throw
the whole kingdome towards the building & repairing of their Harbour,
and therefore requiring our assistance &c, as the act beares. In order
thereto the Counsell wills & advyses the Magistrats to move this in
the session qn the ministers recovers health, that course may be taken
theranent. Qrupon act.

That day anent the complaint made against such as did put in
their cattell & bestiall to the Yle of Inverness to grasse to the de-
struction of the young growth therof, and to the prejudice of the
fishing and decerment of the place, the Counsell have statute & or-
dained that no person nor persones after the date hereof presume to
let or put in any of their cattell, either horse, kow or sheep or goat
within the said Yle under the paine of fyve pounds Scots money to
be payed be the contraveiner *toties quoties* for each beast: and ordain
intimation hereof to be made at the mercat croce be touk of drum
that none pretend ignorance. Qrupon act.

That day the Counsell ordaines that the Captaines of the watch 21 April
set a centinell at the port of the wester end of the bridge each night
to attend there to give passage to every one that hes ane lawfull
urgent earand under the paine of five pounds Scots money to be
payed be the transgressour *toties quoties*. Qrupon act.

That day the Magistrats, Counsell & Comunitie of this brugh being 15 May
conveined anent the ordering of the outrigging of the militia to the
next ensueing Randevouze to be holden at Elgin the fifth day of June
next, and in prosecution therof the Provest having asked the advyse
of the inhabitants and speired the votes of the Counsell theranent
whither they should go on be way of stent or as formerly by leaders,
the whole Counsell unanimously voted & condiscended with the
advyse & consent also of the inhabitants then conveined that there
be thrie qrters of ane moneths cesse imposed upon the brugh &
territories towards the outrigging of the said militia souldours to the

1683
 15 May said Randevouze, whereof they nominat & appoint James Cowy to be collector, whom they ordaine to pay & distribute the said stent to the militia men, and imediately to call for & receive their armes from their severall leaders, to the end he may deliver them to the militia souldours at their marching to the Randevouze & receive them back againe at their home comeing; and to be comptable for the same to the saids Magistrats & Counsell and their successors in the saids offices qn required: and further ordaines the said thrie qrters moneths stent to be payed & collected speidily wtout. delay under the paine of qrtering. And for that effect publict intimation hereof to be made at the mercat croce be touck of drum that none pretend ignorance. And further ordaines the two moneths & ane half moneths supplie as the tenth & last moyetie & terme of the fyve years supplie granted to his majestie in the year jmvi^{cs} seventy eight years be act of the Convention of Estates to be payed befor Monoday next the twentie one day of this instant to W^m Cuthbert, Collector nominat for that effect be all persones wtin. brugh & territories lyable in payt. therof under the paine of qrtering after the said day: and for that effect ordaines publict intimation hereof to be made at the mercat croce be tuck of drum that none pretend ignorance. Wherupon act.

28 May That day Baylie Duff & Baylie Barbour presented in Counsell ane discharge granted & sub^t be the Earle of Marr to Alex^r Dunbar, Provest, James Stewart, Baylie & to the presenters for themselves & the remanent Magistrats & Counsell of this brugh anent the releasement & dismissing of Alex^r M^cKenzie of Kilcoy furth of the tolbuith of Inverness, with warrandice that they should be harmles & skaithles for his dismission: And after reading & considering therof the Counsell ordered the said Baylie Duff & Baylie Barbours band granted upon the forsaid accompt to be given up to thim be the Clerk, and ordaines the said discharge to be registrat in the townes register and the principall to be kept in the kirk steeple. Wherupon act.

That day the counsell appoint Alex^r Dunbar, Provest, Jon. Cuthbert & James Stewart, Baylies, Finlay Fraser, Deane of Guild, Rot. Barbour, late Baylie, & M^r W^m Robertson, of Insches, with their Clerk to go this day be thrie acloak in the afternoone to the

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kirk steeple to sight & revise their evidents of the Hauch betwixt *1683*
the towne & the yle for wch. they pay four pounds yearly to the *28 May*
Exchequer that they may be the apter to answer the Marquesse of
Huntlies letter concerneing his desyre to big a mill theron. Qrupon act.

That day the Counsell being conveyned in order to the townes *13 June*
affaires, and particularly anent the greivance & clamour of the
inhabitants of this brugh against the Mr Masones for their unpleas-
ant and insufficient work in building the stone bridge, have appointed
the Magistrats with Baylie Rose, Mr William Robertson, Andrew
Schaw & W^m Duff, younger, to meit with & speak to the Mr meason
to make good & sufficient durable work and to let him sie the
insufficiency therof that he may help the same that there be no
further clamour hereafter thereanent.

That day the Counsell being conveyned anent the townes affairs *23 June*
have ordained the great charter granted to the towne be King James
the Sext, dated the first of Januar 1591 years, to be given to Baylie
Duff, Comissioner appoynted to the next meeting of the Convention
of Burrowes for clearing of ten pounds money wch be the said
Charter is allotted for the poore & yearly to be allowed in the eque,
and ordaine the Charter granted be K. James the third to demolish
the mill on the Hauch dated the sexteenth of May 1474 to be
keiped be the Clerk till Huntly come here or till further order.
Qrupon act.

That day the Counsell grants friedome & libertie to Mr W^m *13 July*
Robertson of Insches & to his family & tenents upon the territories
of Inverness to passe & repasse alongs always the bridge of Inverness
in all tyme comeing frie of payment of the toll money accustomed
& impowered to be exacted be the Act of Parliament granted in
favours of the said brugh anent the stone bridge dated the seven-
teinth day of September j^mvⁱ^{cs} eightie one years, because of the
voluntar contribution promised towards the building of the bridge.
Qrupon act.

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1683
13 Aug. That day the Counsell (having conveyed in order to the townes affaires) have ordained that two of the Baylies *per vices* stay in the Clerks chamber in the tyme of the next Marimass mercat to hear all camplaints & to give justice, and to rectifie disorders. Qrupon act.

That day the Counsell appoynt & ordaine Jon Ross, officer, with the assistance of Angus Polson to attend at the bridge end all this weik to take up & collect the toll money of the bridge, and to be comptable to them for the same, and that in respect that Hector M^cIntoshe, customer, will be bussied about the collection of his customes and cannot goodly attend both charges. Qrupon act.

That day the Counsell appoynt thrie companies to be charged to be on the guard each day in tyme of the mercat, viz. on Wednesday, Thursday & Fryday.

17 Sept. That day the Counsell appoynt Baylie Robertson & Baylie Stewart to attend in the Clerks chamber all the time of this Roodmass mercat to hear complaints & to give justice & to rectifie all disorders & wrongs. Qrupon act.

That day the Magistrats & Counsell considering that the charge & function of one of the Ministers of the Paroche Kirk of Inverness is now vacand be & throw the decease of M^r Alex^r Clerk one of the late ministers therof, and that the presentation of another minister in his place is fallen & become in the hands of the Laird of Strechen, one of the Patrones of the said Paroche Kirk, being now his tourne *alternatis vicibus*, and that it is expedient that two or thrie of the Counsell should be sent in due tyme to the said Patron to speak & comune with him to procure a presentation of him to ane able qualified person of their owne nomination & chooseing: which being moved & voted be the Provest in Counsell they all *una voce* have resolved & concluded that Jon Cuthbert & William Duff, baylies, and Finlay Fraser, Dean of Gild, as persones nominat be the Counsell should ryde this day to the said Patron to the effect forsaied. And further the whole Magistrats & Counsell unanimously consent and agrie that M^r Angus M^cBeane should be presented to be their minister in vice & place of the sd. deceast M^r Alex^r Clerk. Qrupon act.

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That day the Magistrats & Counsell (having conveyined anent the townes affaires) required of Jon Cuthbert & W^m Duff, baylies, & Finlay Fraser, Deane of Gild (as comissioners to the effect under-written) ane accompt & report of their diligence anent the procuring of a presentation from the Laird of Strechen, one of the Patrones of the Parroche Kirk of Inverness, to M^r Angus M^cBean according to the last act of Counsell did in anser therto report that they procured the presentation aforsd in behalf of the sd M^r Angus M^cBeane, after hearing of wch. report the Magistrats & Counsell unanimously approved therof, and have thought expedient that ane fit person should be sent wt. the said M^r Angus to the Bishop of Murray to procure his admission & collation & to use their endeavours to that effect, which being voted in Counsell they be plurality of votes have nominated and elected James Dunbar, merchant, to be sent as Comissioner with the said M^r Angus to the Bishop to the effect forsaid, and ordained the Treasurer to provyde him a horse & to give him money to bear his charges to goe away Tuesday next. Qrupon act. 1683 21 Sept.

That day the Magistrats & Counsell ordained their Clerk to insert hereafter in all burgesses acts in favours of servants of noblemen & gentlemen these words following: *gratis gratia Magistratum*, because they pay nothing for it. Qrupon act.

That day the Magistrats & Counsell being conveyined anent the townes affaires, the said Alex^r Dunbar, Provest, represented & declared to them that he has beine many years in charge and many good works done in this place in his tym, and particularly the most part of the stone bridge built in the tym of his being Provest, to the building qrof he has given & doted the sume of _____ as a voluntary contribution, and therefore petitioned them to cause his name & armes be put on the said bridge whither he die or live till the same be perfected & wholly built: which desyre and petition being voted in Counsell they all *una voce* granted his desyre as being Provest that tym, and because of the forsaid sume doted be him as said is, and ordained this act to be recorded in the Counsell books for future memory of the matter. Qrupon act. 24 Sept.

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- 1683*
8 Oct. That day the Magistrats & Counsell enacted and ordained that the first and eldest minister in office in this place serving at the Cure of the united Kirks of Inverness & Bonach in all tym hereafter shall be preferred befor the entrant & new income Minister his colleague to have, enjoy & possesse that Manse lately possesst be umqll. Mr Alex^r Clerk, one of the late Ministers of Inverness, bounded betwixt the King's causey at the East, the water of Ness at the West, the lands belonging to at the South, and the vennell that leads to the water of Ness by the back of the said manse at the North parts respective ; as also to enjoy & possesse the gleib lately possesst be the said deceast Mr Alex^r Clerk lying be north the said Kirk & Kirk-yaird therof, bounded betwixt the hy way that leads to the shoare of Inverness at the East, the water of Ness at the West & the links called the butts at the North parts respective, and that during their service at the cure of the said Kirk. Qron act.
- 15 Oct.* That day the Counsell ordered the bridge port to be left open every night from ten acloak at night till four acloak in the morneing. Qrupon act.
- 24 Dec.* That day the Magistrats & Counsell ordained Jon. M^cCra, perewick maker, to render up his burges act and to remaine in prison till he give up the same and untill he crave pardon of William Dallas, collector of the stent, for calling him a lyar & for abusing him with opprobrious words. Qrupon act.
- That day the Magistrats & Counsell ordained Jon Hatmaker for his imprecationes to the stent masters to remaine in prison during the Magistrats pleasure & to be fynd at their pleasure. Qrupon act.
- 1684*
31 Mar. That day the Counsell being conveyen anent the townes affaires, the Provest declared in Counsell that he moved Mr Jon Monro, schoolm^r of the Grammar School to stay here to teach the grammar school till the first of Maii next, and required the Counsell to have their thoughts on another Mr Schooll to be installed in his place.
- That day it was moved in Counsell that James Smith M^r meason in building of the stone bridge was hurrieing up the same to get it outred before Whitsunday next, being the tym appoynted for him to

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have finished the same, and that he did it to shune the penalty on him specifiet in the contract past theranent, and that there might be great inconveniency in building therof after that maner, and for shuneing therof that it were fit to grant him a longer tym to build the same at leasure: therefore the Provest voted the Counsell whither or not they wold grant him a prorogation to build the said bridge wt. greater leasure & conveniency for the surer & stronger building therof, they all in ane voice voted to grant him a prorogation till the last day of August next and to passe from the penalty on him for not building therof befor the said tym prefixt, so that he grant them the lyke prorogation to pay their part of the money due to be payed to him at & befor the said terme of Whitsunday next & passing from the penalty on them for not paying therof at the forsaid tym, and that but prejudice, inovation or derogation to the said contract anent the performance & fulfilling therof in all the remanent heads of the same. 1684
31 Mar.

That day Jon M^cLeod, son to Normond M^cLeod, being apprehended & incarcerat wthin the tolbuith of Inverness be vertue of letters of caption raised agt. him at the instance of W^m M^cBean, burgess of Inverness, for not payment of the sumes of money therin contained, and anent his desyre to give him the enlargement of the tolbuith hall upon his oath that he wold not make his escap, the Provest having put it to the votes of the Counsell whither they wold grant him the forsaid enlargement upon his owne oath without surety or not, the Counsell be plurality of votes voted him to find surety befor they grant him the enlargement afsaid, and further appoynt him to be put in the inner tolbuith till he find surety. Qrupon act. 14 April

That day the Magistrats & Counsell haveing heard & considered ane Order directed to them by the Privie Counsell to set Martine M^cMartine of Letterfinlay at liberty, rining upon a petition presented to them. by him, supplicating that in regard he is altogether inocent of the crymes layd to his charge and is content to abyde a tryell before the Lords of Justiciary and to enter his person in prison wthin the tolbooth of Edr. at any day the Counsell shall think fit to appoint, order might be granted for his liberty, and that therefore the saids Lords of Privie Counsell gave order and warrand to the Magistrats 25 April

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1684 of Inverness to set the said Martine M^cMartine at liberty in regard
29 April he find sufficient caution acted in the books of Privie Counsell to enter his person in prison wtin the tolbooth of Edr. betwixt & the last day of Nov. next to anser to anything can be layd to his charge, and that under the paine of five thousand merks Scots money; as the said order dated the 27 of March last beares. And the said Magistrats & Counsell considering that the Lords of Privie Counsell might have granted the said order wtout being informed that the said M^cMartine is put in & lyes arrested for civill debts, and that the towne might ly under the hazard of payment of the civill debt for wch. he was incarcerat & is keiped in if they dismiss him, and on the other hand under disobedience of the saids Lords of Privie Counsell if they dismissed him not, so that they knew not qt. safely to do theranent, and therefore the said Provest voted the Counsell what to doe or was safe for them to be done in the said affair: the Counsell be plurality of votes voted & determined that the Magistrats should writ South to the Lord Chancellor & to the Kings Advocat & to their Agent to get their information and further sense and solution concerning their scrouples to set the said M^cMartine at liberty & to post one imediately South to that effect and not to dismisse him untill they get ane solution & the returne of their letter from the South. Qrupon act.

12 May That day the Counsell ordaines Robert Poull to muster the militia souldiors in the Chappell Yaird of Inverness Saturday next, being the sexteinth day of this instant, that it may be known qt. defect there is of the souldiors & their armes that they may supplie the defects and help & fixe qt. armes is necessary to be fixed, and to make report therof to them the said day. Qron act.

16 May That day the Provest having caused conveyne the Counsell anent the order emitted be the Lords of His Magisties Privie Counsell to the Magistrats of Inverness and presented befor them in Counsell the last Counsell day ordering the setting of Martine M^cMartine of Letterfinlay at present prisoner wtin. the tolbooth of Inverness at liberty, and anent the returne to their letter direct to my Lord Chancellar concerning their scruples to set him at liberty till they had the saids

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Lords information & for ther sense & solution theranent considering *1684*
they might be under the hazard of payment of the civill debt for *16 May*
wch. the said M^eMartine was incarcerat and kept in, if they dismissed
him, and on the other hand under disobedience of the saids Lords of
Privie Counsell's orders, if they dismissed him not, of the which order
the tenor followes & is thus: Edr. the twentie seventh day of March
1684. The Lords of His Maties. Privie Counsell having heard &
considered a petition presented by Martine M^eMartine of Letterfinlay,
at present prisoner in the tolbooth of Inverness by order of the Co-
missioners for the Peace of the Highlands there, supplicating that in
reguard he is altogether inocent of the crymes layd to his charge,
and is content to abyde a tryell befor the Lords of Justiciary and to
enter his person in prison within the tolbooth of Edinbrugh at any
day the Counsell shall think fit to appoynt, order might be granted
for his liberty; Doe hereby give order & warrand to the Magistrats of
Inverness to set the said Martine M^eMartine, petitioner, at liberty, in
reguard he hath found sufficient caution acted in the books of Privie
Counsell to enter his person in prison wtin. the tolbooth of Edr. be-
twixt & the last day of November next to anser to anything can be
layd to his charge and that under the penalty of five thousand merks
Scots money in case of failzie. Extract by me (sic sub^r) Will.
Paterson, cls. sti. con. Wheranent the saids Magistrats wreat to my
Lord Chancellor the letter following & is thus: My Lord, We have
seine ane order of His Magisties Privie Counsell for the dimission of
Martine M^eMartine of Letterfinlay out of His Magisties jayll at Inver-
ness, the said act & order is founded upon ane supplication narrating
his inocency of crymes layd to his charge, and in vindication therof
he is content to abyde a tryell befor the Lords of Justiciary and to
enter his person in prison wtin. the tolbooth of Edr. at any day the
Counsell shall appoint; upon wch. supplication sua narrated it wold
appear that his Majesties Counsell has granted order for his liberty,
without being informed that he is put in & lyes arrested for civill
debts. And my Lord we humbly conceive if his Majesties Privie
Counsell either knew or were informed of his being put in be ane
caption & arrested for civill debt that they wold not grant the order
in such general & positive termes without further qualification or ex-
planation, which order and conclusion as we humbly conceive being

1684 more ample then the tenor of M^cMartines supplication has made us
 16 May (with all deference & submission to the Counsell act as we have ever
 beine found obedient therto) altogether so scrupulous that we wold not
 let him out without yor. Lops. information & further sense theranent,
 presumeing the said order being so generall & dissonant to the termes
 of M^cMartines owne supplication wold make us lyable to the hazard
 of the said privat debts. Wherefore we humbly desyre to know if it
 be the Counsell meaning that he should be put at liberty notwithstanding
 of privat debts, and if so then we not only crave pardon for our eschape
 bot perswads yor. Lop. that upon sight of the order and yor. Lops. letter
 he shall be forthwith put at liberty. So wishing all happiness to yor. Lop.,
 we rest (My Lord) Yor. Lops. most humble servants (sic sub^r) Jo. Cuthbert,
 Provost of Inverness; F. Fraser, Baylie, A. Rose, Baylie, W^m Duff, Baylie,
 Hew Robertstone, Baylie. Inverness 25 Apryle 1684. Direct upon the back:
 For my Lord Chancellor of Scotland, These: Whereunto they received this
 anser: From the Counsell Chamber, Edinbrugh, 7th May 1684. Gentlemen,
 My Lord Chancellor having acquainted the Counsell that instead of giving
 obedience to their act and ordinance anent M^cMartine of Letterfinlay
 now prisoner in yor tolbooth you had returned his Lop. a letter which
 seimes in a very od maner to expresse your dissatisfaction with what the
 Lords of his Maties. most honourable Privie Counsell had so deliberately
 done, the Counsell could not be but surprized at yor behaviour in this
 poynt, it being very unbecomeing any of his Majesties subjects to quarrell,
 much more to refuse to give imediat obedience to the Kings soveraigne
 imperiall authority so eminently represented in his Privie Counsell,
 and therefore I am comanded by their Los. to tell you that it is their
 will & pleasure that forthwith upon sight hereof you give punctuall &
 all becomeing obedience to the said act & ordinance of Counsell as ye
 will anser at yor highest perrell; certifeing you that if ye make any
 further demure in this affair the Counsell will take notice of your
 former disobedience. This by the comand of my Lords of the Counsell
 is synified to you by (Gentlemen) yor most humble servant (Sic sub^r)
 Will. Paterson. Directed upon the back thus: For the Provost & Baylies
 of Inverness. After reading of which order & letter theranent & returne
 therto above written in presence of the Counsell, the Provost did put it
 to the votes

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of the Counsell what to do in the said affair, who all in one voice *1684*
voted that the said Martine McMartine of Letterfinlay, should be forth- *16 May*
with set at liberty and dismissed in obedience to the saids Lords of
Privie Counsell their saids orders. Wherupon the saids Magistrats
ordered him immediatly to be set at liberty, which was accordingly
done and instruments taken therupon. Qrupon act.

That day the Counsell appoynt & ordaine W^m Duff, present *26 May*
treasurer, to pay to M^r Jon Monro, Schoolm^r of the Grammar School,
his stipend & qt. is due to him as schoolm^r out of the first & readiest
of the comon good & few dueties, and to use his exact diligence to
get in the same for his pay^t. Qrupon act.

That day the Counsell defers the taking of a course anent the *2 June*
provyding of a Schoolm^r for the Grammar School till the next Coun-
sell day, yet in the meantym they nominat & appoynt Baylie Robertson
& Jon McIntoshe to meit with M^r Jon Monro, schoolm^r and to use
their endeavours to perswade him to stay and continue in his charge.
Qron act.

That day M^r Jon. Monro, schoolm^r of the Grammar School, of *11 Aug.*
Inverness, made intimation to the Counsell that he wold demit his
charge after the first day of May next till which tyme he wold keip
his charge at the said school. The Counsell accepts of his dimission
(yet declaring his willingnes to stay) they declared they wold preferre
him before any other notwithstanding of his dimission, provyding he
make intimation to stay & continue in his charge befor the first of
Februar next. Qrupon act.

That day the Magistrats & Counsell did nominat and appoynt *22 Sept.*
Baylie Rose & Baylie Duff to goe with comissary Baylie to Duneane
to speak to him anent the water wark bigged be him from one syde
of the water to the other to the great lose & ditrimnt of the brugh
as to their fishing & timber that comes downe Loch Nesse, that he
remove the same & give passage to the fishing and timber as of old
in former tymes; and to make their report to the Counsell againe
the next Counsell day. Qron act.

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- 1684
10 Nov. That day the Counsell enact & ordaine the heretors & liverenters bewest the water of Ness next the water syde, alsweill be South the bridge as benorth the bridge, to big a bulwark from the gavill of their houses towards the water such as Robert Neilson has caused built befor his house, befor Whitsunday next, under the paine of tuentie pounds Scots money to be payed be each deficient heretor, and ordaines the officers to get a double of this act to make intimation therof to such as are concerned that none pretend ignorance. Qron act.
- 21 Dec. That day the Counsell ordained W^m Duff, present treasurer, to pay to Jon. Cuthbert as tutor to David Cuthbert, late Clerk Depute, his children the bygane annualrents of four hundred & two pounds 13s. 8d. resting be the Towne to him, deducing of the saids annualrents the hundred merks contained in his discharge of so much therof given for his voluntary contribution for the bridge. Qrupon act.
- 1685
5 Jan. That day the Magistrats & Counsell (upon good grounds and considerations) ordaine all the Innekeipers & lodgers of strangers to give up a list of all the unknown strangers whom they shall lodge hereafter be their names, surnames and designationes, to the Capn. of the Guard nightly that they may acquaint the Magistrats therof each morneing thereafter, and that under the paine of twentie pounds Scots money *toties quoties*; and ordaine intimation hereof to be made at the mercat croce be touck of drum that none pretend ignorance. Qron act.
- 19 Jan. That day the Magistrats & Counsell ordaine thrie qrters of a moneths stent to be imposed & exacted of the towne and territories therof according to the last stent roll made (qrby W^m Keilloch uplifted the stent), and that for outrigging the militia souldiors of the Earle of Murrayes Company to goe to Spey-syde fornent the Bogie to meit the Earle of Arroll, the Earle of Kintore, Lord Treasurer Depute & Sir George Monro of Culraine, Comissioners of Justiciary qo are to keip a circuit at Elgin the 22 day of Jarii instant, and to convoy them to Elgin & to attend them there. And this to be presentlie exacted & uplifted be the said W^m Keilloch, collector nominat for that effect and to be distributed be him to the

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said souldiors, and ordaines present intimation herof to be made at 1685
the mercat croce be touck of drum that none pretend ignorance to 19 Jan.
pay the same under the paine of qrtering & of all the bleame to ly
upon the deficients. Qrupon act.

That day the Provest presented in Counsell a letter direct to 20 Jan.
him be Mr Rorie M^cKenzie, my Lord Advocat Depute, showing
that being come to Elgin to attend the circuit and being sure that it
is the interest of our brugh not only to show our respects to the
Comissioners if they come the length of this brugh, but it is also his
advyse, that the Magistrats and such others as we think fit to tak
alongs might be at Elgin Wednesdays night for to goe out Thursday
morneing to meit the Lords at Spey-syde in a distinct body be
orselves and qn. we come here they may take such measures as
being consistant with His Majesties interest, may conduce most to
our interest, as the said letter dated the 19 Jary instant beares; and
having put to the vote of the Counsell if it was fit to obey the said
letter or not, they all in one voice thought fit that a certaine of
their number to the number of four should be sent with the four
nominat the last day, and be plurality of votes have nominat the
Provest, Bailie Rose, the present Treasurer & Jon M^cIntoshe to goe to
the effect forsaid. Qrupon act.

That day the Magistrats & Counsell having conveined anent the 26 Jan.
townes affaires, the Provest moved in Counsell whither or not they
wold grant a friewill offering of thrie moneths stent to his Majestie
be way of humble tender towards the maintenance of his royall
government, and having put it to the votes of the Counsell, they
superceided their voting and adjourned their meiting till the morne
be ten aclock in respect there was not a full meiting this day.
Qrupon act.

That day the Counsell conveined in reference to the friewill 27 Jan.
offering of thrie moneths stent to his Matie. be way of humble
tender towards the maintenance of his royall government, and the
Provest having put it to the votes of the Counsell, Gildrie, heritors,
trades & comalty of the brugh what to do in the said affair they

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1685
27 Jan. craved some respite of tyme to consider the matter by reason they were surprized in it and knew no precedency of other burrowes, the Counsell granted them till nyne a'clock the morne to consider of the matter & give their anser theranent all of them then conveyed, which were the *major pars* wer charged *apud acta* to that effect. Qrupon act.

28 Jan. That day the Magistrats & Counsell conveyed anent the townes affaires, and having called & conveyed the Gildrie, the heretors, trades & their visitors and comonalty twyce before, wiz: on Monunday & Tuesday last the 26 & 27 of this instant & this day the third tyme, the Provest moved in Counsell to them at each of the saids meetings whither or not they wold grant a frie, voluntar offer of thrie moneths sesse to his Majestie be way of humble tender towards the mantenance of his royall government, the Gildrie, heretors, trades & comonalty craved a tyme to consider of the matter by reason they were surprized in it and knew no precedency therof of other burrowes, the Counsell granted to them to consider therof & to give their anser theranent this day by nyne a'clock; the Provest having put it to the votes of the Counsell whither or not they would grant the said voluntar offer, the Counsell be plurality of votes consented to the granting therof; and having called the Gildrie, heretors, trades & comonalty therof, at least the *major pars* of them, to know their advyse & mynd in the said matter according to ane decreit of the Lords of Session, dated the day of 1664 years, ordaneing that no stents nor impositions be imposed nor exacted on the said brugh & territories therof wtout the advyse & consent of the *major pars* of the gildrie, heretors, trades, & comonalty, and according to ane act of Set of the Comissioners of the royall burrowes to the same effect, dated the second day of September jnvi^{cs} seventie sex years; the Provest craved their consent and votes (after declaring to them that the Counsell were for granting of the said friewill offer) some of the Gildrie & of the considerable heretors consented to the said friewill offer, bot the *major pars* of the Gildrie, heretors & the whole trades & comonalty dis-assented & declared they were not for it. Qron act.

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That day the Magistrats & Counsell conveyed anent the townes 1685
affaires, and having called & conveyed before them the Gildrie, the 31 Jan.
Heretors, trades & comonalty of this brugh, the Provest held furth to
them the necessity for granting of the friewill offer of thrie moneths
stent to the Kings Majestie be way of humble tender for the
maintenance of his Royall Government, and held furth the danger of
the thing if not granted, and that the great Lords Comissioners of
Justiciarie keeping a circuit court at Elgin for the tym wold reach us
to our greate harme if not granted; and therafter the Provest did
put it to the votes of the Counsell, Gildrie, Heretors, Trades, visitors of
the Trades & Comonalty, at least the major part of them then con-
veyed, whether or not they wold grant & consent to the said friewill
offer, they all qo. then conveyed who were the major part *una voce*
consented to the grant of the said offer; and therefore the Magistrats
and Counsell ordained the same to be presently collected & uplifted be
William Thomson, collector nominat & appoynted be them to that effect.

That day the Magistrats & Counsell undersubscribing by this
their obligatory act bind & obleidge them & their successors in the
said place & office, to content & pay to William Duff, Dean of Gild
of Inverness, the sume of fiftie four pounds sterline money, being
thrie moneths stent granted as a friewill offer to the Kings Majestie
be way of humble tender for the maintenance of his Royall Govern-
ment, and that to be payed be him to the receiver of the Kings
revenues, and that betwixt the date hereof and the twentieth day of
Februar next, who is to purchase to them the said receivers discharge
therof; and that because the said William Duff at their desyre
granted his owne band at Elgin for payment of the same. Qrupon act.

That day the Provest presented in Counsell ane order emitted be 9 Feb.
the Earle of Arroll, Earle of Kintor & Sir George Monro of Culraine,
Comissioners of His Majesties Privie Counsell & Justiciary within the
district of Murray, requiring and comanding the Magistrats of this
brugh to make up & send to their Clerk ane list of all persones who
have fled out of this brugh for disloyalty & disaffection to the
government since the first of November last and likewyse to try qt.
nr. of families will take & swear the Test, and to send a list of such
as do refuse the same with the Test.

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1685
16 Feb. That day the Counsell ordaine M^r Alex^r Sutherland and M^r Adam Schaw to be called here furthwith that they may be privatly examined and one of them chosen, and that he who shall be chosen may byde and continue from this tym with M^r Jon. Monro, pnt. schoolmaster of the Grammar School of Inverness, to know his methods of teaching & ruleing the said school till the first of Maii next. And the Counsell ordaine the Clerk in their name to writ immediatly to M^r Adam Schaw furthwith to repair here to the effect forsaid. Qrupon act.

2 Mar. That day the Magistrats & Counsell ordaine ane post to be hyred to go to Edr. with the thrie moneths stent extending to 54 lib sterline money of a frie voluntar offer last imposed & collected for the Kings Majesties use, with a letter to M^r Coline M^cKenzie, writter in Edr., to deliver the same to the Cashkeiper or receiver of the Kings revenues, and to get his discharge therof to the towne with Bailife Duffs band granted for payt. of the forsaid sume. Qrupon act.

That day the Magistrats & Counsell ordaine the proclamation for proclaimeing King James the 7th to be King of Scotland, England, France and Ireland, Defender of the Faith, to be proclaimed at the mercat croce the morne be two acloak in the afternoone, with all solemnities usuall and requisit: And ordaine the townes Companies to be charged to be in armes at the said proclamation & solemnitie, and bone fires to be set on the streits befor each mans doore: And ordaine intimation hereof to be made presently at the mercat croce to touck of drum and furthwith to have armes & amunition ready for the said solemnity. Qrupon act.

That day the Counsell ordaine the Magistrats to meit & speak with the ministers of this brugh & to crave their advyse whom they wold have with them to examine M^r Alex^r Sutherland & M^r Adam Schaw that the ablest may be elected as schoolm^r of the Grammar School, and they to report the ministers advyse to the Counsell & the Counsell to adhere to the ministers advyse & determination. Qrupon act.

23 Mar. That day there was a letter presented in Counsell direct be the Bishop of Murray to the Magistrats of Inverness, declaring that he

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was satisfied with their election of Mr Alex^r Sutherland as school-¹⁶⁸⁵
master of the Grammar School of this brugh. And therefore the ^{23 Mar.}
Magistrats & Counsell admitte & ordaine the said Mr Alex^r
Sutherland as schoolmaster of the said Grammar School to enter to
his said charge the first day of Maii next to come, and thereafter to
continue therat for a years tym & longer during the Counsell
pleasure & his deserving & good behaviour; and grant & allow to
him all such benefices, profites, casualties & emoluments qtsomever as
was due and payable to Mr Jon Monro, present schoolmaster, or his
predecessors in the said place & office. Qrupon act.

That day the Counsell ordaine William Duff, their Treasurer to
compt with James McLean for what expenses he expended at the
proclamation of King James the 7th as King of Great Britain, France
& Ireland, Defender of the Faith, and to pay him according to his
accompt of the first & readiest of qt. shall be gotten in of the
comon good of this brugh. Qrupon act.

That day the Counsell considering that there were many defects ^{4 May}
on the Mr measones part in building of the stone bridge of Inverness,
and after some conference & communing theranent they unanimously
determined to draw up the articles of the saids defects, and that
thereafter the Magistrats should go to the bridge and take instruments
therupon & for the benefite of the contract past betwixt them
theranent and of the band granted to them be umqll. James Smith,
Mr meason and of the failzies contained in both against the
representatives of Mr James Smith, Mr meason now on the place.
Qrupon act.

That day the Counsell conveyned anent the Provests letter direct ^{10 May}
to them from Edr. craving their advyse if they will have the
manadgement of their place in Parliament anent prioritie of place
before certaine other brughes that contests against them put to a
touch at this present Parliament, it being put to the votes of the
Counsell it was caried that it should ly now in debate as formerly be
way of protestation, unlesse he find ane oppen doore for him to get
it done easily without debate at small chaarges. Qrupon act.

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- 1685
2 June That Day the Counsell nominat William Duff, Dean of Gild, James Dunbar, Baillie Robertson & James M^cLean, or any thrie of them with the Magistrats to meit with Baillie Stewart to take ane accompt of him of the voluntary contributiones for building the stone bridge of Inverness & of what is payed and unpaid therof, that the nonsolvents may be put at to pay their proportiones according to their bonds. Qrupon act.
- 3 June That day the Counsell ordaine ane month & thrie qrters of a moneth to be imposed & stented on towne & territories & others lyable in payment of stent towards the outrigging of the Militia souldiours for twentie dayes loane & amunition to march to the Kings hoast against Argyle & his army according to the Counsell order to that effect; and that intimation hereof be made at the mercat croce be touck of drum for payment therof according to the last stent roll, under the paine of qrtering & all other paines contained in the Acts of Parliament & Acts of Counsell made theranent. Qrupon act.
- 8 June That day the Magistrats of this brugh being ordered & commanded to furnish & provyde powder & lead to the armie that are marching to the Kings hoast, and the merchants who have the same fearing that they will not get payment of the pryces therof, therefore for their securitie the Counsell by this act bind & oblige them & their successors in the place and office to content & pay the pryces of the powder & lead to the saids merchants ilk ane of them proportionally according to what they shall advance in case they get not payment therof from the publict. Qron act.
- That day the Counsell order James M^cLean & Jon M^cIntoshe to receive the powder & lead from the merchants and to barrell the same and to deliver it to my Lord Strathnaver and to purchase his receipt therupon. Qrupon act.
- 26 June That day in order to the sending a Comissioner to the next meiting of the Generall Convention of Burrowes to be holden the first Tuesday of July next, the Provest having put it to the votes of the Counsell whether or not they wold send a Comissioner to the

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said meiting, the Counsell *una voce* voted & determined not to send any bot to take their hazard of the fyne, because the missive letter from the Convention of Burrowes was not sent to them and because of thir troublesome and dangerous tymes qn. the armies wer marching from every airth to the Kings hoast, and that their Commissioner at the last parliament is but lately come home. Qrupon act. 1685
26 June

That day the Magistrats & Counsell ordered W^m Thomson and W^m Keilloch, with the concurrence of Baillie Stewart, to take ane accompt of all the militia armes and to receive them from the souldiors and their officers that they may be keiped be the Treasurer for the use of the publict. Qrupon act. 6 July

That day the Counsell ordaine James Stewart, Baillie, cash-keiper of the voluntary contributiones for building the stone bridge of Inverness to give in ane accompt of his collection of the saids contributiones and of the bandes granted for the same, & of the deficientes & expenses waired out in getting in the same againe this day eight dayes that a report therof may be sent to the Privie Counsell. Qrupon act.

That day the Magistrats & Counsell having required of Jon. Cuthbert, Provest of Inverness, ane accompt & report of his diligence as Commissioner at the last Parliament begun the nynth of Apryl last, did in anser therto declare & report severall things past at the said Parliament, and of his owne diligence in following his instructiones, presented in Counsell the papers following, viz. two old charters of King W^m. It. ane old charter of King James the sixth ratifeing & confirmeing all former charters; It. King Charles the second, his Ratification; which were the charters taken out of the steiple, and brought be him to Edr.; Item, a charter of Ratification of the present King James the 7th; Item, a protestation taken be the said Provest of Inverness as Comissioner at the said Parliament for prioritie of place at Parliament & at the meitings of the Generall Convention of the Royall Burrowes; and particularly against seven brugh interjected betwixt this brugh and Air; Item, a printed act of Parliat. obtained by the said Provest for continuation of the toll money for the stone bridge of Inverness forever after the expyring of the nyntein years first granted: All which writs (after inspection & reading of them) the Counsell ordaine to be put in the charter chist in the Kirk Steiple (the said Provest

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1685 having removed himself out of the said Counsell) the Magistrats &
6 July Counsell after mature deliberation & consideration had of the said report
& being rypely advysed therwith as the same was held furth to them be
word and writ did homologat, allow & approve the same & his said
diligence, declaring that he has behaved himself faithfully & diligently in
all things recomended to his charge & trust; and after the Provests
returne the Counsell randered him thanks for his good service to the
place, and ordained the four Baillies & Bailie Robertson, James Dunbar
& James McLean or any four of them to be a quorum to audite his
accompts of his charges & debursements at the said Parliament and to
make report therof to them the next Counsell day. Qrupon act.

14 Sept. That day the Counsell nominat & appoynt the Provost and Baillie
Fraser to speak Kenneth Mackenzie of Suddie, Capn. of the partie now
quartering at Inverness, and to know if he will have the two moneths &
ane half moneths stent, being the fourth terme or moyetie of the 25
moneths supplie granted to his Matie. in August 1681 years last,
collected be W^m Thomson, sent south, or if he will have it kept here till
a post be sent south to get a bill for payt. therof to him. Qrupon act.

28 Sept. That day it was enacted & ordered be the Magistrats & Counsell of
this brugh that all the voluntary contributers for building the stone
bridge of Inverness within the said brugh & liberties therof, themselves,
their families & posterity & their goods & comodities & their servants
alsweill in landward as in brugh mentioned in James Stewart, ane of the
Baillies of Inverness and Cash-keiper appointed by the Lords of His
Majesties honourable Privie Counsell for collecting the frie & voluntary
contributions for erecting, building & mantaineing the stone bridge over
the river of Ness, his book, & who have his discharge for that effect, and
who are written on the broad to be put up in the tolbooth of the said
brugh, shall be exempted in all tymes coming from payt. of the toll
money appoynted be acts of Parliament to be uplifted and exacted for
building and mantaineing the said bridge, and ordaines acts & extracts
hereof to be given out be the Clerk to all persones concerned upon their
owne proper charges & expenses mentioning their names & qt. sumes
they contributed, providing alwayes they produce to the Clerk the Cash-
keipers discharge of their contributions. Qrupon act.

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This act is also extended to all contributors without the shyre & 1685
within the shyre contained in the Cashkeipers roll, or his factors roll. 28 Sept.
Qron act.

That day the Counsell order & impower the Provest, Bailife Duff, 5 Oct.
Bailife Robertson, Bailife Stewart & James Dunbar to agrie with M^r
James Smith, master meason, oversier of his Magisties works in Scotland,
anent the cutting of the four coats of armes,^r the Townes, the Laird of
McLeod's & Provest Dunbars, and for making up the Magistrats names
in place at the time of the founding of the said bridge & the Magistrats
names at the time of the finishing thereof and to promise him a gowne
to his wife as bounty attover his payment. Qrupon act.

That day anent the petition given in be Jon Fraser, merchant, the 9 Nov.
last Counsell day, craving ane right to be granted to him of ane peice of
waist ground at the shoare of Inverness to big ane house theron for
yearly payt. of a small few duety such time as the towne pleased, the
Counsell (after sighting of the ground) ordained & thought fit (after
putting it to the vote) that no part of the ground betwixt the shoare &
the Chappleyard, nor of the greine fornent it betwixt the Cherrie Dyck
& the sea & the river of Ness should be set in few nor given in tack, nor
no middens put on it, and that all qo. have middens on any pt. therof
remove the same within a moneths time after the date hereof under the
paine of ten pounds Scots money to be payed be the party transgressor
& disobedient. Qrupon act.

That day the Counsell ordaine broads to be set up within the tol- 23 Nov.
booth of Inverness with the inscription of the names of the voluntar
contributors for building & maintaineing the stone bridge of Inverness,
such of them who payed fiftie merks money and more, and none of their
names who payed less then fiftie merks money. Qrupon act.

That day William Thomson, collector, presented in Counsell a dis-
charge of Hugh Wallace of Englishtowne, his Magisties Cashkeiper, to
the towne of the sume of sex hundred fourty eight pounds Scots money
for thrie moneths of new voluntary supply humbly offered by the Magis-
trats, Counsell & inhabitants of this brugh to his sacred Matie. towards

^r See Minute of 8th August, 1687.

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- 1685 the maintenance of his royall government, and that by & attover the pnt.
23 Nov. current supplie imposed be act of Parliament: which discharge the Magistrats & Counsell ordained to be given to Alex^r Duff of Drummoore to be brought south that he may procure discharges of the said thrie moneths & of the Whitsunday & Mertimies termes of the current supplie. Qrupon act.
- 1686 That day the Magistrats & Counsell enact & ordaine that no man
4 Jan. to be made burgess & frieman to his owne trade shall pay the gilt hoise at any tym hereafter. Qrupon act.
- 11 Jan. That day in order to the Counsell act dated the seventh day of December last, appoynting a certaine number to sight the dyck of the Chapple yaird, who declared that there is a necessity to build up the same in severall parts therof that is ruinous, the Counsell ordaine all those that have their buriall places in the chapple yaird next the dycks to build & erect the same in maner following, to wit to build the wester syde therof after the form & maner of Thomas Schivez his buriall place with a capstone, and to build the North East and South syde therof after the forme & maner of Jon Lochart his buriall place with a capstone; with liberty to them to build the saids dycks higher bot no lower: And this to be done betwixt and the first day of August next: with certification to such as fail therin their buriall places shall be given to others and shall pay for every corp of theirs that shall be buried there thrie pounds Scots money after the said first day of August. And continues former acts anent the chapple yaird in force till that day anent the payment of a shilling sterline be rich persones & sex pence be meaner for each corp that beis buried there: with power to the towne's treasurer to exact & uplift the said thrie pounds after the said first day of August next, who is ordained to build that part of the dyck that is ruinous: excepting furth of this act such as have their buriall places in the body of the chapple yaird in & about the chapple & within fifteen feet therof. Qrupon act.
- 15 Feb. That day Baillie Barbour & Baillie Duff presented in Counsell a discharge dated the tenth of March jmvies eightie thrie years granted be the Earle of Marr to the Magistrats of Inverness and their cau^{rs} for their

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dimission of Alex^r McKenzie of Kilcoy who was incarcerat within the tolbooth of Inverness at the said Earle of Marres instance for a debt resting to him ; which discharge was read in the audience of the wholl Counsell, and after reading therof the Provest voted the Counsell whither they were satisfied with the said discharge or not : all of them *una voce* voted they were satisfied therwith, bot ordered that they should get a new band of freedom to warrand the towne of the arrestment layd on Kilcoy at the instance of Alex^r Russell, baillie of Elgin, upon receipt of wch. the Counsell ordered Baillie Barbour & Baillie Duffs bands to be given up to them, and ordaines the said discharge to be registrat in the townes books. Qrupon act. 1686
15 Feb.

That day the Provest having moved & held furth in Counsell the regrait he heard made be their vassals entering to their predecessors & authors lands wtin. this towne & territories and liberties thereof holding land of the towne, regraiting that howbeit they payed the duplication of their fewdueties called the double entries to the Clerk as his dues for & in place of his sallary, yet notwithstanding the treasurer troubled them for the fewduety of the same year of their entry to their lands & made severalls pay the same: and after the matter was reasoned & fully debat in Counsell amongst themselves, the Provest having put it to the votes of the Counsell how and to qm. the said double entries should be payed hereafter, the Counsell *una voce* & unanimously concluded & ordered that the double entries of all vassals holding land of the towne should be payd hereafter to the Towne Clerk in all tym coming instead and in lieu of his sallarie as his predecessors befor him had the same, and that by and attover the ten merks money payable to him be the Treasurer yearly according to old use & wount. Qrupon act.

That day David Baillie in Kinmylies entered a complaint against Finlay Fraser, Deane of Gild of Inverness, wherof the tenour followes: Unto the Right Honourable the Lord Provest, Baillies and Counsell of the Brugh of Inverness, The Complaint of David Baillie in Kinmylies, in name & behalf of the minors of Umqll. Alex^r Baillie, burgess of the said Brugh, and Katherine Hepburne, his relict, upon Finlay Fraser, Deane of Gild there, Humbly meanes and showes—That whereas the said complainer did upon the eight day of Januar last bypast in a most greivous maner tender his complaint against the said Finlay Fraser for encroachments and wrongs done be him upon the said minors & liverentrix their

1686 lands, and for remeid therof petitioned a cognition to be appoynted as
 15 Feb. use is for rectifieing the wrongs done to them and taking away of differs
 betwixt them, which yor. hos. did so far approve of that upon the first
 day ye appoynted a competent number of honest inhabitants to passe
 with Baillie Robertson to the said ground and there to diagnosce and
 consider therof, and decerne therein, which was accordingly done; and
 the said Finlay Fraser being found to have leased the said complainers
 (whereby it was notourly known they had just ground to enter their
 complaint against him) was ordained to repair the wrongs done to
 them; as their verdict sub^t be the Chancellor of the inquest and the said
 Baillie Robertson read in his audience can testifie: Yet notwithstanding
 the said Finlay Fraser without any respect to law or conscience, bot on
 the contrar, in manifest contempt of yor. authoritie, and to the great dis-
 paragement, reflection & opprobry of the persones of Inquest (who were
 deiply sworne to determine justly in the said matter) did upon the sixth
 day of this instant most imperiously, maliciously, unjustly & covetously
 in quite contradiction to their verdict, renue his encroachments upon the
 saids complainers to their no small disadvantage and opprobrie as is
 known to all nighbours about them.

May it therefore please yor. Hos. to take the premisses to
 consideration and take such effectuall course theranent as
 may repone the complainers to their just interest, and
 terrifie others to slight your authority so manifestly in all
 tyme comeing.

Inverness, the fifeinth day of Februar one thousand sex hun-
 dred four score sex years.

In presence of the Magistrats & Counsell.

The Counsell having considered the above written complaint, and
 having put it to the votes of the Counsell what they thought thereanent,
 find all *una voce* that the said Finlay Fraser committed a grosse fault in
 doing what he did, and therefore they appoynt him to rectifie the wrong
 done, and give satisfaction to the complainers & the inquest by acknow-
 ledgeing his fault and rectifieing the wrong done, and by enacting
 himself to do the same this day and never to do the like againe.
 Whereupon act.

That day Mr Alex^r Fraser, burgess of Inverness, entered a complaint
 against Finlay Fraser, Deane of Gild of Inverness, whereof the tenor

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followes: Unto the Right Honourable the Lord Provest, Baillies and Counsell of the Brugh of Inverness, the complaint of M^r Alex^r Fraser, Burgess there, upon Finlay Fraser, Deane of Gild of the said Brugh, and Andrew Fraser, his son, Humbly meanes and showes, that whereas the said M^r Alex^r Fraser upon the fifteinth day of Februar instant, coming out of his owne corne yaird forgathered with the said Finlay Fraser & his said son, and after some expressiones past betwixt them anent severall marches belonging to them, and particularly anent ane march stone which was ane old land march lying betwixt Kinnerres land at the west and the burrow roods belonging to the said M^r Alex^r & the said Finlay and Andrew Frasers lands at the East, which the said Finlay Fraser and his servants at his command did raise & remove tymous this morning, which stone is not as yet put in its owne place, the said Finlay Fraser and his son, laying asyde all fear of God, respect to his office of Magistracy and in manifest contempt of the lawes and acts of Parliament of this Kingdom, did in a most barbarous, godles and inhumane maner assault and fall on the said M^r Alex^r, he dreading nor fearing no evill at the tym, and most furiously did beat, bruise and blood him with their hands and fists in the head, face, mouth and severall other parts of his body, to the effusion of his blood in great quantitie, and in so beating and abusing him did rug, ryve and lacerat his gravat, hat and cloathes, and for ought he understood wold have murdered him if he had not beine rescued be some Christian nighbours who saw the abuse and the worse evill likely to follow on.

May it therefore please your Hos. to take the premisses to consideration and not only appoynt a cognition to passe to the said ground that the march stone this day removed may be put in its owne place, and other marches which they encroached on and abused may be rectified, bot also to take such effectuall course with them for removeing the land mark and for beating, abusing and blooding of the said M^r Alex^r Fraser, and for their ryotous behaviour to punish them in their persones & goods and cause them find cawtion to secure the peace, to the terror of others to commit the like in tym coming.

Inverness the fifteinth of Februar j^mvics eightie sex years. In presence of the Magistrats & Counsell of Inverness.

1686 Compeired Mr Alex^r Fraser and craved justice: and the said Finlay
 15 Feb. Fraser compeired and also denyed the complaint, which the judges
 admitted to the persuers probation, who for proving therof adduced the
 witnesses after named, to wit: Donald Bayne, alias Fraser, and Kathrine
 Fraser his spouse, John Chissolme, alias M^cEan Wayne, Isobelle
 M^cConchie tayler, & Margaret Fraser, all inhabitants be west the water
 of Ness, who being all sworne without objection, examined and interrogat
 upon the heads and articles of the said complaint, deponed in manner
 following: to wit, the said Donald Bayne deponed that M^cGillimichill's
 wife called him out, telling him that the parties, pursuer and defenders
 were beating one another, and at her call he came out and saw the
 parties together bot did not sie any stroaks betwixt them. The said
 Kathrine Fraser deponed that she saw the fornamed pursuer and
 defendr together, and saw Mr Alex^r Frasers gravat riven and torne and
 his mouth blood bot saw no body do it bot Finlay Fraser & his son do it
 who will. David Forbess deponed that he saw all the fornamed parties
 strugleing and in handie grips and Finlay Fraser reding them, and saw
 Mr Alex^r his gravat torne and his mouth blood, and heard Mr Alex^r
 Fraser calling still for witnesses to sie how he was abused, bot saw not
 blowes bot heard them flyting in English wch. he understood not. John
 Chissolme that he heard the great din that was betwixt them but that he
 could not go furth to sie them haveing very sore eyes for the tym.
 Isobelle Fraser deponed that she saw Andrew Fraser parting from Mr
 Alex^r and saw Finlay Fraser holding the said Mr Alex^r be the shoulders,
 and saw Mr Alex^{rs} gravat riven and his mouth blood, and both Andrew
 and Master Alex^{rs} hats on the ground at the tyme. Margaret Fraser
 deponed that she saw Master Alex^r & Andrew Fraser in handy grips,
 and Mr Alex^{rs} gravat riven and his mouth blood and their hats on the
 ground, and that she took up one of their hats, and saw Finlay Fraser
 holding Master Alex^r be the shouders. Isobell Fraser deponed *cum*
precedente, and withall saw them going about defending themselves.
 Both parties with one consent referred to Alex^r Fraser, servant to the
 said Finlay Fraser his oath & deposition the matter anent the march
 stone removed, who being sworne, purged of partiall consell, examined
 and interrogat, deponed that he being pleughing his masters land, his
 master then in company, the pleugh waked and lowsed the march stone,
 and that his master and he at his masters comand took up the stone, and

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that his master removed it a litle from its owne place when the 1686
deponent followed the pleugh and that he said then to his master that it 15 Feb.
was not mowes to sturre & remove a march stone, and that his master
answered him with thir words: Out fellow, Mr James hath removed and
taken away many a march stone.

The Magistrats and Counsell waved the matter *pro loco et tempore*
till Andrew Fraser be cited; and ordaines the officer to charge him to
compeir here the morne be two a'clock in the afternoone, to which tym
the court is adjourned, and holds the chargeing of the said Andrew at his
fathers dwelling house (if he be at home) to be a sufficient citation.

Tuesday the sexteinth day of Februar jmvi^{es} eightie sex 16 Feb.
years. In presence of Jon Cuthbert, Provost of Inverness,
Hugh Robertson and James Stewart, Bailiffes thereof.

Compeired Master Alex^r Fraser and craved processe and justice
againest the said Andrew Fraser, who compeired als personally and
adhered to the witnesses depositions whatever they deponed. And the
said Andrew Fraser referred to the said Master Alex^r Fraser's oath
whither or not he strak the said Master Alex^r and whither or not he was
the first aggressor, who being sworne deponed affirmative that the said
Andrew strak him and was the first aggressor. The judges finds the
ryot sufficiently proven, and therefore fynes the said Andrew Fraser in
fiftie pounds Scots money, and ordaines him to find cawtion to secure
the peace under the paine of five hundred merks money, and to be
arrested till he fulfill this sentence. Qron act.

That day Master Alex^r Fraser, burges of Inverness entered a 22 Mar.
complaint agt. Finlay Fraser, Deane of Gild there, whereoff the tenour
followes: Unto the Right Honourable the Lord Provost, Bailiffes and
Counsell of the Burgh of Inverness, the supplication of Master Alex^r
Fraser, burges there, Humblie Sheweth, That notwithstanding of the
Lawes of God, the Municipall Lawes, Acts of Parliament and Burrowes
and practices of this Kingdome, the encroatching of one nighbour upon
another nighbours lands, and the removing of the land mark and mear-
ings be forbidden under the paines and penalties contained in the saids
lawes & acts, yet true it is that Finlay Fraser, Deane of Gild, laying
aside the fear of God and due respect and regard to Christian nighbour

1686 head, and in manifest contempt and slighting of the saids lawes and acts,
 22 Mar. have several years bygone encroatched upon the saids supplicants lands by tilling the mearings betwixt their lands and by raising of march stones and land marks, and not satisfied with the saids former abuses, he be himself, his servants and others of his causeing, comand and bounding out, did this year at severall tymes most covertously and avaritiously encroach upon the said supplicants land by cutting and tilling the mearings betwixt lands and raising of ane march stone which was potted betwixt the burrow roods and the lands of Kinmylies which diagnosed the marches amongs us & our nighbours, and especially the mearing and marches of yor supplicants lands of the burrow roods, bomded with the said Finlay Fraser his lands at the North is encroatched on by cutting and tilling the old mearing and comeing in upon the supplicants lands ; as also the supplicant and the said Finlay Fraser have lands fornent one another and the way or rod leading to Mooretounc interjected, the said Finlay Fraser his lands lying on the East syde of the said way is castin & encroatched on the said rod of intention to make the said rod to come altogether on the said supplicants lands on the west syde therof, as shall be made appear as part whereof is yet recent, and intends to continue in his avaritious encroachments if remeid be not provided in due tyme.

May it therefore please your Lo. to take the premisses to consideration and nominat and appoynt ane inquest of fiftein persones to sight the saids lands and to cognosce and determine in the said matter, and to cause rectifie the saids encroachments and to punish him according to his merit & enact him to the terror of others to commit the like. Inverness, the twentie two day of March Jmvi cs eightie sex years.

The Counsell nominat Castlehill, Insches, William M^cBeane, Alexander M^cBeane, James M^cLeane, Bailiff Hepburne, Merkinshe, John Lockhart, Donald Forbess, David M^cLeane, John Cuthbert, merchant, David Fowler, elder, Alexander Square, William Keilloch, Robert Rose, younger, Robert Wilson, James M^cIntoshe, Donald Mack Leane or fiftein of them to pass upon the Inquest, and ordained to meit the morne be thrie afternoone, and nominat Bailiff Robertson to be present to swear them. The said Master Alex^r is ordained to prove his complaint in whole or in part.

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Inverness, on Tuesday, the twentic-third day of March 1686
jmv^{cs} eightie sex years. In presence of Hugh Robertson, 23 Mar.
bailliff.

Conveined the fiftein persones of inquest following, to wit, George Cuthbert of Castlehill, Mr William Robertson of Insches, William M^cBeane, Alex^r M^cBeane, Bailiff Hepburne, James M^cLeane, Donald Forbess, David M^cLeane, David Fowler, elder, Alex^r Square, William Keilloch, Robert Wilson, Donald M^cLeane, John Lockhart, and Robert Rose, younger, who were nominat be the Magistrats to passe upon the Cognition betwixt Master Alex^r Fraser, burgess of Inverness, and Finlay Fraser, Deane of Gild there, who were solemnly sworne be the said Judge to do justice and equitie and to give their verdict according to law & conscience: and being inclosed together choosed George Cuthbert of Castlehill to be their chancellor, and imediately thereafter the parties aduced the witnesses after mentioned *hinc inde*, to wit, Bailiff Fraser adduces Donald M^cWeynish, and Thomas M^cEan Vic James for his part; Master Alex^r Fraser adduces Thomas M^cYelmich & Hector Monro, both servitors to the said Bailiff Fraser; wch witnesses being also solemnly sworne to bear leall & suithfast witnessing went to the bounds, and sighted & perambulat the same; and after inspection of the ground debeatable and examination of the witnesses, the Inquest *una voce* be the mouth of their Chancellor determine, find and declare (after reasoning and votting of the matter among themselves) that there are encroatchments *hinc inde* upon both sydes in cutting of the mearings: and for preventing of such debeat in tym comeing, They Decerne and ordaine that the forsaid encroached on mearings be made up by the parties as followes, that is to say the march stones are to have nyne inches square on each syde from the center and midle of the stones, and that there be thrie stones in the mearings, one at each end and one in the midle; and further decernes and ordaines the parties to do & fulfill the same betwixt and the last day of Maii under the paine of ane hundred pounds Scots money, to be paid to the partie failer and refusing to the other partie willing to performe the same, Whereunto the said Bailiff hath interponed his authoritie. In Witness qrof the said Chancellor and Bailiff have subthir presents day, year & place foresaid. Whereupon act.

(Sic sub^r) Geo. Cuthbert, Chan. Hew Robertstone, Baillie.

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5 April That day the Counsell ordaine the inhabitants bewest the water of Ness next the river syde to big their bulwarks as they are ordained by a former act, dated the tenth of Nov. 1684 years, and such as are liverenters & tenents to do the same on the heritors expenses and to keip possession of their bigging or detention of the rent till they get payment or allowance in the rent for which this act shall be their sufficient warrand. Qrupon act.

14 June That day there was ane letter pnted in Counsell direct to them be Mr James Smith, Mr meason, craving his sume of ane thousand pounds of debt due to him be the towne and threttie pounds sterline money resting to him for the four coats of armes, and after reading therof the Counsell ordained Andrew Schaw to use all diligence to collect the arreares of the voluntary contributiones promised for building and mantaineing the stone bridge of Inverness, and to put the decreits against the non-solvents of their contributions to excution that qt. the collectors therof, at last the said threttie pounds sterline money may be sent south with Baillie Duff. Qrupon act.

That day there was a letter pnt^d in Counsell direct to them be James Fraser of Pitkellian their prisoner craving the immunitie of the upper house of the tolbooth be reason of his sicknes till he be on the recovery hand, the Counsell voted to grant the same. Qrupon act.

20 Sept. That day Mr David Polson, eldest law^{ll} son to the deceast Robert Polson, merchant in Inverness, Mr Alex^r Fraser, eldest law^{ll}, son to the deceast James Fraser, burgess there, David Cuthbert and Mr Cuthbert, second & third law^{ll} sones to John Cuthbert, present Provost there, James Stewart & Mr W^m Stewart, eldest & second law^{ll} sones to James Stewart, pnt Baillie there, David Baillie in Kinmylies only son of the deceast William Baillie sometym Treasurer of Inverness, Farq^r M^eLeane, youngest law^{ll} son to the deceast Jon M^eLeane of Davach gardoch, Alex^r Cuthbert & James Cuthbert, eldest & second law^{ll} sones of the deceast James Cuthbert, Lawranceson, sometym bailife of Inverness, David Fraser, second law^{ll} son to Finlay Fraser, Deane of Gild of Inverness, David Holme, second son to the deceast James Holme, burgess there, Alex^r Cuthbert law^{ll} son to the deceast David Cuthbert, sometym Town Clerk of Inverness, William Fraser, skipper, law^{ll} son to Rorie Fraser,

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merchant there, Thomas Forbes, third law^{ll} son to Jon. Forbes of 1686
Culloden, William Niven, M^r of the Musick School at Inverness, Jon. 20 Sept.
Cuthbert, butcher there, Andrew Duff, second law^{ll} son to William Duff,
Baillie, now created & admitted burgesses & gild brethren of this brugh
and were all solemnly sworne in the comon forme used at admission of
Burgesses. Qrupon act.

That day Alex^r Taylor, skinner in Inverness, Alex^r Corbat, cuper
there, Hugh Keilloch, tayler there, were created, received & admitted
burgesses and friemen to their owne vocations & trades for payt. of the
ordinary dues. Whereupon act.

That day the Provost presented ane letter direct be the Earle of 27 Sept.
Perth, Chancellor, at comand & in name of his Majestie's Privie Counsell,
to the Provost & Baillies of Inverness, qrof. the tenor followes:
Affectionat Friends, whereas his sacred Majestie hes by his royall letter
dated at the Court of Windsor the twelfth of Sep^r instant signified that
all electiones in Royall Burrows be suspended untill his Royall pleasure
be knowne theranent: You are therefore in pursuance therof hereby
expressly prohibited & discharged, as you will anser at your perrell, to
elect any new Magistrats or Counsell within yor brugh for this year;
and you and the pnt. Counsell are by his Majesties autie. hereby
authorized to continue & exerce as Magistrats & Counsell untill his
Majestie shall signifie his further pleasure. Syned at comand & in name
of his Maties. Privie Counsell by, Your affectionat friend (Sic sub^r) Perth
Cancell. I.P.D., Ed^r the 16 Sep^r 1686. Directed upon the back thus:
For the Provost & Baillies of the Brugh of Inverness, or any one of them
to be communicated to the Towne Counsell therof. These in haste.
Which letter being read in Counsell, the Magistrats & Counsell declared
they wold obey the same, and ordered their Clerk to keip the said letter
for their warrand, and to insert the same in the Counsell books.
Qrupon act.

That day Angus M^cIntoshe of Holme, eldest law^{ll} son to the
deceast William M^cIntoshe of Holme, burgess of Inverness; Jon.
M^cBeane in Bellinloan, only law^{ll} son to William M^cBeane, elder, burgess
there; & Angus M^cBean, messenger there, eldest law^{ll} son to the deceast
Andrew M^cBeane, burgess there; were created, received & admitted
burgesses & gild brethren of this Brugh for payment making be each of

Records of Inverness

1686
27 Sept. them of five shillings Scots money in a plack purse: And William Fraser, second law^{ll} son to the deceast Alex^r Fraser, smith burges of Inverness was created, received and admitted burges & gild brother for paying of ten merks Scots money to the Treasurer & the gilt hoise to the Provest; as also Jon. M^cClacher, ane of the burrow officers of Inverness was created, received & admitted burges & gild brother of this brugh *gratis gratia Magistratum*: And all of them were solemnly sworne in the common forme of burgesses at their admission. Qrupon act.

What day the Magistrats & Counsell ordered William Dollas, collector of the mortcloath money, to pay Mr Alex^r Sutherland, master of the Gramar School of Inverness, the sume of eight score and ten merks money for ane years sallarie & stipend due to him for teaching & keiping the said school from the first of May jmvi^{cs} eightie five to the first of May jmvi^{cs} eightie sex years, and drew bill on the said William Dollas to that effect on the back of the said Mr Alex^r's petition to the Counsell; which sume should be discompted & allowed to the said William Dollas at the setting of his accompts of the mortcloath money. Qrupon act.

11 Oct. That day James Tayler, seaman, third law^{ll} son to the deceast Jon Tayler, merchant in Inverness, was created, received & admitted burges and gild brother of this brugh, and Francis Bishop, glover there, second law^{ll} son to Jon Bishop, carpenter burges there, was created, received & admitted burges & frieman to his owne voca^on & trade for payt. of the ordinary dues, and they were both solemnly sworne in the comon forme of burgesses at their admission. Qrupon act.

8 Nov. That day William Stephen, eldest law^{ll} son to William Stephen, elder, burges of Inverness, and David Baillie, brewer, in Castle Streit, were created, received & admitted burgesses & gild brethren of this brugh, the said William Stephen for five shillings in a plack purse, & the said David Baillie for four score merks money, and they were both solemnly sworne in the common forme of burgesses at their admission. Qrupon act.

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That day the Magistrats & Counsell being convey'd anent the ordering of the townes affaires, Baillie Duff presented in Counsell a Discharge dated the thretteinth day of December last by past granted be Mr James Smith, oversier of his Majesties Works in Scotland, to the Towne of the annualrent of a band of ane thousand pounds Scots money granted be them to him, and of five hundred merks money payed in part of payment of the said band; which money the said Baillie Duff advanced & payed for the towne be vertue of a missive letter direct to him to Ed^r. be the Magistrats & Counsell; And therefore they ordaine Andrew Schaw as collector of the voluntary contributiones for the Bridge money to pay to the said Baillie Duff thrie hundred merks money of his collection, and ordaines Jon Barbour, their Treasurer to pay him the rest of his money advanced with the annualrent therof from Mertimas last extending in both to _____ for which this should be their warrand. The forsaid Discharge was uplifted againe be the said bailife till he be payed. Whereupon act. 1687
10 Jan.

That day Samuel Hossack, only law^{ll} son to the deceast John Hossack, glover, burgess of Inverness, was created, received & admitted burgess & gild brother of this brugh, and was solemnly sworne in comon forme used at the admission of burgesses. Qrupon act.

That day the Counsell ordaine Jon Barbour, Treasurer, with the concurrence of the Magistrats & such others as they please to tack to assist & advyse them, to cause cast downe the porch of the bridge on the East end therof, and so much of the wall about it in hight & voidness as shall be convenient for a larger new porch & a more glorious entrie, and to imploy judicious, skilfull tradsmen to contrive, build & rear up the same in a more handsome & better forme & frame then before, and to make it so void & high as shall be thought convenient, and be to the townes contentment, and to pay for the same out of Andrew Schaws collection of the arrears of the contribution money for the said bridge when the same is gotten in; for doing qrof this shall be a sufficient warrand. Qron act.

That day the Counsell ordaine ane of the Bailifes to call James Williamson, shoemaker, & Robert Robertson, his author, and to interrogat & examine them upon oath if they have abstracted & concealled any of the old evidents of that house bought be the said 24 Jan.

Records of Inverness

- 1687
24 Jan. James Williamson from the said Ro^t Robertson, and particularly to call for Grangehills right which he gave to Gilbert Robertsones predecessors, to cleare the reddendo of that house ; and if they give oath therupon, the Counsell ordaine the reddendo therof to be twelve pennyes Scots money ; and this act to be the Clerk's warrand for that effect. Qron act.
- 23 May That day Jon M^cIntoshe, lawfull son to William M^cIntoshe of Borlum, was created, received & admitted burgess & gild brother of this Brugh *gratis gratia Magistratum*, and was solemnly sworne in the common forme of oath used at admission of burgesses. Qrupon act.
- 20 June That day the Magistrats & Counsell have nominat & ordained Robert Barbour of Mulderg, ane of the Bailifes of Inverness, now at Ed^r, or in his absence Alex^r Duff of Drummoore, or Mr W^m Robertson of Insches, to be their Commissioner at the next meiting of the Generall Convention of Royall Burrowes which is to be held at Ed^r the fifth day of July next, and ordaines ane Commission and instructiones to be written, sub^t & sent to them to that effect without delay. Qrupon act.
- That day Robert Cuming of Relugas, merchant in Inverness, was admitted burgess and gild brother of this brugh for payt. of the gild hoise to the Provest, a gun to the Treasurer for the townes use, and the Clerks fies for his act, and was solemnly sworne in the comon forme of oath used at admission of Burgesses. Qrupon act.
- 8 Aug. That day the wholl Consell *una voce* concluded & voted that the Kings armes should be put up & set on that syde of the East port of the Bridge of Inverness facing to the bridge, and the Townes armes on the syde of the port facing to the streit & mercat croce in the highest place, and the Magistrats inscriptions in place at the founding & finishing therof under it ; the Laird of M^cLeods & Provest Dunbars coats of armes on both sydes of the inscription, M^cLeods on the right hand and Provest Dunbars on the left hand. Qrupon act.
- 26 Sept. That day the Magistrats & Counsell having conveyned to regulat the townes affaires tending to the comon wealch therof, the Provest caused read the letter direct a litle before this tym the last year be the Earle of

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Perth, Chancellor of Scotland, at comand & in name of His Majesties *1687*
Privie Counsell, to the Provost & Baillies of Inverness, dated the *26 Sept.*
sexteenth day of September 1686 years, inhibiting & discharging them to
elect any new Magistrats or Counsell for that year, and authorizing the
Magistrats and Counsell then & now in office to continue & exerce in
their said office & place untill his Majestic shall signifie his further
pleasure therament; which letter is insert verbatim in the Counsell act
made in this book on the 27th Sep^r 1686 years; and after reading therof
did put it to the votes of the Counsell whither it was safe for them to
make a new election or not, or whither or not the comand of the said
letter did authorize them to continue & exerce in their place & office as
before untill his Majesties further pleasure, the Counsell *una voce* voted
that it was not safe for them to make a new election and that the
comand of the letter authorized them to continue & exerce in their office
till his Majesties further pleasure. Qrupon act.

That day the Provost presented ane letter direct to the Provost and *3 Oct.*
Baillies of Inverness be Duke Hamiltoun, prohibiting them to elect any
new Magistrats or Counsell untill his Majesties pleasure theranent, qrof
the tenor followes: Affectionat Friends, Whereas his most sacred
Majestic has by his royall Letter, dated at the Court of Bath the eighth
day of September instant signified that all electiones in Royall Burrowes
be suspended untill His Majesties royall pleasure be known theranent,
you are therefore in pursuance therof heirby expressly prohibited &
discharged as ye will anser at yor perrell to elect any new Magistrats or
Counsell within the Brugh this year, and you & the present Magistrats
and Counsell are by His Majesties authority hierby authorized to
continue and exerce as Magistrats & Counsell untill his Majestic shall
signifie his further pleasure. Signed in name and by warrant of His
Maties. Privie Counsell by yor. affectionat friend. (Sic sub^r) Hamilton,
I.P.D. Edir 16 Sepr. 1687. Direct upon the back thus: For the Provost
and remanent Magistrats of the Brugh of Inverness, to be comunicated
to the Counsell therof. For his Maj. Service. Which letter being read
in Counsell, the Magistrats & Counsell did unanimously homologat the
same and declared they wold obey it, and ordained their Clerk to keip
the said Letter for their warrand and to insert the same in the Counsell
books. Qrupon act.

1687
7 Nov. That day the Provost presented in Counsell a letter to be direct be the Magistrats to the Earle of Scafort, one of the Patrons of the Kirk of Inverness, in whose vice it is now to present as patron, intreating that he should not present a minister in place of Mr Angus M^cBeane be his dimission without their owne consent, and after reading therof did put it to the vote whither they thought it fit to direct it forwards or not. The Counsell *una voce* voted to send it forwards. Qrupon act.

That day the Counsell did nominat Andrew Schaw and William Keilloch to call the common hird and to get ane accmpt of him of all the persones that have kowes feiding on the liberties & commontie of Inverness, and particularly of those who have no visible way of mantaineing their bestiall, that course may be taken thereanent. Qrupon act.

That day the Counsell did nominat the Provost, Bailiff Duff, the Deane of Gild, James Dunbar & James M^cLean to go to Suddie to speak & commune with Mr Thomas Fraser, Minister there, to try if he will accept to be Minister here, and from thence to go to Chanorie to speak with the Lady Seafort theranent and to found her mynd. Qrupon act.

11 Nov. That day Bailiff Duff presented a letter in Counsell, direct to him be Jeane Cuming, law^{ll} daughter of Mr David Cuming, Minister at Edinkily, vindicating herself of that scandalous report made against her be William Niven, Professor of the Musick School, and another letter direct to him be the said Mr David Cuming anent the said matter: and after reading of the saids letters in Counsell and redelivering of them to the said Bailiff Duff, and calling of the said William Niven, who compeired, and having interogat him how he being her master & having her under his government & tutelage and being as in vice of a parent to her could have betrayed his soul & trust in offering to circumveine and cheat a child at school who was not yet come either near the age or stature of a woman; to which he made no reply: and having interogat him whither or not he was married with the said Jeane Cuming and had carnall copulation with her, declared affirmative that he was married with her on Halloweven last, and that he had carnall copulation with her and that it was Mr Robert Monro, Minister at Abertarff, that married them,¹ and that Robert Elphingstoun, goldsmith in Inverness, and Jon. Gilbert,

¹ See as to irregular marriages by Monro, "Urquhart and Glenmoriston," page 363.

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schoolmaster at Pettie, were witnesses to their marriage. In consideration 1687
off the cryme it was voted in Counsell that William Niven should be 11 Nov.
keiped in sure & firme prison till they have advyse from the Privie
Counsell what coursê to take in the said matter, and in the meanetym
declares his place vaccand. The said Robert Elphingstoun compeiring
and being sworne & interrogat what he knew in the said matter, deponed
that he was called be William Niven to his chamber, and when he came
there he went (at William Nivens desyre) upstairs and brought downe
the said child under his clock and brought her into the chamber where
Mr Robert Monro was, W^m Niven & Jon. Gilbert and that Mr Robert
married the saids William Niven & Jean Cuming about eight a'clock at
night and that to the best of his knowledge he did not lie with her that
night. And afterwards, the persones after named, to wit: Janet
Lockhart, spouse to William Duff, ane of the Bailiffs of Inverness,
Margaret Ross her servant, Robert Cuming, merchant in Inverness,
Andrew Duff law^l son to William Duff, and Thomas Lyndsay, servant
to the said William Duff, being conveyned and interrogat upon the heads
& articles aftermentioned, all of them deponed in maner following, viz:
the said Janet Lockhart deponed that Jeane Cuming, law^l daughter to
Mr David Cuming, minister at Edinkily, came home to her house (to wit
the deponents house with whom she was buirded) betwixt eight & nyne
clock at night on Halloweven last, and supped with her & her children
that same night, and went to bed with Magdalen Duff, the deponents
daughter, and sleiped & stayed in her house, and (to the best of know-
ledge) went not out of the house that night after she went to bed, and
saw her in her bed and helped the cloathes on her, and saw her in the
morning comeing downestaires imediatly after rying out of her bed.
She deponed also that the thrie next nights thrafter the said Jeane
stayed up till twelve a'clock at night or therabout in company with the
saids Mr David Cuming her father and the said William Duff the
deponents husband, Robert Cuming, Andrew Duff & Thomas Lyndsay,
and therafter went to bed and sleiped with Marie Duff, the depondents
daughter, & Katherine Ross, her servant, and went not out of the house
these thrie nights after going to bed (to the best of her knowledge). As
also deponed that the said Jeane went every day to William Niven his
school as his bound schollar from the tym she came to Inverness to the
first day of November instant, on which day her father brought home

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- 1687 with him to his owne house in Edinkily. The said Margaret Ross
11 Nov. deponed *confirmis imidiate precedenti in omnibus*. The said Robert
Cuming deponed *confirmis precedentibus in omnibus*. The said Andrew
Duff deponed *confirmis precedentibus in omnibus*, and the said Thomas
Lyndsay deponed *confirmis precedentibus in omnibus*. Whereupon act.
- 12 Nov. That day it was voted in Counsell that William Niven should get
the imunity of the Tolbooth prison in the upper house qr. James Fraser
of Pitkylean is, so that he find cawtion that he shall not make his escap
under the paine of ane thousand merks Scots money. Qrupon.
- 28 Nov. That day it was voted in Counsell that some of their number should
go to the Countess of Seafort to get her letter with a presentation to be
sent to her son the Earle of Seafort to be sub^t be him as patron anent a
Minister to this place, and moved therto have nominat be plurality of
votes Bailiff Robertson and Baillie Rose to that effect. Qrupon act.
That day anent the greivance made be the heretors of the salmon
fishing on the watter of Ness regraiting that their owne fishers and others
were stealling & selling their salmon to particular persones to pack &
sell the same to their great prejudice & to the prejudice of the place:
Therefore the Magistrats & Counsell of the Brugh of Inverness have
enacted & ordained that all the meat fish of the salmon fishers be
brought to the merket place to be sold to serve the leidges for the
particular use of their privat families, and that none be allowed to pack
and sell salmon except the heretors of the salmon fishing under the
paine of being repute theft in the seller & buyer. Qrupon act.
- 1688 That day the Counsell did nominat the Provest, Baillie Duff, the
12 Mar. Deane of Gild & Insches to ryd to M^r Thomas Fraser, Minister at Suddy
& to the Lady Seafort anent the said M^r Thomas his presentation to the
Kirk of Inverness, and to get his dimission & translation from the
Bishop of Ross.
- 16 April That day the Provest did put it to the votes of the Counsell whither
or not it was fit to try the Lady Seafort if she will delete M^r Thomas
Fraser, Minister at Suddy, his name out of the presentation (because he
absolutely refused to accept therof) and margine another man in his

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place, the whole Counsell unanimously voted to make tryell therof and to send some of their number to her to that effect. Qrupon act. 1688
16 April

That day the Counsell *una voce* voted that Mr Hector M^cKenzie, Minister at Kingusie, should be the man to whom the presentation should be given. Qrupon act.

That day the Counsell nominat Baillie Robertson & James M^cLeane to speak to the Lady Seafort & to try if she will comply with the Magistrats overture anent the altering of the presentation. Qrupon act.

That day the Counsell have nominat William Duff of Dipple & James Dunbar to go to Badenoch to speak Mr Hector M^cKenzie to try if he will accept of a presentation to be Minister here. Qrupon act.

That day it was voted in Counsell that the Bridge house should be reserved for the townes use only, to wit, to be a Counsell House and chamber for the Common Clerk of the towne & for other uses necessary for the towne. Qrupon act. 30 April

That day the Magistrats & Counsell ordaine that peice of waste ground of the townes communtie beyond Altnaskiach qch sometym was set in tack to Donald Glash, shoemaker, to be rowped on Fryday come eight dayes the eleventh of May next, and ordaine present intimation to be made of the said rowp at the merket cross be touck of drum that none pretend ignorance.

That day the Magistrats & Counsell (being conveyed in order to the towne's affairs) and having considered ane letter direct to them be James Dick, measson, anent their agriement wt. him for building of the steiple of the Tolbuith of this brugh, and the Provest haveing asked the Counsell advyse therin, the Counsell *una voce* ordained the Magistrats to writte ane anser to the said James Dick ordaineing him to come here againe the elevelnth of September nixt in order to settle wt. him to the effect forsaid, qch was done accordingly. Qron act. 28 Aug.

That day the Magistrats & Counsell (being conveyed annent the Townes affairs) and considering the countrey of the west highlands to be in a pnt. sturr and combustion by reason of the rebellion of M^cDonald of Keppoch and his adherents, and for secureing themselves and the whole inhabitants from the hazard incurssions of the saids rebels which may 3 Sept.

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1688 fall out through their slouth & negligence ; Therefore the sds. Magistrats
3 Sept. & Counsell for preveining therof have appointed & ordained that the pnt.
twelve Companies of the guard & watch of this brugh be reducit to eight
Companies considering the same to tend greatly to the safetie of the
place and therefore nominat the persons following to be Captanes &
Livetennants of the sds. eight Companies, their names are: William
Patersone, Captane, James Thomsons, his Livetennant ; William
M^cIntoshe, Captane, George Andersons, perivigmaker, his Livetennant ;
Robert Rose, yor., Captane, George Duncane, his Livetennant ; William
Thomsons, Captane, William Hoome, his Livetennant ; Donald Forbes,
captane, John M^cIntoshe, yor., his Livetennant ; Thomas Fraser, mert.,
Captane, Alex^r M^cKay, his Livetennant ; John Fraser, elder, mert.,
Captane, James Cowie, his Livetennant ; Robert Inness, Captane, Farq^r
M^cLean, his Livetennant ; and if at any tyme hereafter (as God forbid)
there should be a necessitie for a frequent convocating & calling of the
whole inhabitants of this brugh, then & in that caice, the sds. Magistrats
& Counsell ordaines the sds. eight to be reduceit, and therefore nominats
the persones after named to be Captans & Livetennants to the sds. four
Companies, they are to say : John Cuthbert, elder, mert, first Captane,
William Dallas, his Livetennant ; John Barbour, second Captane,
William Keilloch, his Livetennant ; James Dunbar, elder, mert., third
Captane, David M^cLean his Livetennant ; James M^cLean, mert. fourth
Captane, and William Steiven his Livetennant ; which four Captanes
abovenamed are to have two Captans of the sds. eight Companies each
of them with their Livetennants in case of necessitie as sd. is in maner
aftermentioned, to witt, the sd. William Patersone & William M^cIntoshe
wt their Livetennants for John Cuthberts Division as first Captane ; the
said Robert Rose, yor. & W^m Thomsons, wt. their Livetennants for John
Barbours Division as second Captane ; the said Donald Forbes and
Thomas Fraser, wt their Livetennants for James Dunbars Division as
third Captane ; and the said John Fraser and Robert Innes, wt. their
Livetennants for James M^cLeans Division, as fourth & last Captane :
and for ther better observeing and punctuall keeping of the guard &
watch of this brugh in tyme comeing the Counsell heirby authorizes the
Magistrats to exact of everie absent Captane or Livetennant ten pounds
Scots money, and of everie absent souldier five pounds Scots money
forsd. for each night they shall happin to absent from thr. guard thr.

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respective tours after the knelling of the nyne hours bell nightly, and that wtout. any exemption or diminution in the least in case they be at home & in health not bedfast qn. chairged & admonished be ane officer, and that the sds. Captans & Livetennants shall watch *per vices* nightly thr. respective toures except upon extraordinarie occassiones in qch. case both are to watch. Qron act. 1688
3 Sept.

That day also the Magistrates statutes & ordaines that all the Gild breitherin & burgesses of Trades wtin. this brugh shall have in all tyme comeing ane fixt fyrelock and ane sufficient sword each of them, and such other tradsmen as are not able to have the forsds. armes are hereby ordained to have ane deus ax or ane morneing starr wt. ane sufficient sword each person, and that under the paine of twentie pounds Scots money each persone that will not be furnished wt. the forsds. armes. Qron act.

That day the Magistrats & Counsell (being conveyined in order to the townes affairs) they ordaine & appoint the present Magistrats with Mr Gilbert Marshall to goe & speack Provest Dunbar annent the building of the steeple of the Tolbuith of this brugh, and to knowe of him if he will advance pntly. the thrie thousand merks qch. he dotted for building therof, qch if he condiscended to doe the Counsell hereby gives full power & warrand to the sds. pnt. Magistrats to bargane & agrie wt. James Dick, measson, as they shall think most convenient, and refers the termes of the agriement to the saids Magistrats and promises them & thr. successors in place & office to abyde therat. Qron act. 17 Sept.

That day the Counsell nominat & appointed the Dean of Gild, Inshes, James Dunbar & William Duff of Dipple wt. the pnt. Magistrats formerly nominat be the former to goe & agrie with James Dick Mr measson, annent the building & erecting of the steeple of the tolbuith of this brugh, he being for the pnt. in towne, and that also easie a rate as they possiblie can and as they shall think most fitting & expedient to be done, and also to agrie wt. whatsomever other persones they think & judge fittest for furnishing all sorts of materialls to the sd. work (iron work excepted) and to pass & subseryve contracts therupon wt. them, and whatever they shall adjudge themselves or doe therin the Counsell shall approve therof, and binds & oblidges them & ther successors in place & office to abyde therat and to frie & relieve them therof. Qron act. 18 Sept.

- 1688
1 Oct. That day the Provost presented an act of the Privie Counsell under the subscriptione of Sir William Patersone, clerk therto, dated the threttinth day of September last, suspending the election of new Magistrats & Counsell of Royall Burrowes within this Kingdome untill His Matie. shall declare his further pleasure, whereof the tenor followes: Edinbrug, the thretinth day of September 1688. Whereas the King's Most Excellent Matie hath by a letter direct under his Royall hand dated at the Court at Windsore the twentie nynth day of August last by past signified to his Privy Council here that he hath thought fitt to suspend the elections of Magistrats & Counsell of Royall Burrowes within this Kingdome untill his Matie shall declare his further pleasure, the Lords of His Maties Privie Council in pursuance of his Maties commands doe hereby authorize and allow the Magistrats & Council of the Royall Burrowes of this Kingdome formerly nominat to continue to exerce in their respective offices therin untill his maties. further pleasure be signified to them. Extr. by me Sir William Paterson of Grantone, Barronet, Clerk to his maties. Privy Council Sic sub^r Will. Paterson. Which act being read in Counsell, the Magistrats & Counsell did unanimsly homologat the same, and declared they wold obey it, and ordered thr. Clerk to keep the said act for ther warrand and to insert the same in the Counsell books. Qron act.
- 15 Oct. That day the Counsell appointed & ordained the Magistrats to buy the stones of the blew bridge from Alex^r Duff of Drummoore, James Dunbar, elder & James Barbour of Mulderg & uthers who pretend right therto, and that for the use of the steeple of the tolbuith of this brugh qch is to be built of new with ane stone pricket thereon, and that at the easiest rate they possiblie can, and to passe band to them for the sومه qch. they shall happine to condiscend upon for the samen; which commission the Counsell hereby oblidges themselves & successors in place & office to abyde therat, and to frie & relieve the sds. Magistrats of anie ingadgement on them therefore. Qron act.
- 22 Oct. That day also the Magistrats & Counsell nominat & appointed Alex^r Rose, late baillie & John Cuthbert, mert. to goe to the Moore of Conadge the morrow be ten acloak in the forenoone to sie the malitia men of this place detached conforme to his Maties. proclamation therannent. Qron act.

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That day also it was votted in Counsell what they judged & thought *1688*
to John Cuthbert of Drakies, Provest, William Duff, Hugh Robertsons & *22 Oct.*
James Stewart, Baillies, and of Samuel Cuthbert, Town Clerk, their
actings & way of walking the last year from Michaelmass jnvi^{cs} eightie
seven years to this day, and all other years preceeding the day & date of
thir presents since ther entrie & admisionne to ther respective offices :
The Counsell unanimoslie declared that the sds. Magistrats & Clerk
have verie regularlie, orderlie, legally & honestly officiat in ther respect-
ive offices and behaved themselves as became Magistrats & Clerk, and
rendered them thanks for ther good service done to the place. Qron act.

List of Provosts—1602 to 1688

1602 to 1603	William Cuthbert apparent of Auldcastlehill.
1603 to 1607	Mr. John Ross of Midleys.
1607 to 1615	John Cuthbert of Auldcastlehill.
1615 to 1616	Mr. John Ross.
1616 to 1617	John Cuthbert of Auldcastlehill.
1617 to 1618	Alexander Baillie of Dunzean (Dunain).
1618 to 1620	Mr. John Ross.
1620 to 1622	James Cuthbert of Easter Draikies.
1622 to 1623	James Cuthbert of Lochslin.
1623 to 1624	Mr. John Ross of Midleys.
1624 to 1625	Alexander Baillie of Dunain.
1625 to 1628	Duncan Forbes of Buddit.
1628 to 1630	James Cuthbert of Draikies.
1630 to 1631	Andrew Fraser.
1631 to 1632	James Cuthbert of Draikies.
1632 to 1634	Duncan Forbes of Bught.
1634 to 1636	Mr. John Ross, younger.
1636 to 1637	James Cuthbert of Draikies.
1637 to 1638	John Cuthbert of Wester Draikies.
1638 to 1639	Mr. John Ross of Midleys.
1639 to 1640	James Cuthbert of Draikies.
1640 to 1643	James Ross of Merkinch.
1643 to 1645	Duncan Forbes of Culloden.
1645 to 1646	James Cuthbert of Easter Draikies.
1646 to 1651	John Forbes, fiar of Culloden.
1651 to 1652	Robert Ross.
1652 to 1655	John Forbes.
1655 to 1657	Robert Ross.
1657 to 1662	Alexander Cuthbert.
1662 to 1663	Robert Rose.
1663 to 1666	Alexander Cuthbert.
1666 to 1669	Alexander Dunbar.
1669 to 1674	Alexander Cuthbert.
1674 to 1679	Alexander Dunbar.
1679 to 1680	Alexander Cuthbert.
1680 to 1683	Alexander Dunbar.
1683 to 1688	John Cuthbert of Easter Draikies.

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